

CENTRAL COLLEGE DINING DISTRICT
I-PUD
February 7, 2020

The Central College Dining District (the “Zoning District”) consists of 0.93+/- acres located to the northeast of and adjacent to the intersection of Central College Road and State Route 605. The property is developed with a historic church building which over the years has been used for religious purposes and as a meeting place for the Lions Club. The purpose of this zoning is to provide for an adaptive reuse of the building with modifications to the site to accommodate the new use. More specifically, this zoning will allow for the operation of a restaurant and nano-brewery, and/or winery (or some combination thereof), with food service to be provided by means of food trucks as more specifically detailed in this text.

The intent of this zoning is to provide a narrowly tailored set of regulations to provide for the productive use of a property that is historically significant but has been underutilized. This property is subject to the Rocky Fork Blacklick Accord Community Plan, and the existing building (referenced as *circa* 1836) appears first on the Plan’s historic inventory of structures (see Page 7 of the Plan). The proposed use provides for a creative repurposing of the structure which will allow for it to remain on the site. The applicant intends to remodel and update the interior of the building and restore the exterior aesthetics. The use is intended to provide a dining option that is unique not only to New Albany but to central Ohio in general, and seeks to provide an atmosphere that is conducive to families and community gathering.

I. DEVELOPMENT STANDARDS:

A. Generally: Unless otherwise specified in the submitted drawings or in this written text, the development standards of Part Eleven, Title Five of the Codified Ordinances of the City of New Albany shall apply to this Zoning District. In the event of a conflict between the standards contained in this text and those which are contained in the Codified Ordinances, this text shall govern. Where this text is silent on any standard, the standard contained in the Codified Ordinances shall be applied.

B. Permitted Uses: The following uses shall be permitted in this Zoning District:

1. One “Specialty Dining Facility”, defined to mean “a dining establishment that is permitted to have a kitchen only if it does not include a ventilation/exhaust hood for cooking, which such establishment provides interior and exterior dining areas for consumption of food prepared in food trucks (such term being defined below), and which may include the sale of alcohol for on-site consumption and may also include a nano-brewery.” Nano-breweries and wineries shall be operated in a manner that primarily serves patrons and customers that will consume alcoholic beverages on-site, but such uses shall be permitted to sell such beverages for off-site consumption on a limited basis. The term “nano-brewery” shall be defined to mean “a facility that provides for limited production of beer on-site at a rate of ten barrels or less per week, with such production

occurring less frequently than daily, and being accessory and secondary to the primary purpose of the Specialty Dining Facility, which is to provide food and beverage service.” Production beer as a stand-alone use is not intended and shall be prohibited.

2. For purposes of this text, a “food truck” is defined to mean “a licensed and operable motor vehicle or trailer with a kitchen where food is prepared primarily for on-premise consumption within a specialty dining facility and for limited off-premise consumption, which such vehicle or trailer is intended to be transient and operated temporarily within this Zoning District.”

3. Churches and other similar religious facilities.

4. Administrative (but not medical) office uses.

C. **Setbacks:** The following setback requirements shall apply to this Zoning District:

1. **State Route 605:** There shall be a minimum building setback of 34 feet from the right-of-way of State Route 605. No pavement other than pedestrian paths or walks shall be permitted between the building and the right-of-way of State Route 605. A wooden deck may be constructed on the western side of the existing building and may extend up to 15 feet into the minimum building setback.

2. **Central College Road:** There shall be a minimum pavement setback of 14 feet and a minimum building setback of 17 feet from the right-of-way of Central College Road. An existing or redesigned stoop or steps at the entry into the building shall be permitted to encroach a maximum of 5 feet into the minimum required setback. A limited portion of the parking lot shall be permitted to encroach into the minimum pavement setback to provide a maneuvering area for vehicles and to accommodate partial portions of parking spaces.

3. **Northern Perimeter Boundary:** There shall be a minimum building setback of 30 feet from the northern perimeter boundary line of this Zoning District. There shall be a minimum pavement setback of 5 feet from the northern boundary line of this Zoning District, except in the northeastern portion of the site, where the minimum pavement setback shall be 10 feet.

4. **Eastern Perimeter Boundary:** There shall be a minimum pavement setback of 10 feet and a minimum building setback of 100 feet from the eastern perimeter boundary line of this Zoning District.

5. **Western Perimeter Boundary Not Adjacent to Right-of-Way:** There shall be a minimum pavement setback of 10 feet from the western perimeter boundary line of this Zoning District that is not adjacent to State Route 605. A dumpster and related enclosure shall be located a minimum of 5 feet from this boundary line. No

buildings shall be permitted to be constructed between that perimeter boundary line and the eastern perimeter boundary line of this Zoning District.

6. Food Truck Zone: A “Food Truck Area” is shown on the accompanying preliminary development plan. Food trucks shall be permitted to be parked and operated only within the Food Truck Area. The final location and configuration of the Food Truck Area shall be reviewed and approved as part of a final development plan, provided, however, that the location and configuration shall be approved if it does not encroach into the minimum building setback from the northern perimeter boundary line of this Zoning District and does not increase in area from that which is shown in the preliminary development plan by more than 15%. The Food Truck Area shall be paved using asphalt or concrete, as determined at the time of final development plan approval.

D. Operational Requirements: The following operational requirements shall apply to food trucks.

1. No more than two (2) food trucks may be operated within this Zoning District any one time,.

2. Food trucks shall not be parked within the Zoning District overnight. Food trucks shall be permitted to be operated only from 10:00 AM to 10:00 PM, except that during “special events” such operations may extend to 11:00 PM. The building and outdoor deck shall not be subject to these time limitations, but both shall close no later than midnight. “Special events” shall be defined to mean a one-time event or infrequently occurring event which consists of operations or activities that are an extension of a Special Dining Facility use but provide extra ancillary activities that may lead to increased activity on the site as compared to times of normal and customary business operations. Examples include, but are not limited to, gatherings of private groups for special occasions (such as wedding receptions) or events that invite the general public to participate in special activities or to celebrate holidays such as Independence Day, Memorial Day, Labor Day, etc.” No more than twelve (12) special events may be held in any calendar year.

3. Food trucks shall be powered using a permanent electric source found within the Zoning District. Outdoor generators shall not be permitted to be used to serve food trucks.

4. Outdoor music shall be played at a volume that is not audible from off-site and is no greater than that generated by background traffic noise in the area.

5. Lights from food trucks shall be directed so as not to spill off-site. Lighting within the cooking and serving spaces of the food truck shall be permitted. Exterior lighting of a food truck shall be limited to the purpose of providing illumination for pedestrian safety.

6. Signage shall be permitted on the exterior of food trucks without a permit being necessary if (a) it is painted on or permanently affixed to the food truck, or (b) consists of a menu or advertisement meant to provide information to on-site customers. Sandwich boards used by food trucks shall be permitted, but no other ground-mounted temporary or permanent signage shall be permitted to identify or otherwise serve Food Trucks.

7. Food trucks shall be located a minimum distance of 25 feet from all facades of the existing structure in this Zoning District.

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

9. Restroom facilities within the existing building shall be available for use by food truck customers during all times when food trucks are operating.

10. For purposes of illustration only, the photos below demonstrate examples of vehicles and trailers that would meet the definition of a “food truck”:





11. For purposes of clarification and illustration, the following concession operations are not to be considered “food trucks” for purposes of this text and are prohibited from operating within this Zoning District:

- a. So-called “knockdown concessions”, defined to mean “a food preparation area that must be assembled on-site for use and then disassembled for

removal from the site. Such concessions are not contained within a vehicle or structure.” Examples of this type of prohibited concession are provided below:



b. “Catering trucks”, defined to mean “trucks carrying pre-packaged and non-prepackaged hot and cold foods which do not contain a kitchen within the vehicle.” An example of a catering truck is illustrated below:



c. “Mobile Cookers/BBQ Pits”, defined to mean “a cooking device with wheels which does not meet the definition of a food truck. An example of a Mobile Cooker/BBQ Pit is illustrated below:



E. Lot Coverage: There shall be a maximum lot coverage of 50% in this Zoning District.

F. Access, Loading, Parking and Other Traffic Commitments:

1. Vehicular Parking: A minimum of 47 vehicular parking spaces shall be provided to serve the uses which are permitted as contemplated in Section I.B.1 above. Vehicular parking for other permitted uses shall be provided per Section 1167 of the Codified Ordinances unless otherwise approved as part of a final development plan. In the event that a particular use does not have a parking requirement defined by such section of the Codified Ordinances, the Planning Commission shall review and approve the amount of parking required for that use as part of a final development plan taking into account customary parking ratios for similar uses and/or data from the proposed user in support of the number of spaces being provided.

2. Bicycle Parking: A minimum of 10 bicycle parking spaces shall be provided. Locations for and types of these spaces shall be approved as part of a final development plan.

3. Vehicular Access: Vehicular access to this Zoning District shall be provided from one full movement access point on Central College Road.

4. Pedestrian Access: An asphalt leisure trail that is 8 feet in width shall be constructed along the Zoning District's frontage on Central College Road and State Route 605 in locations which are reviewed and approved as part of a final development plan. A concrete private sidewalk of at least 5 feet in width shall be provided to connect the leisure path on Central College Route to the entrance to the existing building. A paved route of pedestrian ingress and egress between the parking area on the site and the existing building and Food Truck Zone shall be located and shall have specifications that are approved as part of a final development plan.

5. Loading and Service Areas: Loading and service areas shall be fully screened from off-site view by the use of walls, fences, and/or landscaping.

G. Architectural Standards:

1. Existing Structure: Only the structure that exists within this Zoning District on the date that this text becomes legally effective will be permitted to be operated. No additional structures shall be permitted to be constructed on the site pursuant to this zoning, it being the intent that construction of any new structures in this Zoning District shall require the approval of another zoning application for this site. In the event of a casualty event and notwithstanding any other relevant provision of the Codified Ordinances, the existing building may be reconstructed in general conformance

with size and the exterior architecture that exists prior to occurrence of the casualty event, as reviewed and approved as part of a final development plan.

2. Enhancements to Existing Structure: Photographs of the existing building, as well as an image demonstrating the architectural intent of upgrades to the existing structure in this Zoning District, accompany this text. Detailed specifications for these upgrades shall be presented for review and approval as part of a final development plan. These enhancements may include, but will not necessarily be limited to, the following:

- a. Painting of the building in a manner that is consistent with its historical character.
- b. Replacements and upgrades to trim.
- c. Construction of a deck adjacent to the west-facing façade of the building, and incorporation of pedestrian doors to provide access to and from the deck. The deck shall not extend more than 1 foot into the minimum building setback from the northern boundary line of this Zoning District, except steps providing pedestrian access to and from the deck may extend further into the setback.
- d. Enhancements to the entrance into the building which faces Central College Road.
- e. Incorporation of a pedestrian door on the north side and/or east side of the building to provide a means for accepting deliveries and removing trash from the building.

3. Brewery Tank: When a permitted brewery is operated or planned to be operated in this Zoning District, a “Brewery Tank” shall be permitted to be located in southwest quadrant of the Zoning District as generally illustrated on the preliminary development plan. This feature is intended to provide a design element that is unique to the community and serves the additional purpose of identifying the use on the site. In addition, this element may provide a source of drinking water for bicyclists and pedestrians using the adjacent leisure trail system when temperatures allow. The Brewery Tank shall be permitted to encroach up to 5 feet into the required minimum building setback from State Route 605 but shall not encroach into the minimum required building setback from Central College Road. The Brewery Tank shall not occupy a ground area that is greater than 150 square feet unless otherwise approved in a final development plan. The final design of the Brewery Tank shall be presented for review

and approval as part of a final development plan. An example of this feature is as follows (the actual design and aesthetic may vary from this image):



4. Height: The maximum building height (as measured per the Codified Ordinances) shall not exceed 35 feet. The maximum height of the Brewery Tank shall be 15 feet.

H. Buffering, Landscaping, Open Space and Screening Commitments

1. Street Trees: Deciduous street trees shall be required to be planted within the rights-of-way of State Route 605 and Central College Road. These trees shall be spaced shall be planted at the rate of 1 tree per 30 lineal feet on average, provided that where a street tree meeting this spacing requirement would need to be planted in a location that interferes with an existing improvement or an existing preserved tree on the site, it may be relocated so as not to interfere therewith.

2. Fencing Along Rights-of-Way: A four-board white horse fence shall be installed along State Route 605 and Central College Road, except where the sidewalk extending from the leisure trail on Central College Road to the primary building entrance is located and where vehicular access is provided to and from the site.

3. Screening of Parking: Surface parking areas shall be screened in accordance with Codified Ordinances Section 1171.06(b). A 6-foot tall privacy fence and hedgerow of 6-foot tall arborvitae shall be installed to provide screening along the eastern boundary line and the northern boundary line of this Zoning District and along the

portion of the western boundary line of this Zoning District which does not abut a public street right-of-way, provided, however, that this fence shall transition to a 4-board white horse fence near State Route 605 as generally shown on the preliminary development plan and as reviewed and approved as part of a final development plan. The 6-foot tall privacy fence shall extend at least 3 feet beyond the western edge of the deck that is to be constructed on the western side of the building.

4. Recreational and Outdoor Dining Areas: Open spaces within this Zoning District may be utilized for low-intensity recreational and game activities. In addition, seating areas allowing for outdoor dining shall be permitted within green spaces, with locations and using fixtures and/or removable furniture that are reviewed and approved as part of a final development plan.

5. Tree Preservation: Existing mature trees located between the existing building and the proposed parking lot shall be preserved. Existing mature trees located between the building and the State Route 605 right-of-way shall be preserve if they do not interfere with the required leisure trail and/or fencing. 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.

I. Dumpsters, Lighting, Outdoor Display Areas and other Environmental Commitments

1. Mechanical Equipment: Any external mechanical equipment shall be screened at ground level from all adjacent public streets and from properties which are outside of but adjacent to this Zoning District with materials that are similar to or the same as used on the majority of the building, or with fencing or landscaping that achieves complete opacity when viewed from off-site.

2. Service Areas and Dumpsters: Service areas and dumpsters shall be fully screened from off-site view at ground level using walls, fencing, and/or landscaping that achieves completed opacity when viewed from off-site. Exterior storage of materials, supplies, equipment, or products is prohibited.

3. Lighting:

a. Parking Lot Light Poles: Light poles within the parking lot shall not exceed 18 feet in height, shall be cut-off type fixtures, and shall be downcast. Parking lot lighting shall be from a controlled source in order to eliminate light spilling beyond the boundaries of the Zoning District. Parking lot lights shall be turned off each night by no later than 10:30 PM.

b. Street Lighting: One street light shall be provided to the north of the intersection of State Route 605 and Central College Road and a second street light shall be provided to the east of the same intersection in locations that are approved as part of a final development plan, provided that the street light to be provided on State Route 605 generally shall be located across from an existing street light located on the west side of State Route 605. The fixture, color, height, and other specifications for street lighting shall match the existing street light across State Route 605.

c. No building or landscaping uplighting is permitted within this Zoning District.

d. Fully shielded, cut-off type lighting fixtures shall be required.

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

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

g. All permanent lighting fixtures, plans, and specifications shall be provided for review and approval as part of a final development plan.

J. Graphics and Signage Commitments

1. Locations: One wall sign shall be permitted above the primary entrance into the structure in this Zoning District. When a Brewery Tank is utilized on the site, a graphic and text shall be permitted to be located thereon to identify the use of the site. When a Brewery Tank is not utilized, a ground sign shall be permitted to be installed near the intersection of State Route 605 and Central College Road. A secondary directional sign shall be permitted at the access point into the site from Central College Road for the limited purpose of wayfinding for traffic.

2. Specifications: Specifications for signs shall meet relevant provisions of the Codified Ordinances except as otherwise provided in this text and shall be reviewed and approved as part of a final development plan.

3. Illumination: Signs shall be externally illuminated. Internally illuminated wall-mounted and ground-mounted signage shall be prohibited.

4. Prohibited Signs: No signs shall be painted directly on the surface of the building or any wall or fence. No wall murals shall be allowed. No roof signs or parapet signs shall be permitted nor shall a sign extend higher than the roof of a

building. No flashing, traveling animated or intermittently illuminated signs or banners, tethered balloons, or pennants shall be used. Temporary interior window advertisements are prohibited, as are streamers, gas filled devices, revolving or rotating signs, and neon signs, and signs.

5. Other Requirements: All signage shall conform to the standards set forth in Section 1169 of the Codified Ordinances, unless otherwise stated above or approved as part of a final development plan.

K. Utilities. All new utilities shall be installed underground.