



Planning & Zoning Commission Meeting
Tuesday, September 12, 2023 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment
5. Approval of Minutes
 - a. August 9, 2023
 - b. August 22, 2023
6. Application # Z-23-175 Zoning Map Amendment / Preliminary Development Plan
 - a. Application materials
7. Zoning Inspector
 - a. August 2023
8. Other Business
9. Adjourn



Planning & Zoning Commission
Wednesday, August 9, 2023 - 6:30 PM
MINUTES

1. Call to Order

Chairman Green called to order the Planning and Zoning Commission meeting for August 9, 2023 at 6:38 p.m.

2. Roll Call

Present - Chairman Ryan Green, Jesse Coppel, Walter Raub, Steve Dyer, Benjamin Lee
Absent - None

Staff present - Sean Staneart - Acting City Manager, Trevor Traphagen - MKSK, Mayor Donald Barnard - City Council, Nicole Shook - City Council, Franz Stein - Design Review Board, Terry Wymer - Code Enforcement, Teresa Monroe - Clerk of Council

Public present - Matt McQuade, Justin Bickle

3. Pledge of Allegiance

4. Public Comment

No comments

5. Presentation: Best Zoning Practices for Economic Development Planning; JTB Advisors/McQuade Economic Growth Advisors

Matt McQuade, Managing Principal of McQuade Economic Growth Advisors and Justin Bickle with JTB Advisors presented on the evolving global economy and Columbus Region location decisions as well as their recommendations for handling pressure from economic growth and Johnstown's path forward to capture the benefits of growth while continuing to shape its identity. Together, Mr. McQuade and Mr. Bickle hold over thirty years of Economic Development experience. They were both available for follow-up questions and discussion from board members.

6. MKSK discussion on signs & parking

Trevor Traphagen with MKSK was present for discussion of two key areas of the sign code; wall signs and monument signs.

Review of current regulations for wall signs and potential modifications. Recommendation is to allow more than one wall sign, so long as the total square footage of all signs does not exceed what is allowed by the code. Also, to lower the minimum clear height for wall signs, with a reduction in the amount the wall sign can project from the wall face. Board discussion and direction on other potential edits.

Review of current regulations for monument signs, discussion on sizes, the number permitted, multi-tenant types and text versus imagery. Sean Staneart to get some example measurements.

There were no recommendations on changing the parking code currently, but MKSK recommended next steps to determine and map character typologies and use them to form future zoning code changes and implement the vision of Johnstown. Part of this will be done through their work on the Comprehensive Plan.

Discussion on the number of parking spaces dedicated to downtown businesses in the Municipal Parking Lot, with many counting those spaces as their required parking.

7. Other Business

1. Walter asked if there was any progress on the Presbyterian Church bells. Sean said he will be facilitating a conversation and checking on some legalities.
2. Ben asked about the schools gravel parking lot, Sean said he is in the process of reviewing the history.
3. Zoning Inspector report reviewed.

8. Adjourn

With no further business, Mr. Lee moved to adjourn, Mr. Raub seconded and all were in favor.

Meeting adjourned at 9:03 pm



Planning & Zoning Commission
Tuesday, August 22, 2023 - 6:30 PM
MINUTES

1. Call to Order

Chairman Green called to order the Planning and Zoning Commission meeting for August 22, 2023 at 6:32 p.m.

2. Roll Call

Present - Chairman Ryan Green, Jesse Coppel, Walter Raub, Steve Dyer, Benjamin Lee
Absent - None

Staff present - Sean Staneart - Acting City Manager, Trevor Traphagen - MKSK, Thadeus Boggs - Frost Brown Todd, Franz Stein - Design Review Board, Teresa Monroe - Clerk of Council

Public present - Jackie Hutson, Ryan Hutson, Bailey McBroom, Susan McBroom, Connor Roshinski, Dave Selan, Kyle Cook, Jeff Moore, Andrea Ford, Mary Queen Cool, T Dodderer, Dennis & Denise Blankemeyer, Tim Swauger, Phil Wagner, Glenn Ronken, Adam Wheeler, Terri Feters, Cyndi Duke, Jamie McNally, Aaron Underhill

3. Pledge of Allegiance

After the pledge, Ben Lee moved to swap agenda items 6 and 7. Chairman Green said he would prefer to wait and have city legal council present for item 7. There was no second to Mr. Lees motion; motion died.

4. Public Comment

1. Jeff Moore, 176 Saratoga

- Received a letter in the mail saying a greenhouse on his property is out of compliance. He has a detached garage and a shed on the property also, he was not aware the greenhouse would be considered an accessory building.

Chairman Green advised that he should contact staff for a resolution. Jesse Coppel suggested the Variance process. Sean Staneart said he would have the Code Enforcement Official contact him for the process.

2. Cindy Duke

- Asked what the flags were marking along Concord Road.

Chairman Green advised that the property marked is not inside the city limit. Sean Staneart said the city has not been contacted, he thinks they could be marking a utility not belonging to Johnstown.

5. Approval of Minutes

ACTION: Ryan Green moved to approve in a block; Benjamin Lee seconded and all were in favor.
AYES: Chairman Green, Jesse Coppel, Walter Raub, Benjamin Lee, Steve Dyer
NOES: None
ABSTAIN: None

Passed 5 - 0

- a. June 13, 2023
- b. June 27, 2023
- c. July 25, 2023

6. Johnstown Land Company - Presentation on proposed PD District

Chairman Green said to keep in mind that this is not something that has been in front of the Zoning Commission previously. Sean Staneart said that there has been communication about the 285 acre annexation that has been brought before the council and this is in direct relation to what they will see tonight as far as a PD application in order to rezone that area. Mr. Staneart emphasized that this is a working document draft and not a formal submittal. This is a warm-up conversation and introduction of the draft plan.

Aaron Underhill, an attorney with Underhill & Hodge, was present on behalf of Johnstown Land Company, which is an affiliate of the New Albany Company. Mr. Underhill said the purpose and intent of coming before the commission tonight is to give an informal introduction of what their current thoughts are on a plan that they intend to file a zoning application on. Mr. Underhill said that the property they review tonight is in a position that, if developed properly, will ensure that the City of Johnstown prospers for many decades to come. This property is located on the doorstep of the biggest economic development project that the state of Ohio has ever seen. Johnstown may not have chosen Intel but it does have a choice to seize the opportunity it presents. Being right next door to Intel puts Johnstown in the drivers' seat to most immediately and certainly reap its benefits. The best way to influence development is to control it yourself and that is why they are annexing 285 acres into the city of Johnstown, they view this as a public, private partnership. Also included in the upcoming application, is additional acreage for a total of 417 acres stretching from Green Chapel up to Duncan Plains Road between Clover Valley and Mink. Mr. Underhill said that development is going to happen in this area, the question is how to get it done and what will it include. He said they are committed to moving the next wave of opportunity to within Johnstown's borders so it can reap the economic benefits. The adoption of the city's Planned District Code was a very important first step to allow the city to comprehensively review applications, which will be very important to the community. He added that they have watched intently as the city has gone through the process of revising its code, they have talked with MKSK as the city's planner, they have paid close attention to the framework being put in place as a starting point to update the community plan; they have listened to that and they hope tonight will show a furtherance of the goals in that plan. They have also had another guiding principal in mind, which is to make sure they are

developing in a way that benefits the school district and enhances what is a great community asset that everyone is proud of. They believe that by benefiting the school district, it makes for a stronger community, which is good for everybody and he thinks their track record in New Albany would back them up on that. This is also a chance for Johnstown to create opportunities for income tax revenue streams and other streams of revenue; to beef up infrastructure and enhance services. Mr. Underhill continued with the presentation on the "Johnstown Gateway Planned District". He said the area under the plan speaks to job creation and a mix of uses to support it. There will be a residential component to this project which will assist in the ability for some to live near where they work. He discussed options for funding infrastructure saying that they and the City of New Albany have been very successful with implementing a New Community Authority (NCA) charge, it is a way to have new development help pay for itself, it is a voluntary tax. Carefully thought out entitlements allow for the creation of shared use trails, new parks and rec facilities, restaurants and community spaces. The proposed plan showed five subareas allowing for office, manufacturing, industrial, data centers, warehouse, parkland and multi-family residential. Mr. Underhill addressed comments and questions of the board.

Chairman Green opened the floor to public comments on the presentation:

1. Tim Swauger, Johnstown-Monroe School Board President. Said they have just seen this together with the board for the first time tonight so they do not have a lot of opinions at this point, just a lot of questions. He said when they look at multi-family they get nervous. The school cannot add any more students, the high school is 40-50 kids from capacity and to build a new high school, they need fifty million dollars and a hundred acres, they will not get that from this one development. They have made a commitment as a school board that current residents should not have to face any additional school taxes to support growth. He said they have begun compensation conversations with Mr. Stanearth, that they will start working on for these types of developments, not this one specifically, but just an overall compensation agreement, and that compensation agreement will tell them whether or not they can support residential and at what level. He said the current triparty agreement they have with New Albany does not allow any housing. The density is critical for them, this development, from the school standpoint, will set the standard for what goes on beyond this so it is critical to get this one right.

2. Cheryl Robertson, former council member of eight years and chair of the Economic Development committee for Johnstown. Said she was on the committee when subareas 2A and 2B on the plan were planned and worked with the Port Authority and annexed in. Then, as a committee at the time, they did not want a distribution center there. They want a manufacturer or office buildings, but not a distribution center, that is not a good look, if it is not wanted in New Albany, it is not wanted here.

3. Andrea Ford. Asked about the "white spaces" on the plan shown and what would happen with those properties, will it be piecemeal or are there plans that have not been revealed. Mr. Coppel said those are individual land owners whose properties are not included in this annexation. Only properties coming into the city will be rezoned.

4. Adam Wheeler. Would like to see the development have alternative routes to help keep traffic from getting really bad. Look at where they put the open space using that to save some of the more environmentally precious areas, or, to use it as a buffer around some of

the existing homeowners nearby.

With no further public comments Chairman Green closed the floor.

Mr. Lee moved for a five minute recess, Chairman Green seconded and all were in favor.

7. Review & Recommendation for 110 S. Main

a. Staff Report

Application # Z-23-41 Conditional Use Permit at 110 S. Main Street for Transient Accommodations was previously approved by the Planning Commission with four conditions, one being that the transient use is second floor only, with the exception of guest entrance and exit. Violation of the conditional use permit was reported and evidence was presented in the packet. The evidence includes the April 11, 2023 meeting minutes where it was made clear that the transient use was only permitted on the second floor, and evidence received that would appear that the use is happening on both stories rather than the permitted second story only. City legal counsel Thad Boggs asked Sean Staneart if the evidence presented in the packet was the truth to the best of his knowledge and was that something he would swear or affirm to. Mr. Staneart said the evidence was presented to him in written form so to the best of his knowledge it represents the 110 S. Main Street structure, so yes. Applicant Jackie Hutson was present for the commission's review and recommendation, she addressed the board with some background and said that she does not understand the logic that not using the downstairs pertains to a residential property.

Chairman Green said he wanted to make it clear that the last time they were all here discussing this, he had stated that he thought we would be back in this situation in a couple months, which is why he voted the way he did then. It should have been whether or not to have an AirBnB, without so many stipulations and it became a project that was so blurred by the end of it that it did not resemble what it was intended to be originally which is why he voted no in the first place. Chairman Green asked Thad Boggs to read the original conditions placed on the application, which he did. Chairman Green said in terms of violating those conditions, they are solely on the downstairs use, which is the violation.

After board discussion and questions answered by city legal counsel, Mr. Boggs suggested that if the commission was inclined to revoke the conditional use, the commission could move to revoke but make the revocation effective only if the first floor transient use has not been discontinued within thirty days. This provides a cure period to the applicant.

ACTION:	Steve Dyer moved to revoke the conditional use effective thirty days from now unless the first floor transient accommodation has ceased; Ryan Green seconded and the vote was as follows:
AYES:	Walter Raub, Steve Dyer, Jesse Coppel
NOES:	Benjamin Lee, Chairman Green
ABSTAIN:	None

Passed 3 - 2

Some discussion on returning with some kind of idea on how to approach these within the GCC-1 district while working towards a Historical Overlay District.

8. Other Business

None

9. Adjourn

ACTION: Ryan Green moved to adjourn; Steve Dyer seconded and all were in favor.

AYES: Walter Raub, Benjamin Lee, Steve Dyer, Ryan Green, Jesse Coppel

NOES: None

ABSTAIN: None

Passed 5 - 0

The meeting adjourned at 9:35 pm



Z-23-175

Zoning Map Amendment Application

Status: Active

Submitted On: 8/23/2023

Primary Location

11717 DUNCAN PLAINS RD
JOHNSTOWN, OH 43031

Owner

West Licking Properties LLC,
et al.
MINK ST RD 8000 Walton
Parkway Suite 260 New
Albany, OH 43054

Applicant

 Aaron Underhill
 614-335-9320
 aaron@uhlfirm.com
 Underhill & Hodge LLC
8000 Walton Parkway
Suite 260
New Albany, OH 43054

Office Use Only

Conditions for Approval/ Additional Comments

Jim Blair Signature



Ryan Green Signature



Property Owner Information

Property Owner

Various - see accompanying list

Zoning District

LM, PUD, and township rural/agricultural

Proposed Zoning District

PD, Planned Development

Present Use of Property

Residential, agricultural, and
undeveloped

Description of the property to which Amendment would apply if enacted.

Property is located to the north of Intel, mainly between Green Chapel Road on the south, Duncan Plains Road on the north, Clover Valley Road on the west, and Mink Street on the east. A portion of the site is located to the north of and adjacent to Duncan Plains Road.

Statement of the relation of the proposed amendment to the general welfare of the community, to appropriate plans for the area and to the changed or changing conditions behind the request for the amendment.

The proposal will better the general welfare of the community by providing economic development opportunities and a unique mix of uses. The proposal aligns with the Johnstown Framework Growth Plan's recommendations for the area.

Property Owners - Contiguous to Property

List the property owner's names and addresses contiguous to and directly across the streets(s) from the property for which the nonconforming use is proposed or desired to be continued.

Property Owner Name

Property Street Address

see accompanying list

Property City/Town/State

Property Zip Code

Deed Restrictions, Easements, Covenants and/or Encumbrances

List any deed restrictions, easements, covenants and or encumbrance to be used to control use, development and maintenance of land and proposed uses shall be fully denoted by text and map.

Name of Deed Restriction, Easement, Covenant,
and/or Encumbrance

Comprehensive zoning text provides
detailed standards and requirements
for development.

Describe above and how it will be used to control use, development, and maintenance of land and
proposed use:

Standards and requirements will be applied by subareas within the property to
regulate uses, site planning, and design.

Authorization

I certify the information contained in this
application and attachments is true and accurate.*

✓ Aaron Underhill, attorney
Aug 23, 2023

Attachments

Vicinity Map

REQUIRED

Supporting Maps and Illustrations Johnstown Gateway PD Rezoning
8.23.23.pdf

Johnstown Gateway PD Rezoning 8.23.23 Wed Aug 23 2023 16-
-Uploaded by Aaron Underhill on Aug 23, 2023 at 4:09 PM
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Supporting Maps and Illustrations Johnstown Gateway PD Rezoning
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Surrounding Property Owner Labels - NACO Johnstown (8.23.2023).docx

Supporting Maps and Illustrations Johnstown Gateway PD Rezoning
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History

Date	Activity
8/23/2023, 2:33:33 PM	Aaron Underhill started a draft of Record Z-23-175
8/23/2023, 3:56:18 PM	Aaron Underhill altered Record Z-23-175, changed ownerCity from "JOHNSTOWN" to "New Albany"
8/23/2023, 3:56:18 PM	Aaron Underhill altered Record Z-23-175, changed ownerEmail from "" to "aaron@uhlfirm.com"
8/23/2023, 3:56:18 PM	Aaron Underhill altered Record Z-23-175, changed ownerName from "DUNCAN PLAINS LTD" to "West Licking Properties LLC, et al."
8/23/2023, 3:56:18 PM	Aaron Underhill altered Record Z-23-175, changed ownerPhoneNo from "" to "6143359320"
8/23/2023, 3:56:18 PM	Aaron Underhill altered Record Z-23-175, changed ownerPostalCode from "43031" to "43054"
8/23/2023, 3:56:18 PM	Aaron Underhill altered Record Z-23-175, changed ownerStreetNo from "3891" to "8000 Walton Parkway Suite 260"
8/23/2023, 4:10:13 PM	Aaron Underhill added attachment Fiscal Statement 8.23.23.docx to Record Z-23-175

Date	Activity
8/23/2023, 4:10:29 PM	Aaron Underhill added attachment Surrounding Property Owner Labels - NACO Johnstown (8.23.2023).docx to Record Z-23-175
8/23/2023, 4:35:43 PM	Aaron Underhill added attachment 285_93 ac 20220023-VS-ANNX-05.pdf to Record Z-23-175
8/23/2023, 4:35:55 PM	Aaron Underhill added attachment Duncan Plains Rd 053-174138-00.000 (46.728 Acre Description).pdf to Record Z-23-175
8/23/2023, 4:36:07 PM	Aaron Underhill added attachment Duncan Plains Rd 053-174138-00.000 (52.923 Acre Description).pdf to Record Z-23-175
8/23/2023, 4:36:24 PM	Aaron Underhill added attachment Legal Description Port Authority Parcel.pdf to Record Z-23-175
8/23/2023, 4:37:36 PM	Aaron Underhill added attachment Johnstown Gateway PD Zoning Text 8.23.23 FILED WITH CITY.docx to Record Z-23-175
8/23/2023, 4:38:13 PM	Aaron Underhill submitted Record Z-23-175

Timeline

Label	Activated	Completed	Assignee	Due Date
✓ Internal Review	8/23/2023, 4:38:14 PM	-	-	-
✓ Planning & Zoning Hearing	-	-	-	-
✓ Council Review	-	-	-	-
💰 Permit Fee	-	-	Aaron Underhill	-
📄 Permit Issuance	-	-	-	-

JOHNSTOWN GATEWAY PLANNED DEVELOPMENT DISTRICT (PD)

AUGUST 29, 2023

ARTICLE I: BACKGROUND

Section 1.1 Introduction and Summary. The City of Johnstown has embarked on a planning effort which seeks to position the community for master-planned and strategic growth. As part of this effort, it has adopted a *Land Use Framework* to supplement its Comprehensive Plan, which provides recommendations for land use and development in areas within and around the City. In addition, the City has created a new Planned Development (PD) classification in its zoning code which facilitates the development of a variety of uses and provides a mechanism for an applicant to propose standards under which such development is to occur. The combination of these two actions serves as a catalyst to allow Johnstown to capitalize on the opportunities that the Intel Campus and supporting projects will bring to the municipality.

This PD district includes 407.2+/- acres, the vast majority of which is owned or controlled by The Johnstown Land Company LLC and its affiliated business entities (Subarea 2B as defined herein is not owned or controlled by any of these entities but is being included with that property owner's consent). Portions of the subject properties are already within Johnstown's boundaries and the remainder (285.9+/- acres) is in the process of being annexed to the City. This land is in prime position for development in a manner that is complimentary to existing conditions while also providing significant opportunities for economic development that benefits the City. It provides a rare opening to master plan a significant amount of acreage under one planned development, which most communities never see.

The subject properties are mostly contained within an area bounded by Clover Valley Road on the west, Duncan Plains Road on the north, Green Chapel Road on the south, and Mink Street on the east. Other portions are located to the north of and adjacent to Duncan Plains Road and are served by Enterprise Drive.

This PD district is located within the *Land Use Framework* area that is identified for "Jobs." The shared goals of the applicant and the City are to strengthen the finances of the community through increased real estate taxes to be generated from this PD district and the collection of income taxes from new jobs. Attracting these types of developments are only possible by also providing a mix of other uses to support them. This zoning text provides for a range of uses as well as development standards and design requirements for the subject properties to facilitate economic growth.

Section 1.2 Regulatory Vision.

Long-range master planning, investment in public infrastructure, and proactive adoption of zoning standards to attract the right mix of uses collectively serve as the modern formula for a community's successful growth strategy. Zoning standards designed to attract employment-

generating uses also will allow for supporting service, retail, entertainment, recreational, and residential uses in close proximity, as businesses are increasingly becoming more interested in development sites where their employees can work in close proximity to where they live, shop, and socialize. The standards and requirements in this text are intended to provide a blueprint for success.

Section 1.3 Subareas. The PD is divided into five “subareas” as depicted on the accompanying Subarea Plan and as more particularly described in legal descriptions which have been filed along with this rezoning application. More specifically:

(A) Subarea 1. Subarea 1 consists of 182.7+/- acres which are bounded on the west by Clover Valley Road and on the north by Duncan-Plains Road, and consists of the western and central portions of the PD district.

(B) Subarea 2. Subarea 2 consists of 68.4+/- acres located to the north of and adjacent to Duncan-Plains Road and partially extending northward to U.S. Route 62. This subarea is also served by Enterprise Drive.

(C) Subarea 3. Subarea 3 consists of 70.3+/- acres located generally to the southwest of (but not adjacent to) the intersection of Duncan-Plains Road and Mink Street, to the east of and adjacent to Subarea 1, and to the west of and adjacent to Mink Street. It is north of and adjacent to Subarea 4.

(D) Subarea 4. Subarea 4 consists of a total of 60.1+/- acres located to the west and northwest of the intersection of Duncan-Plains Road and Mink Street, directly to the south of and adjacent to Subarea 3.

(E) Subarea 5. Subarea 5 consists of 25.7+/- acres located to the north of and adjacent to Green Chapel Road, generally to the east of its intersection with Clover Valley Road and to the south of and adjacent to Subarea 1.

Section 1.4 Summary of PD Regulatory Concept. This PD will facilitate creative development and will foster the goals of being flexible and yet predictable. It will accommodate the mixing of uses in certain locations where the segregation of uses would result in outdated and uninspired development patterns. By the act of approving this zoning and Preliminary Development Plan, certain baseline zoning rights will be applied throughout the zoning district. All other use and development rights that previously applied to these properties will no longer apply (*see Section 2.1*). The placement of use and development rights throughout the zoning district will be subject to certain limitations and requirements as detailed throughout this text.

Section 1.5 Application and Interpretation. This zoning text applies standards and requirements which are specific to the land located within it. In the future, additional land may be made subject to this text in accordance with rules and procedures detailed in Codified

Ordinances Chapter 1164. In the event of a conflict between any provision of this zoning text and the Codified Ordinances, the provision in this zoning text shall govern. When this text is silent on a particular matter, then the provisions of the Codified Ordinances shall be applied.

ARTICLE 2: USES

Section 2.1 Baseline Rights. Upon the approval of this zoning, certain uses and development rights shall be established as baseline rights within each subarea of this zoning district. The chart in **Section 2.2** below (the “Use Chart”) sets forth the use rights which are being established as baseline rights within each subarea. Baseline uses shall be permitted to be developed and operated on applicable property in accordance with relevant procedures as detailed later in this text. Further definitions of each use category are provided in **Section 2.3**.

Section 2.2 Use Chart.

The following Use Chart details the use categories which are allowed to be developed and operated in each subarea in this zoning district. Where a “**P**” is used in the chart, this indicates that the use category is permitted in the relevant subarea as a “baseline permitted use category” upon the effective date of this zoning text without the need for further zoning approvals, but with development still being subject to any required Final Development Plan or Certificate of Development Approval (“**CODA**”) application reviews and approvals pursuant to the requirements of Codified Ordinances Chapter 1164. Where a “**C**” is used in the chart, the uses within the particular category shall be conditional uses to be reviewed in accordance with Section 1164.03(b) of the Zoning Ordinance. Where an “X” is used in the chart, this indicates that all uses in the use category are prohibited from being developed or operated in the relevant subarea without the approval of a separate rezoning application that would otherwise permit them.

USE CHART

<u>Use Category</u>	<u>Subarea 1</u>	<u>Subarea 2</u>	<u>Subarea 3</u>	<u>Subarea 4</u>	<u>Subarea 5**</u>
Office Uses (O)	P	P	X	P	P
Major Institutional Uses (MI)	P	P	X	C	P, if associated with Subarea 1 uses C, if associated with Subarea 4 uses

Use Category	Subarea 1	Subarea 2	Subarea 3	Subarea 4	Subarea 5**
Community Institutional Uses (CI)	X	P	P	P, as part of development under the MU category	P, as part of development under the MU category
Manufacturing, Production, and Industrial Uses (MPI)	P	P	X	X	P
Data Center Uses (DC)	P	P	X	X	P
Warehousing and Distribution Uses (WD)	P	P	X	X	P
Neighborhood Commercial Uses (NC)	X	X	P	P	P
Auto-Related Uses (AR)	X, except that electric vehicle charging stations shall be permitted	X, except that electric vehicle charging stations shall be permitted	X, except that electric vehicle charging stations shall be permitted	C, except that electric vehicle charging stations shall be permitted	C, except that electric vehicle charging stations shall be permitted
Community Commercial Uses (CC):	X	X	X	P	P
Multi-Family Residential (MF)	X	X	P	P, as part of development under the MU use category	P, as part of development under the MU use category
Mixed Use (MU):	X	X	P	P	P
Parkland and Open Space Uses (POS)	P	P	P	P	P

<u>Use Category</u>	<u>Subarea 1</u>	<u>Subarea 2</u>	<u>Subarea 3</u>	<u>Subarea 4</u>	<u>Subarea 5**</u>
Parking Structures	C	C	P	P	C

**See Section 9.2 for use limitations that are applicable to Subarea 5.

Section 2.3 Permitted and Conditional Uses. The following land use categories shall apply to this zoning district:

(A) Office Uses (O). Office Uses (O) are intended to include a wide range of professional, administrative, medical, and similar office uses. These uses include, but are not limited to:

(i) Administrative and business offices which do not include on-site retail sales to customers, do not have an inventory of goods or products on the property from which office uses are conducted, and do not store non-office equipment or trucks on-site; and

(ii) Professional offices which may or may not include the provision of services to the general public, such as but not limited to medical services (but excluding veterinary services), mental health services, veterinary medical services (excluding daycare and overnight boarding), legal services, accounting services, engineering services, governmental services, and other services which are customarily provided in a professional office setting. Such offices do not include on-site retail sales to customers other than the sale of products which are ancillary to the primary office use such as pharmacies which dispense medication to patients that are served by a physician or other care provider that is located on-premises.

(B) Major Institutional Uses. Major Institutional Uses (MI) are intended to include uses that serve civic, educational, health, or other purposes which further the general health, education, safety, or welfare of the community and have a relatively large scale and/or intensity of use. These uses include, but are not limited to:

(i) Hospitals;

(ii) Ambulatory care facilities, defined to mean “facilities providing a range of different medical services on an outpatient basis such as (but not limited to) physician services, wellness services, treatment programs, outpatient procedures and surgeries, clinics, counseling centers, medical laboratories, rehabilitation services, diagnostic services, and related or similar services and/or uses”;

(iii) Alcohol, drug, or other treatment or rehabilitation facilities;

(iv) Primary and secondary schools, both public and private;

(v) Public or private higher education facilities such as trade schools, community colleges, colleges, and universities;

(vi) Governmental services such as public service storage, maintenance operation facilities, police protection, and fire and EMS services;

(vii) Public, quasi-public, or private utilities services, infrastructure, and storage of materials and equipment related thereto;

(viii) Park-and-ride facilities, defined to mean “a facility, paved area, or some combination thereof which provides daily parking for mass transit passengers or car-pooling”; and

(ix) Recreational and athletic facilities such as recreational centers, field houses, and related or similar uses.

(C) Community Institutional Uses. Community Institutional Uses (CI) are intended to include uses that serve civic, educational, health, or other purposes which further the general health, education, safety, or welfare of the community and have a relatively small or moderate scale and/or intensity of use. These uses include, but are not limited to:

(i) Religious exercise facilities and related uses;

(ii) Preschools;

(iii) Child day care and adult day care;

(iv) Medical or psychological urgent care;

(v) Stand-alone emergency room facilities;

(vi) Nursing homes, memory care facilities, assisted living facilities, and congregate care facilities, including independent living facilities when combined with one or more of the foregoing. “Independent living facilities” shall be defined to mean “senior residential living facilities which do not provide meal preparation or services to residents”;

(vii) Libraries; and

(viii) Museums.

(D) Manufacturing, Production, and Industrial Uses (MPI). Manufacturing, Production, and Industrial Uses (MPI) are intended to include industrial, manufacturing, assembly, production, and other similar uses. These uses include, but are not limited to:

(i) Manufacturing and production;

(ii) Research and development, with or without production;

(iii) Assembly of goods and products;

(iv) Industrial product sales, which includes uses and users that sell, rent, or lease products, equipment, machinery, or supplies generally intended for industrial or commercial users. Sales may be wholesale or retail. This use may include display areas and products may be delivered to customers off-site. Administrative offices, warehouses, and product repair are permitted uses in association with the primary sales use;

(v) Industrial services, which includes uses and users that repair or service industrial, business, or consumer machinery, equipment, or products. Few customers (especially the general public) come to the site. Examples of these types of uses include but are not limited to welding shops, machine shops, tool and equipment repair, and truck and large equipment repair;

(vi) Essential services such as (but not limited to) electric substations and water and sanitary sewer facilities and infrastructure.

(E) Data Center Uses (DC). Data center (DC) uses are intended to include data centers and related accessory uses. “Data centers” shall be defined to mean “a facility containing large groups of networked computer servers typically used by organizations for the remote storage, processing, and distribution of large amounts of data and information;”

(F) Warehousing and Distribution Uses (WD). Warehousing and Distribution Uses (WD) are intended to include uses that store and provide for the distribution of goods and products. “Warehousing and distribution” uses shall be defined to mean “a facility to which goods, products, materials, and/or equipment are delivered and later stored and distributed to customers or to other facilities.” Public storage, meaning “facilities that provide interior spaces for rent to the general public for storage of personal property”, also shall be permitted in this use category;

(G) Neighborhood Commercial Uses (NC). Neighborhood Commercial Uses (NC) are intended to include retail, restaurant, and service-oriented uses for the convenience of the general public. No individual user operating under the NC use category shall be permitted to occupy more than 20,000 gross square feet of interior building space unless approved as part of a specific request by an applicant as part of a Final Development Plan application. Permitted uses within the NC designation shall include but not be limited to:

(i) Administrative, business, professional, medical, dental, and similar office uses;

(ii) Retail stores primarily engaged in selling goods, products, apparel, and/or merchandise to customers for personal or household use or consumption;

(iii) Pharmacies and drug stores, with or without drive-thrus; and

(iv) Personal service uses including, but not limited to:

(a) Banks and other financial institutions with or without drive-thrus, but excluding check cashing or payday loan uses;

- (b) Barber shops and beauty salons;
- (c) Funeral services (provided that cremation services must be approved as part of a conditional use application);
- (d) Dry cleaners; and
- (e) Athletic clubs and fitness centers.
- (v) Restaurants with or without drive-thrus;
- (vi) Bars, taverns, wine shops, and liquor stores;
- (vii) Bed and breakfast inns; and
- (viii) Private clubs requiring the payment of membership dues or fees.

(H) Auto-Related Uses: Auto-Related Uses (AR) are intended to include those uses which typically have a regular flow of vehicular traffic during business hours and provide services and/or products serving vehicles and/or their drivers and passengers.

- (i) Gasoline and other fuel sales with or without a convenience store, restaurant, car wash, and/or other accessory uses;
- (ii) Electric vehicle charging stations;
- (iii) Oil changes, motorized vehicle engine repairs, and motorized vehicle body repairs; and
- (iv) Drive-thrus in association with a permitted or approved conditional use in the NC use category or the CC use category; and
- (v) Car and truck washes.

(I) Community Commercial Uses (CC). Community Commercial Uses (CC) are intended to allow for (but not require) an anchor-type commercial use within a cohesive development area that includes smaller complementary uses. The presence of an anchor use results in the development serving a broader market than a development containing only NC uses.

- (i) Permitted uses within the CC designation include:
 - (a) All uses permitted under the NC use category;
 - (b) Hotels, with or without conference centers, provided that each individual room for lodging is accessed using a door that is interior to the building in which it is located;

- (c) Grocery stores;
- (d) Wholesale clubs or stores;
- (e) Lumber and home improvement sales and services;
- (f) Sales and service of new and/or used automobile, truck, recreational vehicle, or other motorized vehicles or watercraft;
- (g) Veterinarian offices, animal hospitals, and boarding facilities (in each case with or without outdoor areas for animals);
- (h) Movie theaters, bowling alleys, concert halls and other large-scale indoor entertainment facilities; and
- (i) Event and banquet centers.

(ii) Limitations. The following limitations shall apply to uses under the CC use category:

- (a) An “Anchor Use” shall be “any use other than hotels or uses permitted in the MFR use category that is permitted or conditional in the CC use category and occupies at least 75,000 square feet of gross floor area.”
- (b) When an Anchor Use is proposed as part of a development, the Final Development Plan which includes the proposed use shall include a minimum of 10 acres.
- (c) No more than two Anchor Uses shall be located in this Zoning District, and no two Anchor Uses shall be permitted in the same subarea.

(J) Multi-Family Residential (MFR). Multi-Family Residential Uses (MFR) are intended to provide residential living opportunities such as multiple single-story “flats” or multiple-story attached townhomes in proximity to job centers, service-oriented retail uses, restaurants, and other amenities. Buildings containing 6 or more individual living units shall be permitted under this use category, along with private community centers or clubhouses, swimming pools, indoor and outdoor recreational activities, and other uses and improvements that are customary in a multi-family community. Independent living uses are included as a permitted use in the MFR use category.

(K) Mixed Use (MU). The Mixed Use (MU) category permits development that includes both (a) uses in the MFR use category or multi-family units located above first floor commercial or office space and (b) two or more uses from the NC and/or CC use categories.

(L) Parkland and Open Space. Parkland and Open Space (POS) uses are intended to include passive and active public parkland and private open space and other uses which are intended to promote outdoor activities. Examples of such activities include, but are not limited to,

ballfields, playgrounds, tennis and pickleball courts, leisure trails and bike paths, disc golf courses, outdoor stages, and festivals.

(M) **Parking Structures (PS).** Parking structures (PS) shall be defined to mean “buildings or structures used for the parking of vehicles and which are available to residents, clients, customers, and/or or the public with or without a fee being charged and which may be constructed above or below finished grade.” The heights of parking structures shall not exceed the height of any adjacent building.

Section 2.4 Similar Uses. The list of uses provided in **Sections 2.2 and 2.3** are specific in their definitions in some instances and general in others. When a general description of a permitted use or conditional use is provided and it is unclear if a proposed development or use of property fits into that general use description, an applicant shall be permitted to make a written request to the Zoning Inspector (such officer being contemplated in Codified Ordinances Section 1125.05) for a similar use determination. Within 10 business days of receipt of such a written request, the Zoning Inspector shall make a written determination as to whether or not the use that is described in the applicant’s written request is a similar use to any permitted or conditional use that is allowed to be developed and operated within the subarea to which the request applies. A determination that a use is similar to uses permitted by right or which are conditional shall be considered as a clarification of the use regulations of this zoning district and not as a variance applying to a particular situation. Any use found to be similar shall thereafter be considered as a permitted or conditional use (as applicable) in the relevant use category throughout zoning district.

A written determination by the Zoning Inspector that the use specified in an applicant’s written request under this section is neither permitted nor conditional within the relevant use category shall be subject to an administrative appeal by the applicant to City Council. Such an administrative appeal shall be made by filing a notice of the appeal with the City Council Clerk within 15 days after the Zoning Inspector’s written determination has been delivered to the applicant. City Council shall then hold a hearing on the appeal at its next regularly scheduled meeting that is at least 20 days after the City Council Clerk’s receipt of the appeal. Following the hearing, City Council shall make an administrative determination of whether or not the disapproval of the similar use request was illegal, arbitrary, capricious, unreasonable, or unsupported by the preponderance of substantial, reliable, and probative evidence contained within and accompanying the applicant’s written request for a similar use determination. If City Council overturns the decision of the Zoning Inspector, then it shall have the same result as if the Zoning Inspector had approved the determination. If City Council upholds the Zoning Inspector’s decision or overturns the determination with conditions or conclusions to which the applicant objects, the applicant may file an administrative appeal in court in accordance with applicable state law.

Section 2.5 Prohibited Uses. Any use that is not a permitted or conditional use in a use category provided in **Section 2.3** and does not constitute a similar use as contemplated in **Section 2.4** shall be prohibited unless and until a rezoning application is approved to amend this text to allow the use. Without limiting the foregoing, the following uses are prohibited in this zoning district: Sexually-oriented businesses, tattoo parlors, gambling establishments, motels (defined

to mean facilities providing temporary lodging to transient guests with access to one or more rooms being provided from an exterior door, and “residential hotels” (such term being defined in Ohio Revised Code 3731.01(A)(4)).

Section 2.6 Major Economic Development Projects. Codified Ordinances Section 1164.06(j), defines the term “Major Economic Development Project” to mean “a development containing at least 50,000 square feet of gross building floor area and containing one or more of the following land uses: administrative or professional office uses; medical office uses; research and development facilities; warehousing and/or distribution facilities; data centers; industrial, manufacturing, assembly, and/or production uses, and other uses which are identified as Major Economic Development Projects in an approved Zoning Text. In no circumstance will residential, retail or restaurant use be eligible for Major Economic Development Project designation.” In this PD district, Major Economic Development Projects shall be as defined in Codified Ordinances Section 1164.06(j) and shall include all other permitted uses in the O, MPI, DC, and WD use categories that meet the minimum square footage requirement in that definition.

ARTICLE 3: DENSITY

Section 3.1 Intent. The permitted densities of development types shall be as provided in this Article 3.

Section 3.2 Non-Residential Uses. Regulation of the density of non-residential uses will occur by the application of the following maximum lot coverage standards as well as building height limitations, minimum setbacks, and other objective requirements provided throughout this text. For purposes of this text, the term “lot coverage” shall mean “the percentage of the total acreage within real property that is the subject of each Final Development Plan application or CODA application which contains impervious surfaces, such as (but not limited to) buildings and pavement.” Maximum lot coverages are as follows:

(A) Uses that are permitted or conditional in the O, MI, CI, MPI, DC, WD, NC, AR, CC, and MU use categories: 80%

(B) Uses that are permitted in the POS category or PS category: A percentage as approved as part of a Final Development Plan or CODA application.

Section 3.3 Residential Uses. The maximum residential density in this PD district shall be equal to the product of (A) the total gross acreage contained in the zoning district and (B) 3.0 residential units per acre. Therefore, this PD district shall have a maximum density of 407.2 acres x 3.0 units/acre = 1,221 units, to be distributed within this PD district as follows:

(A) Subarea 3. 400 of these units shall be permitted as baseline rights in Subarea 3. The amount of residential units which are permitted to be developed in Subarea 3 may increase or decrease in accordance with the Unit Bank Transfer Process as set forth in **Section 4.2(C)** of this text.

(B) Subarea 4. 350 of these units shall be permitted as baseline rights in Subarea 4, but only when developed and constructed under the MU use category and related standards and requirements. The amount of residential units which are permitted to be developed in Subarea 4 may increase or decrease in accordance with the Unit Transfer Process as set forth in Section 4.2(C) of this text.

(C) Subarea 5. Units on deposit or which in the future are deposited into the Unit Bank may be transferred into Subarea 5 if it is developed with uses permitted under the MU use category.

(D) Unit Bank. The remaining 471 permitted units initially shall be on deposit in the Unit Bank, as such term is contemplated in Section 4.2(C) of this text. Deposited units may be transferred into Subarea 3, Subarea 4, or Subarea 5 in accordance with the Unit Bank Transfer Process as set forth in Section 4.2(C).

(E) Individual Developments. It is the intent that individual residential developments may provide for densities in excess of 3.0 units/acre, provided that the gross maximum density throughout the PD district and any density permitted in Subarea 3, Subarea 4, or Subarea 5 at any particular point in time is not exceeded.

ARTICLE 4: POST-ZONING PROCEDURES

Section 4.1 Intent. The review procedures for development proposals within a PD district are based on the procedures set forth in Chapter 1164 of the Codified Ordinances. Certain additions to those procedures are being included in this text based on the unique qualities of this PD district.

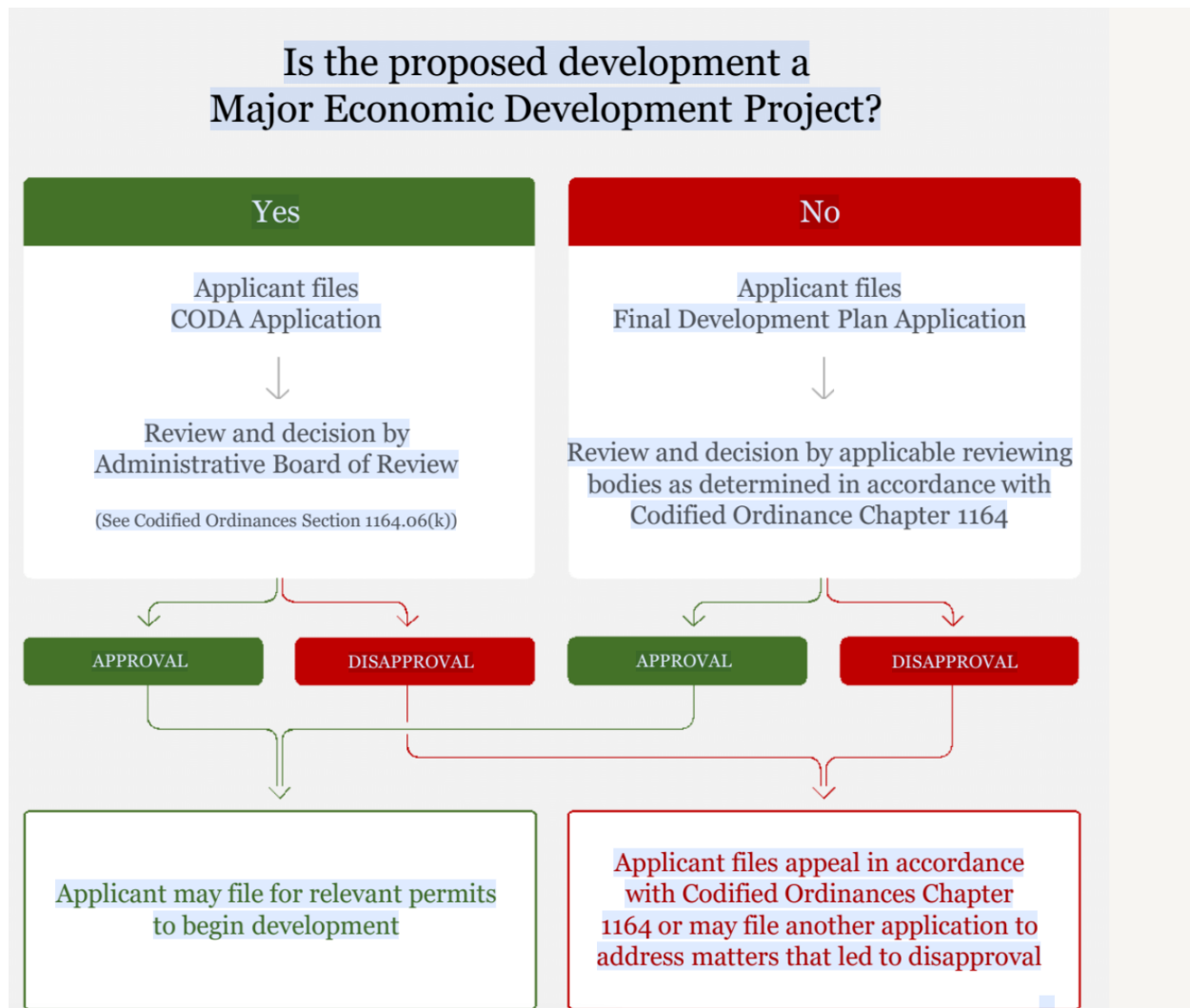
Section 4.2 Review Processes. There are three review processes which shall apply to development proposals in this PD district:

(A) Review Process #1 – Major Economic Development Project. When a Major Economic Development Project identified in Section 2.6 above falls into a baseline permitted or conditional use right within a subarea and a development relating to the same is proposed, an owner, developer, or other applicant shall be required to file a CODA application for review and approval in accordance with Codified Ordinances Chapter 1164.

(B) Review Process #2 – Other Projects. When a project that does not qualify as a Major Economic Development Project falls into a baseline permitted or conditional use right in a subarea and a development relating to the same is proposed, an owner, developer, or other applicant shall be required to obtain approval of a Final Development Plan application before such use or development rights may be utilized. The Final Development Plan shall be reviewed and approved, approved with conditions, or disapproved in accordance with the applicable procedures set forth in Codified Ordinances Chapter 1164.

Illustration 4.2. – Post-Zoning Procedures Flow Chart

The flow chart below is being provided as an illustration of how post-zoning procedures for review of development in this PD district are to occur.



(C) **Review Process # 3 – Residential Unit Transfers.** The approval of this PD district hereby serves to create a “Unit Bank”. The Unit Bank shall be utilized to account for the maximum number of residential units permitted within this PD District (and as it may be expanded in the future), while also facilitating the transfer of undeveloped permitted units between subareas in which uses under the MFR use category and/or the MU use category are permitted. Upon approval of the rezoning/Preliminary Development Plan application that serves to create this PD district, the Unit Bank shall have on deposit the number of units that are provided in **Section 3.3(D)**. The rights to develop the residential units that are initially on deposit in the Unit Bank shall be deemed to run in favor of, and shall be owned by, The

Johnstown Land Company LLC (“JLC”), and may be assigned or transferred to another party only with the written consent of JLC, as determined in its sole discretion.

(i) Transfers. JLC, or another authorized applicant who seeks to transfer residential units to and from permitted subareas or to and from the Unit Bank may, as part of a Final Development Plan application, make a written request to do one or more of the following, and upon approval of the application the balance of units that are within the Unit Bank shall automatically be adjusted accordingly:

(a) Deposit undeveloped units into the Unit Bank and hold them there until a development opportunity arises in which rights to the deposited units will be needed in order to reach the applicant’s desired density;

(b) Withdraw units from the Unit Bank and apply them to a permitted subarea, where they may then be developed in accordance with the approved Final Development Plan; or

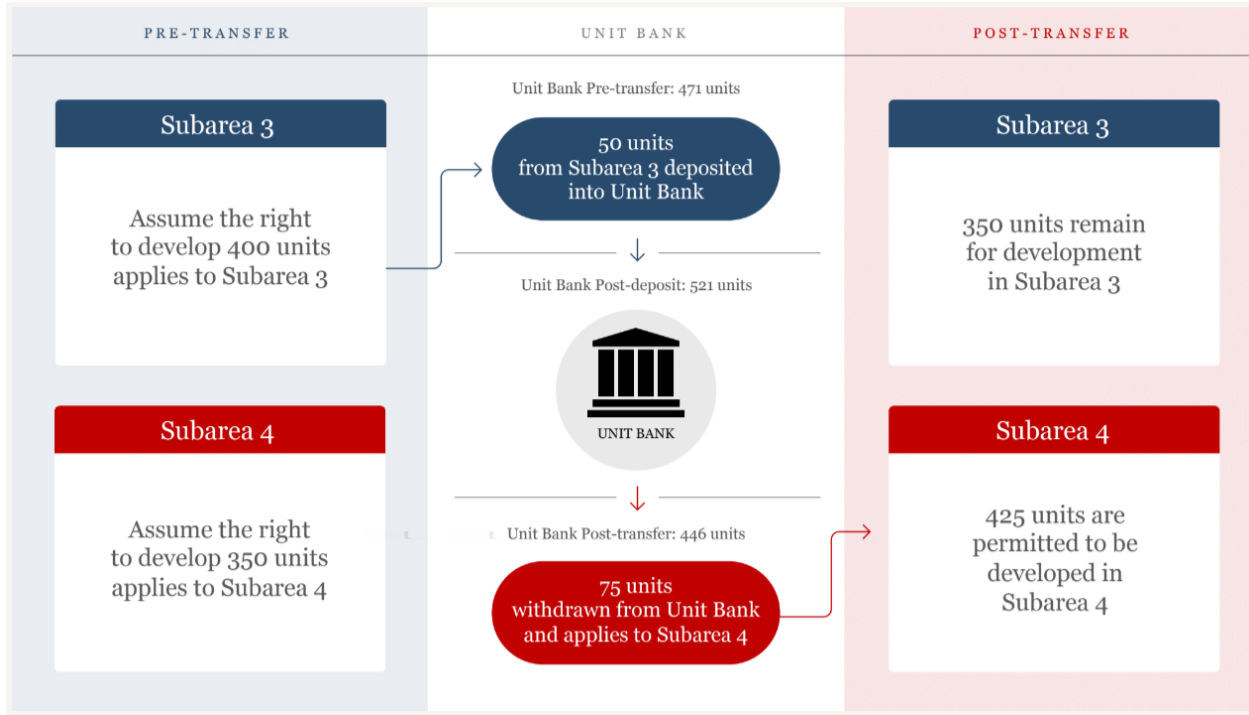
(c) Deposit undeveloped units into the Unit Bank and immediately thereafter withdraw them for use in another permitted location.

(ii) Accounting Once a Final Development application is approved which includes residential unit deposits into and/or withdrawals from the Unit Bank, the applicant shall, within ten (10) business days after the action to approve the application has been taken, present an updated written accounting of the number of units which are then on deposit in the Unit Bank, which shall be signed by its authorized representative. The City Manager shall then review the same and, within ten business (10) days following receipt thereof, either countersign the document to evidence his or her confirmation of its accuracy, or provide the applicant with comments on the same, which the parties shall then work diligently and in good faith to address. Once such items are addressed to the satisfaction of both parties, then the applicant shall sign, and the City Manager or his or her designee shall countersign, the revised document.

(iii) Effect of Unit Construction. Once construction commences on any residential unit pursuant to an approved Final Development Plan, that unit shall be subtracted from the total gross number of residential units remaining for development within this PD district. The difference between the total gross number of residential units that are permitted within this PD district and the number of units that have commenced construction or for which construction has been completed shall constitute the remaining permitted residential density within this PD district.

Illustration 4.2(B) – Unit Bank Transfer Procedure - Example

Assume 100 units on deposit in the Unit Bank and applicant seeks to withdraw 25 units and apply them to Subarea 4. Applicant also seeks to transfer 50 units from Subarea 3 to Subarea 4. Applicant files Final Development Plan application that includes a written request for units transfers. Upon application approval, the result is as follows:



ARTICLE V: SUBAREA 1 - DEVELOPMENT STANDARDS AND REQUIREMENTS.

Section 5.1 Applicability. Subarea 1 consists of 182.7+/- acres which are bounded on the west by Clover Valley Road and on the north by Duncan-Plains Road, and which are to the north of and adjacent to Subarea 5 and to the west of and adjacent to Subarea 3. Its boundaries are more particularly depicted and described in the Subarea Plan. The provisions of this **Article V** are intended to provide standards and requirements for development which apply specifically to Subarea 1. Use rights for this subarea are detailed in **Article II** above.

Section 5.2. Lot Coverage. Maximum lot coverages for Subarea A are provided for each permitted use category in **Section 3.2** above.

Section 5.3 Setbacks.

(A) **Clover Valley Road.** There shall be a minimum pavement setback of 50 feet and a minimum building setback of 100 feet from the right-of-way of Clover Valley Road after any required dedication of right-of-way is completed in accordance with this text. Security fencing

may encroach into the minimum building setback but in no event shall be located less than 50 feet from the Clover Valley Road right-of-way.

(B) Duncan Plains Road. There shall be a minimum pavement setback of 50 feet and a minimum building setback of 100 feet from the right-of-way of Duncan-Plains Road after any required dedication of right-of-way is completed in accordance with this text. Security fencing may encroach into the minimum building setback but in no event shall be located less than 50 feet from the Duncan Plains Road right-of-way.

(C) Other Perimeter Boundaries. Except as provided in the next sentence, there shall be a minimum pavement and building setback of 25 feet from any perimeter boundary line of Subarea 1 that is not adjacent to a public street right-of-way and is shared with a parcel that is not under common ownership and on which no residential uses exist or are permitted. There shall be a minimum pavement setback of 50 feet and a minimum building setback of 100 feet from any perimeter boundary line of Subarea 1 that is not adjacent to a public street right-of-way and is shared with a property that is not under common ownership and on which residential uses exist or are permitted, subject to the requirements of Sections 5.6(B) and (C). From the southern boundary line of Subarea 1, the minimum setbacks shall be equal to the greater of (a) the width of an existing AEP electric easement (ranging from 100 feet to 300 feet, as may be modified in the future) and (b) 50 feet for pavement and 100 feet for buildings.

(D) Other Public Streets. There shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the right-of-way of any new public streets which are constructed in Subarea 1.

(E) Internal Parcel Lines. There shall be a minimum pavement and building setback of 25 feet from internal parcel lines within this subarea, except that these minimum setbacks shall be zero when the parcel on each side of a shared parcel line is under common ownership.

(F) Elimination of Setbacks. In the event that a parcel located within this subarea and an adjacent parcel located within or outside of this PD 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 pavement and building setbacks set forth in this Section 5.3 as they apply to common property lines shall no longer apply with respect to these parcels.

Section 5.4. Architectural Standards.

(A) Building Height. The maximum building height for structures in Subarea 1 shall be 85 feet. Secondary architectural features such as, but not limited to, roof-mounted equipment, architectural screening elements, and exhaust pipes may exceed this height.

(B) Service and Loading Areas. Service areas and loading areas shall be screened to minimize visibility from off-site view using walls, buildings, fencing, landscaping, or some combination thereof.

(C) Building Designs – All Types.

(i) Building designs shall not mix architectural elements or ornamentation from different styles.

(ii) Buildings shall be required to employ a comparable use of materials on all elevations.

(iii) 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 (provided, however, that this requirement shall not apply to data centers).

(iv) All elevations of a building that are visible from a public street right-of-way shall receive similar treatment in terms of style, materials, and design so that such elevations are not of a lesser quality of visual character than any other. Loading docks are not required to have the same degree of finish unless they are visible from a public street right-of-way.

(v) Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, 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 subsection.

(vi) Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. 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, or if fronting on a public right-of-way shall be completely screened from view of that right-of-way.

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

(viii) Solar panels shall be permitted on the roofs of buildings, provided that they are not visible from adjacent public street rights-of-way.

(D) Materials.

(i) 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., Hardi-plank 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.

(ii) 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.

(iii) Generally, the quantity of different materials selected for a building shall be minimized.

(E) Additional Standards for Buildings With Office Not as the Primary Use. Buildings that are constructed to accommodate a primary use other than offices often present different design challenges than a typical office building. For instance, data centers, warehousing and/or distribution facilities, and manufacturing plants all have their own unique design requirements. Such buildings are necessarily large and typically include long walls that together provide a box-like form. The standards in this subsection (E) shall apply to buildings in which office is not the primary use and are intended to balance the practical needs of the uses within them with the goal of having exterior designs that are attractive and appropriate based on their locations in a portion of the PD district that facilitates large business operations within substantial buildings.

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 in an effort to set expectations for the quality of architecture that will be expected for these structures. While at the same time allowing for some flexibility to allow the architecture of a building to be appropriately designed to meet the functional needs of the building and its occupant(s).

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

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

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

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

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

(F) Architectural Examples. The images below are intended to demonstrate buildings of various types which would comply with the requirements, spirit, and intent of this **Section 5.4.** These images are not meant to require any particular building type to be designed in the manner that is illustrated, and a variety of building aesthetics and character is encouraged throughout the subarea. The buildings that are shown below are representations of the quality of buildings that will be manifested from compliance with this **Section 5.4.**

Illustration 5.4.1 – Major Office Buildings





Illustration 5.4.2 – Data Centers





Illustration 5.4.3 – Warehousing and Distribution Facilities



Illustration 5.4.4 – Manufacturing, Production, and Industrial Buildings



Section 5.5. Access, Site Circulation, and Traffic Commitments.

(A) Subarea Perimeter Vehicular Access. Vehicular access shall be provided to and from Subarea 1:

- (i) From Green Chapel Road via a new public street that will run northward through Subarea 5;

(ii) Along Clover Valley Road, using a maximum of two full turn movement access points, provided that these access points are located at least 500 feet from one another as measured between the centers of the intersections of both access points with Clover Valley Road. Additional vehicular access points with less than full turn movements shall be permitted along Clover Valley Road if they are located a safe distance from other access points on the same street, as determined in an approved Traffic Access Analysis as contemplated in **Section 5.5(B)**; and

(iii) Along Duncan-Plains Road, using a maximum of two full turn movement access points, provided that these access points are located at least 500 feet from one another as measured between the centers of the intersections of both access points with Duncan-Plains Road. Additional vehicular access points with less than full turn movements shall be permitted along Clover Valley Road if they are located a safe distance from other access points on the same street, as determined in an approved Traffic Access Analysis as contemplated in **Section 5.5(B)**.

(iv) **Additional Access Points.** Should additional acreage with frontage on any of Green Chapel Road, Clover Valley Road, or Green Chapel Road be added to this PD district at a later date in accordance with the procedures set forth in Codified Ordinances Chapter 1164, additional full or restricted turn movement access points may be permitted on those streets as detailed in an approved amendment or addendum to this zoning text.

(B) **Traffic Analyses.** The City of New Albany is constructing significant improvements to Green Chapel Road between its intersections with Clover Valley Road and Mink Street, and beyond. The Licking County Transportation Improvement District (the “TID”) is planning to construct significant improvements to Clover Valley Road, Duncan Plains Road, and Mink Street in the vicinity of this PD district. Except as otherwise provided in this **Section 5.5(B)**, design and construction of improvements to Green Chapel Road shall be undertaken by the City of New Albany at its sole cost and expense, and design and construction of improvements to Clover Valley Road, Duncan Plains Road, and Mink Street shall be the responsibility of the TID at its sole cost and expense, or by another relevant government entity. To clarify, nothing in this **Section 5.5(B)** shall require an owner or developer of real property within this PD district to design or construct improvements to, or to pay the costs of, any improvements to or modifications of the aforementioned streets except as provided in the next paragraph.

When a proposed development includes the construction of a new public street within this subarea that will intersect with Green Chapel Road (through Subarea 5), Clover Valley Road, or Duncan Plains Road, or includes the construction of another private vehicular access point along one of those streets, then in conjunction with the filing of a CODA application or a Final Development Plan application (as applicable), the applicant shall file a traffic analysis which examines the need for traffic signals, roundabouts, and/or additional turn lanes (if any) on these streets as a result of the proposed development. Said analysis shall be reviewed by the City Engineer and shall be considered for approval by the reviewing body for the application. Where

a traffic signal or additional turn lanes are warranted, the applicant or developer shall be responsible for designing and constructing such improvements and for paying the costs thereof, unless otherwise agreed in a written contract between it and the City.

When internal private roads or drives which serve multiple parcels not under common ownership are proposed or utilized within this subarea, a declaration of reciprocal easements or a reciprocal easement agreement shall be recorded against the real property which is benefitted and/or burdened by the private roads or drives prior to the issuance of the first building permit for development that is served thereby, in order to provide for perpetual vehicular and pedestrian cross access easements, cross utility easements, and other easements which are necessary or desirable for efficient development. Maintenance of private roads, private drives, and private sidewalks internal to this subarea shall be the responsibility of property owners or the responsibility of a forced and funded property owners' association. Such easements and maintenance obligations may be established as part of a broader Declaration of Covenants, Conditions and Restrictions ("CCRs") applicable to the subarea or a similar document which governs the forced and funded property owners' association, which shall be recorded with the Licking County Recorder.

(C) Rights-of-Way. The developer shall dedicate property from Subarea 1 to the City as rights-of-way as follows, with such dedications being required for a particular parcel after such time as a CODA application or Final Development Plan application is approved for that parcel and as a condition of receiving a building permit for construction on that parcel:

(i) For a distance of 40 feet as measured from the centerline of Clover Valley Road.

(ii) For a distance of 40 feet as measured from the centerline of Duncan-Plains Road;

(iii) For a total width of at least 60 feet for new public streets which are internal to this subarea.

(iv) Easements. Should additional space be necessary to accommodate streetscape improvements and/or underground utilities adjacent to public street rights-of-way, the relevant property owner shall dedicate easements to the City for these purposes which shall not extend more than 25 feet from the edge of right-of-way on either side. Such easements shall be established by separate recorded instruments and shall not be required to be included in any plat for a public street.

(D) Private Roads. Paved private roads shall be permitted to be constructed in order to serve individual sites or a cluster of individual sites on routes which are intended to bring employees and visitors to these sites and are not intended to serve large volumes of traffic from the general public. Pavement widths and road designs shall be reviewed and approved as part of a

CODA application or Final Development Plan application (as applicable) and shall be evaluated based on the type and volume of traffic that is expected to be served by the improvement. Private roads shall be maintained by the owner(s) of the properties on which they are located or by a forced and funded property owners' association.

(E) Clover Valley Road and Duncan-Plains Road Streetscape Designs. Streetscape designs and improvements shall be consistent across all portions of Subarea 1 which are adjacent to Clover Valley Road. Similarly, streetscape designs and improvements shall be consistent across all portions of Subarea 1, which are adjacent to Duncan-Plains Road. For each of these streets, streetscape designs and standards shall be presented as part of the first CODA application or Final Development Plan application (as applicable) for development of the first parcel with frontage on that street.

Section 5.6 Buffering, Landscaping, Pedestrian Circulation, and Environmental Standards.

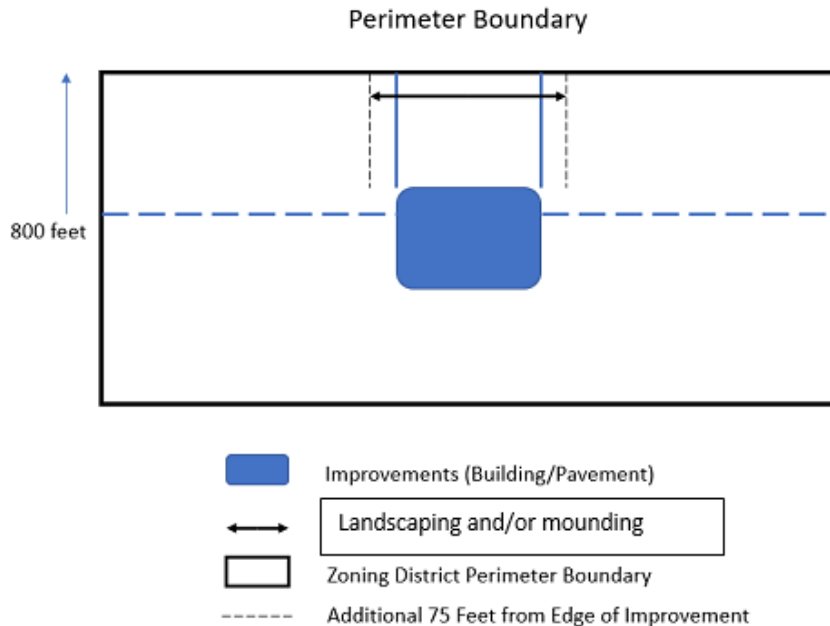
(A) Tree Preservation. During all periods of construction, standard tree preservation practices will be in place to protect trees that are to remain on a site once development is completed, including the installation of snow fencing at the drip line. Tree Preservation Zones shall be established within treed or forested areas that will be preserved pursuant to applicable federal and state permits and determinations or related conservation easements or environmental covenants (collectively "Environmental Permits"), once they are approved and issued by the Ohio Environmental Protection Agency and/or the U.S. Army Corps of Engineers. These Tree Preservation Zones shall be maintained, protected, and preserved in accordance with such permits. If allowed under applicable permits, trees within Tree Preservation Zones may be removed if they are dead, diseased, present a potential danger to persons or property or are of a noxious or invasive species. Trees Preservation Zones shall not include those areas where trees and/or wetland areas are allowed to be removed or filled by relevant permits. Tree Preservation Zones shall be identified in a CODA application or Final Development Plan application (as applicable), but the final boundaries of Tree Preservation Zones shall be the same as the boundaries of the portions of the site that will be required to be preserved under applicable federal and state permits, as may be amended from time-to-time. A property owner shall provide the City with legal descriptions of such boundaries from time-to-time as the City may request for its records.

(B) Landscaping Required Adjacent to Residential Uses. For those perimeter boundaries which abut real property (i) containing existing residential uses or, as determined at the time that an application is filed for a building permit ("Building Permit") on real property located within this subarea, has a zoning classification which permits the development and operation of residential uses thereon, and (ii) that is not owned by the applicant for rezoning/Preliminary Development Plan approval, its affiliates, or by the applicant for the Building Permit (any real property meeting either of the foregoing criteria to be referred to herein as "Residential Property"), a minimum 6-foot high mound shall be installed on the property to which the Building Permit applies along the shared property line with the abutting property. The mound shall include a landscape buffer 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 minimum height of 10 feet above ground level. These mounds shall be installed within the required minimum pavement setback area as required by this zoning text and may encroach on the abutting property if the owner of that property consents in a writing that is recorded with the Office of the Licking County Recorder (the “Recorder”). The plan for these areas must be reviewed and approved as part of a CODA application or Final Development Plan application. For purposes of determining which properties qualify as a Residential Property hereunder, if two properties have an intervening public street right-of-way between them, they shall still be considered abutting, and in these circumstances breaks in required mounding and landscaping shall be permitted to accommodate vehicular and pedestrian access points. Where an electric easement exists and extends at least 100 feet from a perimeter boundary line for this subarea, which is shared with a Residential Property, the requirements of this subsection (B) shall not apply.

If existing trees are found within perimeter areas that have existing screening and buffering, the mounding may be omitted and the existing trees may be utilized as the required screening. The requirement for 75% opacity 5 years after installation is still applicable with this alternative and, therefore, if necessary, additional landscaping materials (i.e., deciduous trees, evergreens or bushes) shall be planted along those perimeter boundary areas to meet the 75% opacity requirement. The plan for these areas must be reviewed and approved as part of a CODA application or Final Development Plan application (as applicable).

(C) Phasing of Residential Screening. In recognition of the significant amount of land area and the lengths of the perimeter boundaries contained within Subarea 1, for all portions of Subarea 1 where there is required mounding and/or landscaping as contemplated in the immediately preceding subsection (B), it may be installed in phases. For each phase of development in Subarea 1, such required landscaping and/or mounding shall be installed when it is anticipated (as provided in plans associated with relevant applications) that buildings, paved parking areas, and/or above-ground equipment or utility infrastructure, once constructed within that phase, will be located within 800 feet of the relevant perimeter boundary line. At a minimum for each phase, this mounding and/or landscaping shall be installed along the portion of the relevant perimeter boundary line of the subarea between two points which are determined by extending two straight lines from the perimeter boundary line of the Zoning District to the furthest distance on each side where planned improvements are to be constructed in that phase, and then adjusting those lines so that they are an additional distance of 150 apart. The following illustration is being provided as an example of this requirement:



(D) Stormwater Management. Regional stormwater management basins are encouraged when practical from a civil engineering and cost standpoint. When utilized, the applicant shall be required to record, with the Recorder, one or more easements, and/or other instruments which detail the properties which are benefitted and burdened by the relevant basins and the methods for maintaining and sharing the costs of maintaining the same, if the basins are not maintained by the City. Nothing herein shall be read to prohibit the installation of stormwater management basins on a single parcel to serve improvements thereon. Wet and dry stormwater basins shall be designed by a landscape architect in conjunction with a professional engineer to ensure that the basins have a natural shape and are graded and planted in an attractive manner. The perimeters of these basins shall be grassed and/or landscaped.

(E) Street Trees. A street tree row shall be established along each of Clover Valley Road and Duncan-Plains Road, and any new public streets constructed internally within Subarea 1 and shall contain 1 tree for every 30 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 3 caliper inches (this requirement shall be waived in areas within utility easements that do not permit such plantings). Should it be determined at the time of review of a CODA application or Final Development Plan application that anticipated future improvements to these streets will require the removal of or could damage the street trees, the requirement to install them may be waived by the applicable reviewing body.

(F) Parking Areas. Within Subarea 1, there shall be no less than 1 tree planted for every 10 parking spaces located therein. These trees may be counted toward the requirements for on-site tree plantings as provided in Section 5.6(H) below. At least 5.0% 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 trail is required to be installed along the frontages of Subarea 1 on Clover Valley Road and Duncan-Plains Road as adjacent development occurs. On new streets within Subarea 1, a 5-foot wide concrete sidewalk shall be provided on both sides of the street, provided that a leisure path may be provided in lieu of a sidewalk on one side of the street in appropriate locations to provide for pedestrian connectivity to the leisure trails that are required to be constructed in accordance with the immediately preceding sentence or in order to connect to leisure trails in other subareas within the PD district. Should it be determined at the time of review of a CODA application or Final Development Plan application that anticipated future improvements to these streets will require the removal of or could damage leisure trails, the requirement to install them may be waived by the applicable reviewing body.

(H) On-Site Tree Plantings. For every 10,000 square feet (or portion thereof) of lot coverage on a parcel in Subarea 1, at least three trees shall be planted on the parcel which meets the minimum size requirements of the following subsection (I). When 20 trees or more trees are required to be planted on a parcel, at least two species shall be used, and when 50 or more trees are required to be planted on a parcel, at least three species shall be used. Trees which are preserved on the site may count toward meeting the minimum planting requirement. Trees which are preserved within Subarea 1 outside of the boundaries of a parcel may be used to meet up to 40% of the planting requirements on a particular parcel, provided that trees counted for this purpose may not count toward the tree planting requirements on another parcel.

(I) Minimum On-Site Tree Sizes; Species. 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.

(J) Stream Corridors. A “Stream Corridor Protection Zone” shall be required to cover streams that are to remain after development is complete and which have a drainage area greater than 50 acres. Such a zone shall cover a corridor width that is a minimum of 100 feet in width, with a minimum of 25 feet of this width being located to each side of the centerline of the stream. Within a Stream Corridor Protection Zone no buildings, structures, or other manmade objects shall be installed or erected, with the exception of paved or mulched leisure paths and/or pedestrian or vehicular crossings as permitted under applicable federal and state permits.

(K) Parking Lot Perimeter Landscaping. Parking lots shall be screened from primary streets, residential areas, and open space by a three and one-half (3.5)-foot minimum height evergreen hedge, masonry wall, other landscaping feature, building facades, or some combination thereof in order to block headlights.

(L) Trash Receptacles. Dumpsters, or similar garbage collection devices shall not be located forward of the furthest front building façade from either public street frontage or the front property line and shall not be located within required minimum side yard or rear yard pavement setbacks. They shall be enclosed by walls, fences, vegetation, or both to completely screen them from off-site view except when a gate is open to provide for garbage removal.

Section 5.7 Parking and Loading. Parking and loading within this subarea shall be provided in accordance with Article IX hereof.

Section 5.8 Lighting.

(A) Fixture Types. 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 a site. All exterior light fixtures on a parcel and/or on a building shall be the same or substantially similar in style and color.

(B) Light Poles. All parking lot light poles shall be of a dark color and constructed of metal. Light poles shall not exceed 30 feet in height.

(C) Details and Specifications. Lighting details shall be included in a CODA application or Final Development Plan application (as applicable) for review and approval. These shall include proposed light fixture and pole locations, fixture types, pole and wall-mounting heights, and a photometric study to confirm that there will be no light trespass off-site.

(D) Colored Lights. No permanent colored lights shall be used on the exterior of any building. Colored lights such as holiday lights may be permitted on a building on a temporary basis not to exceed 30 consecutive days or 45 total days in one year. Neon lights shall be prohibited.

(E) Ground mounted lighting shall be shielded and landscaped.

Section 5.9 Utilities. Except for electric transmission lines of 62.5kV or larger, all new utility lines in Subarea 1 shall be installed underground.

For the purposes of this Section 5.9, connections by way of piping, cables, or conduits between a building and ground mounted equipment or accessory structures may be installed above-ground provided that, when such a connection is to be made between a building façade that is oriented toward a public right-of-way and ground-mounted equipment or an accessory structure located between that building façade and the public right-of-way:

(A) The ground mounted equipment or structure is located at least 500 feet from the edge of the public right-of-way or the piping, cables, and/or conduits between a building and ground mounted equipment or structures are not visible from the public right-of-way; and

(B) The connection is installed for its entire length at a height that does not exceed the height of the ground mounted equipment or structure to which the connection is made; and

(C) The connection is on the rear of the ground-mounted equipment or structure (i.e., the side which faces the building where the other end of the connection is being made).

Section 5.10 Signage. The standards and requirements of relevant provisions of the City's Codified Ordinances for signage shall be the baseline for permitted signage in this subarea. Notwithstanding the foregoing, an applicant may present a master signage plan as part of a CODA application or Final Development Plan application. Such a plan shall identify the types of signs, number of signs, maximum heights, maximum sign areas, and general designs of proposed signs (not including content that falls under state or federal constitutional protections). If approved, the master sign plan, once approved, shall provide approved rights, obligations, and standards for signage within the development that is the subject of the application. To the extent that a master signage plan conflicts with any standard in relevant provisions of the Codified Ordinances, the standards in the master signage plan shall apply, and to the extent that the master signage plan is silent on a particular standard, the relevant standard in the Codified Ordinances shall apply.

ARTICLE VI: SUBAREA 2 - DEVELOPMENT STANDARDS AND REQUIREMENTS.

Section 6.1 Applicability. Subarea 2 consists of 68.4+/- acres located to the north of and adjacent to Duncan-Plains Road and partially extending northward to U.S. Route 62. The subarea is split by Enterprise Drive. Subarea 2 will consist of two subsets of the subarea: Subarea 2A will be comprised of those portions of Subarea 2 which are to the west and/or north of Enterprise Drive and extends to U.S. Route 62. Subarea 2B will be comprised of all portions of Subarea 2 which are to the east and/or south of Enterprise Drive.

The boundaries of Subarea 2 (Subareas 2A and 2B) are more particularly depicted and described in the Preliminary Development Plan. The provisions of this **Article VI** are intended to provide standards and requirements for development which apply specifically to Subarea 2. Use rights for this subarea are detailed in **Article II** above.

Section 6.2. Lot Coverage. Maximum lot coverages for Subarea 2 are provided for each permitted use category in **Section 3.2** above.

Section 6.3 Setbacks.

(A) **Duncan-Plains Road.** There shall be a minimum pavement setback of 25 feet and a minimum building setback of 75 feet from the right-of-way of Duncan-Plains Road after any required dedication of right-of-way is completed in accordance with this text. Security fencing may encroach into the minimum building setback but not into the minimum pavement setback.

(B) **Enterprise Drive.** There shall be a minimum pavement setback of 15 feet and a minimum building setback of 40 feet from the right-of-way of Enterprise Drive. Security fencing may encroach into the minimum building setback but not into the minimum pavement setback.

(C) **U.S. Route 62.** There shall be a minimum parking setback of 50 feet and a minimum building setback of 100 feet from the right-of-way of U.S. Route 62 after any required dedication of right-of-way is completed in accordance with this text. Security fencing may

encroach into the minimum building setback but not into the minimum pavement setback.

(D) Other Perimeter Boundaries.

(i) Subarea 2A. For those perimeter boundaries which abut Residential Property (such term being defined in Section 5.6(B) above) at the time that an application for a Building Permit (also being defined in Section 5.6(B) above) is filed with respect to a particular parcel within Subarea 2A, there shall be a minimum pavement setback of 50 feet and a minimum building setback of 100 feet. For those perimeter boundaries of Subarea 2A which do not abut Residential Property or a public street right-of-way, there shall be a minimum pavement setback of 15 feet and a minimum building setback of 50 feet.

(ii) Subarea 2B. There shall be a minimum pavement setback of 15 feet and a minimum building setback of 50 feet from all perimeter boundary lines of Subarea 2B that are not adjacent to a public street right-of-way.

(E) Other Public Streets. There shall be a minimum pavement setback of 15 feet and a minimum building setback of 50 feet from the right-of-way of any new public streets which are constructed in Subarea 2.

(F) Internal Parcel Lines. There shall be a minimum pavement and building setback of 25 feet from internal parcel lines within this Subarea 2B, except that these minimum setbacks shall be zero when the parcel on each side of a shared parcel line is under common ownership. There shall be a zero minimum pavement setback and a minimum building setback of 40 feet from internal parcel lines within subarea 2B.

(G) Elimination of Setbacks. In the event that a parcel located within this subarea and an adjacent parcel located within or outside of this PD 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 pavement and building setbacks set forth in this Section 6.3 as they apply to common property lines shall no longer apply with respect to these parcels.

Section 6.4. Architectural Standards.

(A) Building Height. The maximum building height for structures in Subarea 2 shall be 85 feet. Secondary architectural features such as, but not limited to, roof-mounted equipment, architectural screening elements, and exhaust pipes may exceed this height.

(B) Service and Loading Areas. Service areas and loading areas shall be screened to minimize visibility from off-site view using walls, buildings, fencing, landscaping, or some combination thereof.

(C) Building Designs – All Types.

(i) Building designs shall not mix architectural elements or ornamentation from different styles.

(ii) Buildings shall be required to employ a comparable use of materials on all elevations.

(iii) 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 (provided, however, that this requirement shall not apply to data centers).

(iv) All elevations of a building that are visible from a public street right-of-way shall receive similar treatment in terms of style, materials, and design so that such elevations are not of a lesser quality of visual character than any other. Loading docks are not required to have the same degree of finish unless they are visible from a public street right-of-way.

(v) Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, 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 subsection.

(vi) Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. 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, or if fronting on a public right-of-way shall be completely screened from view of that right-of-way.

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

(viii) Solar panels shall be permitted on the roofs of buildings, provided that they are not visible from adjacent public street rights-of-way.

(D) Materials.

(i) 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., Hardi-plank 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.

(ii) 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.

(iii) Generally, the quantity of different materials selected for a building shall be minimized.

(E) Additional Standards for Buildings With Office Not as the Primary Use. Buildings that are constructed to accommodate a primary use other than offices often present different design challenges than a typical office building. For instance, data centers, warehousing and/or distribution facilities, and manufacturing plants all have their own unique design requirements. Such buildings are necessarily large and typically include long walls that together provide a box-like form. The standards in this subsection (D) shall apply to buildings in which office is not the primary use and are intended to balance the practical needs of the uses within them with the goal of having exterior designs that are attractive and appropriate based on their locations in a portion of the PD district that facilitates large business operations within substantial buildings.

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 in an effort to set expectations for the quality of architecture that will be expected for these structures. While at the same time allowing for some flexibility to allow the architecture of a building to be appropriately designed to meet the needs of its occupant(s).

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

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

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

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

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

(F) Architectural Examples. The planned character and quality of architectural designs for buildings in Subarea 2B are being provided in Illustration 6.4.1 below. When a CODA application is filed pertaining to Subarea 2B, the architecture of the building designs that are submitted as a part thereof shall be approved if they are substantially similar in character and quality to the images in Illustration 6.4.1. Nothing herein shall be read to prohibit any other building design as otherwise permitted hereunder to be submitted and approved with the first or any subsequent CODA application pertaining to Subarea 2B.

For buildings in Subarea 2A, or within Subarea 2B to the extent that the designs of buildings differ from the character shown in Illustration 6.4.1, the images provided in Section 5.4 of this text are incorporated into this subsection by reference and are intended to demonstrate buildings of various types which would comply with the requirements, spirit, and intent of this Section 6.4. These images are not meant to require any particular building type to be designed in the manner that is illustrated, and a variety of building aesthetics and character is encouraged throughout the subarea. The buildings that are shown in Section 5.4 are representations of the character and quality of buildings that will be manifested from compliance with this Section 6.4.

Illustration 6.4.1 – Subarea 2B Architecture





Section 6.5. Access, Site Circulation, and Traffic Commitments.

(A) Subarea Perimeter Vehicular Access. Vehicular access shall be provided to and from Subarea 2:

(i) Along Enterprise Drive, with access points approved as part of a CODA application or Final Development Plan application (as applicable);

(ii) Along U.S. Route 62 at a full turn movement access point where Subarea 2A abuts that street, if supported by an approved Traffic Access Analysis as contemplated in **Section 6.4(B)**;

(iii) One (1) access point with full turn movements along Duncan-Plains Road to serve Subarea 2B, with the access point approved as part of a CODA application or Final Development Plan application (as applicable); and

(iv) Additional Access Points. Should additional acreage with frontage on Duncan-Plains Road or U.S. Route 62 be added to this PD district at a later date in accordance with the procedures set forth in Codified Ordinances Chapter 1164, additional full or restricted turn movement access points may be permitted on those streets as detailed in an approved amendment or addendum to this zoning text.

(B) Traffic Analyses. The Licking County Transportation Improvement District (the “TID”) is planning to construct significant improvements to Duncan Plains Road. Except as otherwise provided in this **Section 6.5(B)**, design and construction of improvements to Duncan Plains Road shall be the responsibility of the TID at its sole cost and expense, or another relevant

government entity. To clarify, nothing in this **Section 6.5(B)** shall require an owner or developer of real property within this subarea to design or construct improvements to, or to pay the costs of, any improvements to or modifications of the aforementioned streets except as provided in the next paragraph.

If a proposed development is anticipated to produce enough additional traffic that a turn lane on Duncan-Plains Road or Enterprise Drive or a traffic signal or roundabout at the intersection of Enterprise Drive and Duncan-Plains Road will be required, then in reviewing a CODA application or a Final Development Plan application (as applicable), the City Engineer may require the applicant to prepare a traffic analysis which examines the need for the same. The City Engineer shall notify the applicant in writing of the need for the traffic analysis no later than 5 business days after the relevant application is filed with the City. Said analysis shall be reviewed by the City Engineer and shall be considered for approval by the reviewing body for the application. Notwithstanding the foregoing, the required reviewing body may approve the relevant application with a condition that the traffic analysis be finalized at a later date to the satisfaction of the City Engineer. Where a traffic signal or additional turn lanes are warranted, the applicant or developer shall be responsible for designing and constructing such improvements and for paying the costs thereof, unless otherwise agreed in a written contract between it and the City.

When internal private roads or drives are proposed or utilized within this subarea, a declaration of reciprocal easements or a reciprocal easement agreement shall be recorded against the real property which is benefitted and/or burdened by the private roads or drives prior to the issuance of the first building permit for development that is served thereby, in order to provide for perpetual vehicular and pedestrian cross access easements, cross utility easements, and other easements which are necessary or desirable for efficient development. Maintenance of private roads, private drives, and private sidewalks internal to this subarea shall be the responsibility of property owners or the responsibility of a forced and funded property owners' association.

(C) **Rights-of-Way:** The property owners shall dedicate property from Subarea 2 to the City as rights-of-way as follows (no additional right-of-way dedication shall be required for Enterprise Drive), with such dedications being required for a particular parcel after such time as a CODA application or Final Development Plan application is approved for that parcel and as a condition of receiving a building permit for construction on that parcel:

- (i) For a distance of 40 feet as measured from the centerline of Duncan-Plains Road.
- (ii) For a distance of 50 feet as measured from the centerline of U.S. Route 62.
- (iii) For a total width of at least 60 feet for new public streets which are internal to this subarea.

(iv) Easements. Should additional space be necessary to accommodate streetscape improvements and/or underground utilities adjacent to street rights-of-way, the relevant property owner shall dedicate easements to the City for these purposes which shall not extend more than 25 feet from the edge of right-of-way on either side.

(D) Private Roads. Paved private roads shall be permitted to be constructed in order to serve individual sites or a cluster of individual sites on routes which are intended to bring employees and visitors to these sites and are not intended to serve the general public. Pavement widths and road designs shall be reviewed and approved as part of a CODA application and shall be evaluated based on the type and volume of traffic that is expected to be served by the improvement. Private roads shall be maintained by the owner(s) of the properties on which they are located or by a forced and funded property owners' association.

(E) Duncan-Plains Road Streetscape Designs. Streetscape designs and improvements within public street rights-of-way and adjacent utilities easements shall be consistent across all portions of Subarea 2 which are adjacent to Duncan-Plains Road. Streetscape designs and standards shall be presented as part of the first CODA application or Final Development Plan application (as applicable) for development of the first parcel with frontage on that street.

Section 6.6 Buffering, Landscaping, Pedestrian Circulation, and Environmental Standards.

(A) Tree Preservation. During all periods of construction standard tree preservation practices will be in place to protect trees that are to remain on a site once development is completed, including the installation of snow fencing at the drip line. Tree Preservation Zones shall be established within treed or forested areas that will be preserved pursuant to applicable federal and state permits and determinations or related conservation easements or environmental covenants (collectively "Environmental Permits"), once they are approved and issued by the Ohio Environmental Protection Agency and/or the U.S. Army Corps of Engineers. These Tree Preservation Zones shall be maintained, protected, and preserved in accordance with such permits. If allowed under applicable permits, trees within Tree Preservation Zones may be removed if they are dead, diseased, present a potential danger to persons or property or are of a noxious or invasive species. Trees Preservation Zones shall not include those areas where trees and/or wetland areas are allowed to be removed or filled by relevant permits. Tree Preservation Zones shall be identified in a CODA application or Final Development Plan application (as applicable), but the final boundaries of Tree Preservation Zones shall be the same as the boundaries of the portions of the site that will be required to be preserved under applicable federal and state permits, as may be amended from time-to-time. A property owner shall provide the City with legal descriptions of such boundaries from time-to-time as the City may request for its records.

(B) Screening From Adjacent Residential Uses.

(i) For those perimeter boundaries in Subarea 2 which abut real property (i) containing existing residential uses located in the City or, (ii) as determined at the time that

an application is filed for a Building Permit (such term being defined in **Section 5.6(B)**) on real property located within this subarea, qualifies as a Residential Property (such term also being defined in **Section 5.6(B)**) that is located in the City, an opaque fence shall be installed within the required minimum pavement setback. The fence shall be at least 8 feet in height.

(C) **Stormwater Management.** Wet and dry stormwater basins shall be designed by a landscape architect in conjunction with a professional engineer to ensure that the basins have a natural shape and are graded and planted in an attractive manner. The perimeters of these basins shall be grassed and/or landscaped.

Street Trees. Streets trees shall be planted along Duncan Plains Road as adjacent development occurs in accordance with the design standards that are contemplated in **Section 5.5(E)** above. A street tree row shall be established along Enterprise Drive and any new public streets constructed internally within Subarea 2 and shall contain 1 tree for every 30 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 3 caliper inches (this requirement may be waived in areas where existing vegetation occurs or in areas subject to overhead electric transmission lines). Should it be determined at the time of review of a CODA application or Final Development Plan application that anticipated future improvements to these streets will require the removal of or could damage the street trees, the requirement to install them may be waived by the applicable reviewing body.

(D) **Parking Areas.** Within Subarea 2, there shall be no less than 1 tree planted for every 10 automotive parking spaces located therein. These trees may be counted toward the requirements for on-site tree plantings as provided in **Section 6.6(H)** below. At least 5.0% 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.

(E) **Pedestrian Circulation.** An 8-foot-wide asphalt leisure trail is required to be installed along the frontages of Subarea 2A and 2B on Duncan Plains Road. On new streets within Subarea 2A, a 5-foot wide concrete sidewalk shall be provided on both sides of the street, provided that a leisure path may be provided in lieu of a sidewalk on one side of the street in appropriate locations to provide for pedestrian connectivity to the leisure trail that is required to be constructed in accordance with the immediately preceding sentence. Should it be determined at the time of review of a CODA application or Final Development Plan application that anticipated future improvements to these streets will require the removal of or could damage leisure trails, the requirement to install them may be waived by the applicable reviewing body.

(F) **On-Site Tree Plantings.** On-site tree plantings shall be provided in Subarea 2 in accordance with the requirements that apply to Subarea 1 as detailed in **Section 5.5(E)** above. **Minimum On-Site Tree Sizes; Species:** 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. Parking Lot Perimeter Landscaping. Parking lots shall be screened from primary streets, residential areas, and open space by a three and one-half (3.5)-foot minimum height evergreen hedge, masonry wall, other landscaping feature, building facades, or some combination thereof in order to block headlights.

(G) Trash Receptacles. Dumpsters, or similar garbage collection devices shall not be located forward of the furthest front building façade from public street frontage or the front property line and shall not be located within required minimum side yard or rear yard setbacks. They shall be enclosed by walls, fences, vegetation, or both to completely screen them from off-site view except when a gate is open to provide for garbage removal.

Section 6.7 Parking and Loading. Parking and loading within this subarea shall be provided in accordance with Article IX hereof.

Section 6.8 Lighting.

(A) Fixture Types. 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 a site. All exterior light fixtures on a parcel and/or on a building shall be the same or substantially similar in style and color.

(B) Light Poles. All parking lot light poles shall be of a dark color and constructed of metal. Light poles shall not exceed 30 feet in height.

(C) Details and Specifications. Lighting details shall be included in a CODA application or Final Development Plan application (as applicable) for review and approval. These shall include proposed light fixture and pole locations, fixture types, pole and wall-mounting heights, and a photometric study to confirm that there will be no light trespass off-site.

(D) Colored Lights. No permanent colored lights shall be used on the exterior of any building. Colored lights such as holiday lights may be permitted on a building on a temporary basis not to exceed 30 consecutive days or 45 total days in one year. Neon lights shall be prohibited.

(E) Ground mounted lighting shall be shielded and landscaped.

Section 6.9 Utilities. Except for electric transmission lines of 62.5kV or larger, all new utility lines in Subarea 2 shall be installed underground.

(A) For the purposes of this Section 6.9, connections by way of piping, cables, or

conduits between a building and ground mounted equipment or accessory structures may be installed above-ground provided that, when such a connection is to be made between a building façade that is oriented toward a public right-of-way and ground-mounted equipment or an accessory structure located between that building façade and the public right-of-way:) The ground mounted equipment or structure is located at least 500 feet from the edge of the public right-of-way or the piping, cables, and/or conduits between a building and ground mounted equipment or structures are not visible from the public right-of-way; and)The connection is installed for its entire length at a height that does not exceed the height of the ground mounted equipment or structure to which the connection is made; and) The connection is on the rear of the ground-mounted equipment or structure (i.e., the side which faces the building where the other end of the connection is being made).

Section 6.10 Signage. The standards and requirements of relevant provisions of the City's Codified Ordinances for signage shall be the baseline for permitted signage in this subarea. Notwithstanding the foregoing, an applicant may present a master signage plan as part of a CODA application or Final Development Plan application. Such a plan shall identify the types of signs, number of signs, maximum heights, maximum sign areas, and general designs of proposed signs (not including content that falls under state or federal constitutional protections). If approved, the master sign plan, once approved, shall provide approved rights, obligations, and standards for signage within the development that is the subject of the application. To the extent that a master signage plan conflicts with any standard in relevant provisions of the Codified Ordinances, the standards in the master signage plan shall apply, and to the extent that the master signage plan is silent on a particular standard, the relevant standard in the Codified Ordinances shall apply.

ARTICLE VII: SUBAREA -- DEVELOPMENT STANDARDS AND REQUIREMENTS.

Section 7.1 Applicability. Subarea 3 consists of 70.3+/- acres located generally to the southwest of (but not adjacent to) the intersection of Duncan-Plains Road and Mink Street, to the east of and adjacent to Subarea 1, and to the west of and adjacent to Mink Street. The boundaries of Subarea 3 are more particularly depicted and described in the Preliminary Development Plan. The provisions of this **Article VII** are intended to provide standards and requirements for development which apply specifically to Subarea 3. Use rights for this subarea are detailed in **Article II** above. All development occurring in Subarea 3 shall be required to file a Final Development Plan application for review and approval in accordance with Codified Ordinances Section 1164.

Section 7.2 Standards. Development within Subarea 3 is to occur under the Multi-Family Residential (MFR) use category, under the Mixed Use (MU) use category, or under some combination of both categories.

(A) Development under the MFR use category shall occur in accordance with the standards and requirements of this **Article VII**.

(B) Development under the MU use category shall occur in accordance with the standards and requirements of **Section 7.3, Section 7.4, Section 7.5(D), and Article VIII** below.

Other provisions of this **Article VII** shall not apply to development or uses occurring under the MU use category.

Section 7.3 Mixed Use (MU) Uses – Limitations. The following limitations shall apply to development and operation of uses under the MU use category within Subarea 3:

(A) **Density.** Permitted density of development under the Mixed Use (MU) category shall be subject to the lot coverage maximums in **Section 3.2** above and applicable standards and requirements of this **Article VII** and of **Article VIII**.

(B) **Acreage.** No more than 50% of the total gross acreage contained within Subarea 3 shall be developed under the MU use category, the NC use category, or any combination thereof.

(C) **Location.** Development under the Mixed Use (MU) use category within Subarea 3 shall be permitted only on real property which is adjacent to Subarea 4, or fronts on Mink Street, or which is adjacent to other real property within Subarea 3 which is the subject of a previously approved Final Development Plan application under the MU use category.

Section 7.4 Permitted Residential Density. Permitted residential density within Subarea 3 shall be as calculated and provided in **Section 3.3** above, regardless of whether residential development is occurring under the Multi-Family Residential (MFR) use category, the Mixed Use (MU) use category, or both.

Section 7.5 Unit and Setback Requirements.

(A) **Types of Units.** Permitted types of dwelling units in Subarea 3 are limited to attached units within buildings consisting of 6 units or more.

(B) **Sizes and Configuration.** One, two, and three bedroom units will be permitted, provided that no more than 5% of the total number of units permitted to be developed in this PD district will have three bedrooms. The minimum gross floor area for each dwelling unit shall be 500 square feet for one-bedroom units, 650 square feet for two-bedroom units, and 800 square feet for three-bedroom units.

(C) **Lot Sizes.** There shall be no minimum lot width and a minimum lot area of 20,000 square feet

(D) **Setbacks.** The following minimum setbacks shall apply:

(i) **Southern Perimeter Boundary.** There shall be a minimum pavement setback of 10 feet and a minimum building setback of 20 feet from the southern boundary line of Subarea 3, except that there shall be a zero pavement and building setback required if development occurring under the MU use category as part of a single project is located in both Subarea 3 and Subarea 4.

(ii) Mink Street. There shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the right-of-way of Mink Street

(iii) Other Perimeter Boundaries. There shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the western and northern perimeter boundary lines of Subarea 3.

(iv) Other Public Streets. There shall be a minimum pavement and building setback of 10 feet from any public street rights-of-way in this subarea.

(v) Internal Parcel Lines. There shall be a minimum pavement and building setback of 25 feet from internal parcel lines within this subarea, except that these minimum setbacks shall be zero when the parcel on each side of a shared parcel line is under common ownership at the time when a certificate of occupancy is issued for a building on a parcel on either side of the internal parcel line.

(vi) Elimination of Setbacks. In the event that a parcel located within this subarea and an adjacent parcel located outside of this subarea or PD district (i) come under common ownership or control, (ii) are zoned to allow compatible MFR category uses or MU category uses, and (iii) are combined into a single parcel, then any minimum pavement and building setbacks set forth in this **Section 7.5(D)** as they apply to common property lines shall no longer apply with respect to these parcels.

Section 7.6. Architectural Standards – MFR Uses.

(A) Building Height. The maximum building height for structures developed under the Multi-Family Residential (MFR) use category shall be 75 feet as measured to the midpoint of a sloped roof or to the top of the parapet of a building with a flat roof. Secondary architectural features such as, but not limited to, roof-mounted equipment, architectural screening elements, and exhaust pipes may exceed this height.

(B) Service and Loading Areas. Service areas and loading areas shall be screened to minimize visibility from off-site view using walls, buildings, fencing, landscaping, or some combination thereof

(C) Exterior Design and Materials

(i) Appearance. Detailed architectural elevations shall be submitted for review as part of a Final Development Plan application. Architectural renderings any also be submitted in order to provide additional context for and perspectives of proposed buildings.

(ii) Wall Finish Materials. Brick, brick veneer, stone, stone veneer, cementitious/composite siding or equivalent, and vinyl shall be permitted as primary and secondary exterior façade materials as well as for trim and accent elements. Metal panels, EIFS, wood, and aluminum also shall be permitted as trim and accent elements. Exterior wall finish materials must be used to complete massing elements. Exposed or painted concrete block shall be prohibited.

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

(iv) Garages. Detached or attached garages shall be permitted.

(v) Roofs. Roofs may be flat or sloped.

(vi) Accessory Buildings. Buildings which contain uses that are accessory to the primary multi-family residential use (such as, but not limited to, garages and private community clubhouses) shall be designed with a consistent architectural style and appearance that is consistent with the multi-family buildings in the same development.

(vii) Architectural Examples. Various architectural design images for buildings that may be constructed under the MFR use category are being provided in ***Illustration 7.6*** below. The images are intended to demonstrate buildings of various types which would comply with the requirements, spirit, and intent of this ***Article VII***. These images are not meant to require any particular building type to be designed in the manner that is illustrated, and a variety of building aesthetics and character may occur with the subarea. The buildings that are shown below are representations of the character and quality of buildings that will be manifested from compliance with ***Article VII***.

Illustration 7.6 – Example Architecture for Buildings Developed Under the MFR Use Category





Section 7.7 Site Design Standards – MFR Uses. The following standards and requirements shall apply to plans for development under the MFR use category:

- (A) The front of one dwelling unit shall not face the rear of another dwelling unit.
- (B) A required side yard may serve as a rear yard for individual dwellings in a group.
- (C) A required side yard may serve as a front yard for individual dwellings in a group, provided its width is at least 25 feet.
- (D) Dwellings comprising a group may face one another across a court, a parking lot, or open space, provided that there is a minimum distance of 50 feet between buildings where this condition occurs.
- (E) The minimum distance between buildings shall be 10 feet.
- (F) There shall be no more than two rows of parking and a drive aisle located between a building and a public street.
- (G) Individual projects developed under the MFR use category shall include one private green space or a number of private green spaces on-site which total a minimum of one-half of one acre for every 100 residential units or portion thereof approved for construction in that development, provided that no single development shall be required to provide more than 1.5 acres of private open space. This requirement may be reduced or completely waived if a development is adjacent to a public park. Green spaces shall include only those areas that are available for passive or active recreational use by residents and shall contain two or more of the following features: Paved leisure trails; private dog park; playground equipment; pickleball or tennis courts; outdoor pool; pavilion, gazebo, or similar covered gathering area; and/or other recreational, social, or sports features as approved as part of a Final Development Plan

Section 7.8. Access, Site Circulation, and Traffic Commitments.

- (A) Subarea Perimeter Vehicular Access. Vehicular access shall be provided to and from Subarea 3:
 - (i) Green Chapel Road. From at least one public street extending through Subarea 4 which has direct access to Green Chapel Road or has indirect access to Green Chapel Road using connections to other public streets within Subarea 4. The public street(s) that are required pursuant to this paragraph shall be required to be completed and open for use by the general public before the first certificate of occupancy for a building in Subarea 3 is issued by the City;
 - (ii) Mink Street. Along Mink Street, using a single full turn movement shared access point that shall be used by development and uses within both Subarea 3 and Subarea 4. Additional vehicular access points with less than full turn movements shall be

permitted along Mink Street if they are located a safe distance from other access points on the same street, as determined in an approved Traffic Access Analysis as contemplated in **Section 7.8(B)**.

(iii) **Additional Access Points.** Should additional acreage adjacent to Subarea 3 and outside the boundaries of the PD district develop in the future, public street connections between such properties and Subarea 3 shall be permitted. Nothing shall prohibit an applicant from proposing other new public streets running through or connecting through this subarea if approved as part of a Final Development Plan application and as part of a final plat.

(iv) **Rights-of-Way.** New public streets in this subarea shall have a right-of-way width of at least 60 feet.

(v) **Easements.** Should additional space be necessary to accommodate streetscape improvements and/or underground utilities adjacent to public streets, the relevant property owner shall dedicate easements to the City for these purposes which shall not extend more than 25 feet from the edge of right-of-way on either side.

(B) **Private Roads and Drives.** Multi-family developments shall have direct access to at least one public street but shall provide internal vehicular circulation routes through a series of private roads and drive aisles. Private roads and drive aisles shall be maintained by the owner of the property on which they are located at that owner's sole cost and expense. **Traffic Analyses.** The City of New Albany is constructing significant improvements to Green Chapel Road between its intersections with Clover Valley Road and Mink Street, and beyond. The Licking County Transportation Improvement District (the "**TID**") is planning to construct significant improvements to Mink Street. Except as otherwise provided in this **Section 7.7(B)**, design and construction of improvements to Green Chapel Road shall be undertaken by the City of New Albany at its sole cost and expense, and design and construction of improvements to Mink Street shall be the responsibility of the TID at its sole cost and expense, or by another relevant government entity. To clarify, nothing in this **Section 7.7(B)** shall require an owner or developer of real property within this subarea to design or construct improvements to, or to pay the costs of, any improvements to or modifications of the aforementioned streets except as provided in the next paragraph.

When a proposed development includes the construction of a new public street within the PD district that will intersect with Green Chapel Road or Mink Street, or includes the construction of another private vehicular access point along one of those streets, then in conjunction with the filing of a CODA application or a Final Development Plan application (as applicable), the applicant shall file a traffic analysis which examines the need for traffic signals, roundabouts, and/or additional turn lanes (if any) on these streets as a result of the proposed development. Said analysis shall be reviewed by the City Engineer and shall be considered for approval by the reviewing body for the application. Where a traffic signal or additional turn lanes are warranted, the applicant or developer shall be responsible for design and constructing

such improvements and for paying the costs thereof, unless otherwise agreed in a written contract between it and the City.

When internal private roads or drives are proposed or utilized within this subarea, a declaration of reciprocal easements or a reciprocal easement agreement shall be recorded against the real property which is benefitted and/or burdened by the private roads or drives prior to the issuance of the first building permit for development that is served thereby, in order to provide for perpetual vehicular and pedestrian cross access easements, cross utility easements, and other easements which are necessary or desirable for efficient development. Maintenance of private roads, private drives, and private sidewalks internal to this subarea shall be the responsibility of property owners or the responsibility of a forced and funded property owners' association.

Section 7.9 Buffering, Landscaping, Pedestrian Circulation, and Environmental Standards. The following buffering, landscaping, screening, and open space requirements shall apply to Subarea 3:

(A) Tree Preservation. During all periods of construction, 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. Tree Preservation Zones shall be established within treed or forested areas that will be preserved pursuant to applicable federal and state permits and determinations or related conservation easements or environmental covenants (collectively "Environmental Permits"), once they are approved and issued by the Ohio Environmental Protection Agency and/or the U.S. Army Corps of Engineers. These Tree Preservation Zones shall be maintained, protected, and preserved in accordance with such permits. If allowed under applicable permits, trees within Tree Preservation Zones may be removed if they are dead, diseased, present a potential danger to persons or property or are of a noxious or invasive species. Trees Preservation Zones shall not include those areas where trees and/or wetland areas are allowed to be removed or filled by relevant permits. Tree Preservation Zones shall be identified in a Final Development Plan application but the final boundaries of Tree Preservation Zones shall be the same as the boundaries of the portions of the site that will be required to be preserved under applicable federal and state permits, as may be amended from time-to-time. A property owner shall provide the City with legal descriptions of such boundaries from time-to-time as the City may request for its records.

(B) A "Stream Corridor Protection Zone" shall be required to cover streams that are to remain after development is complete and which have a drainage area greater than 50 acres. Such a zone shall cover a corridor width that is a minimum of 100 feet in width, with a minimum of 25 feet of this width being located to each side of the centerline of the stream. Within a Stream Corridor Protection Zone no buildings, structures, or other manmade objects shall be installed or erected, with the exception of paved or mulched leisure paths and/or pedestrian or vehicular crossings as permitted under applicable federal and state permits.

(C) Stormwater Management. Shared stormwater management basins are encouraged when practical from a civil engineering and cost standpoint. When utilized, the applicant shall be

required to record with the Recorder one or easements, and/or other instruments which detail the properties which are benefitted and burdened by the relevant basin and the methods for maintaining and sharing the costs of maintaining the same, if the basin is not maintained by the City. Nothing herein shall be read to prohibit the installation of stormwater management basins on a single parcel to serve improvements thereon. Wet and dry stormwater basins shall be designed by a landscape architect in conjunction with a professional engineer to ensure that the basins have a natural shape and are graded and planted in an attractive manner. The perimeters of these basins shall be grassed and/or landscaped.

(D) Parking Areas.

(i) Within Subarea 3, there shall be no less than 1 tree planted for every 10 parking spaces located therein. At least 5.0% 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.

(ii) Where large parking lots (i.e., parking lots containing more than two rows of parking and more than one drive aisle to access parking spaces) are present and are visible from a public street, a landscape buffer shall be provided within the required minimum pavement setback from that street to buffer views into the parking lot from the street to a minimum height of 6 feet and 60% opacity within 5 years of installation.

(E) Pedestrian Circulation. An 8-foot-wide asphalt leisure trail is required to be installed along the west side of Mink Street and on one side any public street connection to Subarea 3 from Subarea 1 or Subarea 4. A 5-foot wide concrete sidewalk shall be required to be installed on the other side of these streets (other than Mink Street). On all other new streets within Subarea 3, a 5-foot wide concrete sidewalk shall be provided on both sides of the street, provided that a leisure path may be provided in lieu of a sidewalk on one side of the street in appropriate locations to provide for pedestrian connectivity to the leisure trail that is required to be constructed in accordance with the immediately preceding sentence. Should it be determined at the time of review of a CODA application of Final Development Plan application that anticipated future improvements to these streets will require the removal of or could damage leisure trails, the requirement to install them may be waived by the applicable reviewing body.

(F) Minimum On-Site Tree Sizes; Species. 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.

(G) Parking Lot Perimeter Landscaping. Parking lots shall be screened from primary streets, residential areas, and open space by a three and one-half (3.5)-foot minimum height evergreen hedge, masonry wall, other landscaping feature, building facades, or some combination thereof in order to block headlights. This requirement shall be deemed to be met in areas where the screening required in Section 7.9(F)(ii) is provided.

(H) Trash Receptacles. Dumpsters or similar garbage collection devices shall be enclosed by walls, fences, vegetation, or both to completely screen them from off-site view except when a gate is open to provide for garbage removal.

Section 7.10 Parkland. Development in Subarea 3 shall be subject to the parkland dedication requirements of Codified Ordinances Chapter 1164.09. Each Final Development Plan application filed for development in this subarea shall provide detailed information as to the manner in which the proposed development which is the subject of the application will meet the requirements of . Codified Ordinances Section 1164.09.

Section 7.11. Parking. Parking shall be provided in accordance with Article IX below. Required parking spaces may be within garages or paved parking areas. In addition to other permitted parking options, dwelling units may be (i) served by and located above a so-called “podium” parking area within a building (which generally can be described as parking areas which are contained one or more floors of a building and/or which may be partially below adjacent grade), or (ii) may be served by interior parking areas with dwelling units wrapped around them. Such parking shall not be considered to be a parking structure and shall be permitted uses.

(A) Parking shall be provided in this subarea at the minimum rate of one space per bedroom contained within residential units. Shared parking between uses and buildings shall be encouraged. With each Final Development Plan application for development under the Mixed Use (MU) category, a parking study shall be provided to analyze the amount of parking needed to serve the proposed development and to identify opportunities for shared parking internally within the proposed development and, where applicable, other adjacent or nearby development. Parking shall be provided in numbers and locations as are approved as part of the Final Development Plan application.

Section 7.12 Lighting.

(A) Fixture Types. 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 a site. All exterior light fixtures on a parcel and/or on a building shall be the same or substantially similar in style and color.

(B) Light Poles. All parking lot light poles shall be of a dark color and constructed of metal. Light poles shall not exceed 18 feet in height.

(C) Details and Specifications. Lighting details shall be included in a Final Development Plan application for review and approval. These shall include proposed light fixture and pole locations, fixture types, pole and wall-mounting heights, and a photometric study to confirm that there will be no light trespass off-site.

(D) Colored Lights. No permanent colored lights shall be used on the exterior of any building. Colored lights such as holiday lights may be permitted on a building on a temporary basis not to exceed 30 consecutive days or 45 total days in one year. Neon lights shall be

prohibited.

- (E) Ground mounted lighting shall be shielded and landscaped.

Section 7.13 Utilities. Except for electric transmission lines of 62.5kV or larger, all new utility lines in Subarea 3 shall be installed underground.

Section 7.14 Signage. At each vehicular entry point from a public street into a multi-family development, one ground sign shall be permitted to be installed to identify the community. The ground sign shall be a maximum of 6 feet in height and shall not exceed 36 square feet of sign area. Signage on buildings shall be limited to addresses and/or building numbers and any other signage required by applicable laws or codes. Internal directional signage shall be permitted within each development to facilitate efficient movement of vehicular and/or pedestrian traffic. Open spaces and private community clubhouses shall be permitted to have an identification sign that is no more than 4 feet in height and 20 square feet in sign area.

ARTICLE VIII: MIXED USE DEVELOPMENT STANDARDS (SUBAREA 4, LIMITED PORTIONS OF SUBAREA 3, AND (IF APPLICABLE) SUBAREA 5)

Section 8.1 Applicability. The provisions of this *Article VIII* shall apply to Subarea 4, which is permitted to develop only under the Mixed Use (MU) use category. They also shall apply to development and uses under the MU use category when and where permitted in Subarea 3, as detailed in *Article VII*, and in Subarea 5, as detailed in *Article IV*.

Section 8.2 Review Procedure. All development occurring in this PD district under the Mixed Use (MU) use category shall be required to file a Final Development Plan application for review and approval in accordance with Codified Ordinances Chapter 1164.

Section 8.3 Design Intent. Mixed-use development can (and in this PD district shall be permitted to) occur in several different ways. For instance, vertical mixed use development provides for the operation of different use types within the same building. The most common example of this form is a building with first floor retail or office space and multi-family residential uses located on upper floors. However, mixes of any permitted use types within the same building are permissible.

Illustration 8.3(A) – Vertical Mixed Use Examples



On the other hand, horizontal mixed use development combines single-use or multi-use buildings on distinct parcels located within a short distance from other buildings on separate parcels which usually contain different use types. The goal is to bring together complementary uses within a localized area for convenience and to create pedestrian activity and a vibrant sense of place.

Illustration 8.3(B) – Horizontal Mixed Use Examples





All mixed use developments, where permitted in this PD district, will be typified by efficient pedestrian and vehicular connectivity and the accommodation of modes of travel that are in addition to the automobile, such as bicycles and walking. Physical and functional integration of uses shall be provided through site layout and the designs of buildings and streets.

Section 8.4 Mixed Use Sub-Categories. The Mixed Use (MU) use category will permit two general types of mixed use development which are differentiated based on size, scale, intensity, and function. Each application for a Final Development Plan under the Mixed Use (MU) category shall indicate the type of mixed use development that is being proposed in that application. The two mixed use sub-categories are as follows:

(A) Mixed Use Neighborhood Centers. Mixed Use Neighborhood Centers (“MUNCs”) will provide for the vertical and/or horizontal mixing of uses and development types within a relatively small area to provide reasonable walking and biking distances between them. This kind of mixed use will always include a meaningful residential component. Appropriate residential types include, for example, stand-alone multi-family communities in close proximity to other uses or residential units located above retail and/or office uses. MUNCs shall include some combination of retail spaces, restaurants, and/or personal services to meet the intended

character and scale of an urban neighborhood. Such uses should be convenient for residents and visitors to reach by foot and bicycle, in addition to using automobiles on streets that are designed to be traveled at relatively low speeds. See Article II for permitted and conditional use rights.

Example: Downtown Granville





(B) Mixed Use Community Centers. Mixed Use Community Areas (“MUCC”) represent a step up from MUNCs in terms of size and scale. MUCCs can serve several neighborhoods within the development itself and/or within close proximity thereto, but will serve nearby employment centers by mixing retail, dining, entertainment, office, service, civic, and/or institutional uses. The integration of residential uses within the development shall be required in order to ensure extended hours of activity to support a variety of uses which would not be viable with activity that occurs only during business hours.

Example: Perimeter Center - Dublin





Section 8.5 Lot Requirements. No minimum lot sizes shall be required in the MU use category. Permitted density of development under the Mixed Use (MU) category shall be subject to the lot coverage maximums in **Section 3.2** above.

Section 8.6 Architectural Standards. Mixed use developments often include separate buildings with a variety of architectural designs, or alternatively may provide for a themed design throughout a neighborhood. To allow for flexibility in building designs, architectural requirements for development occurring under the Mixed Use (MU) category shall be presented for review and approval as part of a Final Development Plan and shall further the design principles as described in **Section 8.6(B)** below. Buildings shall not exceed 75 feet in height as measured to the midpoint of a sloped roof or to the top of the parapet of a building with a flat roof.

(A) **Review and Approval of Standards.** Along with each Final Development Plan application under the Mixed Use (MU) use category, the applicant shall propose for review and approval elevations of all buildings and their facades and roofs, and may also provide three dimensional depictions and/or renderings of buildings, all as they are proposed to be constructed. Details as to sizes, heights, dimensions, exterior materials, and overall designs of buildings shall be provided on these drawings or in text form and shall be adequate to constitute commitments to construct the buildings as they are proposed while allowing for refinement of details during the building permit review process.

(B) **Design Principles.** To advance the purposes of facilitating the types of mixed use development that are permitted in this PD district, the following principles will serve as a guiding framework to be used in the review of Final Development Plans under the Mixed Use

(MU) use category. Certain of these principles may not apply in all circumstances, but should be used where appropriate or deemed to be applicable. Development should strive to meet the following principles:

(i) MUNCs. In MUNCs:

(a) Architecture and design for each building or structure in the same general vicinity shall be cohesive or complimentary in their aesthetics and forms, while understanding that buildings containing different uses intrinsically may differ in their forms and appearances.

(b) Brick, brick veneer, stone, stone veneer cementitious/composite siding or equivalent, and vinyl shall be permitted as primary and secondary exterior façade materials as well as for trim and accent elements. Metal panels, EIFS, wood, and aluminum also shall be permitted for trim and accent elements. Exterior wall finish materials must be used to complete massing elements. Exposed foundation walls shall be prohibited.

(c) Buildings will have entrances and features that bring them to a pedestrian scale. Front facades of buildings shall be oriented toward the primary existing and proposed streets, unless a so-called open stair walk-up design for a multi-family use is being provided, in which case a building may have a side façade facing a street.

(d) Variations in building heights, exterior façade materials, and/or façade colors among different buildings shall be encouraged to create visual variety and interest.

(e) Placement and location of some buildings near to or along natural features, pocket parks, larger parkland areas or open spaces, pedestrian plazas, and similar features shall be encouraged to create elements around which development may be organized.

(f) In order to promote walkability and the framing of streets where pedestrian activity is important and streets are designed to carry traffic at low speeds, buildings and structures shall not be set back at excessive distances from street rights-of-way.

(g) Four-sided architecture shall be provided, except that in an urban environment a façade that is oriented toward and located in such close proximity to an adjacent building or structure that the facade will be minimally visible or not visible at all from off-site, this requirement may be waived.

(h) Buildings with ground-floor commercial uses shall be located near or adjacent to sidewalks and shall incorporate features to enhance the pedestrian experience such as (but not limited to) large storefront windows, open air dining spaces, and easily identifiable pedestrian entrances.

(i) Parking for buildings generally should be located to the rears or sides, provided, however, that two rows of parking and an associated drive aisle shall be permitted between front building façades and a public street. When parking is located to the side of a building it shall include decorative fencing, landscaping, masonry walls, or other features in order to segregate parking from the street.

(ii) MUCCs. In MUCCs:

(a) Architecture and design for each building or structure in the same general vicinity shall be cohesive or complimentary in their aesthetics and forms, while understanding that buildings containing different uses intrinsically may differ in their forms and appearances;

(b) Brick, brick veneer, stone, stone veneer, cementitious/composite siding or equivalent, and vinyl shall be permitted as primary and secondary exterior façade materials as well as for trim and accent elements. When used as a primary exterior façade material, vinyl shall not be utilized on more than 30% of any single façade. Metal panels, EIFS, wood, and aluminum also shall be permitted for trim and accent elements. Exterior wall finish materials must be used to complete massing elements. Exposed foundation walls shall be prohibited.

(c) Buildings containing only those uses which are permitted or conditional in the NC use category shall be subject to the architectural requirements for MUNCs (as provided in **Section 8.8(B)(i)**);

(d) For buildings containing one or more uses which are permitted or conditional under the Community Commercial (CC) use category (other than uses permitted in the NC use category):

(i) Front facades of buildings shall be oriented toward existing or proposed streets.

(ii) Long blank walls shall be prohibited on front building facades and on all other building facades which are visible from a public street right-of-way. Visual interest to break up otherwise uninterrupted long walls shall be achieved by including variations in building height,

changes in exterior façade materials and/or façade colors, mixing of textures, or by other means to create visual variety and interest.

(e) Four-sided architecture shall be provided, except that if a façade that is oriented toward and located in such close proximity to an adjacent building or structure that the facade will be minimally visible or not visible at all from off-site, this requirement may be waived. The requirement for four-sided architecture shall not be strictly applied to facades with loading docks, overhead doors, or other loading areas, but an applicant shall make reasonable efforts to meet the spirit and intent of the four-sided architecture requirement on these facades. Loading docks, overhead doors, and loading areas shall be located on the rears of buildings.

(f) Planters, landscaping, trees, and/or other features shall be used to provide visual breaks along long building facades; and

(g) Parking may be located to fronts, rears, and/or sides of buildings. Shared parking between uses and buildings shall be encouraged.

Section 8.7 Setbacks and Lot Requirements.

(A) Lot Width Requirements. There shall be a minimum lot width of 75 feet for development occurring under the Community Commercial (CC) use category, as measured at the minimum required building setback line.

(B) Setbacks. The following minimum setbacks shall apply for development under the MU use category:

<u>Measured From</u>	<u>Payment</u>	<u>Buildings</u>
Green Chapel Road Right-of-Way	25 feet	50 feet
Mink Street Right-of-Way	25 feet	50 feet
Other Public Street Rights-of-Way	5 feet	5 feet
Northern Perimeter Boundary of Subarea 4*	10 feet	20 feet
Western Perimeter Boundary of Subarea 4	25 feet	50 feet

* There shall be a zero pavement and building setback required if development occurring under the MU use category as part of a single project is located in both Subarea 3 and Subarea 4.

(C) Elimination of Setbacks. In the event that a parcel located within this subarea and an adjacent parcel located outside of this subarea or PD district (i) come under common ownership

or control, (ii) are zoned to allow compatible MU category uses, and (iii) are combined into a single parcel, then any minimum pavement and building setbacks set forth in **Section 8.8(B)** as they apply to common property lines shall no longer apply with respect to these parcels.

(D) **Internal Parcel Lines.** There shall be a zero minimum pavement and building setback requirement from internal parcel lines within a development occurring under the MU use category. Where a parcel line runs through a building, a shared common wall agreement or similar written instrument shall be required to be recorded in the Office of the Licking County Recorder which sets forth the rights and responsibilities of the owners on each side of a common wall for maintenance, insurance, and repairs or replacements to improvements resulting from casualty events.

Section 8.8 Access, Site Circulation, and Traffic Commitments.

(A) **Vehicular Access.** Vehicular access shall be provided to and from Subarea 4:

(B) **Mink Street.** Along Mink Street, using a single full turn movement shared access point that shall be used by development and uses within both Subarea 3 and Subarea 4. Additional vehicular access points with less than full turn movements shall be permitted along Mink Street if they are located a safe distance from other access points on the same street, as determined in an approved Traffic Access Analysis as contemplated in **Section 8.8(I)**.

(C) **Green Chapel Road.** Along Green Chapel Road, using a maximum of three full turn movement access points, provided that these access points are located at least 500 feet from one another as measured between the centers of the intersections of each access point with Green Chapel Road. Additional vehicular access points with less than full turn movements shall be permitted along Clover Valley Road if they are located a safe distance from other access points on the same street, as determined in an approved Traffic Access Analysis as contemplated in **Section 8.8(I)**.

(D) **Green Chapel Road Streetscape Design.** Green Chapel Road may have portions of its right-of-way located in the City of Johnstown and other portions located in the City of New Albany along the frontage on this street for Subarea 4. The City of New Albany is constructing, or soon will construct, significant improvements to Green Chapel Road beginning at Mink Street and extending westward to the western edge of this PD district. The streetscape within the public street right-of-way and adjacent utilities easements along the entirety of the north side of Green Chapel Road between its intersection with Mink Street on the east to the western edge of this PD district on the west will be as installed by the City of New Albany as part of its improvements to that street.

(E) **Connection to Subarea 3.** At least one new public street connection shall be constructed within Subarea 4 and either shall be stubbed to the shared boundary line of Subarea 3 and Subarea 4 or connected to one or more other public streets within Subarea 4 that stub into the shared boundary to provide a means of vehicular access between Duncan Plains Road and Subarea 3.

(F) Additional Access Points. Should additional acreage adjacent to Subarea 4 and outside the boundaries of the PD district develop in the future, public street connections between such properties and Subarea 4 shall be permitted per an approved or amended Final Development Plan.

(G) Street Designs and Rights-of-Way. The designs and specifications for new public streets constructed internally within Subarea 4 shall be reviewed and approved as part of the Final Development Plan review and preliminary/final plat review processes. The developer(s) shall dedicate property from Subarea 4 to the City as rights-of-way as determined during these review processes.

(H) Private Roads and Drives. Each development under the MU use category shall have access to at least one public street and may provide internal vehicular circulation routes through a series of private roads and drive aisles. Private roads and drive aisles shall be maintained by the owner of the property on which they are located at that owner's sole cost and expense. Alternatively, a forced and funded property owners' association may be created in order to maintain and share the costs of maintaining private drives and private roads.

(I) Traffic Analyses. The City of New Albany is constructing significant improvements to Green Chapel Road between its intersections with Clover Valley Road and Mink Street, and beyond. The Licking County Transportation Improvement District (the "TID") is planning to construct significant improvements to Mink Street. Except as otherwise provided in this Section 8.8(I), design and construction of improvements to Green Chapel Road shall be undertaken by the City of New Albany at its sole cost and expense, and design and construction of improvements to Mink Street shall be the responsibility of the TID at its sole cost and expense, or by another relevant government entity. To clarify, nothing in this Section 8.8(I) shall require an owner or developer of real property within this PD district to design or construct improvements to, or to pay the costs of, any improvements to or modifications of the aforementioned streets except as provided in the next paragraph.

When a proposed development includes the construction of a new public street within this subarea that will intersect with Green Chapel Road or Mink Street, or includes the construction of another private vehicular access point along one of those streets, then in conjunction with the filing of a Final Development Plan application the applicant shall file a traffic analysis which examines the need for traffic signals, roundabouts, and/or additional turn lanes (if any) on these streets as a result of the proposed development. Said analysis shall be reviewed by the City Engineer and shall be considered for approval by the reviewing body for the application. Where a traffic signal or additional turn lanes are warranted, the applicant or developer shall be responsible for design and constructing such improvements and for paying the costs thereof, unless otherwise agreed in a written contract between it and the City.

(J) When internal private roads or drives are proposed or utilized within this subarea, a declaration of reciprocal easements or a reciprocal easement agreement shall be recorded against

the real property which is benefitted and/or burdened by the private roads or drives prior to the issuance of the first building permit for development that is served thereby, in order to provide for perpetual vehicular and pedestrian cross access easements, cross utility easements, and other easements which are necessary or desirable for efficient development. Maintenance of private roads, private drives, and private sidewalks internal to this subarea shall be the responsibility of property owners or the responsibility of a forced and funded property owners' association.

Section 8.9 Buffering, Landscaping, Pedestrian Circulation, and Environmental Standards. The following buffering, landscaping, screening, and open space requirements shall apply to Subarea 4:

(A) Tree Preservation. During all periods of construction, 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. Tree Preservation Zones shall be established within treed or forested areas that will be preserved pursuant to applicable federal and state permits and determinations or related conservation easements or environmental covenants (collectively "Environmental Permits"), once they are approved and issued by the Ohio Environmental Protection Agency and/or the U.S. Army Corps of Engineers. These Tree Preservation Zones shall be maintained, protected, and preserved in accordance with such permits. If allowed under applicable permits, trees within Tree Preservation Zones may be removed if they dead, diseased, present a potential danger to persons or property or are of a noxious or invasive species. Trees Preservation Zones shall not include those areas where trees and/or wetland areas are allowed to be removed or filled by relevant permits. Tree Preservation Zones shall be identified in a CODA application or Final Development Plan application, as applicable, but the final boundaries of Tree Preservation Zones shall be the same as the boundaries of the portions of the site that will be required to be preserved under applicable federal and state permits, as may be amended from time-to-time. A property owner shall provide the City with legal descriptions of such boundaries from time-to-time as the City may request for its records.

(B) Stormwater Management. Shared stormwater management basins are encouraged when practical from a civil engineering and cost standpoint. When utilized, the applicant shall be required to record, with the Recorder, one or easements, plats, and/or other instruments which detail the properties which are benefitted and burdened by the relevant basin and the methods for maintaining and sharing the costs of maintaining the same, if the basin is not maintained by the City. Nothing herein shall be read to prohibit the installation of stormwater management basins on a single parcel to serve improvements thereon. Wet and dry stormwater basins shall be designed by a landscape architect in conjunction with a professional engineer to ensure that the basins have a natural shape and are graded and planted in an attractive manner. The perimeters of these basins shall be grassed and/or landscaped.

(C) A "Stream Corridor Protection Zone" shall be required to cover streams with a drainage area greater than 50 acres. Such a zone shall cover a corridor width that is a minimum of 100 feet in width, with a minimum of 25 feet of this width being located to each side of the centerline of the stream. Within a Stream Corridor Protection Zone no buildings, structures, or other manmade objects shall be installed or erected, with the exception of paved or mulched

leisure paths and/or pedestrian or vehicular crossings as permitted under applicable federal and state permits.

(D) Parking Areas. Within Subarea 4, there shall be no less than 1 tree planted for every 10 parking spaces located therein. At least 5.0% 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.

(E) Pedestrian Circulation. An 8-foot-wide asphalt leisure trail is required to be installed along the west side of Mink Street and along one side of the public street connection from Green Chapel Road to Subarea 3, and from Mink Street to Subarea 3 and/or 4 from Subarea 1. A 5-foot wide concrete sidewalk shall be required to be installed on the other side of these streets (except for Mink Street), provided that a leisure path may be provided in lieu of a sidewalk on one side of the street in appropriate locations to provide for pedestrian connectivity to the leisure trails that are required to be constructed in accordance with the immediately preceding sentence. Should it be determined at the time of review of a CODA application or Final development plan application that anticipated future improvements to these streets will require the removal of or could damage leisure trails, the requirement to install them may be waived by the applicable reviewing body.

(F) Minimum On-Site Tree Sizes; Species: 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.

(G) Parking Lot Perimeter Landscaping. Parking lots shall be screened from primary streets, residential areas, and open space by a three and one-half (3.5)-foot minimum height evergreen hedge, masonry wall, other landscaping feature, building facades, or some combination thereof in order to block headlights.

(H) Trash Receptacles. Dumpsters or similar garbage collection devices shall be enclosed by walls, fences, vegetation, or both to completely screen them from off-site view except when a gate is open to provide for garbage removal.

Section 8.10 Parking.

(A) Parking shall be provided in this subarea in accordance with Article IX below. Shared parking between uses and buildings shall be encouraged and may be used to meet minimum parking requirements. With each Final Development Plan application for development under the Mixed Use (MU) category, a parking study shall be provided to analyze the amount of parking needed to serve the development that is contemplated in the application and to identify opportunities for shared parking internally within the proposed development and, where applicable, other adjacent or nearby development. Parking shall be provided as approved as part of the Final Development Plan application.

(B) Parking spaces may be within garages or paved parking areas. In addition to other

permitted parking options, dwelling units may be (i) served by and located above a so-called “podium” parking area within a building (which generally can be described as parking areas which are contained one or more floors of a building and/or which may be partially below adjacent grade), or (ii) may be served by interior parking areas with dwelling units wrapped around them. Such parking shall not be considered to be a parking structure and shall be permitted uses.

Section 8.11 Lighting.

(A) Fixture Types. 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 a site. All exterior light fixtures on a parcel and/or on a building shall be the same or substantially similar in style and color.

(B) Light Poles. All parking lot light poles shall be of a dark color and constructed of metal. Light poles shall not exceed 18 feet in height.

(C) Details and Specifications. Lighting details shall be included in a Final Development Plan application for review and approval. These shall include proposed light fixture and pole locations, fixture types, pole and wall-mounting heights, and a photometric study to confirm that there will be no light trespass off-site.

(D) Colored Lights. No permanent colored lights shall be used on the exterior of any building. Colored lights such as holiday lights may be permitted on a building on a temporary basis not to exceed 30 consecutive days or 45 total days in one year. Neon and flashing lights shall be prohibited.

(E) Ground mounted lighting shall be shielded and landscaped.

Section 8.12 Parkland. Residential development under the Mixed Use (MU) use category shall be subject to the parkland dedication requirements of Codified Ordinances Chapter 1164.09. Each Final Development Plan application filed for development under this use category shall provide detailed information as to the manner in which the proposed development which is the subject of the application will meet the requirements of that chapter.

Section 8.13 Utilities. Except for electric transmission lines of 62.5kV or larger, all new utility lines in Subarea 4 shall be installed underground.

Section 8.14 Signage. Each development under the Mixed Use (MU) district shall provide a master signage plan for review and approval as part of a Final Development Plan application for that development. Such a plan shall identify the types of signs, number of signs, maximum heights, maximum sign areas, and general designs of proposed signs (not including content that falls under state or federal constitutional protections). The master sign plan, once approved, shall provide approved rights, obligations, and standards for signage within the development that is the subject of the application. To the extent that a master signage plan conflicts with any standard in relevant provisions of the Codified Ordinances, the standards in the master signage

plan shall apply, and to the extent that the master signage plan is silent on a particular standard, the relevant standard in the Codified Ordinances shall apply. The standards and requirements of relevant provisions of the City's Codified Ordinances for signage shall be the baseline for permitted signage in this subarea, but it is anticipated that, given the nature of mixed use development, a master signage plan will deviate therefrom in some or many respects in order to create facilitate creative designs, promote vehicular and pedestrian and wayfinding, and better identify uses and users in a development environment that will contain multiple uses.

ARTICLE IX: SUBAREA 5 – DEVELOPMENT STANDARDS AND REQUIREMENTS.

Section 9.1 Applicability. Subarea 5 consists of 25.7+/- acres located to the north of and adjacent to Green Chapel Road, generally to the east of its intersection with Clover Valley Road and to the south of and adjacent to Subarea 1. The provisions of this **Article IX** are intended to provide standards and requirements for development which apply specifically to Subarea 5.

Section 9.2 Uses. Use rights for this subarea are detailed in **Article II** above, but are subject to the limitations and restrictions of this **Section 9.2**. Subarea 5 is located within an area of the PD district that may be attractive for a variety of different use types. More specifically, it could develop as an extension of the uses and development which are permitted or conditional in Subarea 1, or it could develop in the manner that is permitted in Subarea 4. However, the intent is not to allow for a mixture of Subarea 1 and Subarea 4 use types.

Therefore, along with the first CODA application or Final Development Plan application that is filed for real property located within Subarea 5, the applicant shall provide a written statement of its election to have the entirety of the subarea develop in accordance with the uses and development requirements that apply to either Subarea 1 or to Subarea 4. Once construction of a development project commences pursuant to an application that has been approved, then the entirety of Subarea 5 may be used and developed in accordance with the use and development requirements of Subarea 1 or Subarea 4, as identified by the applicant in the application, and the use of any portion of Subarea 5 in accordance with the use rights of the other subarea shall be prohibited. For purposes of this Section 9.2, a development project shall be deemed to have “commenced” when installation of a building foundation or slab has commenced.

Section 9.3. Development Requirements. In addition to the specific requirements contained in this **Article IX**, when an election has been made for Subarea 5 to be developed in accordance with the use rights in Subarea 1, development shall occur in accordance with the standards and requirements in **Article V**. Also, in addition to the specific requirement contained in this **Article IX**, when an election has been made for Subarea 5 to be developed in accordance with the use rights in Subarea 4, development shall occur in accordance with the standards and requirements in **Article VII**. To the extent that a requirement or standard contained in this **Article IX** conflicts with an applicable standard from **Article V** or **Article VII**, the requirement or standard in this **Article IX** shall govern.

Section 9.4 Setbacks.

(A) Green Chapel Road. If development in Subarea 5 occurs with the use rights which apply to Subarea 1, there shall be a minimum pavement setback of 50 feet and a minimum building setback of 100 feet from the right-of-way of Green Chapel Road after any required dedication of right-of-way is completed in accordance with this text. Security fencing may encroach into the minimum building setback but in no event shall be located less than 50 feet from the Green Chapel Road right-of-way. If development in Subarea 5 occurs with the use rights which apply to Subarea 4, there shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the right-of-way of Green Chapel Road after any required dedication of right-of-way is completed in accordance with this text.

(B) Perimeter Boundaries. The following setback requirements shall apply to perimeter boundaries of Subarea 5 that are not adjacent to a public right-of-way:

(i) Northern Boundary. There shall be a minimum pavement and building setback of 25 feet from the northern boundary line of Subarea 5 that is shared with the southern boundary of Subarea 1 if Subarea 5 is developed with uses which are permitted in Subarea 1, provided that if property within Subarea 5 which is adjacent to the shared boundary line is under common ownership with property within Subarea 1 which is adjacent to the shared boundary line, there shall be a zero pavement and building setback requirement. There shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the northern boundary line of Subarea 5 if it is developed with uses which are permitted in Subarea 4.

(ii) Western Boundary. From the western boundary line of Subarea 5 and from the northern boundary of the portion of Subarea 5 that is located in the southwestern portion of Subarea 5, the minimum setbacks shall be equal to the greater of (a) the width of an existing AEP electric easement (150 feet for pavement and buildings, except that pavement may be located within the easement area if permitted by the grantee under that easement), as may be modified, or (b) 50 feet for pavement and 100 feet for buildings.

(iii) Eastern Boundary. From the eastern boundary line of Subarea 5, the minimum setbacks shall be 50 feet for pavement and 100 feet for buildings.

(C) Internal Parcel Lines. There shall be a minimum pavement and building setback of at least 25 feet from internal parcel lines within this subarea, except that these minimum setbacks shall be zero when the parcel on each side of a shared parcel line is under common ownership.

(D) Elimination of Setbacks. In the event that a parcel located within this subarea and an adjacent parcel located within or outside of this PD 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 pavement and building setbacks set forth in this **Section 9.4** as they apply to common property lines shall no longer apply with respect to these parcels.

Section 9.5. Access, Site Circulation, and Traffic Commitments.

(A) Subarea Perimeter Vehicular Access. Vehicular access shall be provided to and from Subarea 5:

(i) Along Green Chapel Road, using a single full turn movement access point and a maximum of one right-in, right-out access point;

(ii) Additional Access Points. Should additional acreage with frontage on Green Chapel Road be added to this PD district at a later date in accordance with the procedures set forth in Codified Ordinances Chapter 1164, additional full or restricted turn movement access points may be permitted on those streets as detailed in an approved amendment or addendum to this zoning text.

(B) Traffic Analyses. The City of New Albany is constructing significant improvements to Green Chapel Road between its intersections with Clover Valley Road and Mink Street, and beyond. Except as otherwise provided in this **Section 9.5(B)**, design and construction of improvements to Green Chapel Road shall be undertaken by the City of New Albany at its sole cost and expense. To clarify, nothing in this **Section 9.5(B)** shall require an owner or developer of real property within this PD district to design or construct improvements to, or to pay the costs of, any improvements to or modifications of the aforementioned streets except as provided in the next paragraph.

When a proposed development includes the construction of a new public street within this subarea that will intersect with Green Chapel Road, or includes the construction of another private vehicular access point along this street, then in conjunction with the filing of a CODA application or a Final Development Plan application (as applicable), the applicant shall file a traffic analysis which examines the need for a traffic signal, roundabout, and/or additional turn lanes (if any) on this streets as a result of the proposed development. Said analysis shall be reviewed by the City Engineer and shall be considered for approval by the reviewing body for the application. Where a traffic signal or additional turn lanes are warranted, the applicant or developer shall be responsible for designing and constructing such improvements and for paying the costs thereof, unless otherwise agreed in a written contract between it and the City.

When internal private roads or drives which serve multiple parcels not under common ownership are proposed or utilized within this subarea, a declaration of reciprocal easements or a reciprocal easement agreement shall be recorded against the real property which is benefitted and/or burdened by the private roads or drives prior to the issuance of the first building permit for development that is served thereby, in order to provide for perpetual vehicular and pedestrian cross access easements, cross utility easements, and other easements which are necessary or desirable for efficient development. Maintenance of private roads, private drives, and private sidewalks internal to this subarea shall be the responsibility of property owners or the responsibility of a forced and funded property owners' association. Such easements and maintenance obligations may be established as part of a broader Declaration of Covenants,

Conditions and Restrictions (“CCRs”) applicable to the subarea or a similar document which governs the forced and funded property owners’ association, which shall be recorded with the Licking County Recorder.

(C) Rights-of-Way. The developer shall dedicate property from Subarea 1 to the City as rights-of-way as follows, with such dedications being required for a particular parcel after such time as a CODA application or Final Development Plan application is approved for that parcel and as a condition of receiving a building permit for construction on that parcel:

(i) For a distance of 30 feet as measured from the centerline of Green Chapel Road.

(ii) At a minimum width of at least 60 feet for new public streets which are internal to this subarea if Subarea 5 develops with uses permitted in Subarea 1, or at a minimum width of 50 feet for new public streets which are internal to Subarea 5 if it develops with uses permitted in Subarea 4.

(iii) Easements. Should additional space be necessary to accommodate streetscape improvements and/or underground utilities adjacent to public street rights-of-way, the relevant property owner shall dedicate easements to the City for these purposes which shall not extend more than 25 feet from the edge of right-of-way on either side. Such easements shall be established by separate recorded instruments and shall not be required to be included in any plat for a public street.

(D) Private Roads. Paved private roads shall be permitted to be constructed in order to serve individual sites or a cluster of individual sites on routes which are intended to bring employees and visitors to these sites and are not intended to serve large volumes of traffic from the general public. Pavement widths and road designs shall be reviewed and approved as part of a CODA application or Final Development Plan application (as applicable) and shall be evaluated based on the type and volume of traffic that is expected to be served by the improvement. Private roads shall be maintained by the owner(s) of the properties on which they are located or by a forced and funded property owners’ association.

(E) Green Chapel Road Streetscape Design. Green Chapel Road may have portions of its right-of-way located in the City of Johnstown and other portions located in the City of New Albany along the frontage on this street for Subarea 4. The City of New Albany is constructing, or soon will construct, significant improvements to Green Chapel Road beginning at Mink Street and extending westward to the western edge of this PD district. The streetscape within the public street right-of-way and adjacent utilities easements along the entirety of the north side of Green Chapel Road between its intersection with Mink Street on the east to the western edge of this PD district on the west will be as installed by the City of New Albany as part of its improvements to that street.

Section 9.6 Screening/Buffering; Landscaping. For those perimeter boundaries which abut real property that meets the definition of a Residential Property (as such term is defined in Section

5.6(B)) at the time that an application is filed for a Building Permit (as such term is defined in **Section 5.6(B)**) on real property located within this subarea, has a zoning classification which permits the development and operation of residential uses thereon, and (ii) that is not owned by the applicant for rezoning/Preliminary Development Plan approval, its affiliates, or by the applicant for the Building Permit, screening and buffering shall be provided on the property to which the Building Permit applies within the required minimum pavement setback along the shared property line with the abutting property. Such screening and buffering may include a fence, landscaping, mounding, or some combination thereof. Screening shall achieve an opacity of 75% upon installation of a fence or, if mounding, and/or landscaping is utilized, on the date that is 5 years after planting to a minimum height of 8 feet above ground level, as viewed from the abutting property outside of Subarea 5. If existing trees are found within the requirement minimum setback from the eastern boundary of Subarea 5, the existing trees may be utilized for the required screening. The requirement for 75% opacity 5 years after installation is still applicable with this alternative and, therefore, if necessary, additional landscaping materials (i.e., deciduous trees, evergreens or bushes) shall be planted along those perimeter boundary areas to meet the 75% opacity requirement. The plan for these areas must be reviewed and approved as part of a CODA application or Final Development Plan application (as applicable). The required screening and buffering as detailed in this paragraph shall be installed along the entirety of the eastern perimeter boundary line with the first development that occurs in Subarea 5, unless a waiver of this timing requirement is approved as part of a CODA application or Final Development Plan application. The provisions of this Section 9.6 shall apply to the exclusion of **Section 5.6(B) and (C)**, when otherwise applicable.

ARTICLE X: PARKING AND LOADING. Parking and loading shall be provided within this PD district in accordance with the provisions of this Article IX, except as otherwise provided in the standards and requirements that are particular to a subarea as set forth in another Article of this text that applies to the subarea.

Section 10.1 Minimum Number of Parking Spaces. Parking spaces shall be provided according to the following table. If a use consists of more than one component use (for example, a religious use with a school), the required minimum number of parking spaces shall be the sum of the required spaces for those component uses.

<u>Use</u>	<u>Minimum Number of Parking Spaces</u>
Multi-family	One space per bedroom, except that three-bedroom units shall not be required to exceed two and one-half spaces per unit.
Retail shopping centers (meaning one or more buildings initially constructed as a single development project and which contain three or more different occupants, tenants, or users)	One space for each 200 square feet of gross floor area, plus one for each three persons allowed under maximum occupancy in any theater or place of assembly
Home furnishings, appliances, apparel, and similar retail sales	One for each 250 square feet of gross floor area.
Restaurants, coffee shops, and similar uses without drive-thrus	One for each 75 square feet of gross floor area.
Restaurants, coffee shops, and similar uses with drive-thrus	One for each 75 square feet of gross floor area, plus a number of stacking spaces serving the drive-thru lane which is equal to a minimum of 20% of the total parking spaces required
Preschools and child day care	One for each 15 students of proposed capacity
Libraries, museums, community centers.	One for each 400 square feet of gross floor area
Public or private schools, Kindergarten through 12 th grade	Three for each classroom or one for each five seats in the main auditorium, whichever is greater.
Colleges, universities, trade schools, or other post-secondary educational	In accordance with a parking plan approved as part of a Final Development Plan application
Churches and other places of public worship	One for each four seats in main auditorium.
Retail stores selling food, department or general merchandise, pharmacies, and/or similar items	One for each 200 square feet of gross floor area; if a drive-thru lane is present (e.g., to serve a pharmacy use), a number of stacking spaces serving the drive-thru lane which is equal to a minimum of 20% of the total parking spaces required shall be provided, but in no event shall more than 7 stacking spaces be required
Personal services, including banks, savings and loans, repair services without drive-through facilities.	One for each 200 square feet of gross floor area

<u>Use</u>	<u>Minimum Number of Parking Spaces</u>
Banks, savings and loans and similar uses with drive-through facilities.	One for each 200 square feet of gross floor area, plus a number of stacking spaces serving the drive-thru lane which is equal to a minimum of 60% of the total parking spaces required
Barber and beauty shop; salons	Two for each work station and for each room providing a direct service to customers
Gasoline service stations	One for each two gasoline dispensing units, plus one for each employee during the main shift, plus two for each service bay. If a convenience store (exclusive of a retail kiosk) is present, then an additional one space per 200 square feet of the building shall be provided.
Auto repair	One space per service bay plus three spaces per 1,000 square feet for retail and office components
Car or truck wash	Three stacking spaces for each bay or stall for a non-automated facility, and six stacking spaces for an automated facility, plus one space per employee on the main shift
Automobile sales and services	One for each 400 square feet of gross floor space
Hotels and bed and breakfast inns	One for each sleeping room or suite, plus one for each employee during main shift
Funeral homes	One for each 50 square feet of gross floor area
Professional, business, and administrative offices	One for each 250 square feet of gross floor area
Medical or dental offices	Five for each examination room and laboratory space, plus one for each employee during main work shift
Outpatient surgery centers, ambulatory care facilities, and similar facilities	In accordance with a parking plan approved as part of a Final Development Plan application
Medical urgent care	Three for each examination room, plus one for each other employee during main work shift
Hospitals	In accordance with a parking plan approved as part of a Final Development Plan application

<u>Use</u>	<u>Minimum Number of Parking Spaces</u>
Stand-alone emergency rooms	Three for each examination room, plus one for each other employee during main work shift
Manufacturing, compounding, processing, assembling, packaging or treating of goods	Two for each three employees during work shift having greatest number of employees, plus one for each vehicle maintained on the premises
Warehouse	Fifteen spaces for buildings up to 10,000 square feet in gross floor area, plus one space for every 3,000 square feet of gross floor area above 10,000 gross square feet
Wholesale distribution center	Twenty spaces for buildings up to 10,000 square feet in gross floor area, plus one space for every 2,500 square feet of gross floor area above 10,000 gross square feet
Data centers	One for each employee on the main shift
Outdoor sports fields and tennis, pickleball, or other courts	Twenty for each playfield, plus one for each six seats in stands. Three for every playing court.
Libraries, museums, community centers.	One for each 400 square feet of gross floor area.
Civic, social, fraternal organizations	One for each three persons allowed under occupancy of maximum main meeting room.
Nursing homes	One for every four beds, plus one per employee on the main shift
Assisted living facilities and rehabilitation centers	One space for every three residential units, plus one per employee on the main shift
Independent living facilities	One per residential unit, plus one for each employee on the main shift
Animal hospitals/clinics, veterinarian office	Four for each examination room, surgery room, and laboratory space
Fitness centers and health clubs	One space per 300 square feet of gross floor area
Gymnasiums, fieldhouses, and similar facilities	One space per 250 square feet of gross floor area

<u>Use</u>	<u>Minimum Number of Parking Spaces</u>
Theaters (for live performances or films), stadium or sports arenas, auditorium or other assembly halls other than schools.	One for each three seats
All other uses	In accordance with a parking plan approved as part of a CODA application or Final Development Plan application (as applicable)

Section 10.2 Provision of Parking for the Disabled. Parking spaces shall be designated for the physically handicapped and may be used to compute the total number of spaces required. The number and location of the designated spaces shall be in compliance with the requirements of the Ohio Building Code and the federal Americans With Disabilities Act.. All such parking spaces shall be designated by free-standing signs as provided in the Ohio Manual of Uniform Traffic Control Devices.

Section 10.3 Minimum Number of Off-Street Loading Spaces.

Loading spaces shall be provided for the loading and unloading of merchandise and goods, and may be located within a building, along a drive aisle adjacent to a building where a connected sidewalk is present, or within a service area or near a loading dock and shall be located so as not to impede normal vehicular parking according to the following schedule of uses. A building may share loading spaces when it contains multiple uses.

<u>Use Category</u>	<u>Building Gross Square Footage</u>	<u>Minimum Number of Spaces</u>
MI, CI, MPI, WD, NC, AR, CC, MU	0 – 2,500	Zero
	2,500-10,000	One
	10,001-100,000	Two
	100,001-200,000	Three
	Each additional 100,000 or portion thereof	One additional
O	0 – 50,000	Zero
	50,001-100,000	One

<u>Use Category</u>	<u>Building Gross Square Footage</u>	<u>Minimum Number of Spaces</u>
O (cont.)	100,001-200,000	Two
	Each additional 100,000	One additional
DC	Per building	One
All other use categories		In accordance with a loading space plan approved as part of a CODA application or Final Development Plan application (as applicable)

Section 10.4 Specifications and Requirements. Parking spaces and loading spaces shall meet the following requirements:

(A) Area and Dimensions - Parking Spaces.

	<u>Minimum Width (measured in feet parallel to aisle)</u>	<u>Minimum Length (feet)</u>	<u>Maneuvering Lane Width (feet)</u>
Parallel Parking	9	23	12
30°-53° Angle Parking	13	20	15
54°-74° Angle Parking	9	19	22
75°-90° Angle Parking	9	19	22

(B) Area and Dimensions - Loading Spaces. Loading spaces shall conform to the following minimum requirements:

<u>Length</u>	<u>Width</u>	<u>Height Clearance</u>
30 feet	12 feet	15 feet

(C) Access. All off-street parking and loading areas provided in accordance with this Article shall have direct or indirect access to a publicly dedicated and improved street or alley.

(D) Surfacing. All off-street parking and loading areas, except for parking areas serving single-family residential uses, shall be properly graded, drained, marked and surfaced so as to provide a hard, durable and dustless surface.

(E) Proximity to use.

(i) On property from which uses that are permitted or conditional in the O, MI, CI, MPI, DC, WD, NC, AR, or CC use categories are developed and operated, required parking and loading spaces shall be provided on the same parcel as the principal use which they serve, or on an adjacent parcel that is under common ownership with the parcel containing the principal use.

(ii) On property from which uses that are permitted or conditional in the MFR, MU, and/or POS use categories are developed and operated districts, required parking and loading spaces shall be provided either on the same parcel as the principal use which they serve, on an adjacent parcel that is under common ownership with the parcel containing the principal use, or on a parcel that is not under common ownership with the parcel containing the principal use that is within 1,000 feet of the principal use which they serve.

(iii) Two (2) or more buildings or uses located in the same area may meet parking and loading requirements by the joint provision of parking and loading facilities, provided those facilities are located so as to meet the requirements of this Article X, and the number of spaces so provided shall not be less than the sum of required spaces. A written agreement between relevant parties, stating the terms under which the proposed parking shall be developed, used, and maintained, shall be filed with a CODA application or Final Development Plan application, as applicable. Such agreement shall be approved by the City Attorney or his or her designee prior to the approval of the relevant application.

ARTICLE XI: MISCELLANEOUS.

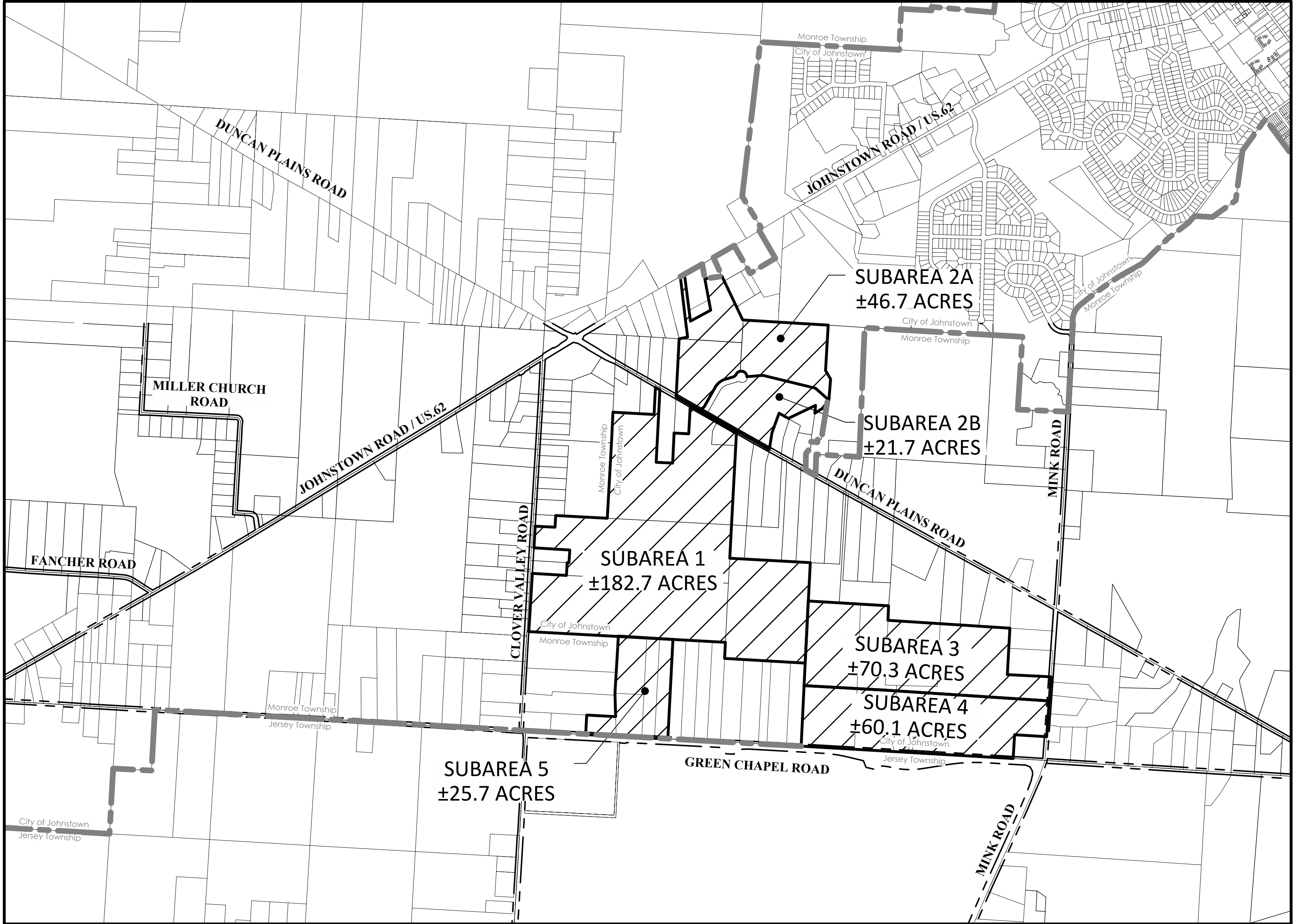
Section 11.1 Parkland Credits. Dedications of land to the City as public parkland are required by Codified Ordinances Chapter 1164. In the event that any property owner or developer within this PD district dedicates parkland to the City in excess of the minimum required parkland dedication requirement, a credit shall be provided which may be applied to future parkland dedication requirements. The application of any such credits to a development proposal shall be made by and through a written request made as part of a Final Development Plan application, which shall be accompanied by a written and signed letter from the applicant or property owner that made the excess land dedication to provide its consent for the use of the credits. Once credits are allocated to a portion of the PD district, they shall remain attributable to that portion of the district unless a Final Development Plan application is approved to move them to another location, subject to the same procedures and requirements that applied to the original allocation of the credits.

Section 11.2 Bicycle Parking. Bicycle parking shall be provided at the rate of 5.0% of the total number of required vehicular parking spaces for a development, provided that in no event shall less than 5 nor more than 30 bicycle parking spaces be required (but shall be permitted) to

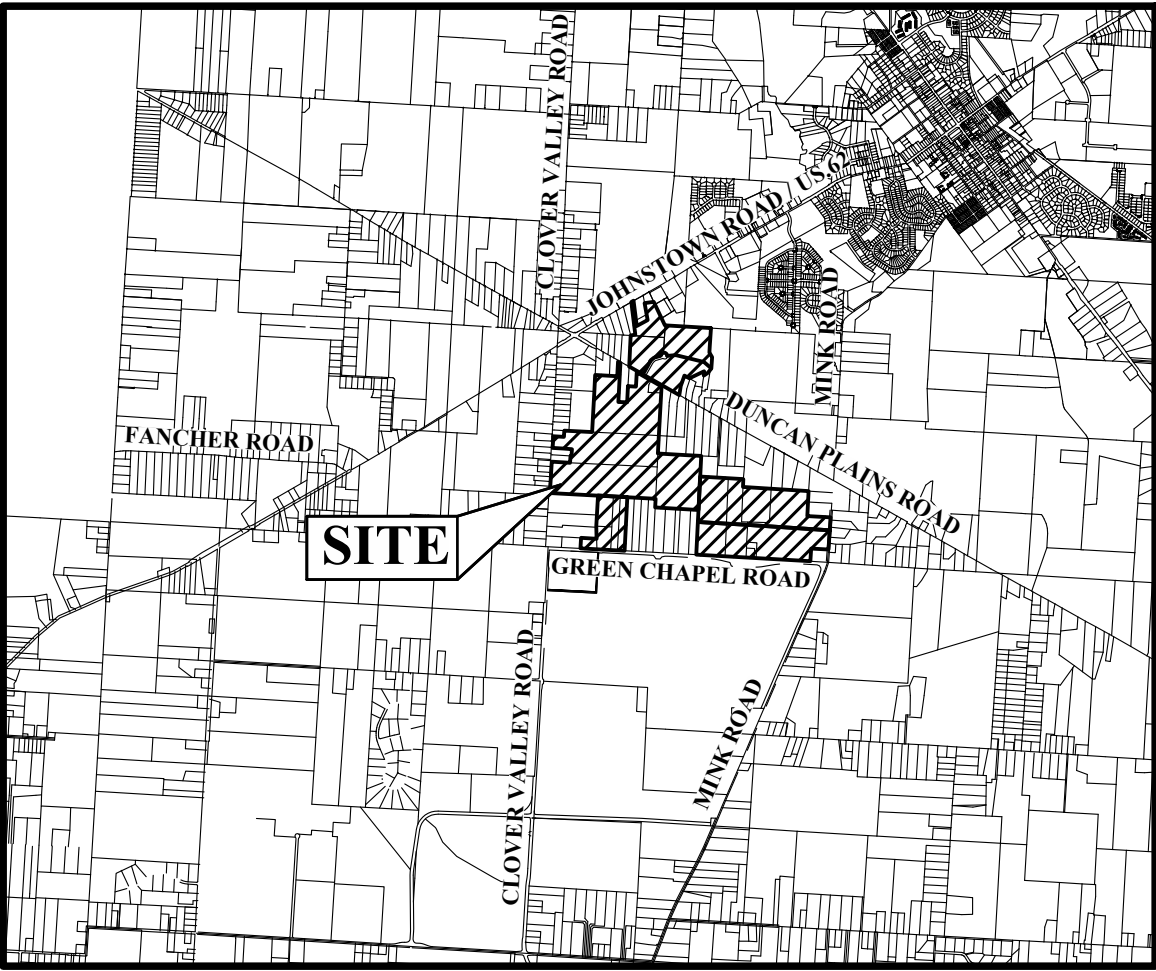
serve any single building or use. Bicycle parking in excess of the maximum required is permitted. Where existing bicycle parking has been provided that is in excess of the minimum which is required to serve an existing building or use, such excess amounts may be counted and applied toward meeting the bicycle parking space requirement of another building or use with a pedestrian entrance that is located within 1,000 feet of said bicycle parking spaces. The requirement for bicycle parking may be waived when the nature of a use or development is such that either (1) the type or volume of traffic is likely to create safety issues due to conflicts between bicycle and vehicular traffic (for example, a distribution center), or (2) bicycle traffic will cause security concerns (for example, data centers).

CITY OF JOHNSTOWN, LICKING COUNTY, OHIO
PRELIMINARY DEVELOPMENT PLAN
FOR
JOHNSTOWN GATEWAY
PD REZONING
2023

SHEET INDEX	
INDEX SHEET	1
REGIONAL CONTEXT MAP	2
EXISTING CONDITIONS PLAN	3
SUBAREA & DENSITY PLAN	4
ENVIRONMENTAL FEATURES AND IMPACTS	5
UTILITY PLAN	6
DRAINAGE PLAN	7



INDEX MAP
Scale: 1" = 1000'

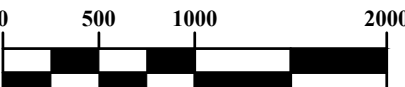


LOCATION MAP
Not to Scale

SITE STATISTICS:

Total Rezoning Acreage:	±407.2 Acres
Subarea 1	
Total Site Area:	±182.7 Acres
Subarea 2A	
Total Site Area:	±46.7 Acres
Subarea 2B	
Total Site Area:	±21.7 Acres
Subarea 3	
Total Site Area:	±70.3 Acres
Subarea 4	
Total Site Area:	±60.1 Acres
Subarea 5	
Total Site Area:	±25.7 Acres

GRAPHIC SCALE



1 inch = 1000 feet

PRELIMINARY
NOT TO BE USED FOR
CONSTRUCTION

PLAN SET DATE
August 22, 2023

REVISIONS

MARK	DATE	DESCRIPTION
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THE NEW ALBANY
COMPANY
800 WALTON PARKWAY
SUITE 120
NEW ALBANY, OHIO 43054

CITY OF JOHNSTOWN, LICKING COUNTY, OHIO
PRELIMINARY DEVELOPMENT PLAN
FOR
JOHNSTOWN GATEWAY
PD REZONING
INDEX SHEET

EMHT
E.M.H.T. Inc.
Engineers • Surveyors • Planners • Scientists
5900 New Albany Road, Columbus, OH 43254
Phone: 614.775.5500 Fax: 614.775.5501
emht.com

DATE

August 25, 2023

SCALE

1" = 1,000'

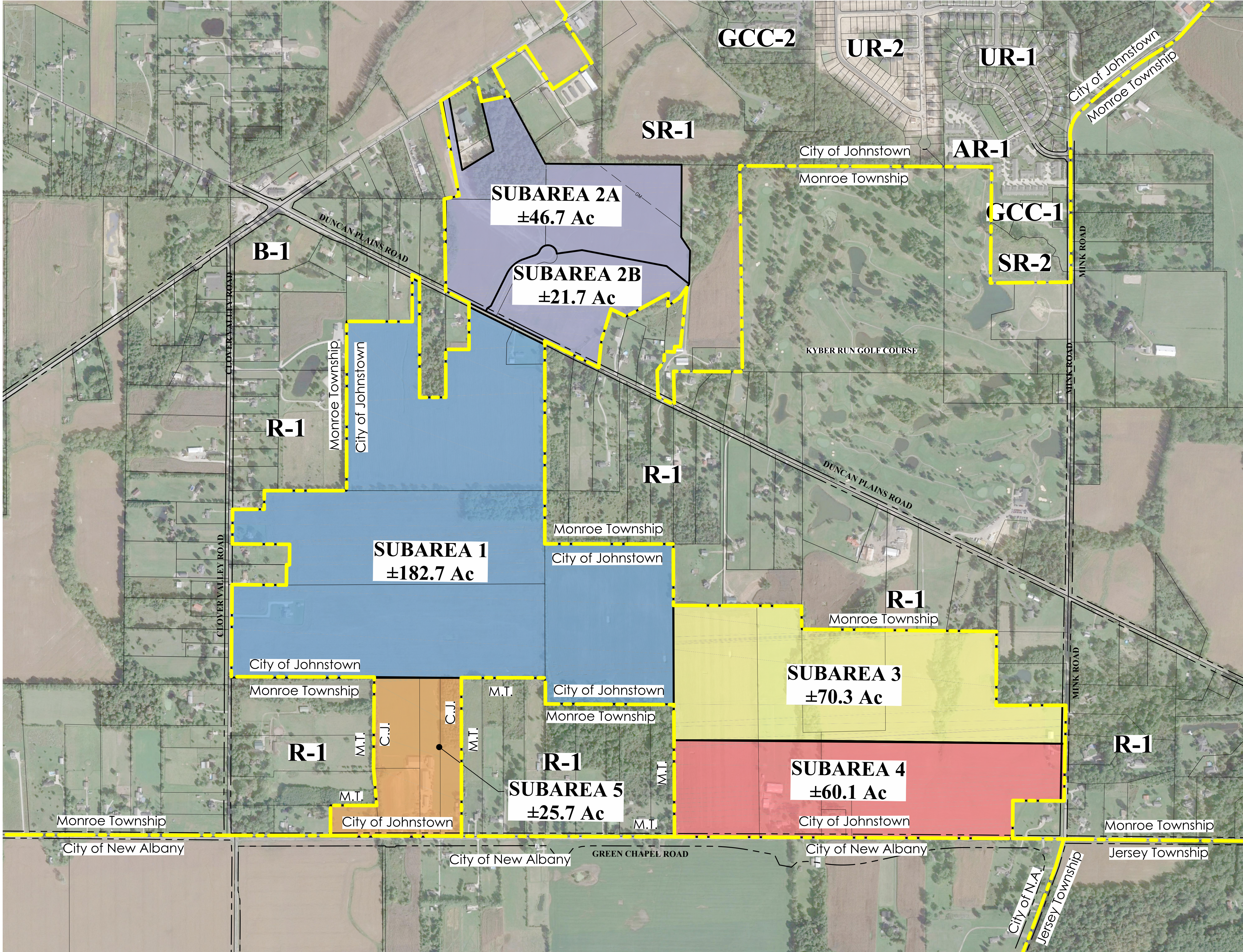
JOB NO.

20230023

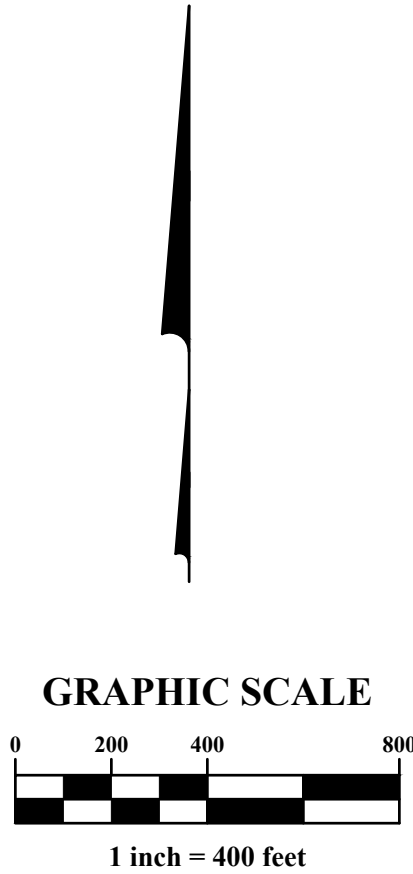
SHEET

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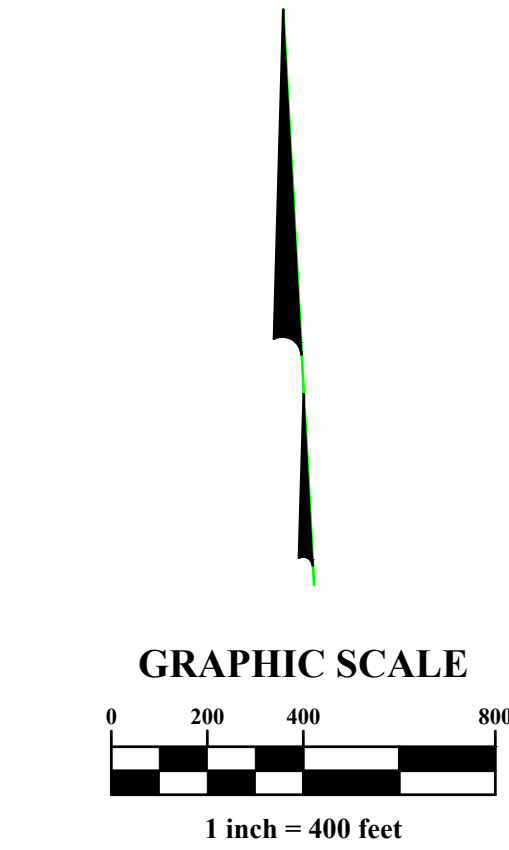
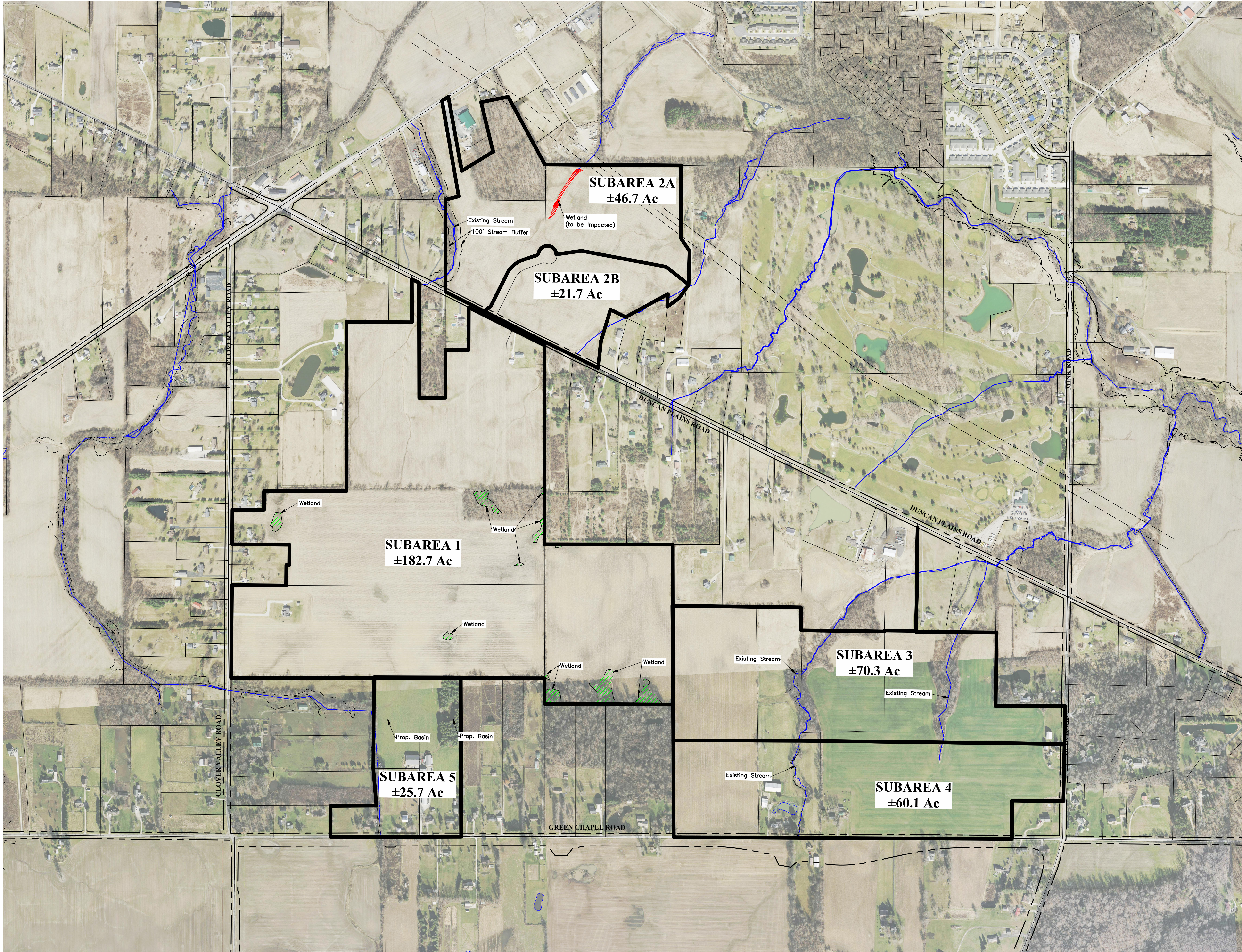
NOTE:
Map depicts City boundaries following approval of pending annexation of ±285.93 acres.



REVISIONS		
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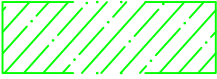
THE NEW ALBANY COMPANY 800 WALTON PARKWAY SUITE 120 NEW ALBANY, OHIO 43054		
CITY OF JOHNSTOWN, LICKING COUNTY, OHIO PRELIMINARY DEVELOPMENT PLAN FOR JOHNSTOWN GATEWAY PD REZONING REGIONAL CONTEXT MAP		
EMHT 5000 New Albany Road, Columbus, OH 43244 Phone: 614.775.5500 Fax: 614.775.5501 www.emht.com		
DATE	August 25, 2023	
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JOB NO.	20230023	
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LEGEND

Existing Wetland to be Impacted 

Existing Wetland 

NOTE:
Wetland and Stream Impacts Note
The final extent of wetland and stream impacts, and preserved features/zones will be determined with project specific final plans.

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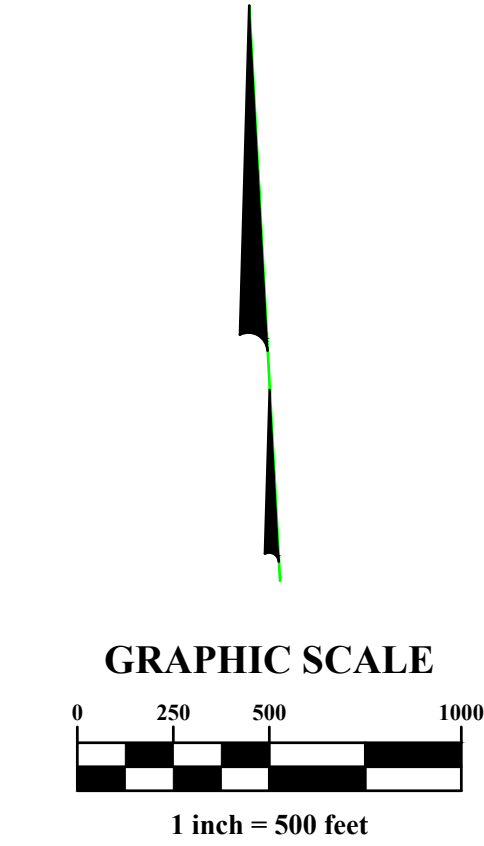
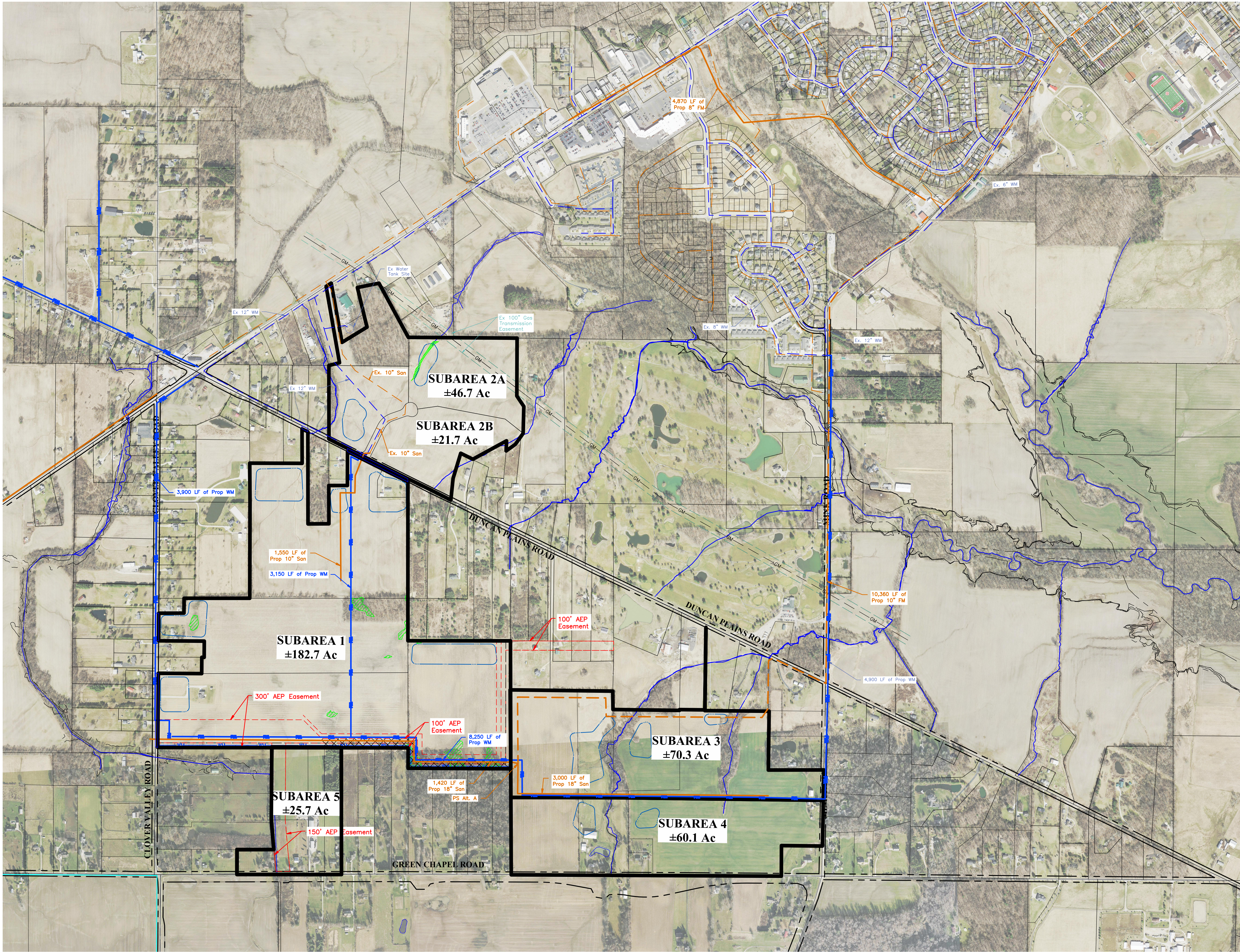
THE NEW ALBANY
COMPANY
800 WALTON PARKWAY
SUITE 120
NEW ALBANY, OHIO 43054

CITY OR TOWNSHIP, COUNTY, STATE
PRELIMINARY DEVELOPMENT PLAN
FOR
**JOHNSTOWN GATEWAY PD
REZONING**
ENVIRONMENTAL FEATURES AND IMPACTS

EMHT
Scott A. McWhorter, Christopher S. White, Inc.
Engineers - Surveyors - Planners - Scientists
5500 New Albany Road, Columbus, OH 43254
Phone: 614.775.5500 Fax: 614.775.5501 emht.com

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- LEGEND**
- Prop. Water ————■———
 - Ex. Water - - - - -
 - Prop. Sanitary ————■———
 - Ex. Sanitary - - - - -

NOTE:

Utility Note
The Applicant and the City of Johnstown are collaborating to plan the locations, phasing and funding of water and waste water infrastructure improvements as influenced by market conditions for development within the district. The anticipated demands of the district for water and waste water will be confirmed based on ongoing studies for the district.

REVISIONS		
MARK	DATE	DESCRIPTION

THE NEW ALBANY
COMPANY
800 WALTON PARKWAY
SUITE 120
NEW ALBANY, OHIO 43054

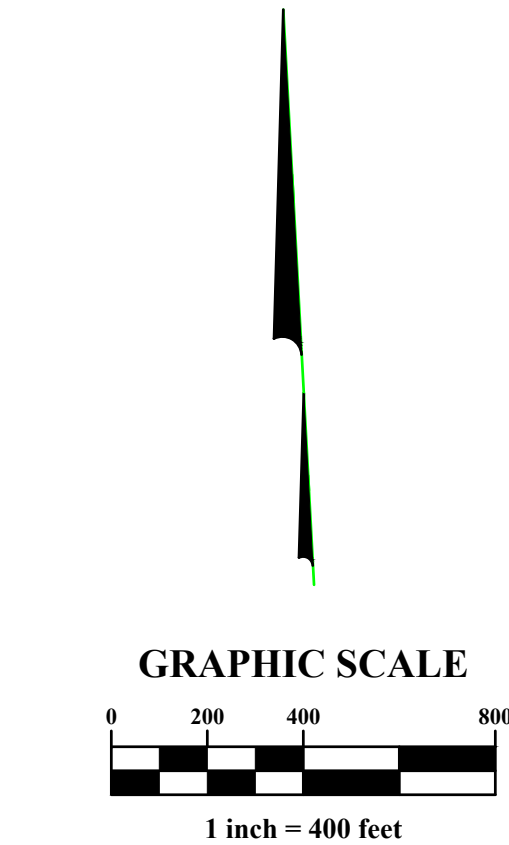
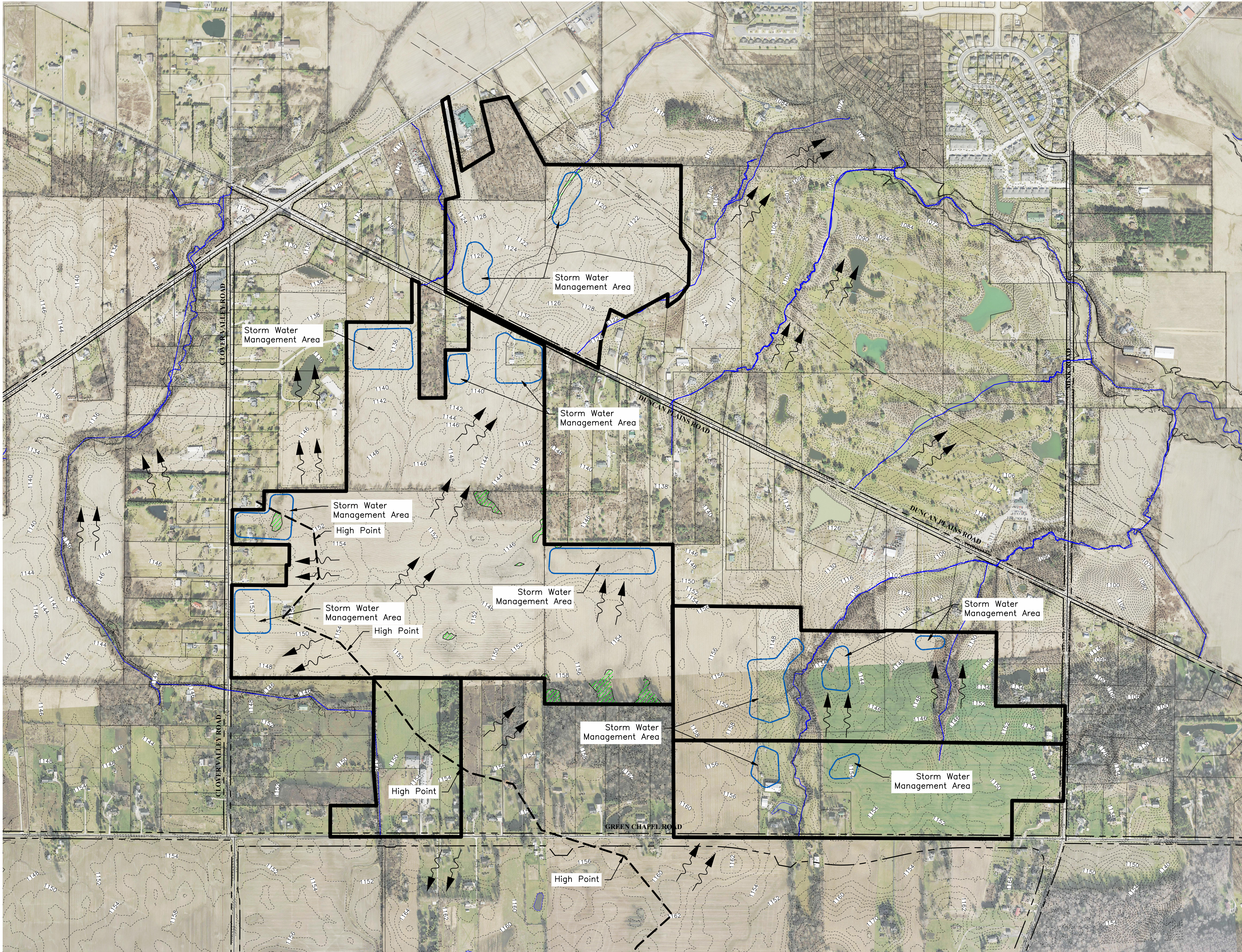
CITY OF TOWNSHIP, COUNTY, STATE
PRELIMINARY DEVELOPMENT PLAN
FOR
**JOHNSTOWN GATEWAY PD
REZONING
UTILITY PLAN**

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Engineers • Surveyors • Planners • Scientists
Phone: 614.775.5500 Fax: 614.775.5501
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NOTE:
Stormwater Management Note
The proposed stormwater management locations shown on this plan are conceptual and based on existing topography and potential development patterns. These basins will be designed in accordance with Johnstown requirements, and the exact locations and configurations will be determined with site specific final development plans.

REVISIONS	
MARK	DESCRIPTION

THE NEW ALBANY
COMPANY
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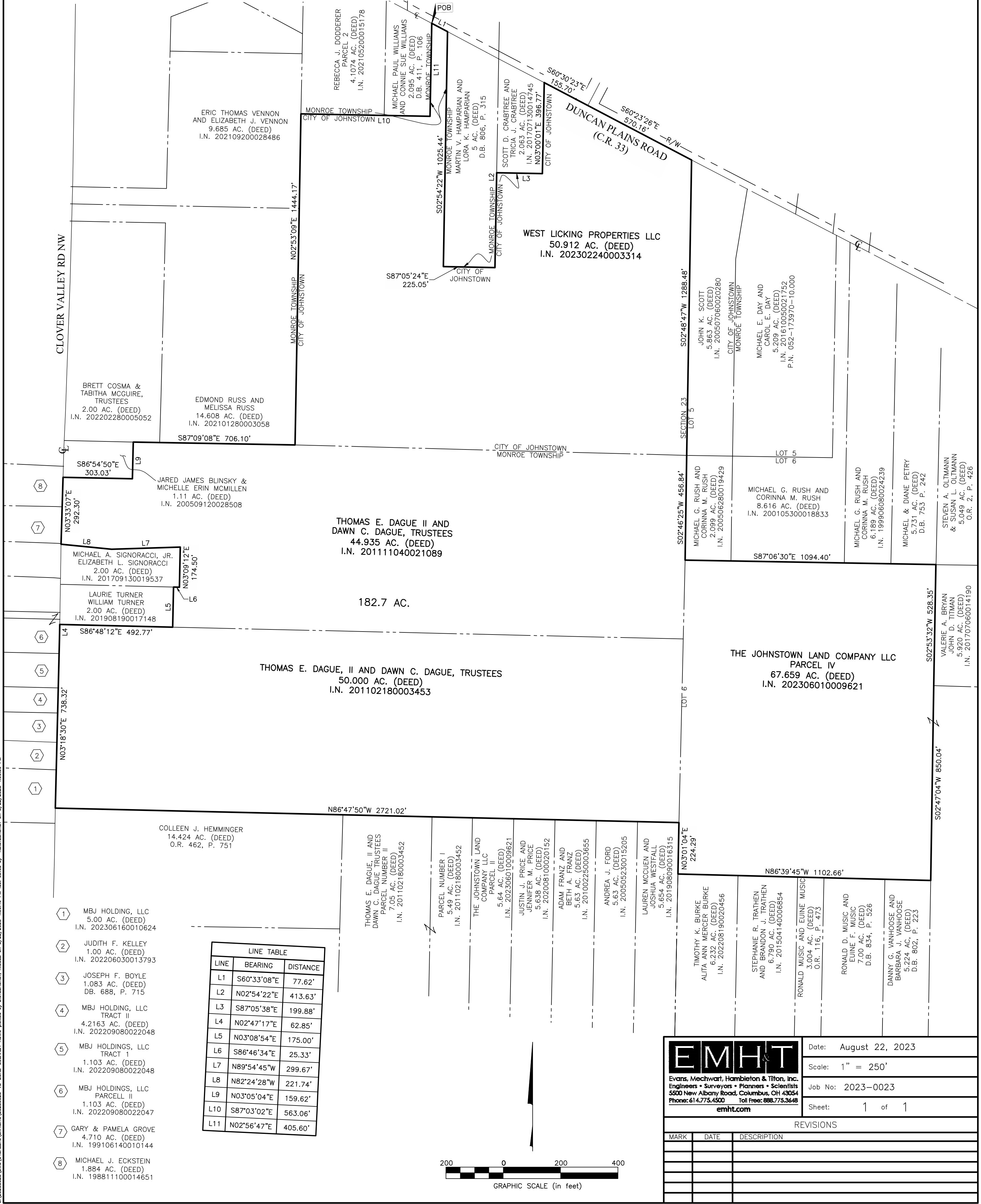
CITY OR TOWNSHIP, COUNTY, STATE
PRELIMINARY DEVELOPMENT PLAN
FOR
**JOHNSTOWN GATEWAY PD
REZONING
DRAINAGE PLAN**

EMHT
5075 N. Newland Road, Columbus, OH 43230
Engineers • Surveyors • Planners • Scientists
5300 New Albany Road, Columbus, OH 43054
Phone: 614.775.5500 Fax: 614.775.5501
emht.com

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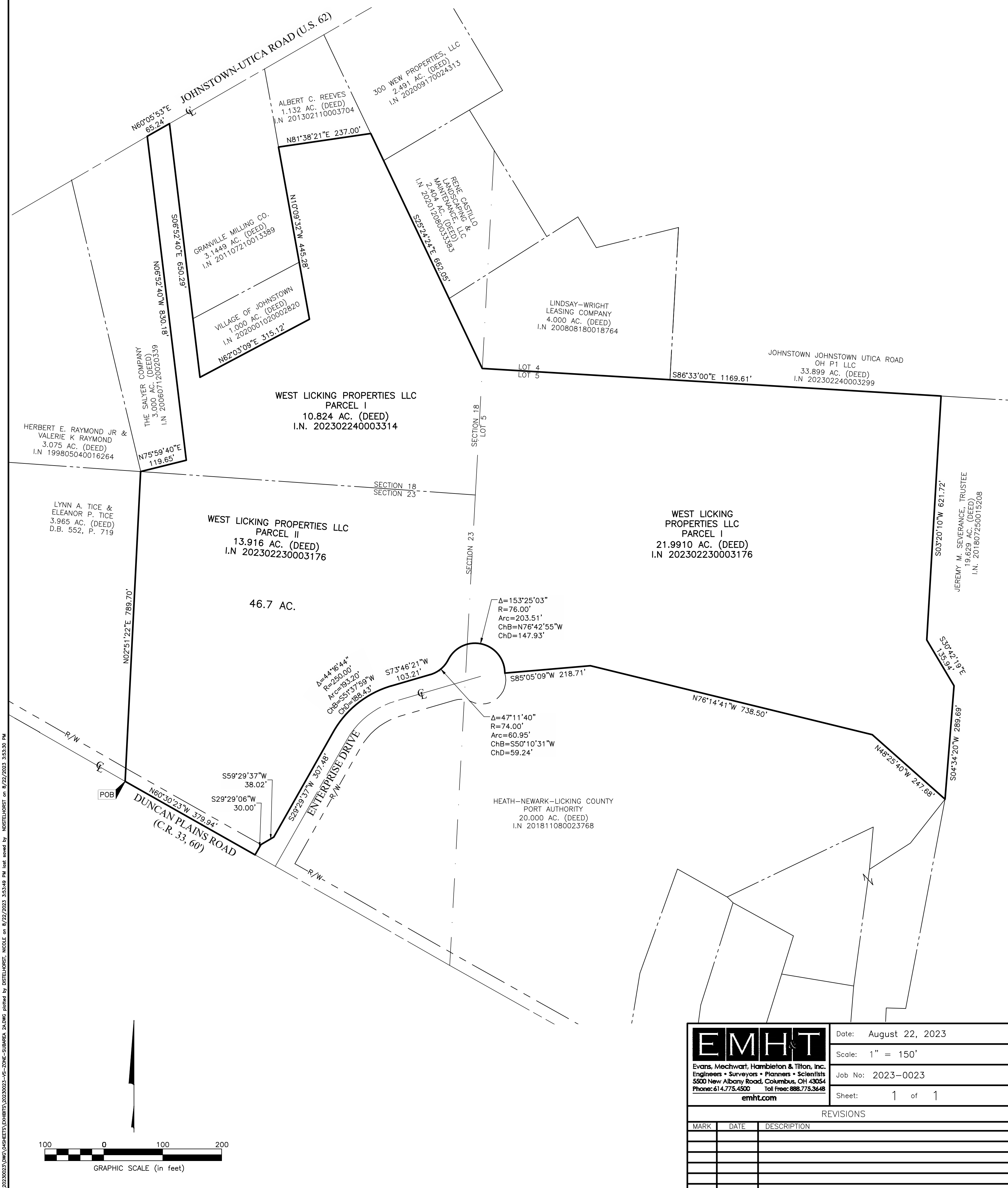
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ZONING EXHIBIT
SECTION 23, QUARTER TOWNSHIP 4, TOWNSHIP 3, RANGE 15
UNITED STATES MILITARY DISTRICT
TOWNSHIP OF MONROW AND CITY OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO



EMHT Evans, Mechwart, Hambleton & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 5800 New Albany Road, Columbus, OH 43054 Phone: 614.775.4500 Toll Free: 888.775.3648 emht.com	Date: August 22, 2023
	Scale: 1" = 250'
	Job No: 2023-0023
	Sheet: 1 of 1
REVISIONS	
MARK	DATE DESCRIPTION

ZONING EXHIBIT
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UNITED STATES MILITARY DISTRICT
CITY OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO



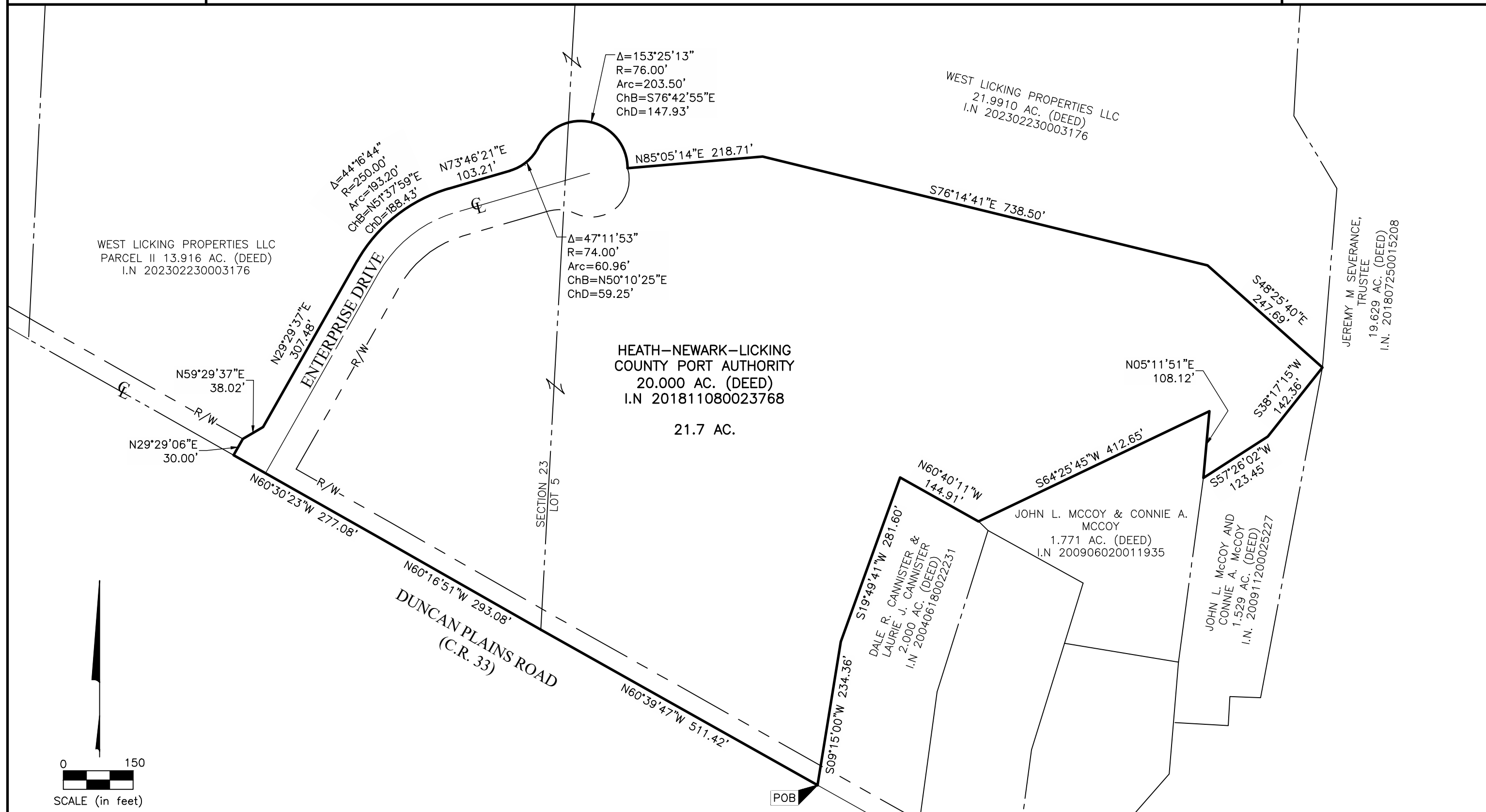
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ZONING EXHIBIT
LOT 5, SECTION 23, QUARTER TOWNSHIP 4, TOWNSHIP 3, RANGE 15
UNITED STATES MILITARY DISTRICT
CITY OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO

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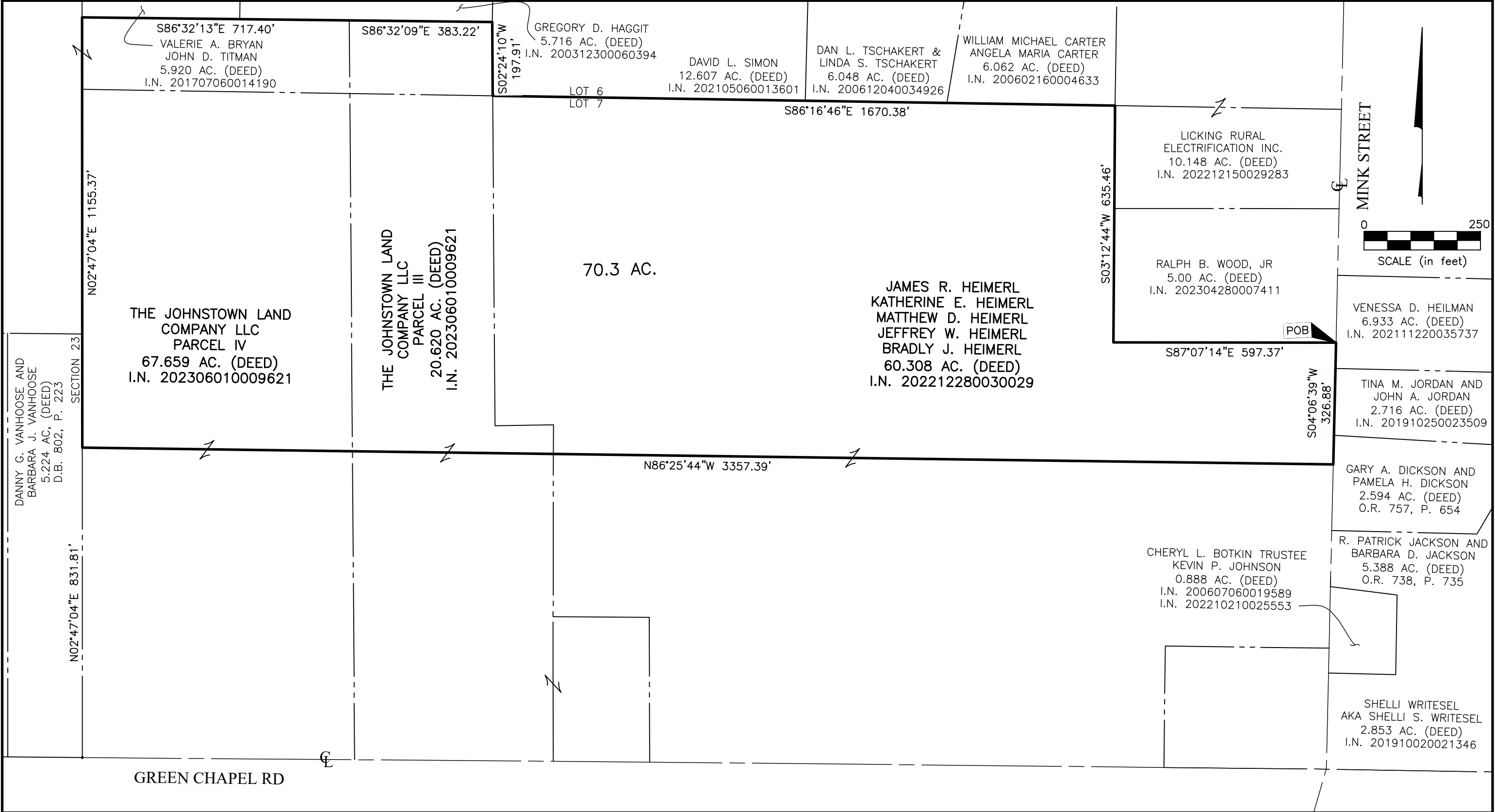
ZONING EXHIBIT

LOTS 6 & 7, QUARTER TOWNSHIP 4, TOWNSHIP 3, RANGE 15

UNITED STATES MILITARY DISTRICT

TOWNSHIP OF MONROE, COUNTY OF LICKING, STATE OF OHIO

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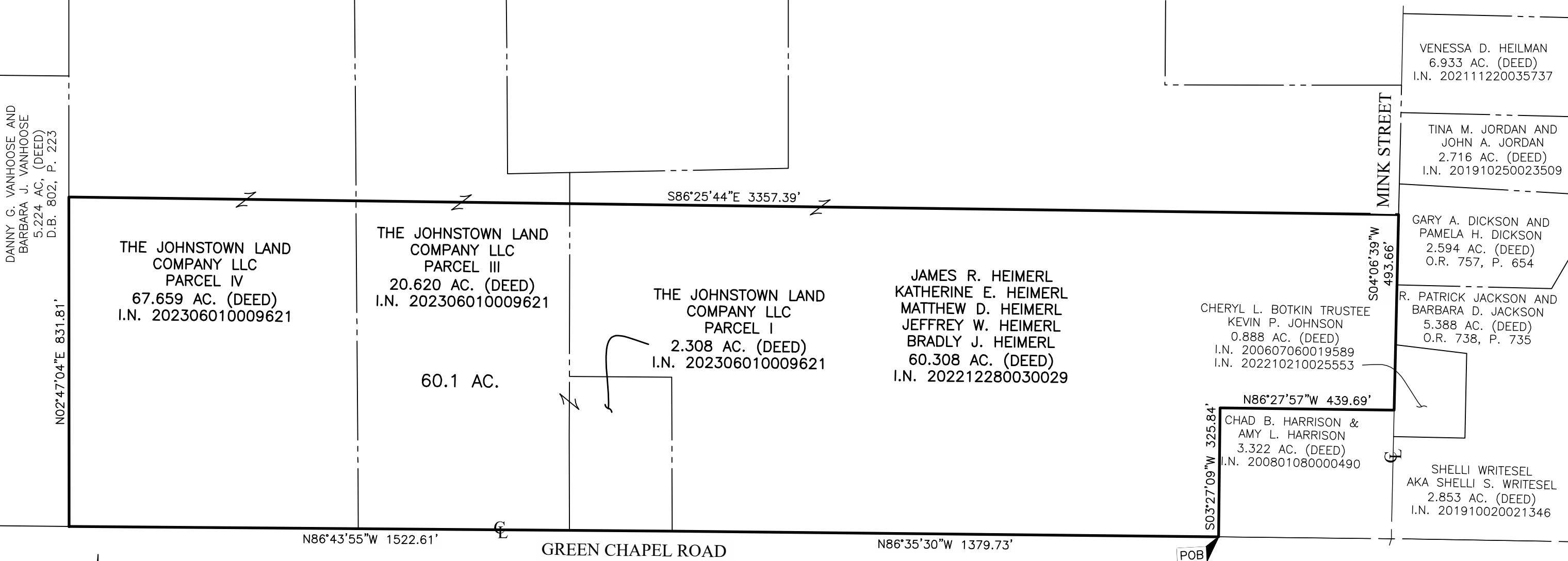
ZONING EXHIBIT

LOT 7, QUARTER TOWNSHIP 4, TOWNSHIP 3, RANGE 15

UNITED STATES MILITARY DISTRICT

TOWNSHIP OF MONROE, COUNTY OF LICKING, STATE OF OHIO

Date:	August 22, 2023
Scale:	1" = 250'
Job No:	2023-0023
Sheet No:	1 of 1

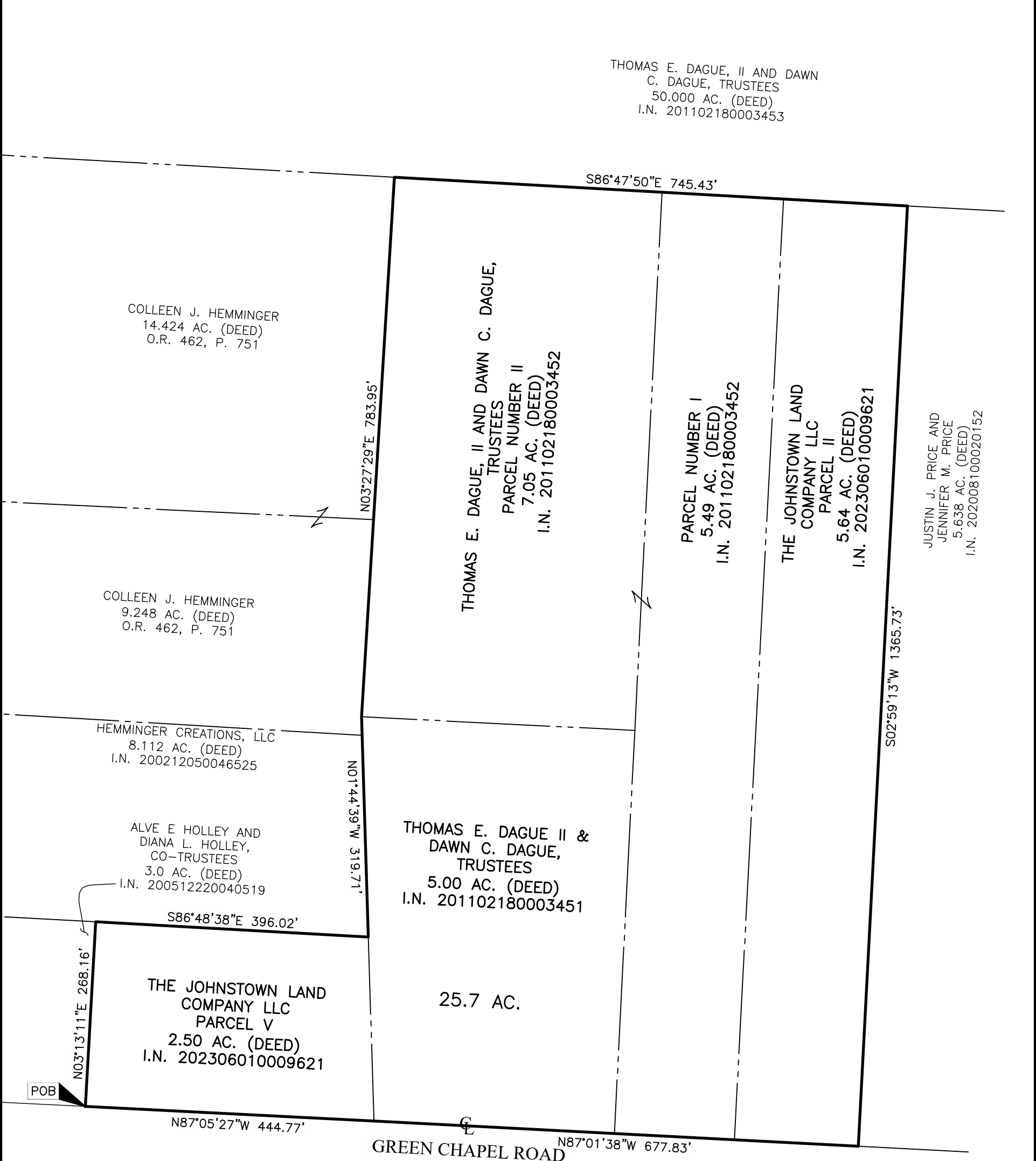




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ZONING EXHIBIT
SECTION 23, QUARTER TOWNSHIP 4, TOWNSHIP 3, RANGE 15
UNITED STATES MILITARY DISTRICT
TOWNSHIP OF MONROE, COUNTY OF LICKING, STATE OF OHIO

Date: August 24, 2023 Scale: 1" = 150' Job No: 2023-0023 Sheet No: 1 of 1



J:\20230023\DWG\04SHEETS\EXHIBITS\20230023-VS-ZONE-SUBAREA 5.DWG plotted by DISTELHORST, NICOLE on 8/24/2023 8:13:27 AM last saved by NDISTELHORST on 8/24/2023 8:06:09 AM

JOHNSTOWN GATEWAY PD DISTRICT

FISCAL IMPACT STATEMENT

This statement is in support of a rezoning application for 407.2+/- acres located within and adjacent to the southwestern portion of the City. Those portions of the property which are located outside of the municipal limits are in the process of being annexed into the City. The application requests a PD, Planned Development District classification on the subject property to facilitate a mixed use development. The goal of the district is to create opportunities for substantial economic development that will have substantial and positive financial impacts on the City of Johnstown and the Johnstown-Monroe School District.

The proposed development seeks to position the site for a wide range of uses that will provide income tax revenue streams from new jobs and real estate tax revenues from investments in new facilities. The majority of the property will allow for the development of uses such as offices, data centers, manufacturing and productions facilities, and warehousing and distribution uses. Portions of the site will contain a mix of residential and commercial uses, and a limited area will allow for only multi-family residential development.

The City will benefit from income taxes collected from employees in the PD district and from businesses. Residents within the PD district will pay a 1% income tax to the school district. Improvements to the property will provide significant new taxable that will drive real property tax growth. The applicant also proposes to subject land within the PD district to an annual New Community Authority assessment charge that can be used by the City to fund infrastructure needs.

The timing for development of the site will be dependent upon market conditions. It is anticipated that the PD district will take at least 7-10 years to reach full buildout. Given present market conditions, it is anticipated that meaningful economic development projects could begin development within 7-12 months following rezoning approval.

EXHIBIT A

Situated in the State of Ohio, County of Licking, Village of Johnstown, being a part of Lot 5 and Section 23, Township 3, Range 15, of the United States Military Lands, and being a part of that 19.438 acre tract (Parcel No. 053-174144-00.002) as conveyed to Duncan Plains, Ltd. in Instrument Number 201107210013392, and part of that 38.162 acre tract (Parcel No. 053-172578-00.007) as conveyed to Duncan Plains, Ltd. in Instrument Number 201301150001278, all references being to those of record in the Recorder's Office, Licking County, Ohio, said 20.000 acre tract being more particularly bounded and described as follows:

Commencing at a 5/8-inch iron pin found capped "S.A. England #7452" at the northwest corner of said Lot 5, also being the northwesterly corner of said 38.162 acre tract, the southwest corner of Lot 4 and in the easterly line of Section 18 of said township;

Thence along the northerly line of said Lot 5, the southerly line of said Lot 4, and the northerly line of said 38.162 acre tract, South 86° 33' 00" East, 1169.61 feet to a 5/8-inch iron pin found at the northeasterly corner of said 38.162 acre tract and the northwesterly corner of a 19.629 acre tract as conveyed to Jeremy M. Severance, Trustee or his Successor(s) as Trustees of the Ronken Principal Protection Trust dated May 1, 2018 in Instrument Number 201807250015208;

Thence along easterly lines of said 38.162 acre tract and westerly lines of said 19.629 acre tract the following three (3) courses and distances:

South 3° 20' 10" West, 621.72 feet to a 5/8 -inch iron pin found;
South 30° 39' 49" East, 135.94 feet to a 5/8-inch iron pin found; and ...
South 4° 33' 33" West, 289.77 feet to a 5/8-inch iron pin found, and being the Point of Beginning for the 20.000 acre tract herein described;

Thence along easterly lines of said 38.162 acre tract, northerly lines of a 1.529 acre tract as conveyed to John L. and Connie A. McCoy in Instrument Number 200911200025227, the following two (2) courses and distances:

South 38° 17' 15" West, 142.36 feet to an iron pin set; and ...
South 57° 26' 02" West, 123.45 feet to an iron pin set in the easterly line of a 1.77 acre tract as conveyed to John L. and Connie A. McCoy in Instrument Number 200906020011935;

Thence along easterly lines of said 38.162 acre tract and lines of said 1.77 acre tract the following two (2) courses and distances:

Along the east line of said 1.77 acre tract, North $5^{\circ} 11' 51''$ East, 108.12 feet to an iron pin set at the northeasterly corner of said 1.77 acre tract; and ...

Along the northerly line of said 1.77 acre tract, South $64^{\circ} 25' 45''$ West, 412.65 feet to an iron pin set in the northerly line of a 2.00 acre tract as conveyed to Dale R. and Laurie J. Cannister in Instrument Number 200406180022231;

Thence along easterly lines of said 38.162 acre tract and lines of said 2.00 acre tract the following three (3) courses and distances:

North $60^{\circ} 40' 11''$ West, 144.91 feet to a 5/8-inch iron pin found capped "S.A. England #7452";

South $19^{\circ} 49' 41''$ West, 281.60 feet to a 5/8-inch iron pin found capped "S.A. England #7452"; and ...

South $9^{\circ} 15' 00''$ West, passing over a 5/8-inch iron pin found capped "S.A. England #7452" at 202.54 feet, a total distance of 234.38 feet to a point at the southeasterly corner of said 38.162 acre tract, the southwesterly corner of said 2.00 acre tract, and also being in the centerline of Duncan Plains Road SW (60-foot right of way);

Thence along the southerly line of said 38.162 acre tract, the southerly lines of said 19.438 acre tract, and the centerline of Duncan Plains Road SW the following three (3) courses and distances:

North $60^{\circ} 39' 47''$ West, 501.86 feet to a point;

North $60^{\circ} 16' 51''$ West, 293.08 feet to a point; and ...

North $60^{\circ} 30' 23''$ West, 187.64 feet to a point;

Thence leaving said centerline and crossing said 19.438 acre and 38.162 acre tracts the following eight (8) courses and distances:

North $29^{\circ} 29' 37''$ East, passing over an iron pin set at 30.00 feet, a total distance of 370.41 feet to an iron pin set at a point of curvature;

Northeasterly along the arc of a curve to the right (Radius = 170.00, Delta = $44^{\circ} 16' 44''$) a chord bearing and distance of North $51^{\circ} 37' 59''$ East, 128.13 feet to an iron pin set at a point of tangency;

North $73^{\circ} 46' 21''$ East, 144.76 feet to an iron pin set for a point of curvature;

Easterly along the arc of a curve to the right (Radius = 59.00 feet, Delta = $42^{\circ} 07' 35''$) a chord bearing and distance of South $85^{\circ} 09' 51''$ East, 42.41 feet to an iron pin set at a point of reverse curvature;

Northeasterly along the arc of a curve to the left (Radius = 61.00 feet, Delta = $132^{\circ} 54' 59''$) a chord bearing and distance of North $49^{\circ} 26' 27''$ East, 111.85 feet to an iron pin set;

North $85^{\circ} 05' 14''$ East, 218.71 feet to an iron pin set;

South $76^{\circ} 14' 41''$ East, 738.50 feet to an iron pin set; and ...

South $48^{\circ} 25' 40''$ East, 247.68 feet to the Point of Beginning and containing 20.000 acres, more or less (4.130 acres in 053-174144-00.002 and 15.870 acres in 053-172578-00.007), according to a survey made by Hull & Associates in February of 2018.

The bearings in the above description are based on the Ohio State Plane Coordinates System, South Zone, NAD83.

All iron pins set are 5/8" in diameter rebar by 30" in length with red identification caps marked "J&H, PS 8283".

Subject to all valid and existing easements, restrictions and conditions of record.

46.728 ACRES

Situated in the State of Ohio, County of Licking, City of Johnstown, lying in Farm Lot 5, Sections 18 and 23, Quarter Township 4, Township 3, Range 15, United States Military District, being all of that 10.82, 13.916 and 21.9912 acre tracts conveyed to James R. Heimerl (10% Interest), Katherine E. Heimerl (10% Interest), Jeffrey W. Heimerl (10% Interest), Bradley J. Heimerl (10% Interest), Matthew D. Heimerl (10% Interest), Philip J. Watts (25% Interest), Barbara J. Watts (25% Interest) by deed of record in Instrument Number 202208160020064, (all references are to the records of the Recorder's Office, Licking County, Ohio) being more particularly described as follows:

Beginning, for reference, at a magnetic nail set at the intersection of the centerline of right-of-way of Duncan Plains Road NW (C.R. 33) (Station No. 10+00.00) and the centerline of right-of-way of Johnstown-Utica Road (U.S. 62) (Station No. 137+22.99), as defined by Ohio Department of Transportation plan LIC-62-2.41, and at the common corner of that 0.209 acre tract conveyed as Parcel No. 7-WD to the State of Ohio by deed of record in Instrument Number 200712190032146 and that 0.539 acre tract conveyed as Parcel No. 6-WD to the State of Ohio by deed of record in Instrument number 200810170022891;

Thence South 59° 57' 28" East, with the centerline of right-of-way said Duncan Plains Road NW (LIC-62-2.41), (passing the intersection of the centerline of right-of-way and the centerline of construction of said Duncan Plains Road NW at 390.00 feet) a total distance of 643.28 feet to a point at the common corner of that 0.462 acre tract conveyed as Parcel No. 7-WDV to Licking County Commissioners by deed of record in Instrument Number 200712190032147, that 0.184 acre tract conveyed as Parcel No. 11-WDV to Licking County Commissioners by deed of record in 200710310028356, that 1 acre tract conveyed as Parcel 1 to Rebecca J. Dodderer by deed of record in Instrument Number 202105200015178 and that 1.227 acre tract conveyed to Kelvin L. Decot and Mary L. Decot by deed of record in Instrument Number 200406010019687, being Station No. 3+56.74 and the end of acquisition for said O.D.O.T. Plan LIC-62-2.41;

Thence South 60° 11' 00" East, with the centerline of Duncan Plains Road NW (60 feet wide), the southerly lines of said 1.227 acre tract, that 1.868 acre tract conveyed to Nicholas M. Keeny by deed of record in 201311010027175, that 1.9091 acre tract conveyed to Rebecca J. Dodderer by deed of record in Instrument Number 201810230022248, that 2.401 acre tract conveyed to Cory Linder and Jacqueline Kemper by deed of record in Instrument Number 201907240014984, that 3.965 acre tract conveyed to Lynn A. Tice and Eleanor P. Tice by deed of record in Deed Book 552, Page 719, the northerly lines of said 1 acre tract, that 4.1074 acre tract conveyed as Parcel 2 to Rebecca J. Dodderer by deed of record in Instrument Number 202105200015178, that 2.095 acre tract conveyed to Michael Paul Williams and Connie Sue Williams by deed of record in Deed Book 411, Page 106, that 50.912 acre tract conveyed to James R. Heimerl (10% Interest), Katherine E. Heimerl (10% Interest), Jeffrey W. Heimerl (10% Interest), Bradley J. Heimerl (10% Interest), Matthew D. Heimerl (10% Interest), Philip J. Watts (25% Interest), Barbara J. Watts (25% Interest) by deed of record in Instrument Number 202208160020064, and that 5 acre tract conveyed to Martin V. Hamparian and Lora K. Hamparian by deeds of record in Deed Book 806, Page 315, a distance of 961.19 feet to a magnetic nail set at the common corner of said 3.965, 5 and 13.916 acre tracts and that 2.063 acre tract conveyed to Scott D. Crabtree and Tricia J. Crabtree by deed of record in Instrument Number 201707130014745, being the TRUE POINT OF BEGINNING;

Thence North 02° 51' 22" East, partially across said Duncan Plains Road NW, with the line common to said 3.965 and 13.916 acre tracts, (passing a 3/4 inch pinchtap iron pin found at a distance of 33.47 feet) a total distance of 789.70 feet to a 3/4 inch iron pin found in the line common to said Sections 18 and 23, at the common corner of said 3.965, 10.82 and 13.916 acre tracts, that 3.000 acre tract conveyed to The Salyer Company by deed of record in Instrument Number 200607120020339 and that 3.075 acre tract conveyed to Herbert E. Raymond and Valerie K. Raymond by deed of record in Instrument Number 199805040016264, (reference the easterly common section corner of said Section 18 and 23, South 86° 00' 02" East, with the line common to said Sections 18 and 23, a distance of 854.01 feet to a 5/8 inch rebar capped "TRACY&MILLS" found);

46.728 ACRES

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Thence North 75° 59' 40" East, with the line common to said 3.000 and 10.82 acre tract, a distance of 119.65 feet to an iron pin set at the southeasterly corner of said 3.000 acre tract, (reference a 5/8 inch rebar found South 15° 59' 40" East, a distance of 1.36 feet);

Thence North 06° 52' 40" West, continuing with said common line, and partially across said Johnstown-Utica Road (60 feet wide), a distance of 830.18 feet to a magnetic nail set in the centerline of said Johnstown-Utica Road, a common corner of said 3.000 and 10.82 acre tracts;

Thence North 60° 05' 53" East, with the centerline of said Johnstown-Utica Road, and the northernmost line of said 10.82 acre tract, a distance of 65.24 feet to a magnetic nail set at the common corner of said 10.82 acre tract and that 3.1449 acre tract conveyed to Granville Milling Co. by deed of record in Instrument Number 201107210013389;

Thence South 06° 52' 40" East, with an easterly line of said 10.82 acre tract, the westerly lines of said 3.1449 acre tract and that 1.000 acre tract conveyed to the Village of Johnstown by deed of record in Instrument Number 202010200027820, (passing a 5/8 inch rebar capped "CT CONSULTANTS" found at a distance of 500.06 feet) a total distance of 650.29 feet to a 5/8 inch rebar capped "CT CONSULTANTS" found at the southwesterly corner of said 1.000 acre tract;

Thence North 62° 03' 09" East, with the line common to said 1.000 and 10.82 acre tracts, a distance of 315.12 feet to a 5/8 inch rebar capped "CT CONSULTANTS" found at the southeasterly corner of said 1.000 acre tract;

Thence North 10° 09' 32" West, with a westerly line of said 10.82 acre tract, the easterly lines of said 1.000 and 3.1449 acre tract, (passing a 5/8 inch rebar capped "KCV#4508" found at a distance of 147.12 feet) a total distance of 445.28 feet to a 5/8 inch rebar capped "KCV#4508" found at the westerly common corner of said 10.82 acre tract and that 1.132 acre tract conveyed to Albert C. Reeves by deed of record in Instrument Number 201302110003704

Thence North 81° 38' 21" East, with the line common to said 1.132 and 10.82 acre tracts, a distance of 237.00 feet to an iron pin set in the southwesterly line of that 2.491 acre tract conveyed to 300 WEW Properties, LLC by deed of record in Instrument Number 202009170024313, and at the easterly common corner of said 1.132 and 10.82 acre tracts;

Thence South 25° 24' 24" East, with the northeasterly line of said 10.82 acre tract, the southwesterly lines of said 2.491 acre tract, that 2.404 acre tract conveyed to Rene Castillo Landscaping Maintenance, LLC by deed of record in Instrument Number 202012080033383, and that 4.000 acre tract conveyed to Lindsay-Wright Leasing Company by deed of record in Instrument Number 200808180018764, (passing a 5/8 inch rebar capped "SA ENGLAND #7452" found at a distance of 75.95 feet and 465.24 feet, and passing a 1/2 inch rebar found at a distance of 76.04 feet) a total distance of 662.05 feet to a 5/8 inch rebar capped "SA ENGLAND #7452" found in the easterly line of said Section 18, at the common corner of said 4.000, 10.82 and 21.9912 acre tracts, and the common lot corner of said Lot 5 and Lot 4 of said Quarter Township 4, Township 3, Range 15, (reference the southeasterly corner of said Section 18, South 03° 07' 03" West, a distance of 322.55 feet to a 5/8 inch rebar capped "TRACY&MILLS" found);

Thence South 86° 33' 00" East, with the northerly line of said 21.9912 acre tract, the southerly lines of said 4.000 acre tract, that 33.899 acre tract conveyed as Parcel No. 2 by deed of record in Instrument Number 200206200023235, and the line common to said Lots 4 and 5, (passing a 5/8 inch rebar found at 478.46 feet) a total distance of 1169.61 feet to a 5/8 inch rebar capped "KCV#4508" found at the common corner of said 21.9912 and that 19.629 acre tract conveyed to Jeremy M. Severance, Trustee by deed of record in Instrument Number 201807250015208;

Thence with lines common to said 19.629 and 21.9912 acre tract, the following courses and distances:

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South 03° 20' 10" West, a distance of 621.72 feet to a 1/2 inch rebar found;

South 30° 42' 19" East, a distance of 135.94 feet to a 1/2 inch rebar found;

South 04° 34' 20" West, a distance of 289.69 feet to a 5/8 inch rebar capped "SA ENGLAND #7452" found at the common corner of said 19.629 and 21.9912 acre tracts, that 1.529 acre tract conveyed to John L. McCoy and Connie A. McCoy by deed of record in Instrument Number 200911200025227, and that 20.000 acre tract conveyed to Heath-Newark-Licking County Port Authority by deed of record in Instrument Number 201811080023768;

Thence with lines common to said 20.000 and 21.9912 acre tracts, the following courses and distances:

North 48° 25' 40" West, a distance of 247.68 feet to an iron pin set;

North 76° 14' 41" West, a distance of 738.50 feet to an iron pin set;

South 85° 05' 14" West, a distance of 218.71 feet to an iron pin set on the arc of a curve in the right-of-way line of Enterprise Drive (80 feet wide), as dedicated by Instrument Number 202108250025817, and at the common corner of said 20.000 and 21.9912 acre tracts;

Thence with the northerly right-of-way line of said Enterprise Drive, the southerly lines of said 13.916 and 21.9912 acre tracts, with the arc of a curve to the left, having a central angle of 153° 25' 13", a radius of 76.00 feet, (passing a 5/8 inch rebar capped "TRACY&MILLS" found at an arc distance of 138.90 feet) an arc length of 203.50 feet, a chord bearing of North 76° 42' 55" West and chord distance of 147.93 feet to a 5/8 inch rebar capped "HULL#8283" found at a point of reverse curvature;

Thence with the northwesterly right-of-way line of said Enterprise Drive, the southeasterly line of said 13.916 acre tract, the following courses and distances:

With the arc of a curve to the right, having a central angle of 47° 11' 53", a radius of 74.00 feet, an arc length of 60.96 feet, a chord bearing of South 50° 10' 25" West and chord distance of 59.25 feet to a 5/8 inch rebar capped "TRACY&MILLS" found at a point of tangency;

South 73° 46' 21" West, a distance of 103.21 feet to a 5/8 inch rebar capped "TRACY&MILLS" found at a point of curvature;

With the arc of a curve to the left, having a central angle of 44° 16' 44", a radius of 250.00 feet, an arc length of 193.20 feet, a chord bearing of South 51° 37' 59" West and chord distance of 188.43 feet to a 5/8 inch rebar capped "TRACY&MILLS" found at a point of tangency;

South 29° 29' 37" West, a distance of 307.48 feet to a 5/8 inch rebar capped "TRACY&MILLS" found;

South 59° 29' 37" West, a distance of 38.02 feet to a 5/8 inch rebar capped "HULL#8283" found at the right-of-way intersection of the northerly right-of-way line of said Duncan Plains Road NW and the northwesterly right-of-way line of said Enterprise Drive;

Thence South 29° 29' 06" West, with the southeasterly line of said 13.916 acre tract and across Duncan Plains Road NW, being the northwesterly line of that portion of Duncan Plains Road NW, as dedicated by Instrument Number 202108250025817, a distance of 30.00 feet to a magnetic nail set in the centerline of said Duncan Plains Road NW, the northerly line said 50.912 acre tract and the westerly corner of that portion of Duncan Plains Road NW, as dedicated by said Instrument Number 202108250025817;

46.728 ACRES

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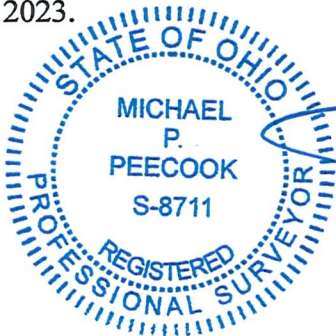
Thence North 60° 30' 23" West, with the centerline of said Duncan Plains Road NW, the southerly line of said 13.916 acre tract, the northerly lines of said 50.912 and 2.063 acre tracts, (passing a magnetic nail set at 155.74 feet) a total distance of 379.94 feet to the TRUE POINT OF BEGINNING, containing 46.728 acres, more or less. Of Which 10.821 acres lies within Parcel Number 053-174144-00.000, 13.916 acres lies within Parcel Number 053-174144-00.002 and 21.991 acres lies within Parcel Number 053-172578-00.007. And of said 46.728 acres, 0.045 acre lies within the present right-of-way occupied of Johnstown-Utica Road, and 0.267 acre lies within the present right-of-way occupied of Duncan Plains Road NW.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown herein are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011). The portion of the centerline of Duncan Plains Road NW, having a bearing of South 60° 30' 23" East, is designated as the "basis of bearings" for this survey.

This description is based on an actual field survey performed by or under the direct supervision of Michael P. Peecook, Professional Surveyor Number 8711 in December, 2022 and January, 2023.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Michael P. Peecook
Professional Surveyor No. 8711

01/27/2023
Date

MPP:ap
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PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED ☒	CONDITIONAL ☐
APPROVED BY: <i>DM</i>	
DATE: 01-30-23	

52.923 ACRES

Situated in the State of Ohio, County of Licking, City of Johnstown, lying Section 23, Quarter Township 4, Township 3, Range 15, United States Military District, being all of that 2.00 and 50.912 acre tract conveyed to James R. Heimerl (10% Interest), Katherine E. Heimerl (10% Interest), Jeffrey W. Heimerl (10% Interest), Bradley J. Heimerl (10% Interest), Matthew D. Heimerl (10% Interest), Philip J. Watts (25% Interest), Barbara J. Watts (25% Interest) by deed of record in Instrument Number 202208160020064, (all references are to the records of the Recorder's Office, Licking County, Ohio) being more particularly described as follows:

Beginning, for reference, at a magnetic nail set at the intersection of the centerline of right-of-way of Duncan Plains Road NW (C.R. 33) (Station No. 10+00.00) and the centerline of right-of-way of Johnstown-Utica Road (U.S. 62) (Station No. 137+22.99), as defined by Ohio Department of Transportation plan LIC-62-2.41, and at the common corner of that 0.209 acre tract conveyed as Parcel No. 7-WD to the State of Ohio by deed of record in Instrument Number 200712190032146 and that 0.539 acre tract conveyed as Parcel No. 6-WD to the State of Ohio by deed of record in Instrument number 200810170022891;

Thence South 59° 57' 28" East, with the centerline of right-of-way said Duncan Plains Road NW (LIC-62-2.41), (passing the intersection of the centerline of right-of-way and the centerline of construction of said Duncan Plains Road NW at 390.00 feet) a total distance of 643.28 feet to a point at the common corner of that 0.462 acre tract conveyed as Parcel No. 7-WDV to Licking County Commissioners by deed of record in Instrument Number 200712190032147, that 0.184 acre tract conveyed as Parcel No. 11-WDV to Licking County Commissioners by deed of record in 200710310028356, that 1 acre tract conveyed as Parcel 1 to Rebecca J. Dodderer by deed of record in Instrument Number 202105200015178 and that 1.227 acre tract conveyed to Kelvin L. Decot and Mary L. Decot by deed of record in Instrument Number 200406010019687, being Station No. 3+56.74 and the end of acquisition for said O.D.O.T. Plan LIC-62-2.41;

Thence South 60° 11' 00" East, with the centerline of Duncan Plains Road NW (60 feet wide), the southerly lines of said 1.227 acre tract, that 1.868 acre tract conveyed to Nicholas M. Keeny by deed of record in 201311010027175, that 1.9091 acre tract conveyed to Rebecca J. Dodderer by deed of record in Instrument Number 201810230022248, a portion of that 2.401 acre tract conveyed to Cory Linder and Jacqueline Kemper by deed of record in Instrument Number 201907240014984, the northerly lines of said 1 acre tract, that 4.1074 acre tract conveyed as Parcel 2 to Rebecca J. Dodderer by deed of record in Instrument Number 202105200015178, and that 2.095 acre tract conveyed to Michael Paul Williams and Connie Sue Williams by deed of record in Deed Book 411, Page 106, a distance of 630.94 feet to a magnetic nail set at the common corner of said 2.095 and 50.912 acre tracts, being the TRUE POINT OF BEGINNING;

Thence South 60° 11' 00" East, continuing with said centerline, the northerly line of said 50.912 acre tract, portions of the southerly lines of said 2.401 acre tract and that 3.965 acre tract conveyed to Lynn A. Tice and Eleanor P. Tice by deed of record in Deed Book 552, Page 719, a distance of 77.88 feet to a magnetic nail set at the common corner of said 50.912 acre tract and that 5 acre tract conveyed to Martin V. Hamparian and Lora K. Hamparian by deeds of record in Deed Book 806, Page 315;

Thence with the lines common to said 5 and 50.912 acre tracts, the following courses and distances:

South 02° 54' 22" West, partially across said Duncan Plains Road NW, a distance of 1024.88 feet to a 3/4 inch pinchtap iron pin found;

South 87° 05' 24" East, a distance of 225.05 feet to a 3/4 inch iron pin found;

North 02° 54' 22" East, a distance of 413.63 feet to a 1/2 inch rebar found at a common corner of said 50.912 acre tract and that 2.063 acre tract conveyed to Scott D. Crabtree and Tricia J. Crabtree by deed of record in Instrument Number 201707130014745;

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Thence South 87° 05' 38" East, with the line common to said 2.063 and 50.912 acre tracts, a distance of 199.88 feet to a 1/2 inch rebar found at the southeasterly corner of said 2.063 acre tract;

Thence North 02° 59' 42" East, continuing with said common line and partially across said Duncan Plains Road NW, (passing a 5/8 inch rebar capped "SA ENGLAND #7452" found at a distance of 363.32 feet) a total distance of 396.70 feet to a magnetic nail set in the centerline of said Duncan Plains Road NW, being the southerly line of that 13.916 acre tract conveyed to James R. Heimerl (10% Interest), Katherine E. Heimerl (10% Interest), Jeffrey W. Heimerl (10% Interest), Bradley J. Heimerl (10% Interest), Matthew D. Heimerl (10% Interest), Philip J. Watts (25% Interest), Barbara J. Watts (25% Interest) by deed of record in Instrument Number 202208160020064, and at a common corner of said 2.063 and 50.912 acre tracts;

Thence South 60° 30' 23" East, with the centerline of said Duncan Plains Road NW, the northerly line of said 50.912 acre tract, the southerly lines of said 13.916 acre tract, that portion of Duncan Plains Road, as dedicated by Instrument Number 202108250025817, and that 20.00 acre tract conveyed to Heath-Newark-Licking County Port Authority by deed of record in Instrument Number 201811080023768, (passing a magnetic nail set at a distance of 155.74 feet) a total distance of 432.83 feet to a magnetic nail set at the common corner of said 2.00 and 50.912 acre tract;

Thence South 60° 16' 51" East, continuing with said centerline, with the line common to said 2.00 and 20.000 acre tracts, a distance of 293.08 feet to a point in the line common to said Lot 5 and said Section 23, at the common corner of said 2.00 acre tract and that 5.863 acre tract conveyed to John K. Scott by deed of record in Instrument Number 200507060020280, reference a 3/4 inch iron pin laying on its side found North 0.47 feet;

Thence South 02° 48' 47" West, partially across said Duncan Plains Road NW, with the easterly lines of said 2.00 and 50.912 acre tracts and Section 23, and the westerly lines of said 5.863 acre tract and said Lots 5 and Lot 6 of said Quarter Township 4, Township 3, Range 15, (passing a 3/4 inch iron pin found 0.82 feet west at a distance of 32.75 feet) a total distance of 1288.48 feet to a 3/4 inch iron pin found at the common corner of said 5.863 and 50.912 acre tracts, and the northwesterly corner of that 2.099 acre tracts conveyed to Michael G. Rush and Corinna M. Rush by deed of record in Instrument Number 200506280019429, and the northeasterly corner of that 44.935 acre tract conveyed to Thomas E. Dague II, Trustee of the Thomas Dague II Trust Dated April 2, 2009 (1/2 Interest) and Dawn C. Dague, Trustee of the Dawn Dague Trust Dated April 2, 2009 (1/2 Interest) by deed of record in Instrument Number 201111040021089, (reference a 3/4 inch iron pin found North 35° 49' 29" East, a distance of 0.73 feet);

Thence North 86° 35' 54" West, with the line common to said 50.912 and 44.935 acre tracts, a distance of 1708.60 feet to a 1/2 inch rebar found at the common corner of said 50.912 acre tract and that 14.608 acre tract conveyed to Edmond Russ and Melissa Russ by deed of record in Instrument Number 202101280003058;

Thence North 02° 53' 09" East, with the westerly line of said 50.912 acre tract, the easterly lines of said 14.608 acre tract and that 9.685 acre tract conveyed to Eric Thomas Vennon and Elizabeth J. Vennon by deed of record in Instrument Number 202109200028486, (passing a 1/2 inch rebar found at a distance of 1031.85 feet) a total distance of 1444.17 feet to a 3/4 inch pinchtap iron pin found at the common corner of said 4.1074 and 50.912 acre tracts;

Thence South 87° 03' 02" East, with a northerly line of said 50.912 acre tract, the southerly lines of said 4.1074 and 2.095 acre tracts, (passing a 3/4 inch pinchtap iron pin found at a distance of 362.98 feet) a total distance of 563.06 feet to a 1/2 inch rebar found at the southeasterly corner of said 2.095 acre tract;

52.923 ACRES

-3-

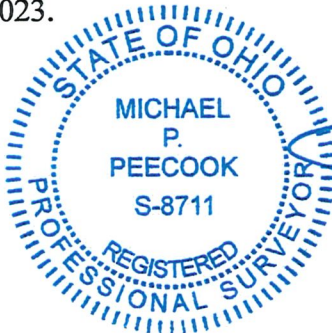
Thence North 02° 56' 47" East, with the line common to said 2.095 and 50.912 acre tracts, and partially across said Duncan Plains Road NW, (passing a 5/8 inch rebar found at a distance of 372.18 feet) a total distance of 405.69 feet to the TRUE POINT OF BEGINNING, containing 52.923 acres, more or less. Of Which 50.920 acres lies within Parcel Number 053-174138-00.000 and 2.003 acres lies within Parcel Number 053-174138-00.002. And of said 52.923 acres, 0.554 acre lies within the present right-of-way occupied of Duncan Plains Road NW.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown herein are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011). The portion of the centerline of Duncan Plains Road NW, having a bearing of South 60° 30' 23" East, is designated as the "basis of bearings" for this survey.

This description is based on an actual field survey performed by or under the direct supervision of Michael P. Peecook, Professional Surveyor Number 8711 in December, 2022 and January, 2023.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Michael P. Peecook
Professional Surveyor No. 8711

01/27/2023
Date

MPP:ap
52_923 ac 20221011-VS-BNDY-01.docx

PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED ☒	CONDITIONAL ☐
APPROVED BY: <i>JML</i>	
DATE: 01-30-23	

EXHIBIT "A"
PROPOSED ANNEXATION OF
285.93± ACRES

FROM: MONROE TOWNSHIP

TO: CITY OF JOHNSTOWN

Situated in the State of Ohio, County of Licking, Township of Monroe, in Section 23, Quarter Township 3, and Lots 6 and 7 (First Range), Quarter Township 4, Township 3, Range 15, United States Military District, being comprised of all of the following tracts of land: that 44.935 acre tract conveyed to Thomas E. Dague, II, Trustee and Dawn C. Dague, Trustee by deed of record in Instrument Number 201111040021089, that 50.000 acre tract conveyed to Thomas E. Dague, II, Trustee and Dawn C. Dague, Trustee by deed of record in Instrument Number 201102180003453, that 5.49 acre tract conveyed as Parcel Number I and that 7.05 acre tract conveyed as Parcel Number II to Thomas E. Dague, II, Trustee and Dawn C. Dague, Trustee by deed of record in Instrument Number 201102180003452, that 5.00 acre tract conveyed to Thomas E. Dague, II, Trustee and Dawn C. Dague, Trustee by deed of record in Instrument Number 201102180003451, that 2.5 acre tract conveyed to The Johnstown Land Company LLC by deed of record in Instrument Number 202306010009621, that 5.64 acre tract conveyed to The Johnstown Land Company LLC by deed of record in Instrument Number 202306010009621, that 67.659 acre tract conveyed to The Johnstown Land Company LLC by deed of record in Instrument Number 202306010009621, that 20.620 acre tract conveyed to The Johnstown Land Company LLC by deed of record in Instrument Number 202306010009621, that 2.308 acre tract conveyed to The Johnstown Land Company LLC by deed of record in Instrument Number 202306010009621, and that 14.276 acre tract and that 60.308 acre tract conveyed to James R. Heimertl, Katherine E. Heimertl, Matthew D. Heimertl, Jeffrey W. Heimertl and Bradley J. Heimertl by deed of record in Instrument Number 202212280030029 (all references refer to the records of the Recorder's Office, Licking County, Ohio), and more particularly bounded and described as follows:

Beginning, for reference, at the southeasterly corner of that 5.654 acre tract conveyed to Lauren McCuen and Joshua Westfall by deed of record in Instrument Number 201908090016315, the southwesterly corner of that 6.232 acre tract conveyed to Timothy K. Burke and Alita Ann Mercer Burke by deed of record in Instrument Number 202208190020456, the southeasterly corner of Section 23, Quarter Township 3, the southwesterly corner of Lot 7 (First Range), Quarter Township 4, in the centerline of Green Chapel Road (T.R. 63);

Thence North 03° 01' 04" East, with the common line of said 5.654 and 6.232 acre tracts, the line common to said Section 23, Quarter Township 3 and said Lot 7 (First Range), Quarter Township 4, a distance of 1138.45 feet to a point the northwesterly corner of said 6.232 acre tract, the TRUE POINT OF BEGINNING for this description;

Thence North 03° 01' 04" East, with the easterly line of said 5.654 acre tract, a distance of 224.29 feet to the northeasterly corner thereof;

Thence North 86° 47' 50" West, with the northerly lines of said 5.654 acre tract, that 5.63 acre tract conveyed to Andrea J. Ford by deed of record in Instrument Number 200505230015205, that 5.63 acre tract conveyed to Adam Frantz and Beth A. Frantz by deed of record in Instrument Number 201002250003655, and that 5.638 acre tract conveyed to Justin J. Price and Jennifer M. Price by deed of record in Instrument Number 202008100020152, a distance of 720.86 feet to the northwesterly corner of said 5.638acre tract;

Thence South 02° 59' 13" West, with the westerly line of said 5.638 acre tract, a distance of 1365.63 feet to a point in the centerline of said Green Chapel Road;

Thence North 87° 03' 09" West, with said centerline, a distance of 1122.60 feet to the southeasterly corner of that 3.0 acre tract conveyed to Alve E. Holley and Diana L. Holley, Trustees by deed of record in Instrument Number 200512220040519;

285.93± ACRES

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Thence North 03° 13' 11" East, with the easterly line of said 3.0 acre tract, a distance of 268.16 feet to a point in the southerly line of that 8.112 acre tract conveyed to Hemmingger Creations, LLC by deed of record in Instrument Number 200212050046525;

Thence South 86° 48' 38" East, with said southerly line, a distance of 396.02 feet to a point;

Thence North 01° 44' 39" West, with the easterly line of said 8.112 acre tract and the easterly line of that 9.248 acre tract conveyed to Colleen J. Hemmingger by deed of record in Official Record 462, Page 751, a distance of 319.71 feet to a point;

Thence North 03° 27' 29" East, with the easterly lines of said 9.248 acre tract and the easterly line of that 14.424 acre tract conveyed to Colleen J. Hemmingger by deed of record in Official Record 462, Page 751, a distance of 783.86 feet to a point;

Thence North 86° 47' 50" West, with the northerly line of said 14.424 acre tract, a distance of 1252.48 feet to a point in the centerline of Clover Valley Road (C.R. 26);

Thence North 03° 08' 54" East, with said centerline, a distance of 801.17 feet to the southwesterly corner of that 2.00 acre tract conveyed to Laurie Turner and William Turner by deed of record in Instrument Number 201908190017148;

Thence South 86° 48' 12" East, with the southerly line of said 2.00 acre tract, a distance of 492.19 feet to a point;

Thence North 03° 08' 54" East, with the easterly line of said 2.00 acre tract, a distance of 175.00 feet to a point in the southerly line of that 2.00 acre tract conveyed to Michael A. Signoracci, Jr. and Elizabeth L. Signoracci by deed of record in Instrument Number 201709130019537;

Thence with the boundary of said 2.00 acre tract the following courses and distances:

South 86° 46' 34" East, a distance of 25.33 feet to a point;

North 03° 09' 12" East, a distance of 174.50 feet to a point;

North 89° 54' 45" West, a distance of 299.67 feet to a point; and

North 82° 24' 28" West, a distance of 218.95 feet to a point in the centerline of said Clover Valley Road;

Thence North 03° 08' 54" East, with said centerline, a distance of 292.51 feet to the southwesterly corner of that 1.000 acre tract conveyed to Jared James Blinsky and Michelle Erin McMillen by deed of record in Instrument Number 200509120028508;

Thence South 86° 54' 50" East, with the southerly line of said 1.000 acre tract, a distance of 302.30 feet to a point;

Thence North 03° 05' 04" East, with the easterly line of said 1.000 acre tract, a distance of 166.44 feet to a point in the southerly line of that 2.00 acre tract conveyed to Brett Cosma and Tabitha McGuire, Trustees by deed of record in instrument Number 202202280005052;

Thence South 86° 35' 54" East, with the southerly lines of said 2.00 acre tract, that 14.608 acre tract conveyed to Edmond Russ and Melissa Russ by deed of record in Instrument Number 202101280003058, and that 50.912 acre tract conveyed as Parcel II to West Licking Properties LLC by deed of record in Instrument Number 20230224000314, and partially with the existing City of Johnstown corporation line, as established by Ordinance Number 15-05, of record in

285.93± ACRES

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Instrument Number 200606070016275, a distance of 2414.71 feet to the southwesterly corner of that 5.863 acre tract conveyed to John K. Scott by deed of record in Instrument Number 200507060020280, the northwesterly corner of that 2.099 acre tract conveyed to Michael G. Rush and Corinna M. Rush by deed of record in Instrument Number 200506280019429;

Thence South 02° 46' 25" West, with the westerly line of said 2.099 acre tract, a distance of 456.84 feet to the southwesterly corner thereof;

Thence South 87° 06' 30" East, with the southerly lines of said 2.099 acre tract, that 8.616 acre tract conveyed to Michael G. Rush and Corinna M. Rush by deed of record in Instrument Number 200105300018833, that 6.189 acre tract conveyed to Michael G. Rush and Corinna M. Rush by deed of record in Instrument Number 199906080024239, and that 5.731 acre tract conveyed to Michael D. Petry and Diane M. Petry by deed of record in Deed Book 753, Page 242, a distance of 1094.40 feet to the southwesterly corner of that 5.049 acre tract conveyed to Steven A. Oltmann and Susan L. Oltmann by deed of record in Official Record 2, Page 426, the northwesterly corner of that 5.920 acre tract conveyed to Valerie A. Bryan and John D. Titman by deed of record in Instrument Number 201707060014190;

Thence South 02° 53' 32" West, with the westerly line of said 5.920 acre tract, a distance of 528.35 feet to the southwesterly corner thereof;

Thence South 86° 32' 13" East, with the southerly lines of said 5.920 acre tract and that 5.716 acre tract conveyed to Gregory D. Haggitt and Victoria S. Haggitt by deed of record in Instrument Number 200312300060394, a distance of 1100.62 feet to a point in the westerly line of that 12.607 acre tract conveyed to David L. Simon by deed of record in Instrument Number 202105060013601;

Thence South 02° 24' 10" West, with said westerly line, a distance of 197.92 feet to the southwesterly corner thereof;

Thence South 86° 16' 46" East, with the southerly lines of said 12.607 acre tract, that 6.016 acre tract conveyed to David L. Simon by deed of record in Instrument Number 202105060013601, that 6.048 acre tract conveyed to Dan I. Tschakert and Linda S. Emmenegger, Trustees by deed of record in Instrument Number 200612040034926, and that 6.062 acre tract conveyed to William Michael Carter and Angela Maria Carter by deed of record in Instrument Number 200602160004633, a distance of 1670.38 feet to a point in the westerly line of that 10.148 acre tract conveyed to Licking Rural Electrification, Inc, by deed of record in Instrument Number 202212150029283;

Thence South 03° 12' 44" West, with said westerly line and the westerly line of that 5 acre tract conveyed to Ralph B. Wood, Jr. by deeds of record in Official Record 838, Page 170 and Instrument Number 202304280007411, a distance of 635.46 feet to a point;

Thence South 87° 07' 14" East, with the southerly line of said 5 acre tract, a distance of 597.37 feet to a point in the centerline of Mink Street;

Thence South 04° 06' 39" West, with said centerline, a distance of 820.54 feet to the northeasterly corner of that 3.322 acre tract conveyed to Chad B. Harrison and Amy L. Harrison by deed of record in Instrument Number 200801080000490;

Thence North 86° 27' 57" West, with the northerly line of said 3.322 acre tract, a distance of 439.69 feet to a point;

Thence South 03° 27' 09" West, with the westerly line of said 3.322 acre tract, a distance of 325.84 feet to a point in the centerline of said Green Chapel Road;

285.93± ACRES

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Thence North 86° 35' 30" West, with said centerline, a distance of 1379.73 feet to a point;

Thence North 86° 43' 55" West, with said centerline, a distance of 1522.61 feet to the southeasterly corner of that 5.224 acre tract conveyed to Danny G. Vanhoose and Barbara J. Vanhoose by deed of record in Deed Book 802, Page 223;

Thence North 02° 47' 04" East, with the easterly line of said 5.224 acre tract, a distance of 1137.14 feet to the northeasterly corner thereof;

Thence North 86° 39' 45" West, with the northerly lines of said 5.224 acre tract, that 7.00 acre tract conveyed to Ronald D. Music and Euine F. Music by deed of record in Deed Book 834, Page 526, that 3.004 acre tract conveyed Ronald D. Music and Euine F. Music by deed of record in Official Record 116, Page 473, that 6.790 acre tract conveyed to Stephanie R. Trathen and Brandon J. Trathen by deed of record in Instrument Number 201504140006854, and said 6.232 acre tract, a distance of 1102.66 feet to the TRUE POINT OF BEGINNING, containing 285.93 acres of land, more or less.

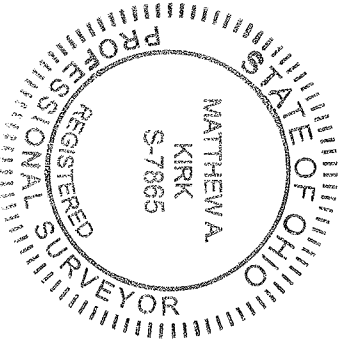
EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

12 JUNE 23

Matthew A. Kirk
Professional Surveyor No. 7865

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285.93± ACRES

-4-

Thence North 86° 35' 30" West, with said centerline, a distance of 1379.73 feet to a point;

Thence North 86° 43' 55" West, with said centerline, a distance of 1522.61 feet to the southeasterly corner of that 5.224 acre tract conveyed to Danny G. Vanhoose and Barbara J. Vanhoose by deed of record in Deed Book 802, Page 223;

Thence North 02° 47' 04" East, with the easterly line of said 5.224 acre tract, a distance of 1137.14 feet to the northeasterly corner thereof;

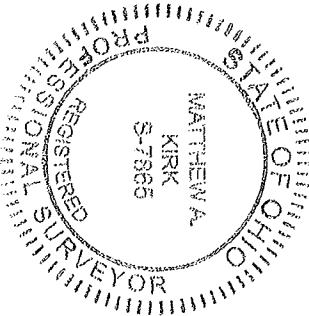
Thence North 86° 39' 45" West, with the northerly lines of said 5.224 acre tract, that 7.00 acre tract conveyed to Ronald D. Music and Euine F. Music by deed of record in Deed Book 834, Page 526, that 3.004 acre tract conveyed Ronald D. Music and Euine F. Music by deed of record in Official Record 116, Page 473, that 6.790 acre tract conveyed to Stephanie R. Trathen and Brandon J. Trathen by deed of record in Instrument Number 201504140006854, and said 6.232 acre tract, a distance of 1102.66 feet to the TRUE POINT OF BEGINNING, containing 285.93 acres of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.
Matthew A. Kirk
Professional Surveyor No. 7865

Matthew A. Kirk

12 June 23

MAK: ap
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PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED ☒	CONDITIONAL ☐
APPROVED BY: <i>JK</i>	
DATE: 06-15-23	

APPLICANT:

The New Albany Company
8000 Walton Parkway, Suite 120
New Albany, OH 43054

PROPERTY OWNER(S):

Heath-Newark-Licking County
Port Authority
851 Irvingwick Drive
Heath, OH 43056

Martin and Lora Hamparian
12017 Duncan Plains Road
Johnstown, OH 43031

West Licking Properties LLC, Matthew
D. Heimerl, Jeffrey W. Heimerl,
Bradley J. Heimerl, James R. Heimerl
and Katherein Heimerl (address cont'd)

8000 Walton Parkway, Suite 120
New Albany, OH 43054

West Licking Properties LLC & Jeffrey
and Bradley Heimerl
8000 Walton Parkway, Suite 120
New Albany, OH 43054

Thomas Dague II, Trust dated April 2, 2009
and the Dawn Dague Trust dated April 2,
2009
5254 Clover Valley Road
Johnstown, OH 43031

Laurie and William Turner
5206 Clover Valley Road
Johnstown, OH 43031

Johnstown Land Company LLC
8000 Walton Parkway, Suite 120
New Albany, OH 43054

Justin and Jennifer Price
11980 Green Chapel Road NW
Johnstown, OH 43031

James R. Heimerl, Katherine E.
Heimerl, Matthew D. Heimerl, Jeffrey
W. Heimerl and Bradley J. Heimerl
3891 Mink Road
Johnstown, OH 43031

ATTORNEY:

Aaron L. Underhill
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, OH 43054

SURROUNDING PROPERTY OWNERS:

David L. Simon
11088 Duncan Plains Road
Johnstown, OH 43031

John K. Scott
11713 Duncan Plains Road
Johnstown, OH 43031

Michael G. & Corinna M. Rush
11577 Duncan Plains Road
Johnstown, OH 43031

Michael & Diane Petry
11531 Duncan Plains Road
Johnstown, OH 43031

Steven A. & Susan L. Oltmann
11521 Duncan Plains Road
Johnstown, OH 43031

Valerie A. Bryan & John D. Titman
11397 Duncan Plains Road
Johnstown, OH 43031

VSB
11393 Duncan Plains Road
Johnstown, OH 43031

Dan L. Tschakert, Linda S.
Emmenegger, Trs. & Francis Tschakert
11191 Duncan Plains Road
Johnstown, OH 43031

William Michael & Angela Maria
Carter
11103 Duncan Plains Road
Johnstown, OH 43031

Licking Rural Electrification, Inc.
P.O. Box 4970
Newark, OH 43058

Ralph, Jr. & Ruth Ann Wood
4987 Mink Street
Johnstown, OH 43031

Venessa D. Heilman
4974 Mink Street
Johnstown, OH 43031

Tina M. & John A. Jordan
4972 Mink Street
Johnstown, OH 43031

Gary A. & Pamela H. Dickson
4782 Mink Street
Johnstown, OH 43031

Kevin and Elijah Johnson
4772 Mink Street
Johnstown, OH 43031

Chad B. & Amy L. Harrison
11076 Green Chapel Road
Johnstown, OH 43031

Intel Corporation
2200 Mission College Blvd., RNB 6-91
Santa Clara, CA 95054

Ohio Power Company
1 Riverside Plaza
Columbus, OH 43215

Danny & Barbara VanHoose
11662 Green Chapel Road
Johnstown, OH 43031

Ronald & Eunie Music
11718 Green Chapel Road NW
Johnstown, OH 43031

Stephanie R. and Brandon J. Trathen
11730 Green Chapel Road
Johnstown, OH 43031

Timothy K. Burke & Alita Ann Mercer
11798 Green Chapel Road
Johnstown, OH 43031

Lauren McCuen & Joshua Westfall
11820 Green Chapel Road
Johnstown, OH 43031

Andrea Ford
9304 Locarno Drive
Dallas, TX 75243

Adam and Beth Franz
11934 Green Chapel Road
Johnstown, OH 43031

Alve Holley, Tr.
12318 Green Chapel Road
Johnstown, OH 43031

Colleen J. Hemminger
4834 Clover Valley Road
Johnstown, OH 43031

Martha L. James
5037 Clover Valley Road
Johnstown, OH 43031

Judith F. Kelley
5085 Clover Valley Road
Johnstown, OH 43031

Joseph Boyle
5103 Clover Valley Road
Johnstown, OH 43031

MBJ Holdings LLC
8000 Walton Parkway, Suite 120
New Albany, OH 43054

Gary and Pamela Grove
5201 Clover Valley Road
Johnstown, OH 43031

Stephanie E. Beatty and Preston E. Grice, Trustees
5251 Clover Valley Road
Johnstown, OH 43031

Michael A., Jr. and Elizabeth L. Signoracci
5230 Clover Valley Road
Johnstown, OH 43031

Michael Lee & Paula Jo Wolff
5271 Clover Valley Road
Johnstown, OH 43031

Michael J. Eckstein
5299 Clover Valley Road
Johnstown, OH 43031

Jared James Blinsky & Michelle Erin McMillen
5320 Clover Valley Road
Johnstown, OH 43031

Brett Cosma & Tabitha McGuire, Trs.
5350 Clover Valley Road
Johnstown, OH 43031

Edmond & Melissa Russ
5510 Clover Valley Road
Johnstown, OH 43031

Cory Linder & Jacqueline Kemper
12056 Duncan Plains Road
Johnstown, OH 43031

Eleanor P. Nd Lynn A. Tice
12016 Duncan Plains Road
Johnstown, OH 43031

Johnstown Johnstown Utica Road
OH P1 LLC
7007 E. Pleasant Valley Road
Independence, OH 44131

Jeremy Severence, Trustee
11510 Duncan Plains Road
Johnstown, OH 43031

John and Connie McCoy
11522 Duncan Plains Road
Johnstown, OH 43031

Dale and Laurie Cannister
11580 Duncan Plains Road
Johnstown, OH 43031

Jarod and Anna Rishe
7760 New Albany Condit Road
Westerville, OH 43081

Shelli Writesel
10902 Green Chapel Road
Johnstown, OH 43031

Jeffrey and Helen Childers
5321 Clover Valley Road
Johnstown, OH 43031

Eric Thomas and Elizabeth Vennon
5520 Clover Valley Road
Johnstown, OH 43031

Lindsay Wright
Leasing Company
2555 Dutch Lane NW
Newark, OH 43055

Rebecca Dodderer
12084 Duncan Plains Road
Johnstown, OH 43031

Michael and Connie Williams
12099 Duncan Plains Road
Johnstown, OH 43031

Scott and Tricia Crabtree
12001 Duncan Plains Road
Johnstown, OH 43031

Herbert and Valerie Raymond
12045 Johnstown-Utica Road
Johnstown, OH 43031

Salyer Company
75 Wilson Drive
Worthington, OH 43085

Village of Johnstown
599 S. Main Street
Johnstown, OH 43031

Granville Milling Co.
P.O. Box 393
Granville, OH 43023

Albert Reeves
11841 Johnstown-Utica Road
Johnstown, OH 43031

300 WEW Properties LLC
9809 Windale Farms Circle
Galena, OH 43021

Rene Castillo Landscaping &
Maintenance LLC
3983 Cypress Creek Drive
Columbus, OH 43228



August 2023 Zoning Inspector Summary

- Total new homes permitted this month: (1)
- Total of all permit applications received: (19)
- **Applications:**
 1. Zoning Certificates: (1)
 2. Curb cut, Certificate of Occupancy (CoO), Sidewalk: (1)
 3. Certificate of Appropriateness (CoA): (1)
 4. Fence: (7)
 5. Decks: (4)
 6. Shed: (2)
 7. Signs: (0)
 8. Pool: (0)
 9. Variance: (1)
 10. Zoning Map Amendment: (1)
 11. Lot Split: (0)
 12. Food Trucks: (1)
 13. Residential garages/additions: (0)
 14. New businesses: (0)
 15. Conditional use: (0)
 16. Final Occupancy Permits: (0)
 17. Inspections: (0)
 18. Demolition: (0)
- **Zoning Violation Notices:**
 1. Parking in front yards: (1)
 2. Trash: (3)
 3. Disabled Vehicles: (6)
 4. Litter receptacle: (6)
 5. High grass: (16)
 6. Yard signs removed from the street right of ways: (23)

Terry L. Wymer

Terry L. Wymer
Zoning Code Enforcement Official