## RECORD OF ORDINANCES

ORDINANCE 24-070 TO REZONE 58.37 +/- ACRES OF LAND (PARCEL #10-00330.000) FROM THE AGRICULTURAL (A-1) DISTRICT TO PLANNED MIXED USE (PMU) DISTRICT, AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR SUCH REAL PROPERTY, AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION ON OCTOBER 16th, 2024.

**WHEREAS**, parcel #10-00330.000 (the "Property") is currently zoned A-1, Agricultural District; and

**WHEREAS**, Thirty Four Corporation & M3T Corporation (the "Applicant") submitted an application to the Village of West Jefferson, seeking to rezone the Property to PMU, Planning Mixed Use District (the "Application");

**WHEREAS**, in accordance with Section 1125.06-.07 of the Village's Codified Ordinances, the Applicant submitted governing development text and a preliminary development plan as part of the Application;

**WHEREAS**, the Village Planning and Zoning Commission considered the Application during a public hearing held on October 16, 2024;

**WHEREAS**, the Planning and Zoning Commission determined the proposed rezoning of the Property, as requested in the Application, complies with applicable requirements and standards set forth in Ch. 1125 of the Village's Codified Ordinances, and has recommended approval of the Application to Village Council; and

**WHEREAS**, a copy of the submitted Application and recommendation of the Planning and Zoning Commission is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED BY** the Council of the Village of West Jefferson, County of Madison, State of Ohio, with a majority of duly elected members thereof concurring as follows:

<u>SECTION I:</u> Council hereby adopts the recommendation of the Planning and Zoning Commission to approve the Application, and hereby amends the Official Zoning Map by rezoning parcel #10-00330.000 to the Planned Mixed Use (PMU) District. The Property rezoned pursuant to this Ordinance is more particularly described in the map(s) attached hereto.

<u>SECTION II:</u> The governing development text and preliminary development plan set forth in the Application (and which are attached to this Ordinance) shall govern future development of the Property. The submitted text and plan shall only be modified in accordance with the procedures set forth in the Village's Codified Ordinances.

<u>SECTION III:</u> The Clerk of Council shall give a certified copy of this legislation to the Director of Development to facilitate the changes to the Official Zoning Map of the Village of West Jefferson, Ohio, to reflect the zoning contained in and approved by this Ordinance.

**SECTION IV:** This Ordinance shall take effect at the earliest period of time allowed by law.

# RECORD OF ORDINANCES

Ordinance No. <u>24-070</u>	Passed on	
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# Passed this 2nd day of December, 2024

Jeonifer Warner, President of Council  ATTEST:	<u>12-2-</u> 24 Date	Date received by Mayor Land Date Approved by Mayor Land	
Tisha Edwards Clerk of Council	12.5.24 Date	Ray A. Mart <b>i</b> n, Mayor Sections Vetoed:	
Approved as to form.  J. Mighael Murray, Director of Joshua W. Beasley, Assistant		Ray A. Martin, Mayor  Date	Date Vetoed



28 East Main Street West Jefferson, Ohio 43162 Office# 614-379-5250

Director Thomas A. Hale Department of Development <a href="mailto:thale@westjeffersonohio.gov">thale@westjeffersonohio.gov</a>

# VILLAGE OF WEST JEFFERSON PLANNING/ZONING COMMISSION

# Council Recommendation Form

ш	Planning & Zoning Meeting Date: October 16, 2024
=	Project / Development: West Jefferson Meadows Subdivision & The Oaks Apartments
=	Representative: Tonti Organization- Lauren Tonti
п	Case Number: PC-24-18
п	Address: Parcel #10-00330.000
п	Summary of Action / Recommendation:
	To rezone to a Planned Mixed Use (PMU) District and approve the preliminary development
	plan in accordance with Ordinance 1125.07 Preliminary Development Plan.
	Chairman Signature / Date: Janua C. Hay 10-17-2024
•	Chairman Signature / Date: Janua C. Hay 10-17-2024
	Council Approval / Disapproval Date:

## **Density Calculations Worksheet**

-9/18/2024

1. Legal Description = 58.368 acres:

The Conservation Area/Nature Park and the R.O.W. shall be considered common areas to the Development. The Total Common Area is 10.49 acres.

ROW: 3.37 acres
Park: 7.12 acres
MF: 18.43 acres
SF: 29.45 acres
58.37 acres

2. A total of 442 residential units will be developed for an overall density of 7.576 units per acre.  $(442 \div 58.368 \text{ acres} = 7.5726 \text{ or rounded to 7.60})$ 

3. Common Area = 10.49 acres

Multi-Family: 18.43 acres + (38.492% of remainder x 10.49 acres) = 4.03781 acres of

common area

Single-Family: 29.45 acres + (61.507937% of remainder x 10.49 acres) = 6.45218 acres

of common area

Remaining Total: 47.88 acres

- Multi-Family: 18.43 acres + 4.03781 acres = 22.46781 acres

288 units ÷ 22.46781 acres = 12.8183 units/acre

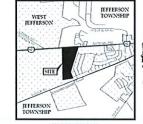
- Single Family: 29.45 acres + 6.45218 acres = 35.90218 acres

154 ÷ 35.90218 acres = 4.2894 units/acre

## PRELIMINARY DEVELOPMENT PLAN **FOR**

# WEST JEFFERSON MEADOWS SUBDIVISION & THE OAKS APARTMENTS

U.S. ROUTE 40 (NATIONAL ROAD) WEST JEFFERSON, OHIO 2024



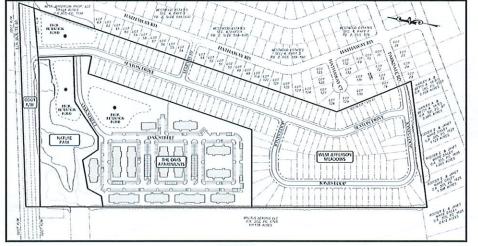
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SITE DATA TABLE	
TOTAL STE ATEA (AC)	58.37
THE OAKS APARTMENTS (AC)	18.43
WEST ÆFFERSON MEADOWS SINGLE FAMILY (AC)	29.45
NATURE PARK (AC)	7.12
COOLEGHT-OF-WAY(AC)	3.37

SITE DENSITY			
LOCATION	AREA (AG)	# OF UNITS	UNIS PER ACRE
TOTAL STE	58.37	442	757
THE OAKS APARTMENTS	22.47	283	12.82
WEST JEFFERSON MEADOWS	35.90	154	4.29

NOTE: COOT RIGHT OF WAY AND NATURE PARK AREAS ARE APPLIED TO THE CARS APARTMENTS AND WEST JEHERSON MEADONS TOTAL AREAS AS A WEIGHTED PERCENTAGE OF EACH DEVELOPMENT.

FLOOD INSURANCE RATE MAP NUMBER	39097001750
20NE:	,х





APPLICANT

UAUREN TONT

TONTO ORGANIZATION

JANONIH HIGH STREET, SUITE 200

GOLUMBUS, OHIO 43215

EMALL TONTO DIONTO ONG COM

ENGINEER DUBLIN, O FO 43016 PHONE: (614) 845-5885 EMAL: O FRS (911881COV) L COV

ARCHITECT OHIS VALUETE DSA ARCHTECTS 27 MILL STREET GARWARA, OHO 42239 PHONE (614) 840 096 EXT. 303 EMAL OHIS 905 AMOUNT (CISAL COM SURVEYOR
MAKITOMER, P.S.
POWER GEOPATIAL, LTD.
PHONE: (E11) 546-8317
EMILE POWERGEOPATIAL GEOMAL COM

## SHEET INDEX

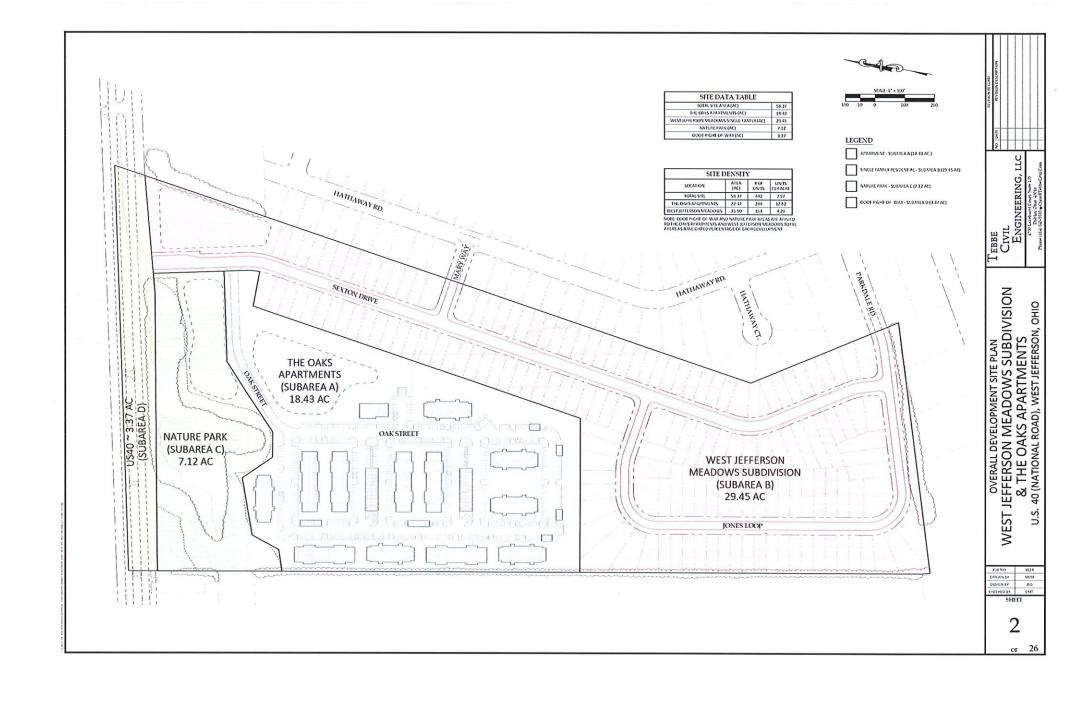
PRELIMINARY DEVELOPMENT PLAN GENERAL SHEETS	
TRESHET	1
OVERALL DEVELOPMENT STE PLAN	2
PROJECT PHASING PLAN	3
FIRE TRUCK TURNING MOVEMENT PLAN	4
US-40 INTERSECTION IMPROVEMENT LAYOUT	5
APARTMENT PRELIMINARY DEVELOPMENT PLAN	
STEDETALS	6
STEDMENSON PLAN	7 - 8
GRADING & DRANAGE PLAN	9-10
DETENTION POND DETAILS	11
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SINGLE-FAMILY PREUMINARY DEVELOPMENT PLAN	
TYPICAL SECTIONS & DETAILS	16
STED MUSON PLAN	17 - 1
GRADING & DRAINAGE PLAN	20-2
UTIUTYPUN	23 - 2
LIGHTING & SIGNAGE PLAN	26
STE SURVEY	
TOPOGRAPHIC SURVEY (BY OTHERS)	1 - 4

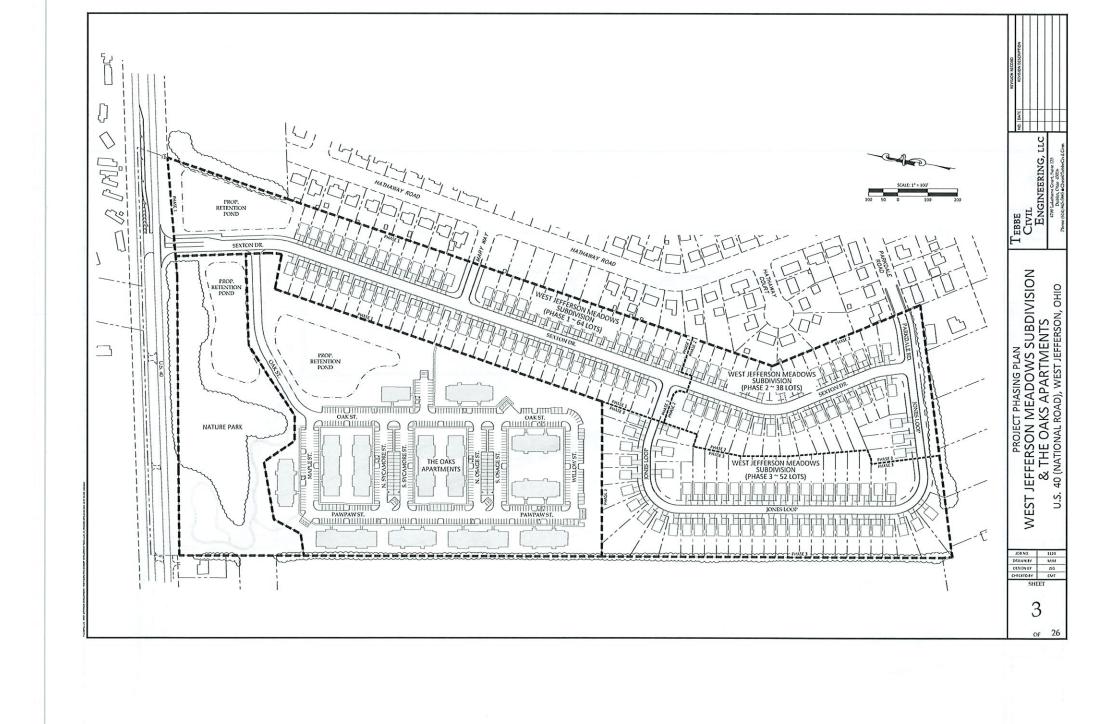
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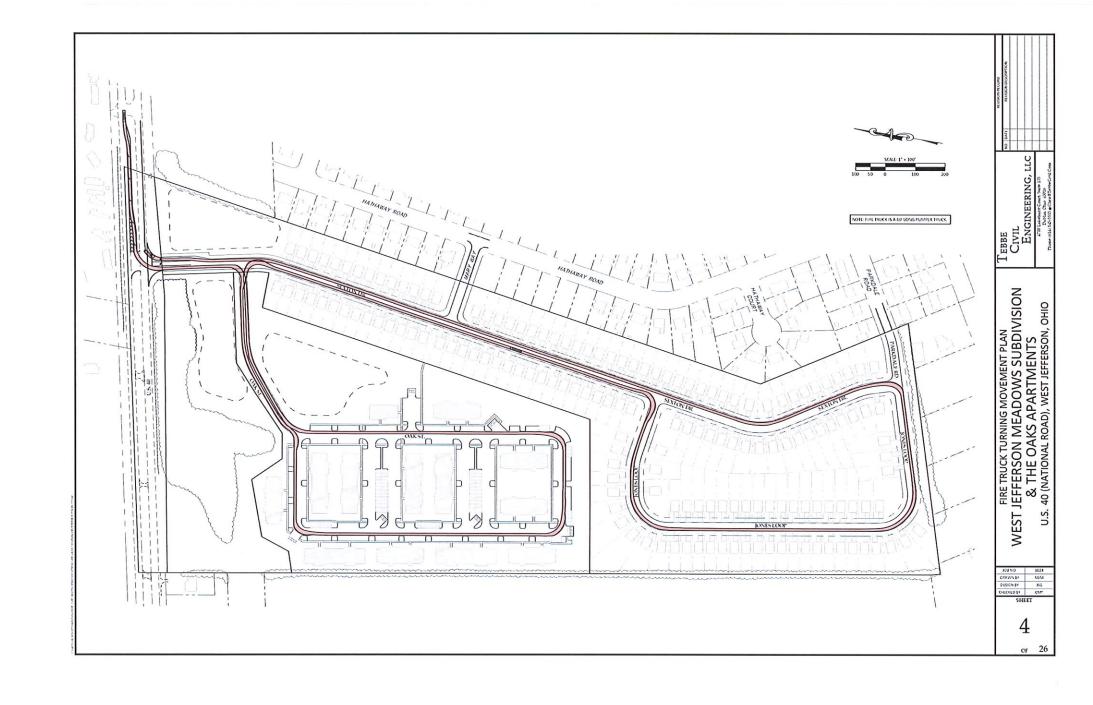
WEST JEFFERSON MEADOWS SUBDIVISION & THE OAKS APARTMENTS
U.S. 40 (NATIONAL ROAD), WEST JEFFERSON, OHIO

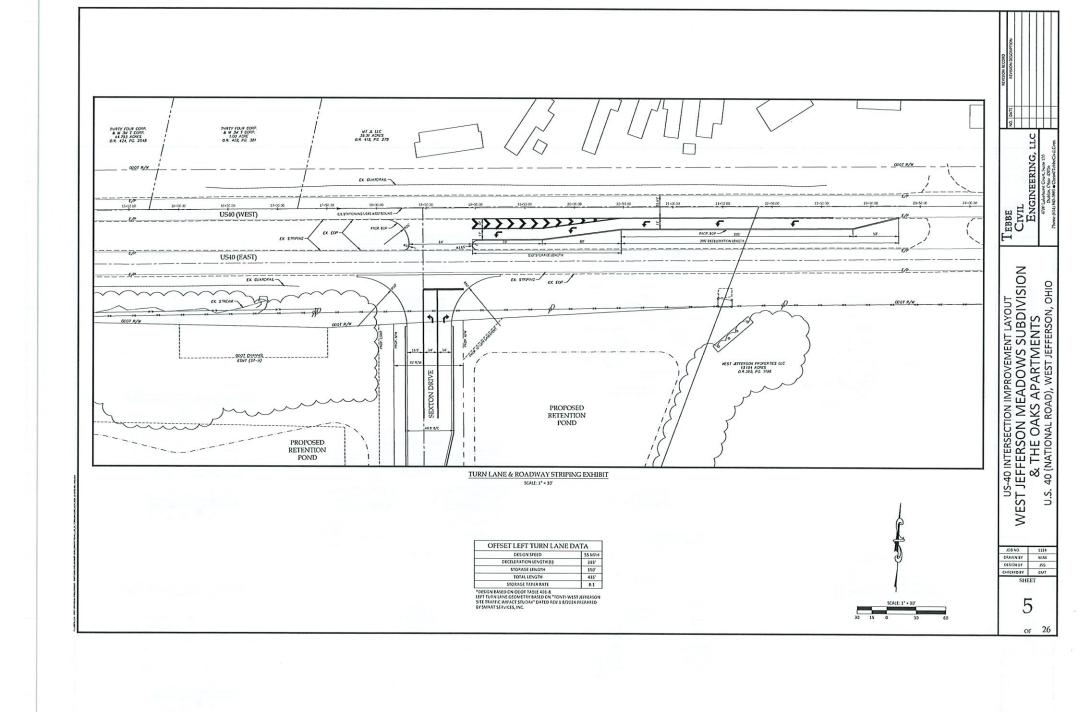
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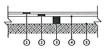
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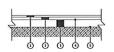




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- (1) FEM 441, 1-1/2" ASPHALT CONCRETE SURFACE COURSE, THAT I, (448), FOR4-27
- (2) ITEM 443, 2-1/2" ASPHALT CONCRETE INTERMEDIATE COURSE, THRE 2 (446)
- (1) TEM 304, 8" COMPACTED THICKNESS AGGREGATE BASE (1) FEM 407, TACK COAT
- (S) ITEM 204, 9LOGRADE COMPACTION

#### PAVEMENT SECTION

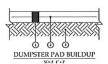


#### PARKING PAVEMENT BUILDUP SOULT'S Y

- (1) ITEM 411, 1-1/2" ASPHALT CONCRETE SURFACE COURSE, TYPE 1, (443), POS4-22 (2) MEN HIL 1-1/2" AUTHALT CONCRETE INTERMEDIATE COURSE, TISTE 2 (4/3)
- TEM 104, 6" COMPACTED THICKNESS ASSISTEDATE BASE
- (I FEM 407, TACK COAT
- (5) ITEM 204, SUBSRADE COMPACTION

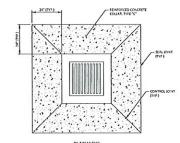
#### PAVEMENT SECTION

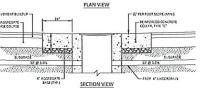
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- (1) ITEM 452, 9" REINFORCED CONCRETE PAVEMENT (2) EVE NUMBER & MEST
- (1) ITEM 204, SUBGRADE COMPACTION

### PAVEMENT SECTION





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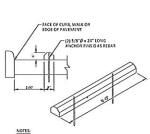
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PARKING

SIGN SETUP



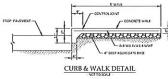
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SIGN DETAIL

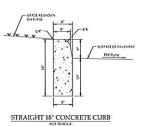
- 1. CENTER PARKING BLOCK IN PARKING SPACE.
- 2. REFER TO SITE PLAN FOR PARKING BLOCK LOCATIONS.

STANDARD PARKING BLOCK



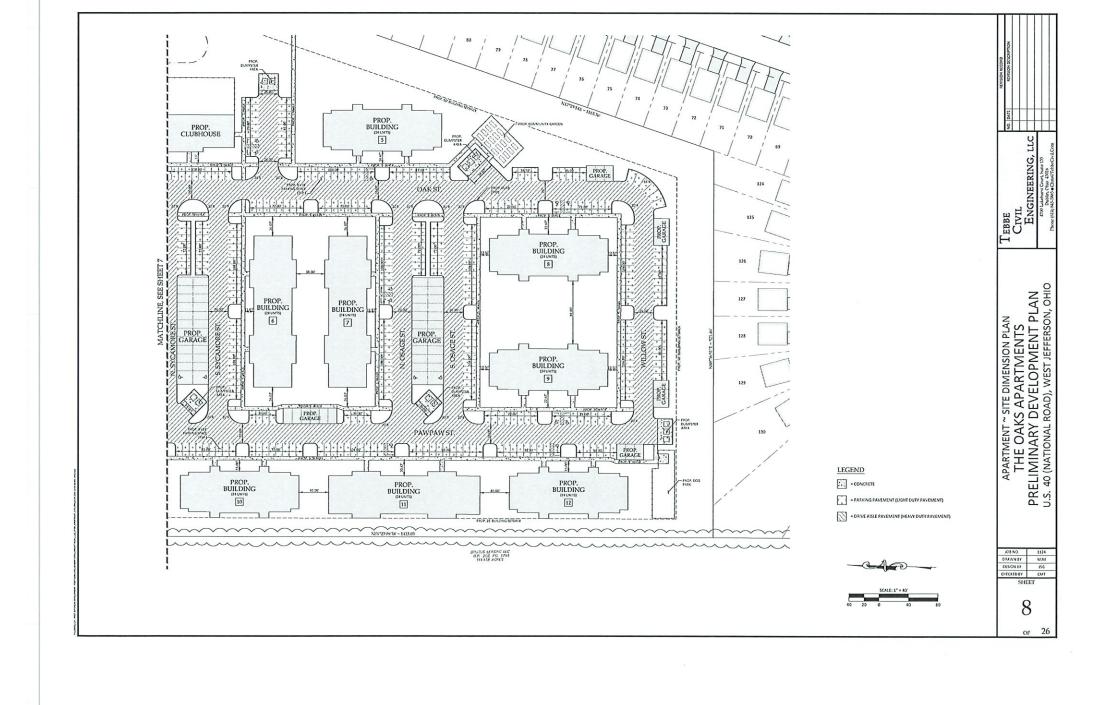


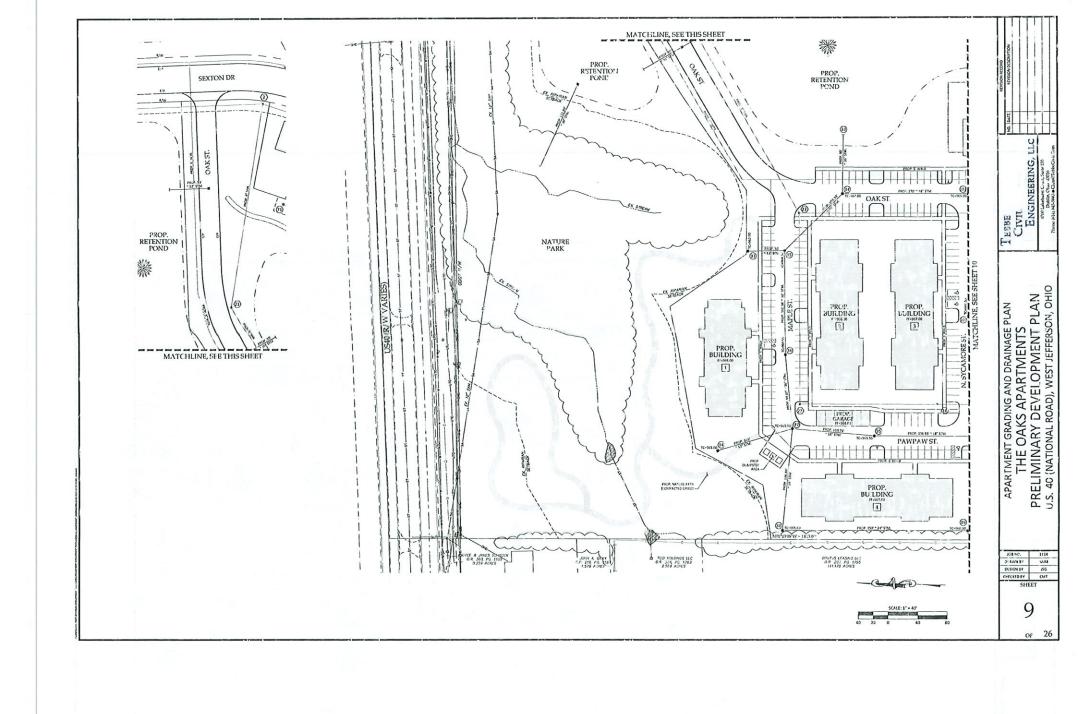


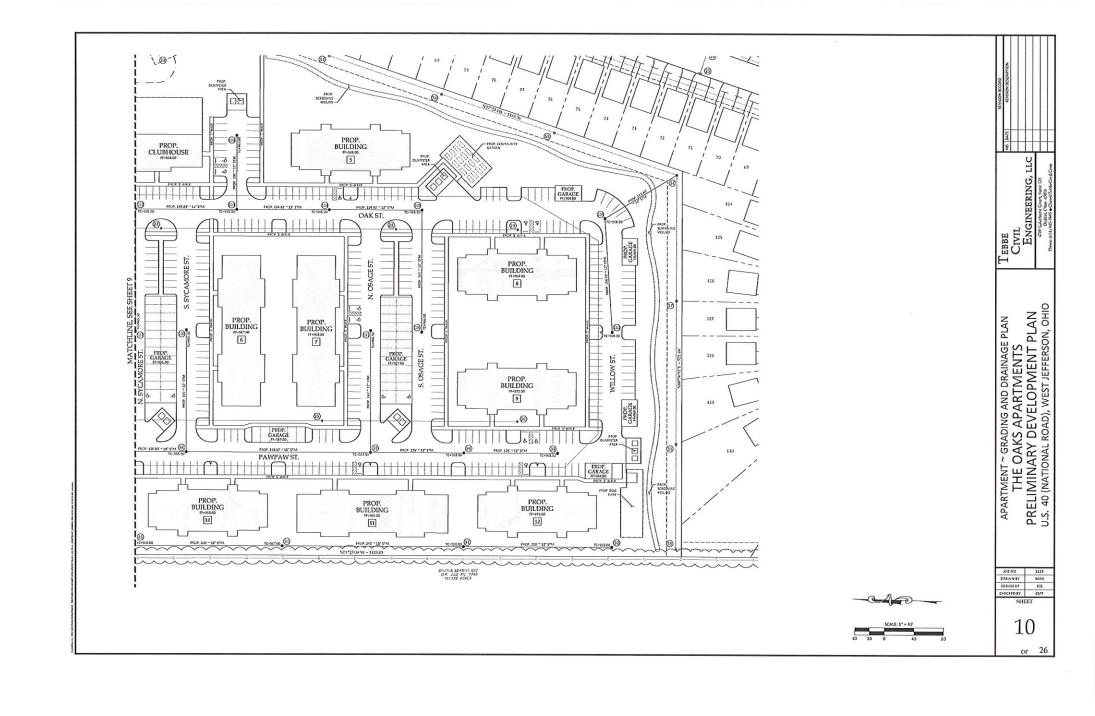


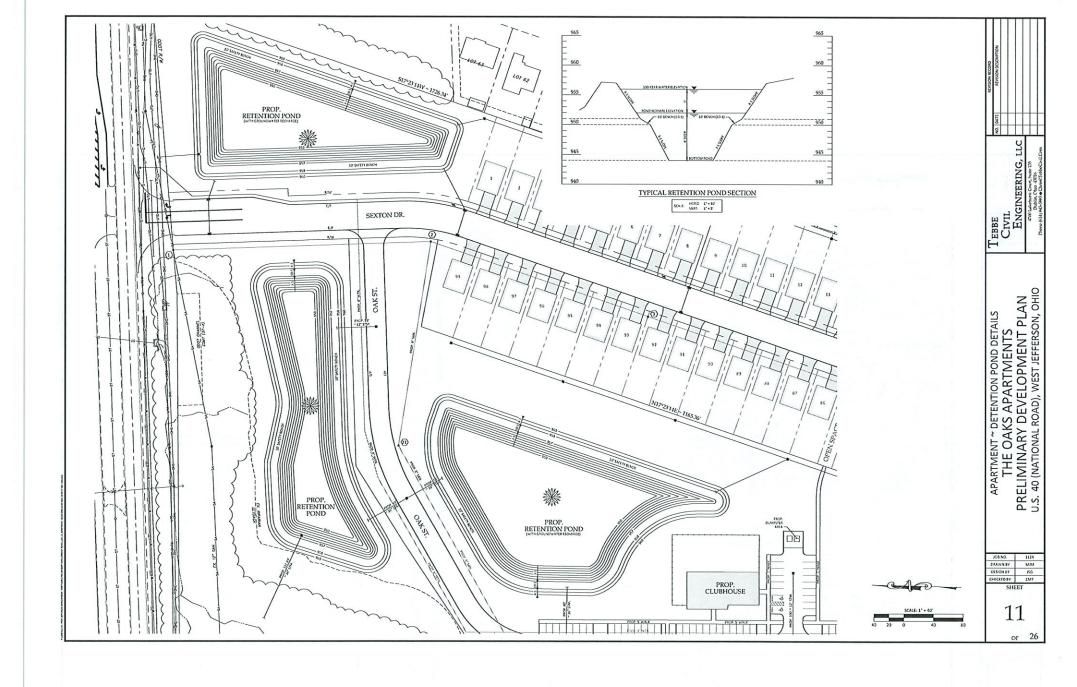
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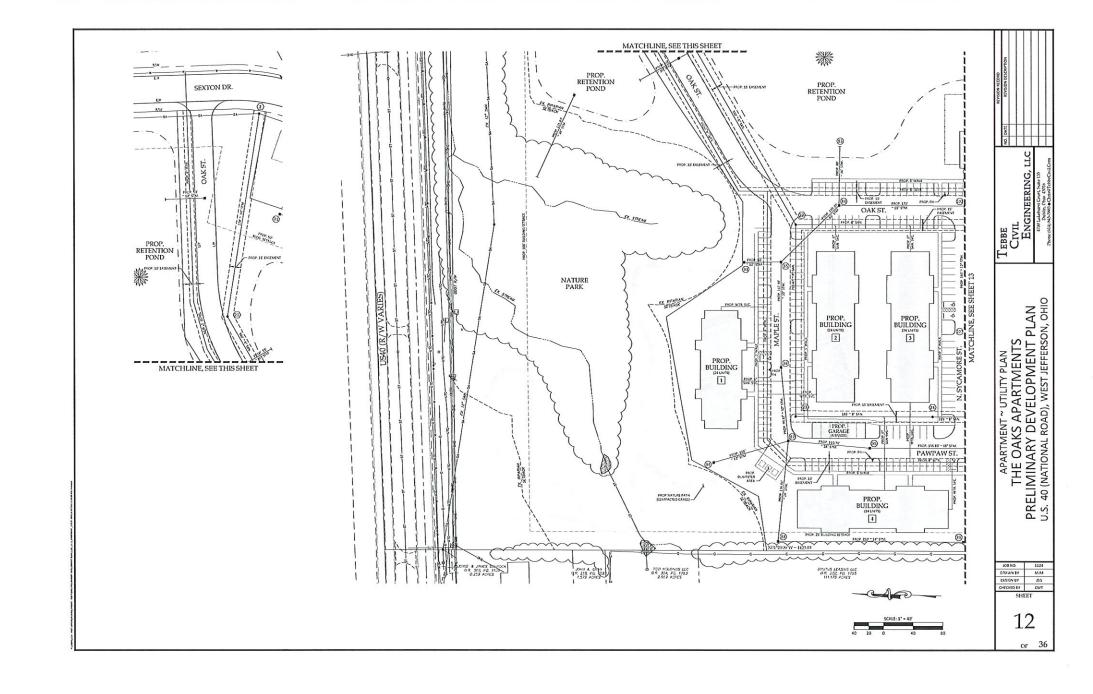
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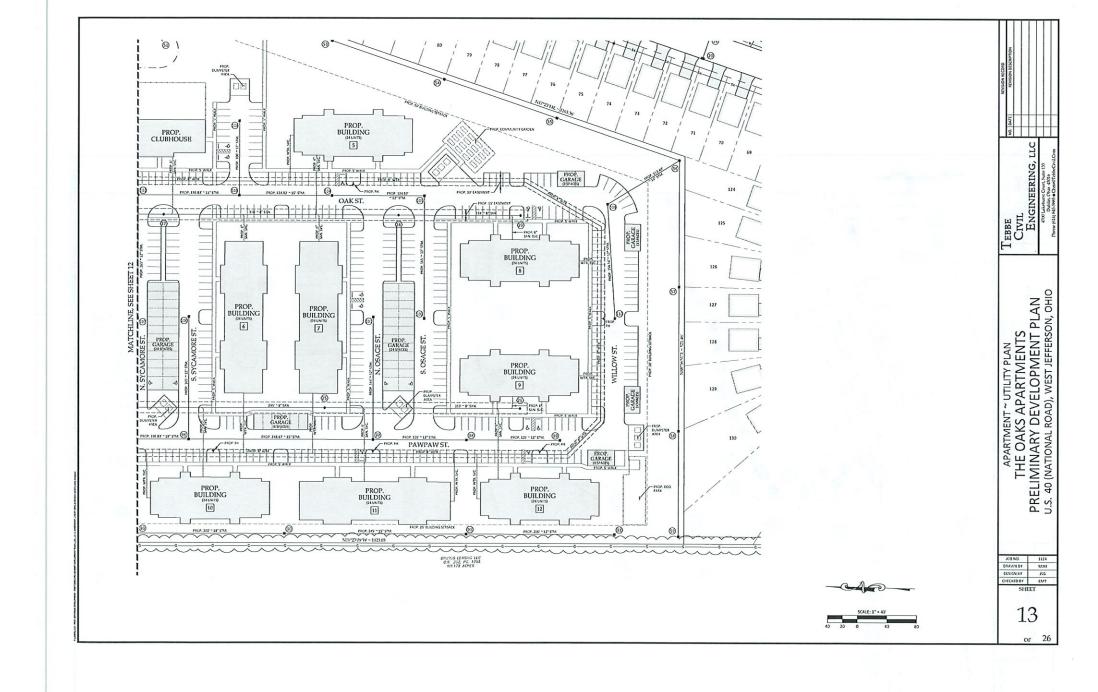


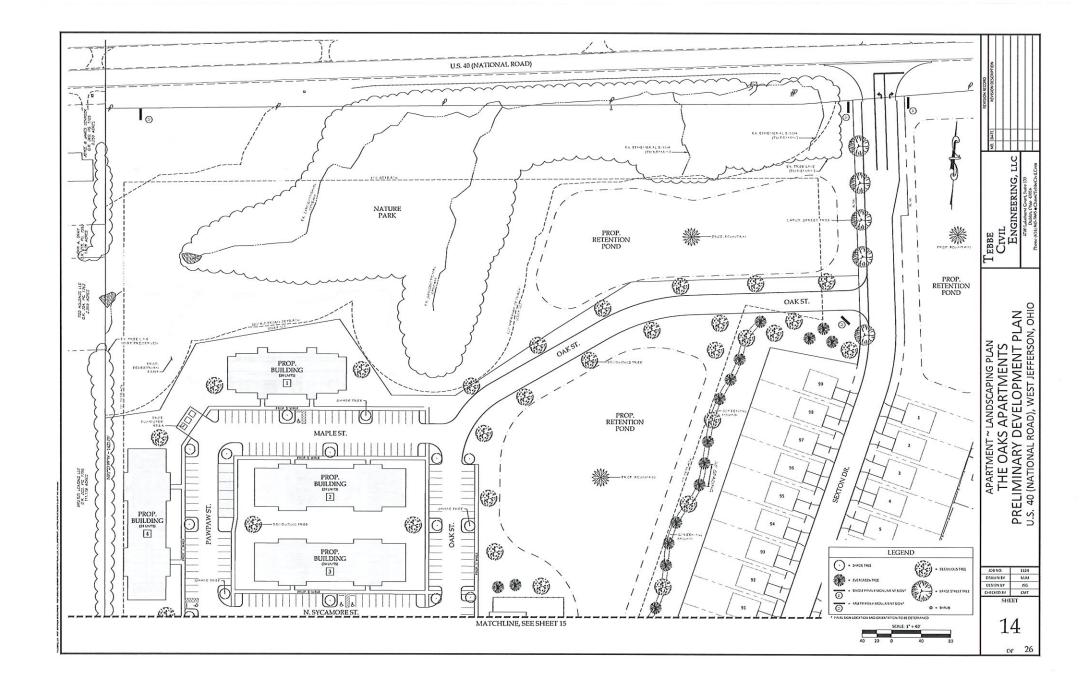


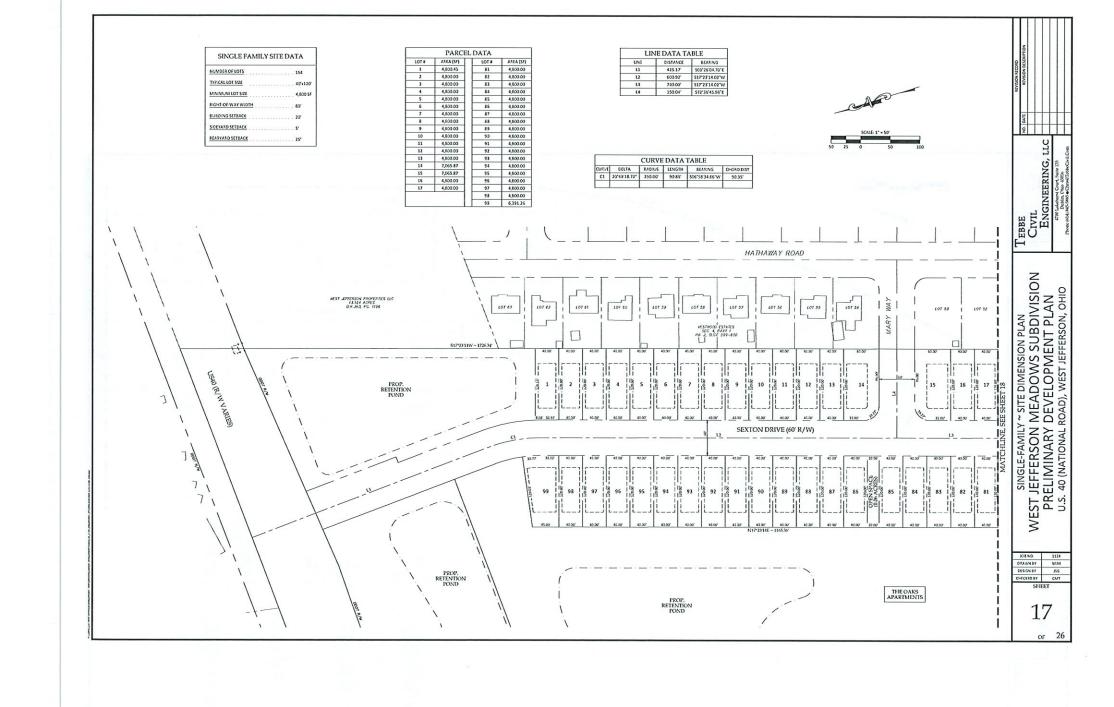




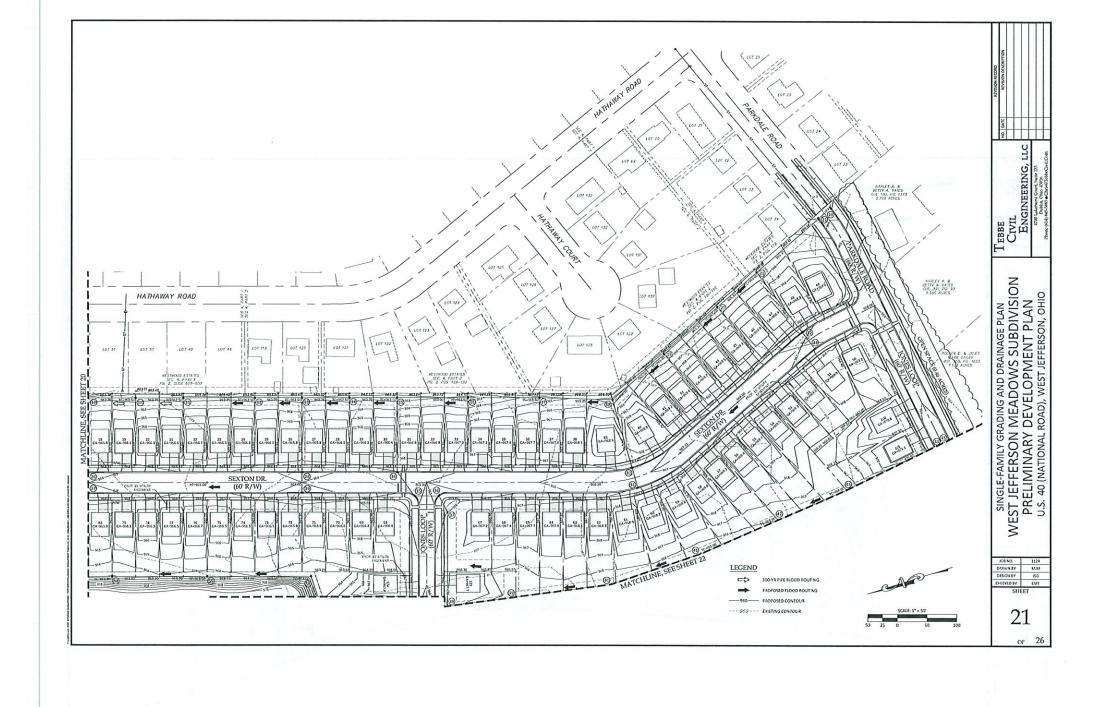


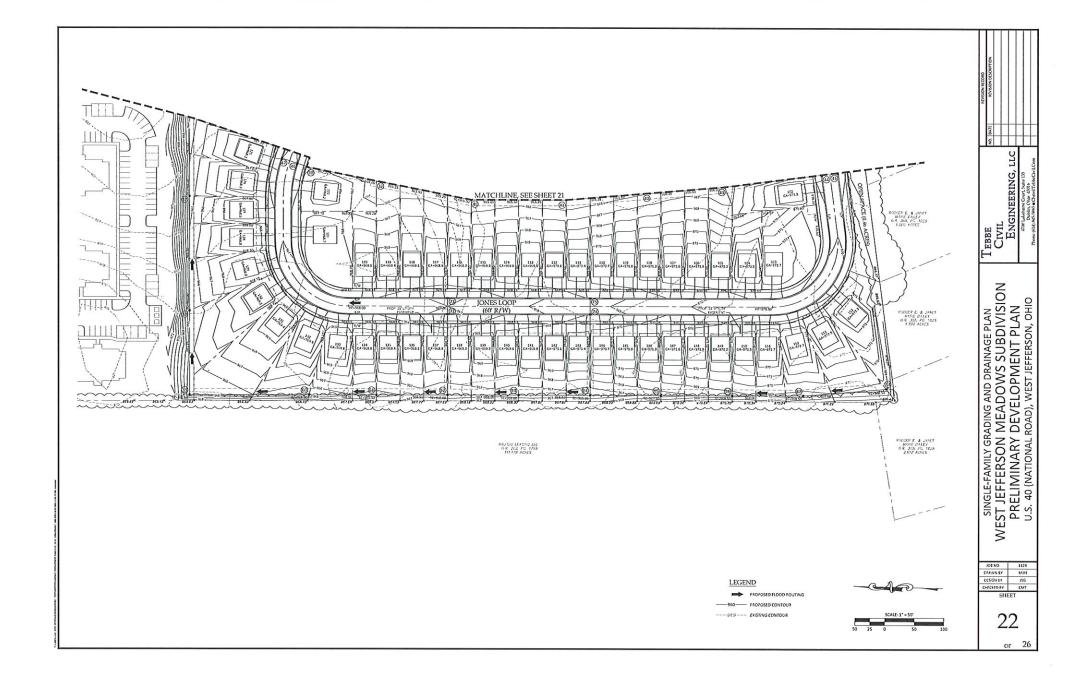


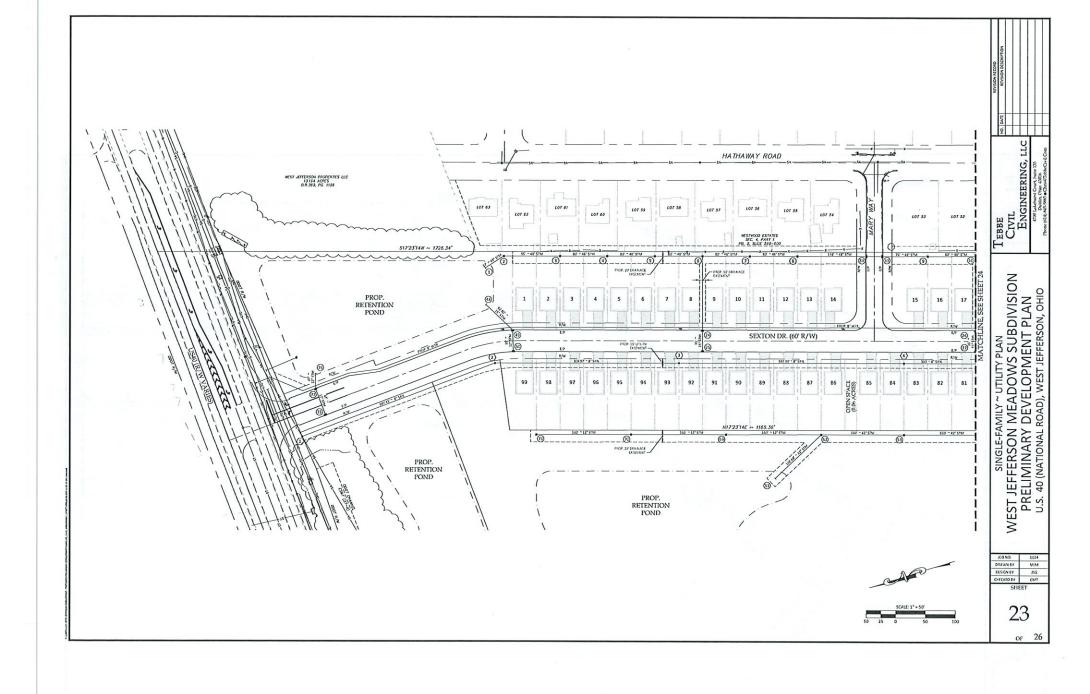


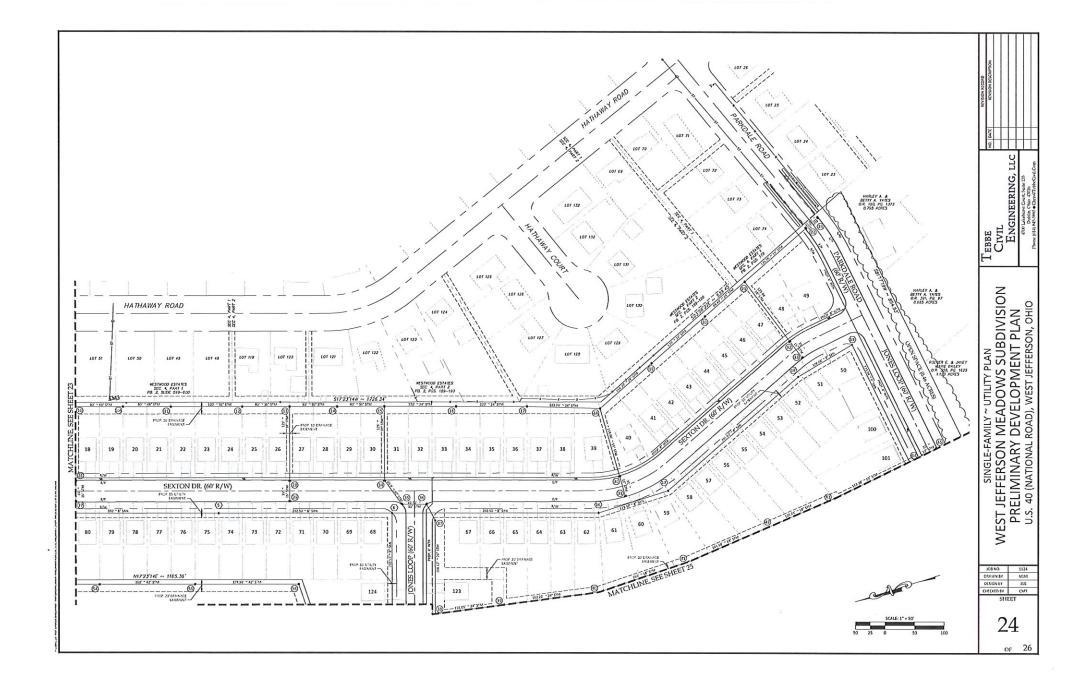


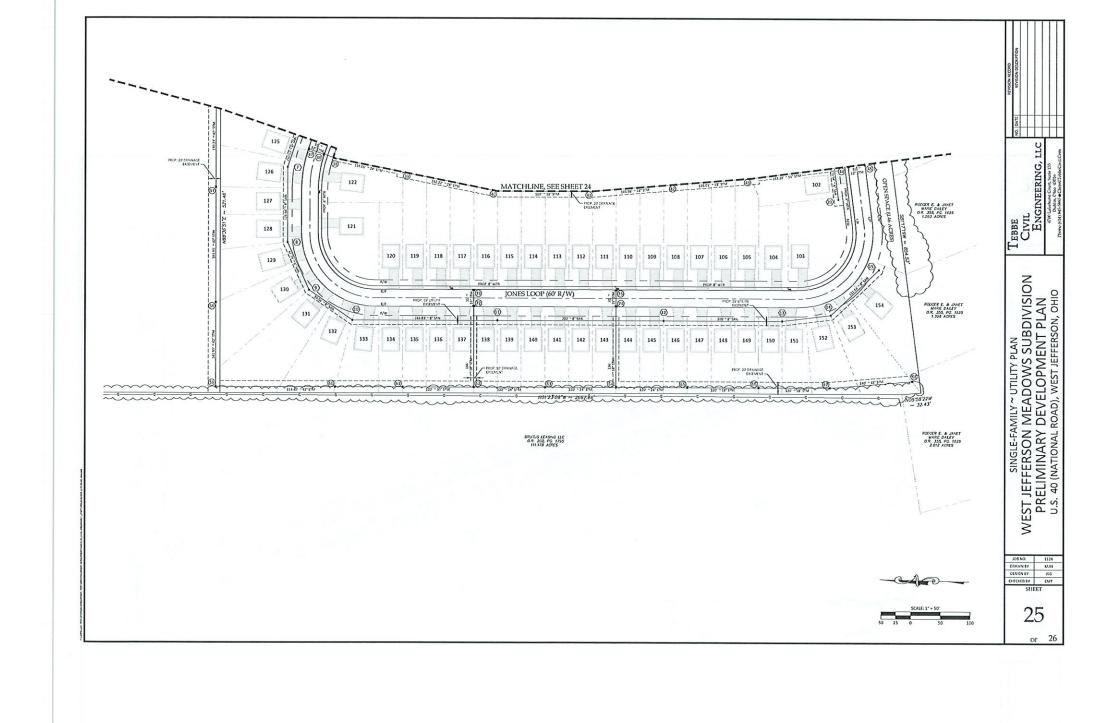


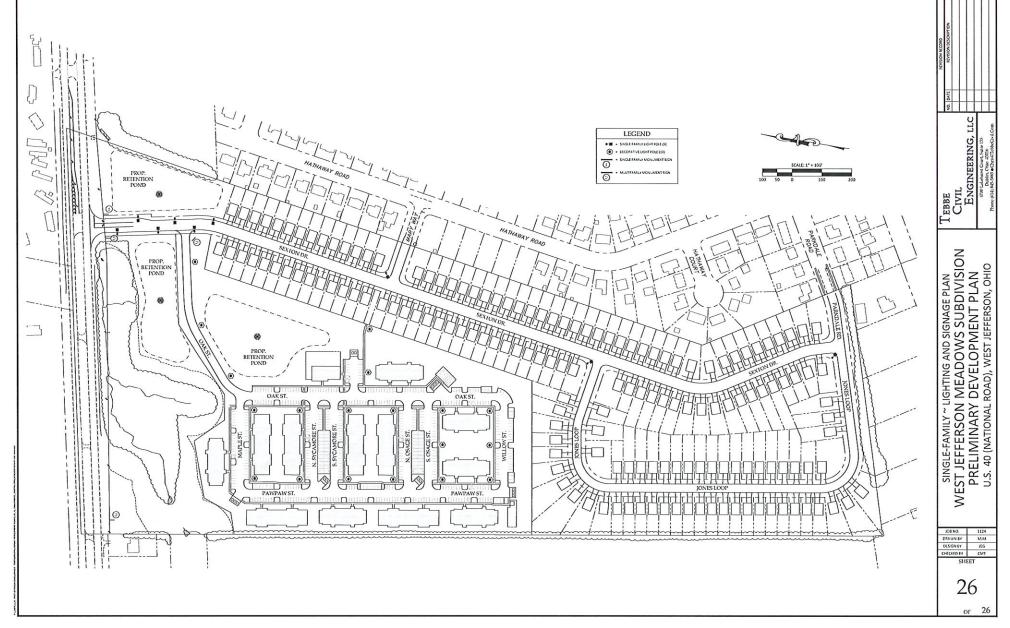




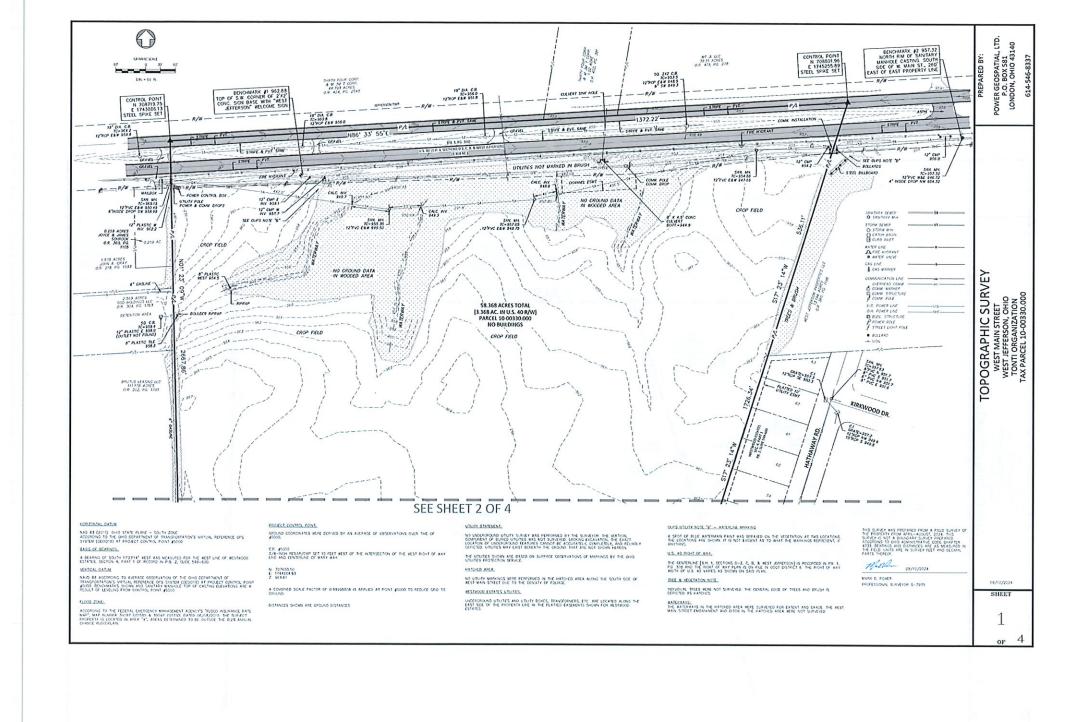


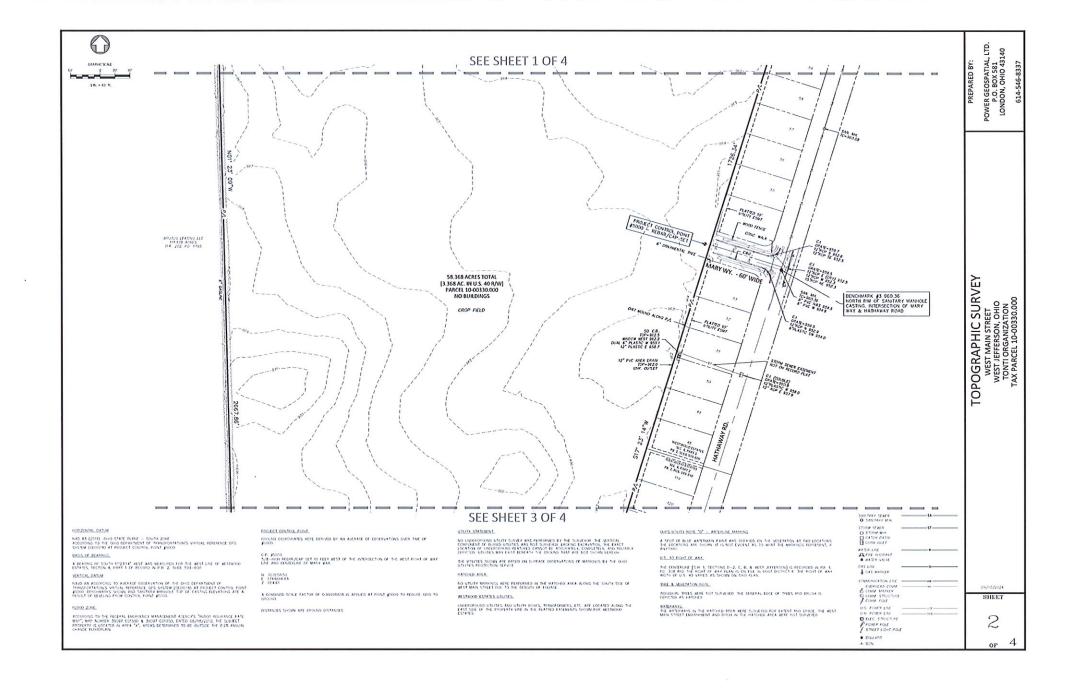


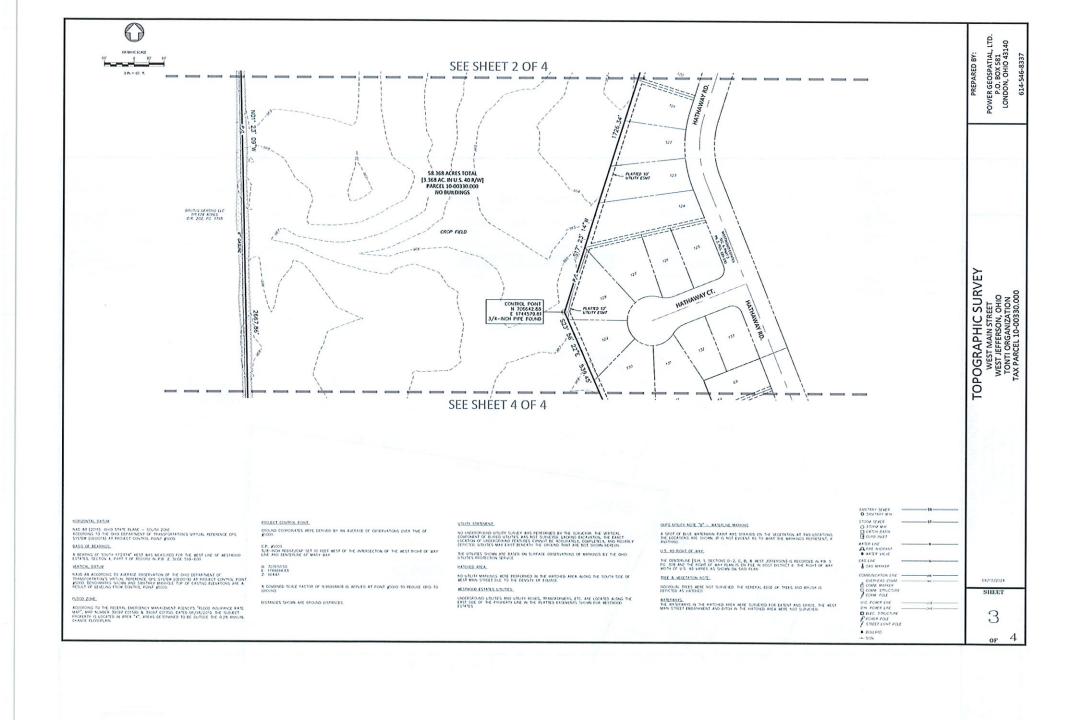




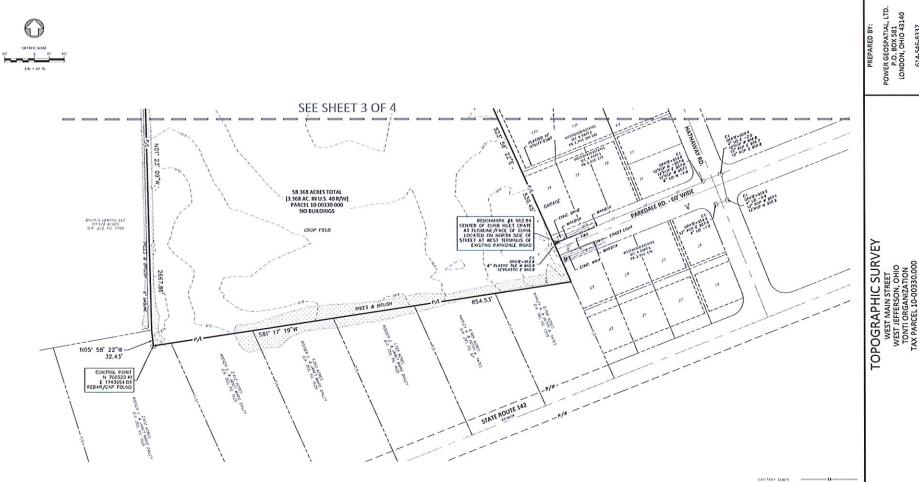
SINGLE-FAMILY ~ LIGHTING AND SIGNAGE PLAN
WEST JEFFERSON MEADOWS SUBDIVISION
PRELIMINARY DEVELOPMENT PLAN
U.S. 40 (NATIONAL ROAD), WEST JEFFERSON, OHIO











AND 83 (2011). GHO STATE FLAME — SOUTH ZONE ACCORDING TO THE GHO EXPLANMENT OF TRANSPORTATION'S VIPTUAL REFERENCE GPS SYSTEM (ECOLOGIS AN FROME CONTROL FROM \$2000.)

BASIS OF BEARINGS

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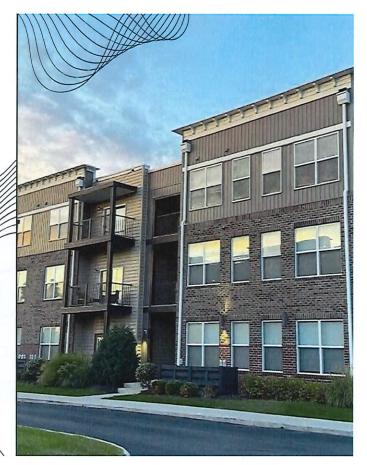
09/10/2024 SHEET 4

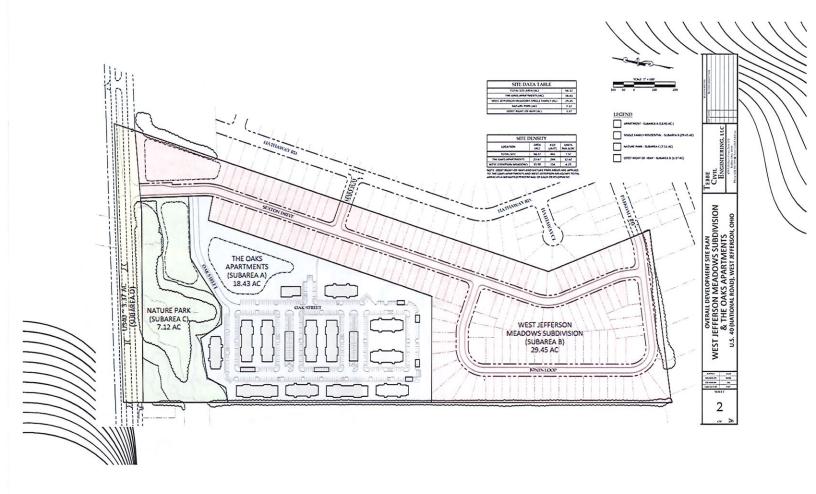


# SAMPLE OF POSSIBLE APARTMENT ELEVATION STYLES



Photos are for illustrative purpose only and do not show the actual elevations of the proposed project































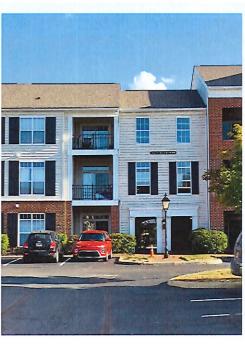




















#### **EXHIBIT C**

# SAMPLE OF POSSIBLE SINGLE FAMILY HOME ELEVATION STYLES



Photos are for illustrative purposes only and do not show the actual elevations of the proposed project



















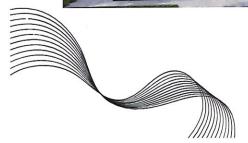
























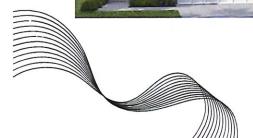










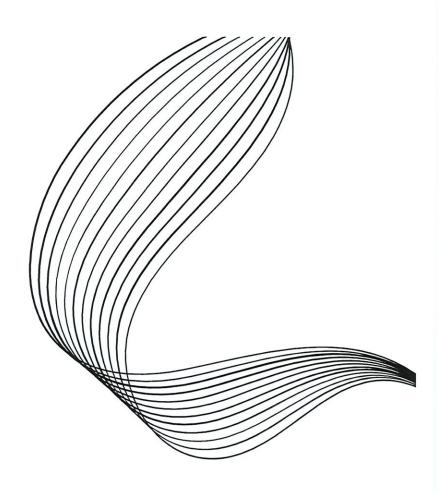






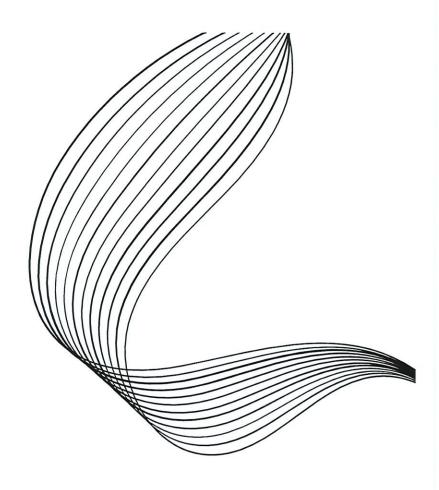
## THANK YOU





## THANK YOU

TONTO organization



### TONTI ORGANIZATION DEVELOPMENT STANDARDS TEXT

58.37 Acres, US 40 (National Road)

Village of West Jefferson, Madison County, Ohio

Developer: The Tonti Organization DBA Thirty Four Corp. & M3T Corp.

INTRODUCTION: The property that is the subject of this Development Standards Text ("Text") is a 58.37±tract located south of US 40 (National Road), which is in the Village of West Jefferson, Ohio, (the "Village") and is denoted as Madison County tax parcel 10-00330.000 (58.37ac) and which is more particularly described on Exhibit A, attached hereto and incorporated herein (the "Property"). The applicant is the Developer, Thirty Four Corporation, an Ohio Corporation and M3T Corporation, an Ohio Corporation and the proposal contained in this application is to zone the Property into the Planned Mixed Use Development District (PMU) zoning category in the Village of West Jefferson, Ohio and apply for preliminary development plan approval for the entire site. The Property proposal set forth in this Text and the Preliminary Development Plan attached hereto identified as Preliminary Plan, (the "Plan") identifies the division of the Property into four Subareas with four different uses and development standards, as are further set forth herein. The development of the Property shall be known as West Jefferson Meadows and The Oaks (the "Development" or "Subdivision" herein) and West Jefferson Meadows Nature Park ("Nature Park" herein).

The Development of 58.37 +/- gross acres will have a total of not more than 442 residential units with a gross, blended density across the 58.37 +/- acres of 7.57 units per AC.

#### Subarea A, Multi-family

Location: Subarea A is approximately 18.43± acres and is located at the north-west corner of the Property.

Permitted Use: The permitted use for Subarea A shall be multi-family residential developed in accordance with this Text and Plan.

Total Unit Count: The total unit count within Subarea A shall not exceed 288 residential units.

Density: The gross, blended residential density within Subarea A shall not exceed 13.00 d.u./ac. This gross blended density calculates the du/ac, including the 38.492% share of the common area attributed to the Multi-Family area when considering the Nature Park and ROW areas as common area for the Development.

Open Space: Open space in common ownership within Subarea A shall be generally as located on the Plan, which are the areas surrounding the retention pond, between buildings, and the set-back areas, which shall be owned by the owners of the apartment property within the Subarea, who shall be responsible for the long-term maintenance of the open space.

Access: Access to Subarea A shall be from Sexton Dr. to Oak Street, the design of which shall be subject to final engineering and the approval of the Village Engineer. Location of the access to Subarea A is as shown on the Plan. An additional pedestrian access shall be located to connect the Subarea to Sexton Dr., also as shown on the Plan.

Streets: Streets within this Subarea A shall be privately owned and maintained. Storm sewer within Subarea A shall be privately owned and maintained. Water and sanitary sewer will be publicly dedicated.

Parking: There shall be provided <u>up to</u> eight (8) garage buildings which shall contain approximately 68 spaces plus 4 ADA accessible garage spaces (subject to final design) and not less than 438 surface parking spaces, and an additional minimum of 13 ADA compliant handicap parking spaces shall also be provided, for a total of not less than 523 parking spaces.

Setbacks: Building and parking set-backs from the Single-Family Subarea are a minimum of 50' and setbacks from the Industrial Zoning to the west are a minimum of 25'.

Front Yard Setback: The front yard setback in Subarea A shall be as shown on the Plan.

Side Yard Setback: The side yard setback in Subarea A shall as shown on the Plan

Rear Yard Setback: The rear yard setback in Subarea A shall be as shown on the Plan

The maximum building height shall be 45 feet within Subarea A.

Construction Office: During construction, a temporary "construction trailer" may be placed on the site and/or an apartment may be used as an office. In addition, temporary storage containers may be placed on the site to secure materials.

A temporary construction drive may be placed across Single-family lots #72 and #73, if needed and per ODNR Construction Entrance specifications.

**General Requirements**: The General Requirements as further set forth in this Text shall apply to the development within Subarea A.

Lighting: Street lighting shall be located generally as shown on the Plan. Final lighting shall be further detailed on the Final Development Plan.

Signs: Any signs within the Property shall be regulated as provided in the Village Zoning code unless otherwise approved by Village Council as part of the Final Development Plan. Entrance features with signage identifying the Multifamily development may be submitted and approved as a part of the Final Development Plan. The approximate locations of the three (3) monument

signs/entrance features for Subarea A are shown on the Plan (note that two locations are outside Subarea A).

Temporary signage for the project, including but not limited to, marketing signage for the Multifamily, and other temporary signage shall be permitted.

Building Architecture and Materials: The exterior elevation look and style of the Multifamily buildings shall be similar to the look and styles depicted on the attached Exhibit B "Samples of Possible Apartment Elevation Styles". Permitted Exterior Materials shall include but not be limited to the following: stone or stone veneer, brick or brick veneer, cultured stone/brick or similar, stucco, EFIS, fiber cement board, wood, composite material, vinyl siding, cedar, soffits and fascia may be vinyl/aluminum, roofs shall-may be asphalt shingles, TPO, rubber, or similar materials, metal accent roofs shall be permitted. Exterior balconies may be constructed of wood, composite, with vinyl, wood, metal or similar railings permitted. Dumpster enclosures shall match the architectural elements suggested above. Retention Ponds: All retention ponds shall generally be located as shown on the Plan.

Landscaping: Landscaping shall be generally as shown on the Final Development Plan.

Landscaping Buffers shall be as shown on the Final Development Plan and are in variance to Section 1143.16 of the code. However, the proposed plan achieves similar adequate buffering that the code requires. Such buffering is achieved in varying ways.

A landscaping buffer between Subarea A (multifamily) and Subarea B (single family) shall be constructed to include features such as, mounding of dirt up to 4' high +/-, a combination of evergreen and deciduous trees, optional other plants, etc. throughout the landscape buffer area. Such trees shall total not less than 56 trees, as shown on the Final Development Plan. The number of trees equates to approximately 1 tree every 30', if such trees are spaced evenly. Trees will not be required to be evenly spaced, clustering of trees will be permitted. Mounding may be permitted to vary in height and location based on the Plan and drainage requirements etc.

A landscaping buffer between Subarea A and the industrial ground to the west shall consist of the existing tree line which shall be preserved, as practical.

A landscape buffer between Subarea A and Subarea C, the Nature Park may consist of deciduous trees along Oak Street and the western portion of the buffer will be left open in conjunction with the "meadow"/open space that is to be created as part of the Nature Park.

#### Subarea B Single Family

Location: Subarea B is approximately 29.45± acres and is located at the eastern portion of the Property.

Permitted Use: The permitted use for Subarea B shall be detached Single Family residential developed in accordance with this Text and Plan.

Total Unit Count: The total unit count within Subarea B shall not exceed 154 single family lots and residences.

Density: The gross, blended residential density within Subarea B shall not exceed 4.3 d.u./ acre. This gross blended density calculates the du/ac considering the 61.508% share of the common area attributed to Subarea B when including the Nature Park and ROW areas as common area for the Development.

Open Space: Open space in common ownership within Subarea B shall be generally as identified and located on the Plan, which open space shall be owned by an association of homeowners within the Subarea, who shall be responsible for the long-term maintenance of the open space and any retention ponds constructed therein.

Access: Access to Subarea B shall be from a public street connection to US 40, known as Sexton Dr., as shown on the Plan, and to Mary Way which stubs from the East and to Parkdale Road which stubs from the east, the design for which shall be subject to final engineering and the approval of the Village Engineer. Location of the accesses to Subarea B are as shown on the Plan.

Streets: Streets, sewer, and water within the Subarea shall be publicly dedicated.

Off Street Parking: There shall be provided two garage spaces and not less than 2 off street parking spaces in the driveway for each lot in Subarea B. Additional guest parking shall be located on one side of public streets located within the Subarea as determined at the time of Final Plat for the Subarea.

Right of Way Width & Traffic Circulation: The width of the street rights-of-way in Subarea B shall be not less than 60' and shall be as set forth on the Plan. Street right of way shall be publicly dedicated. Sexton Drive shall be a minimum of 36' in width from face of curb to face of curb, composed of 18" standard curb and gutter on each side of the street with asphalt in between, constructed within the right of way. Jones Loop, Parkdale Road and Mary Way shall be a minimum of 28' in width from face of curb to face of curb, composed of 18" standard curb and gutter on each side of the street with asphalt in between, constructed in the right of way. The 28' is in variance to the prescribed 36' minimum that section 1173.08 (b)(2) of the Code requires; however, the 28' matches the width of the existing Parkdale Road and Mary Way. Additionally, 4' sidewalks shall be constructed in the right of way as shown on the Plan. Developer will construct sidewalks not fronted by single family parcels i.e. intersections and open space and home builder will construct sidewalks along the front of the single family lots. Developer will construct the connection point of the walks on May Way and Parkdale to the existing walks is such connection extends beyond the frontage of the new lot. Sidewalks will provide pedestrian connectivity throughout Subarea B, as well as, provide pedestrian connectivity with the neighboring Westwood to the East, the new nature park in Subarea C to the Northwest, and the multifamily project in Subarea A to the West.

Individual Lot Requirements in Subarea B:

Lot Size: The lot size for lots within Subarea B shall be a minimum of 4,800 square feet OR a minimum of 40 feet wide by 120 feet deep. Typical lot size for lots within Subarea B is 40' wide and 120' deep.

Minimum lot width (at building line): The minimum lot width in Subarea B at the building line shall be 40'.

Minimum lot depth: The minimum lot depth in Subarea B shall be 120' excluding end lots and corner lots which shall be not less than 4,800 square feet total.

Front Yard Setback: The front yard setback in Subarea B shall be 20'.

Side Yard Setback: The side yard setback in Subarea B shall be 5'. Note that this is a variance to the 7.5' prescribed in the Section 1173.08 (d) of the Code.

Side Yard Setback for corner lots adjacent to right of way: The side yard setback adjacent to right of way in Subarea B shall be 20'.

Rear Yard Setback: The rear yard setback in Subarea B shall be 25'.

Maximum building height: The maximum building height shall not exceed 35'36'.

Minimum accessory structure setback from the rear property line in Subarea B shall be: the greater of 10' or the width of any drainage easements.

Maximum building coverage: The maximum building coverage in Subarea B shall be 65%.

Items such as window wells, A/C units, fire places and bay cantilevers are allowed to encroach into the building setback areas.

Residential Unit Size: The Single-Family residences located within Subarea B shall be not less than 1,100 square feet in size as determined by outside dimensions, exclusive of porches, garages, basements and any other non-conditioned spaces.

General Requirements Subarea B: The General Requirements as further set forth in this Text shall apply to the development within Subarea B.

Landscaping & Open Space:

The front entrance feature and signage will be landscaped at the main entrance from Route 40 as shown on the Final Development Plan. The retention pond in Subarea B, the green space along Parkdale and Jones Loop, and the connectivity point between Subarea B and Subarea A will be landscaped as shown on the Final Development Plan. Such areas shall be owned and maintained by the HOA.

A typical lot landscaping plan shall be provided by the Developer at the time of the Final Development Plan which shall set forth the typical landscaping for each house located on any lot within the Subarea, the approval of which by the Village shall be a part of the Final Development Plan for such Subarea.

Signs: Any signs within the Property shall be regulated as provided in the Village Zoning code unless otherwise approved by Village Council as part of the Final Development Plan. Entrance

features with signage identifying the subdivision development may be submitted and approved as a part of the Final Development Plan.

Temporary signage for the project, including but not limited to model home signage, marketing signage and other temporary signage shall be permitted.

Lighting: Street lighting shall be generally located as shown on the Plan. Street lighting shall be provided at intersections and the main entrance off of Rout 40 as shown on the Plan.

Home Owners Association: A home owner's association (HOA) will be established and controlled by the developer. The HOA may be turned over from the developer upon completion of 90% of the single-family subdivision.

Construction Office & Model Homes: Model Homes shall be permitted. Model homes may be either individual homes for the purpose of sales and marketing OR modular buildings/manufactured buildings for such purposes. Construction offices during the time of the development/construction of the project may also be either manufactured/modular buildings or the use of an individual home. Storage containers may be placed on the site during construction for construction purposes and storage of construction materials. Model home permits may be submitted to the Village for approval prior to the completion of the first phase of the development. Provided such models comply with the approved standards outlined in the development plan, the village shall approve the permits and allow construction on the model homes to start. The model homes shall not be sold nor occupied until the final plat for the first phase is recorded.

Building Architecture and Materials: The exterior elevation look and style of the single family homes shall be similar to the look and styles depicted on the attached Exhibit C, "Samples of Possible Single Family Home Elevations". Permitted Materials shall include but not be limited to the following: Exterior materials of buildings may be comprised of stone or stone veneer, brick or brick veneer, cultured stone or similar, stucco, fiber cement board, wood, composite material, vinyl siding, cedar. Soffits and fascia may be vinyl/aluminum, roofs shall be asphalt shingles, metal accent roofs shall be permitted.

#### Sub Area C - Nature Park

<u>Location:</u> Subarea C is approximately 7.12± acres and is located at the north side of the Property and West of Sexton Dr.

The permitted use for Subarea C shall be open space for a conservation area/public park developed in accordance with this Text and Plan. The area shall be developed by the Developer into a combination of open meadow/prairie and wooded area and a retention pond. The work done in this area will be done to restore natural habitats and provide the public with a nature trail thru the area. This area will be a purely natural area with natural materials, trails constructed of compacted grass and gravel, or other similarly natural materials and benches with picnic table only in designated areas as shown and approved on the final Development plan.

Subject to Village and Applicant coming to mutually agreeable terms and conditions, the Applicant would transfer ownership of the nature park to the Village within two years after final completion and lease-up of the multi-family project.

#### Sub Area D -Right of Way for Route 40

Sub Area D, comprised of approximately  $3.37 \pm \text{Acres}$  shall be dedicated ROW for Rt. 40. This area will be formally transferred to ODOT via either a standard highway easement or via deed depending on the request of ODOT.

#### General Requirements Applicable to all Subareas:

Open Space: Location and size of open spaces within the Property and each individual subarea are approximate, the size and specific location for which are as determined at the time of the Final Development Plan for each Subarea. Each open space shall be maintained by the Developer until such time as responsibility for maintenance is transferred to the appropriate party who shall be responsible for maintenance in perpetuity.

In transferring any maintenance responsibility to any homeowner's association or other party, who shall be responsible for providing maintenance in perpetuity, the Developer acknowledges that there are public health, safety and welfare concerns associated with such ownership transfers, which may become the responsibility of the Village in the event they accept ownership of such open spaces. Developer agrees to notify the Village at the time that any responsibility for maintenance is transferred from the Developer to any homeowner association, and the Village shall consent and approve of such transfer, provided however, such consent shall not be unreasonably withheld.

Utilities: All new utilities shall be placed underground, provided however, any private utilities or their appurtenances, which are required to be located above ground in accordance with that private utility systems requirements, shall be permitted, including but not limited to pedestals for electric, cable, and similar, meters, etc.

Retention Ponds: All retention ponds shall generally be located as shown on the Plan.

Engineering: The Plan and the requirements contained within this Text are subject to final engineering and design, as approved by the Village, as a part of the Final Development Plan for any Subarea. A deviation of not more than 5% for any numerical requirement set forth in this Text, if approved as a part of the Final Development Plan for such Subarea, shall be deemed to comply with the purpose and intent of this Text and the Plan for the subdivision, and will not require any further review or approval from the Village.

Narrative Summary: This PMU provides a flexible tool that meets the needs of this modern and diverse development with its mixed uses, combining park and open space, pedestrian connectivity, and multiple housing options for residents who desire different housing types. The PMU zoning

provides a logical zoning transition from the existing single family to the East to the existing industrial uses to the West. The connectivity to the existing Westwood neighborhood, Westwood Memorial Park, and Norwood Elementary School within Westwood creates a unique opportunity to enhance the welfare and lifestyle of the existing residents, who may enjoy the newly created nature park and green space. Future residents will benefit from the walkable nature of the development, which will enhance their experience and enjoyment of the already rich amenities the Village has to offer.