

**AMENDED FINAL DEVELOPMENT PLAN
FOR TIDEWATER AT NEW ALBANY
Amended March 17, 2008 FDP-02-08**

This Application to Amend Development Text or Plan, (the "Application"), is a request to amend the final, approved Development Text for Tidewater at New Albany (the "Text") to include the following amendments, any changes to the original Text are underlined:

Section VI., C, 1, d, 1: Garage Location

Replace in its entirety to read: "When a garage faces a street, the front façade of the garage will be set back a minimum of three (3) feet from the front façade of the house. The maximum width of any side load garage door will be eighteen (18) feet, all front load garage doors shall be a maximum of ten (10) feet".

Section VI., C, 3, c: Exterior Materials, Windows

Replace in its entirety to read: "Traditional single, double-hung or casement windows are required and may be vinyl or of such other materials as are permitted by the Codified Ordinances of the Village of New Albany. Where used, muntins may be dimensional muntins or muntins as permitted by the Codified Ordinances of the Village of New Albany."

Section VI., C, 1, a: Architectural Style and Massing, Architectural Style

Replace in its entirety to read: "House designs shall be derived from traditional styles including Colonial, Federal, Classical Revival, Country French, Country English, and Georgian interpretations that reinforce a common architectural vocabulary or from other architectural styles that are permitted by the Codified Ordinances of the Village of New Albany. This requirement shall be interpreted as meaning that design, style, and elements will reflect these historic design styles and allow blended elements from these styles as well as appropriate modern elements in a manner that reinforces this architectural vocabulary."

TIDEWATER AT NEW ALBANY DEVELOPMENT TEXT

I. Introduction

Tidewater of New Albany is located east of Johnstown Road (U.S. 62) on the north side of Central College Road in the Village of New Albany. The site is 53.489+/- acres.

II. Purpose

The purpose of this development is to construct a neighborhood that provides a dynamic upscale living opportunity in the Village of New Albany. Upon completion, the development will be a strong and vibrant neighborhood with links to the community. The proposed site plan takes significant advantage of two natural features present on the site: the Blacklick Creek and an historic farm pond, while preserving both for enjoyment by residents of the subdivision as well as the entire community.

III. Permitted Uses

1. Single family detached dwellings and the permitted uses contained in the Codified Ordinances of the Village of New Albany, R-1 Single Family Residential Estate District, Section 1131.02, the accessory uses contained in Section 1131.03, and the conditional uses contained in Section 119.04, provided the conditional uses comply with Chapter 1115.
2. Ancillary dwelling unit over the garage.

V. Unit Types

Single family dwellings shall comply with the design guidelines of the development standards in this text and the provisions of New Albany Village Code Section 1157.99 page 102B.

VI. Development Standards

Unless otherwise specified in the submitted drawings or in this written text, the development standards of Title Five of the Codified Ordinances of the Village of New Albany shall apply.

Basic development standards are compiled regarding proposed density, site issues, traffic, circulation, landscape and architectural standards. These component standards ensure consistency and quality throughout the parcel's development.

A. Density, Height, Lot and/or Setback Commitments

1. The maximum number of single family dwellings shall be sixty (60).
2. The development shall be constructed generally in accordance with the submitted draft Preliminary Site Plan.
3. The minimum lot width at the building line shall be eighty-five (85) feet.
4. The minimum lot depth shall be one hundred thirty (130) feet.
5. The minimum front yard setbacks shall be thirty (30) feet. Provided, however, the "build to" line for Lot numbers 21 and 43, 44, 48 shall be 20 feet or as otherwise determined at the time of preliminary and final plat. Stoops or front porches may encroach 8 feet into the setback.
6. The minimum side yard shall be ten (10) feet. Bay windows and chimney are allowed to encroach into the side yard. Air conditioner condenser units are permitted in the side yard.
7. Garages must adhere to the minimum side yard and rear yard setbacks along all public roads.
8. The minimum rear yard lot shall be thirty (30) feet.
9. All lots shall front on a public right-of-way.
10. Maximum building height shall be measured from finished grade at the front door to the ridge on the roof. Maximum building height shall be forty-five (45) feet.
11. Maximum lot coverage shall be thirty-five percent (35%).
12. Minimum building setback from Johnstown Road (US 62) shall be Five Hundred (500) feet from centerline of Johnstown Road.

B. Access, Loading, Parking and/or other Traffic related commitments

1. All single family residences shall be required to have a minimum of two parking spaces which may be off-street or on-street, which includes garages.
2. Driveway Aprons: All driveway aprons (curb-cuts) shall be constructed to

22 min
plans

Driveway materials - Asphalt
- Concrete
- Pavers

accommodate a maximum 18 foot wide driveway at the right-of-way line.

3. If warranted at the time of preliminary plat the developer shall construct a left turn lane for east bound Central College Road by widening the north side of Central College Road by eleven feet (11') with a three foot (3') shoulder and ditch relocation in accordance with City of Columbus drawing 2130 Dr. A.
4. The thoroughfare layout shall connect to all adjacent public stub thoroughfares and include public stub streets to facilitate connections to adjacent future development sites as shown on the Preliminary Site Plan. Substantial internal connections shall also exist within the site. The Preliminary Site Plan attached to this application satisfies this Section VI Paragraph B.
5. The Final Development Plan for the subdivision shall include a network of trails and paths within the development through the open space with connections to adjacent properties as shown on the Preliminary Site Plan.
6. Bicycle parking shall be provided near the pond in the open space.
7. All thoroughfares, public or private, must include provisions for appropriate signage such as no-parking signs in conformance with the uniform signage manual or other means approved by the Village.
8. Multi-use paths, bikeways, and bike paths will be placed within a public easement.
9. The developer shall dedicate to the Village of New Albany forty feet (40') of right-of-way from the centerline of Central College Road and fifty feet (50') from the centerline of Johnstown Road.

C. Architectural Standards

1. Architectural Style and Massing:
 - a. Architectural Style

Amended
3/18/08
see attached

~~House designs shall be derived from traditional styles including Colonial, Federal, Classical Revival, Country French, Italianate, Victorian and Country English, and Georgian interpretations that reinforce a common historic architectural vocabulary.~~

b. Architectural Massing

The appropriate architectural massing and scale shall be achieved by close adherence to the scale and proportioning systems of the classical styles as viewed in whole or as detailed in numerous books and studies that have been documented. Particular attention shall be given to the basic massing of the elements, the roof forms, the floor to ceiling heights, the window arrangements, and proportion and relationship of each part of the building to the whole.

c. House Orientation

- a. Houses shall be oriented orthogonally with respect to roadways. Houses must "front" upon roads, streets, and cul-de-sacs respectively.
- b. For Lot number 21 on the Preliminary Site Plan, the front facade of the house on such lot shall be the south elevation, and the garage and drive way shall face west.
- c. For Lot number 60 on the Preliminary Site Plan, the front facade of the house on such lot shall be the south elevation.

d. Garage Location

*Amended
3/17/08
See attached*

~~When a garage faces a street the front facade of the garage will be set back a minimum of three (3) feet from the front facade of the house. The maximum width of a garage door which faces the street will be ten (10) feet.~~

- 2. For lots which face Central College Road, (Lot numbers 1, 5-9 inclusive, 26-30 inclusive and 60) no garage door shall face Central College Road, i.e. all garages on these lots shall be side loaded.

2. Design Standards

- a. The front of principal buildings shall face a civil space or a public thoroughfare.
- b. The developer shall not permit the placement of single-family houses substantially similar in design next to or directly across the

street from each other.

- c. The principal building facade shall be parallel to straight frontage lines and parallel to the chord of curved or broken frontage lines.
- d. Trash containers shall be stored at the side or rear of the building outside the right-of-way.
- e. Utility meters, air-handling equipment and the like, shall be setback at least ten feet from the front facade of the buildings.

3. Exterior Materials:

a. Wall finish materials: Stone, cultured stone, stucco, brick, wood siding and cement fiber siding are approved exterior wall finish materials. Exterior wall finish materials must be used to complete massing elements. The application of brick veneer to a single building facade is prohibited. Exposed concrete foundation walls are not permitted.

b. Roof: Pitched roofs shall be required to have a greater than a 7:12 rise over run. Minor gables, dormers and porch pediments are permitted to have minimum pitches of 5:12 rise over run. When the primary pitched roof of a house is gabled roof with the pedimented end oriented toward the street, a minimum roof pitch of 5:12 shall be permitted. Flat roofs shall be permitted, but must integrate strong cornice lines. Roofs may be of natural or synthetic slate, wood shake or wood shingle, metal standing seam, or fiberglass asphalt shingle.

c. ~~Windows: Traditional single or double hung and casement windows are required.~~ Amended 3/17/08 see attached

d. Shutters: Shutters shall be used judiciously and not on every window. Exterior shutters shall be painted and may be solid paneled (raised panel) or louvered. When used, shutters must be sized to fully cover the adjacent window.

e. Gutters and downspouts: Traditional half round gutters and/or ogee gutters with downspouts shall be used.

f. Exterior paint colors: Exterior paint colors for siding, doors, shutters, fascias, cornices, soffits and miscellaneous trim shall be

selected from pre-approved color guide of historic colors.

- g. Chimneys: Any exposed exterior chimneys shall be masonry.
- h. Skylights: Skylights in the roof shall be permitted, provided they are appropriately screened from off-site views. Cupolas, dormers, lanterns, belvederes or window bays shall be permitted, provided they are consistent with the architectural theme of the house.

4. Pedestrian Standards:

- a. A minimum 3 foot wide private brick sidewalk shall be constructed from the public sidewalk to the front door/stoop.
Light post on the right side @ public walk + private brick.
- b. There will be 5' concrete sidewalk along both sides of every street. No sidewalk shall be required in the open spaces north of Central College Road or the 16± acre open space on Johnstown Road.
- c. An 8 foot wide asphalt leisure path shall be located as shown on the Preliminary Development Plan.

5. Swimming Pools/Spa:

- a. All swimming pools/spas shall be located in the rear yard, within the building line of the site, completely enclosed by fencing and screened from adjoining properties.
- b. All swimming pools shall be in-ground construction. The swimming pool/spa equipment shall be within an enclosure and completely screened from adjoining properties.
- c. Spas may be constructed as part of the house. Spas may be permitted, provided they are completely screened from adjoining properties by fencing or landscaping.

6. Storage Standards:

- a. Ancillary Structures: All exterior storage structures shall be attached to the main structure of the home or its garage by walls, fences, or hedges. These ancillary structures shall be no more than one-story and shall be constructed of the same wall and roof materials as the home. The colors, walls, roof and trim shall match those used on the home.

- b. Equipment Storage: Storage of all maintenance equipment shall be within garages or storage structures. Such items should not be visible from streets, common open spaces, adjacent lots, or adjacent developments.
- c. Vehicle Storage: All campers, off-road vehicles (i.e. jet skis, snowmobiles, four runners) commercial vehicles (i.e. box trucks) boats must be parked within an enclosed garage. No undrivable vehicles or parts of vehicles may be stored outside.

7. Mailboxes/Addresses:

Each residence shall be required to install a standard mailbox.

8. House Numbering:

Each residence shall be required to install house numbers in a common location.

D. Buffering, Landscaping, Open Space and/or Screening Commitments

1. Tree Preservation:

Reasonable and good faith efforts will be made to preserve existing trees and tree rows currently existing on the property. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

2. Civic Space:

- a. A 11.7± acre open space shall be provided on the east side of Johnstown Road as shown on the Preliminary Development Plan. This area shall be dedicated to the Village as a public park. The area is currently encumbered by a cellular tower lease. Upon the dedication of this area to the Village, the developer shall assign its lease to the Village as the owner of the underlying fee interest. The design, construction, and use of the park area shall be determined by the Village upon obtaining ownership of the park.

- b. A 5.3± acre neighborhood open space shall be provided around the pond as shown on the Preliminary Development Plan as a focal point and gathering place for the community and to service the recreational needs of the residents. This open space shall be owned and maintained by the subdivision homeowners' association.
- c. The open space shall be landscaped and benches shall be provided.

3. Natural Features:

- a. Specimen trees and significant tree stands in the Open Space shall be preserved where feasible.
- b. A 30' landscape buffer shall be provided on lots ³⁰⁻³⁹~~51-60~~ inclusive, as shown on the Preliminary Development Plan. The landscape buffer shall include the installation of a wood four rail horse fence with welded wire mesh installed 4" east of the property line. The fence shall be painted or stained black to match the existing fence color. Within the 30' landscape buffer the developer shall install a combination of mature evergreen trees replanted/relocated from the interior of the property and deciduous trees. The placement of trees shall be field located to naturally augment the existing trees with an emphasis to screen the house and barn on the adjoining property to the east. The minimum caliper inches (measured 2' above ground level) for deciduous trees to be installed within the landscape buffer shall be 33" of deciduous trees. The number of evergreen trees to be installed within the landscape buffer shall be not less than 22, which shall be 5 - 6' tall at installation if new or taller if transplanted from within the property. No other fence type shall be permitted to be constructed or located within the 30' landscape buffer.
- c. The property currently has a large number of mature evergreen trees. Prior to the removal or cutting of these trees to permit construction of the subdivision, reasonable efforts shall be expended to transplant such trees to open spaces and buffer areas throughout the property.

4. Street Trees:

- a. Street trees shall be required on both sides of internal streets. Trees are to be maximum distance of thirty feet on center. Trees may be grouped, provided the quantity is equivalent to 1 tree per thirty feet or fraction thereof. This requirement may be waived in

areas where existing vegetation occurs. Trees shall not obstruct sight distance or signage, subject to staff approval. Street tree and signage locations shall be shown on the Final Development Plan for review and approval.

- b. All street trees shall be 2 ½ - 3" in caliper measured two (2) feet above the grade at installation.

5. Fences:

- a. Fences shall be used as temporary barriers during construction around vegetation and must be sturdy, at least 3 feet tall, and easy to maintain. All temporary fences must be removed prior to the issuance of a certificate of occupancy.
- b. Permanent fences are allowed as approved by the developer.
- c. A wooden four-rail horse fence with wire mesh backing shall be erected on the east property line also being lots number 51 - 60 inclusive.
- d. A fence may be erected along the north boundary of the property pursuant to a private agreement between the developer and those adjoining owners.
- e. No fence shall be constructed or maintained in any flood plain or forward of any building line.

6. Preservation Zones:

- a. Several preservation zones are located as shown on the Preliminary Development Plan. No structure or building shall be placed upon, in or under the area designated "Preservation Area" hereon, nor shall any work including but not limited to grading and clearing be performed thereon which would alter the natural state or topography of such areas or damage any of the trees or vegetation thereon including but not limited to planting and mowing of turf grasses, provided that the use of hand tools for the removal of debris and dead woody vegetation shall be permitted. Special permanent 18" tall markers shall be placed on each side lot line marking the edge of the 'Preservation Area'. A temporary construction fence will be installed by the individual home builders 20 feet from the rear foundation wall of each house during construction or on the edge of the Preservation Zone in the extent

such zone is located less than 20 feet from the house foundation and will be removed after all construction activity has been completed. The provisions of this paragraph shall be included as a plat note on the preliminary and final plat of the subdivision.

E. Dumpsters, Lighting, Outdoor Display Areas and/or other Environmental Commitments

1. Lighting:

- a. Landscape lighting shall be used to provide for safety and ingress and egress only. Fixture lamps shall be incandescent and shall be shielded by planting or other methods.
- b. One photocell post lamp shall be installed for each residential unit in the front yard adjacent to the walkway.
- c. The standard Holophane Granville Series Acorn street light fixture or equal shall be utilized at street intersection. The standard pole shall be the Hapco stick pole with a split decorative base or equal. Finish of the fixtures shall be in Black. (Refer to street light fixture detail in Section 3, Figure 2 of the General Development Standards). Other light fixtures may be used subject to approval by the Village of New Albany Planning Commission.

F. Graphics and Signage Commitments

The development shall utilize standard Village of New Albany street and regulatory signage. Other signage may be used subject to approval by the Village of New Albany Planning Commission.

G. Miscellaneous Commitments

1. Pre-fabricated storage buildings are prohibited.
2. Utilities: All proposed utilities shall be placed underground. Utility easement location and width shall be determined at the time of platting.
3. Other Property
 - a. This property is being developed pursuant to a density transfer from an 8.043± acre tract located at 6399 Evans Road. The applicant shall file and diligently prosecute a rezoning to the I-

PUD zoning district for one single family lot/house development of such property and the 53.8± acre property the subject of this zoning application cannot be rezoned without the inclusion of 6399 Evans Road in such rezoning.

- b. Concurrently with the rezoning herein contemplated, the applicant shall conditionally deliver a deed to the village clerk which restricts the development of the 8.043± acre tract at 6399 Evans Road for one single family residential lot/use.

H. Variances

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

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