



Planning Commission

Meeting Minutes

June 18, 2018

7:00 p.m.

New Albany Planning Commission met in regular session in the Council Chambers of Village Hall, 99 W Main Street and was called to order by Planning Commission Chair Neil Kirby by at 7:07 p.m.

Neil Kirby	Present
Brad Shockey	Present
David Wallace	Absent
Kasey Kist	Absent
Hans Schell	Present
Sloan Spalding (council liaison)	Absent

Staff members present: Stephen Mayer, Development Services Manager; Jay Herkowitz, City Engineer; Mitch Banchefsky, City Attorney and Pam Hickok, Clerk.

Moved by Mr. Schell, seconded by Mr. Shockey to approve the May 21, 2018 minutes. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea Mr. Schell, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

Moved by Mr. Kirby, seconded by Mr. Schell to table the June 4, 2018 minutes. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea Mr. Schell, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

Mr. Kirby asked for any changes or corrections to the agenda.

Ms. Russell stated no changes.

Mr. Kirby swore to truth those wishing to speak before the Commission.

Mr. Kirby's invited the public to speak on non-agenda related items. (no response)

Moved by Mr. Shockey, seconded by Mr. Schell to accept into the record the staff reports and related documents. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea Mr. Schell, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

VAR-36-2018 Variance

Variance to C.O. 11635.06(a)(1) to allow a recreational structure to exceed ground floor area requirement for the property located at 6958 Lambton Park Road (PID: 222-004457).

Applicant: Todd M. Parker and Todd Sandler

Ms. Russell presented the staff report.

Mr. Jay Herskowitz stated no comments.

Mr. Todd Sandler stated that they have large drainage issues that also flood the golf course and surrounding areas. To address this issue we will be installing larger pipes to retain the water. They added 300 trees at the time of development and will add about 200 more trees with some mounding.

Mr. Schell verified that they are adding 200 additional trees.

Mr. Sandler stated yes. The structure will match the house, same architecture and brick.

Mr. Todd Parker stated that the preliminary ARC approval.

Mr. Kirby asked about the temporary access drive on the plan. Since they have frontage on Johnstown Road are they entitled to access on Johnstown Road.

Mr. Banchefsky stated he didn't think so.

Mr. Kirby stated that he is concerned with drive on SR 62 right past a roundabout with a speed of 45mph.

Mr. Banchefsky stated that he would defer to engineering for safety purposes.

Mr. Mayer stated that the proposal will be evaluated by staff when the building permit is submitted. That is an item that we still need to evaluate.

Mr. Sandler stated that we are willing to accommodate. We didn't look at this closely at this time.

Mr. Kirby stated that access was difficult and that is why a roundabout was installed. For a slow moving dump truck it will be very difficult to exit.

Mr. Sandler stated that we are willing to look into this.

Mr. Kirby asked if we need to add a condition regarding the access drive.

Mr. Banchefsky stated no. Staff will pick that up in the permit review process.

Mr. Kirby stated that this variance will allow the outbuilding to be larger than the primary structure. Will there will be any other outbuildings on this parcel.

Mr. Sandler stated no.

Mr. Kirby asked if he could commit to that as part of the variance.

Mr. Sandler stated yes.

Mr. Schell stated that there is a building being built behind you.

Mr. Sandler stated that they will be building to the east.

Mr. Schell asked if there has been any discussion with that property owner.

Mr. Parker stated that property is uphill. We are not involved with that project. That property also has a large gas easement and will have trees along there.

Mr. Sandler stated that they will add trees along the north and east as shown on the map.

Mr. Kirby asked for public comment. (no response)

Mr. Sandler stated that they are willing to work with city.

Mr. Schell asked for the types of activities inside the building.

Mr. Sandler stated that it's a gathering place for the kids.

Mr. Kirby asked if any conflicts with staff condition.

Mr. Parker stated no.

Mr. Shockey stated that it is not for business use, just for personal use.

Mr. Parker stated correct.

Mr. Sandler stated that it could be added as a condition.

Mr. Shockey stated that a condition should be added.

Mr. Kirby moved to approve V-36-2018 subject to the following conditions:

1. Staff recommends a condition of approval requiring additional landscaping is installed, subject to staff approval.
2. It is the only outbuilding.
3. It is for private use only, not business, seconded by Mr. Schell. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea Mr. Schell, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

FDP-37-2018 Final Development Plan
Final Development Plan for a 105 lot age-restricted residential housing development on
35 +/- acres for the subdivision known as The Courtyards at New Albany located at 7100 New
Albany Condit Road (PID: 222-001972).
Applicant: Epcon Communities c/o Aaron Underhill. Esq.

Ms. Russell presented the staff report.

Mr. Jay Herskowitz presented the engineering comments.

Mr. Mike Shannon, Underhill & Hodge, wants to stress for the record that, what is unique here is that they are committing that 100% of the units will be age restricted and no permanent residents under age 21.

Mr. Kirby asked if you have any conflicts with the staff conditions.

Mr. Shannon stated yes we have a few issues. Conditions 1, 2, 3 and 4 except for 4b are fine. Would like to discuss 4b in a few moments. Conditions 5, 6, 7, 8, 10, 11, 12, 13, 14 are fine. Condition 9 has to do with the ownership of the open space. We would like for the board to understand that this is a phased project and want to talk about timing for the dedication of the property. We don't have a problem with the dedication but would like to discuss in more detail with staff. We want the ability to install all of the drainage ponds, landscaping and amenities before dedicating it to the city. Secondly, it is our strong preference that areas A, B, E & F the owner wanted to keep control. Showed the reserve areas on the map. We don't have a problem with changing the ownership it's about when we transfer. Concerns with construction and access for reserve areas E & F. No question that the city will get ownership but want to make sure. We just want to control so that nothing would happen but the city wants it for the same reason. We will maintain all of the open space. Condition 4b was to add a mid-block crosswalk. We had an ADA ramp and concerns with proximity to the intersection.

Ms. Linda Menerey, EMH&T, stated that midblock crossing on the furthest west road but the interior road midblock crossing is close to the intersections. They provide a connection to the Wentworth Crossing residents. We spoke with staff today. We are feeling a little nervous about the safety and would like to work with staff.

Mr. Kirby asked if the speed limit will be 25 MPH.

Ms. Menerey stated yes.

Mr. Shockey verified that the applicant does not want any mid-block crossing.

Ms. Menerey showed on the map that the crossing is just to the north. We have the Souder Road connection for the bike traffic and the connection to Jersey was meant more for foot traffic.

Mr. Shockey asked why someone would want to walk into this subdivision.

Ms. Menerey stated that this is the gardening area with the clubhouse to the south.

Mr. Shockey stated that he thinks the mid-block crossing is fine. No one will go up to the intersection. Why not a sidewalk?

Ms. Menerey stated that the city's desire is that it is a leisure trail.

Mr. Kirby stated that it a short section of road at 25 MPH which is more than two seconds.

Mr. Shockey stated that it is nice as you have it with a sidewalk but with a mid-block crossing.

Mr. Kirby asked about if the fee in lieu should be a condition.

Mr. Mayer stated yes

Mr. Kirby asked if they needed a condition for number of parking spaces.

Mr. Mayer stated that the commission needs to evaluate the number of parking spaces and a condition is not needed if the board wants to approve as submitted.

Ms. Menerey stated that we have parking on one side of the street and it is permitted around the entire block that the clubhouse is located. That will yield an additional 48 spaces. We believe that they is ample parking around the clubhouse for an event. This is a walkable community.

Mr. Schell asked if there were trees along the roadway.

Ms. Menerey stated that we do have street trees all along.

Mr. Kirby stated that schedule for ownership of reserves. Is there a simple condition that we can use?

Ms. Menerey stated that we have a phasing line but will let the Epcon representative address that question.

Mr. Jason Coffey, Epcon Communities, showed on the map the first phase. First concern is the improvements that need completed and then the smaller reserves between the buildable lots are a concern due to the construction process. We are more concerned with timing. We would also like to have the wording that states that the reserves stays the way we built it. It appears that we all want the same thing we just need to get the wording and timing right.

Mr. Mayer stated that historically they will need to plat the street, submit engineering plans, and install the infrastructure and then infrastructure acceptance by Council.

Typically, the ownership transfer occurs at the infrastructure acceptance. We have been able to work through those before.

Mr. Kirby asked if the condition be turnover is at schedule agreeable to staff. Did I understand that the applicant would also like a condition that the reserves don't change in a major way once turned over to the city.

Mr. Coffey stated yes, we don't want an active item in the park that we didn't have any input.

Mr. Mayer stated yes, we want the same thing. What we have done in the past, if neighborhoods have requested changes in the past it comes back as a modification.

Mr. Craig Srba, 6837 E Walnut Street, wants to provide his support for the applicant. They seems to be working through the process and look forward to seeing completion.

Mr. Kirby asked for other comment.

Mr. Shockey asked what the red X's are and what is the replacement trees plan.

Ms. Russell stated that within tree preservation, they can get rid of invasive, dead trees and remove trees for utilities. They are proposing like for like amount of trees. Staff is asking for staff approval for final location. .

Mr. Shockey stated that this time of year there is understory that is invasive but provides screening, does that stay.

Mr. Mayer stated that don't think there is a lot of understory. This was a farm field.

Ms. Menerey stated that there is a lot of understory in this area (showed on the map).

Mr. Shockey asked about the zoning text.

Ms. Menerey stated that sewer is to the south and we will need to disturb to access the sewer. (showed the board members a colored drawing for reference. We can work with staff.

Mr. Shockey stated that he heard things from residents and comments about they used to have the screening.

Mr. Coffey stated that they sent letters to the perimeter neighbors for a meeting and only one neighbor showed up. We will continue to work with the neighbors. We want to walk the property line with the neighbors and will work with neighbors.

Mr. Kirby moved to approval FDP-37-2018 subject to the following conditions:

1. The bracket detail within the elevations is to be maintained onto the as-built conditions.
2. Windows must have vertical or square orientated grid openings.

3. Shutters must be installed with the appropriate hardware as if they are functioning shutters, the final the shutter hardware design is subject to staff approval.
4. Staff recommends all the City Landscape Architect's comments are complied with and subject to staff approval.
 - a. Relocate community gardens slightly south to align sidewalks with leisure trails to the east and west.
 - b. Add mid-block crosswalks and ADA ramps to Lobelia Drive, Hollyhock Drive, and Foxglove Drive where leisure trails and/or sidewalks terminate to provide safe pedestrian access across entirety to development from Jersey Drive to New Albany Condit Road.
 - c. Perimeter fence should be black medal.
 - d. Screen park with evergreen scrubs from existing adjacent residential units.
 - e. The enclosed park area should be lawn.
 - f. Any park site furniture should be black medal (benches, trash cans, etc.).
 - g. Any dog play equipment should be approved by the City.
 - h. Remove ornamental trees along New Albany Condit Road and replace with large deciduous shade trees. Ornamental trees may remain where fence turns back at Aster Drive and Summersweet Drive to delineate the entry drive and within the interior landscape - however, the *Pyrus calleryana* must be replaced with another ornamental species due to ODNR declaring it as an invasive species. The sale of all *Pyrus calleryana* will be banned by 2022. Acceptable replacements from the current plant schedule include *Prunus virginiana*, *Crataegus viridis*, and *Amelanchier canadensis*.
5. Two additional trees must be added to the street tree plan along S.R. 605.
6. Each home must include a tree on their site plan prior to receiving a building permit
7. Final location of the bicycle rack is subject to staff approval.
8. The pool fence must be enlarged to 72" tall.
9. Staff recommends a condition of approval requiring reserves "D," "E," "K," "L," "F," "I," "J," and "H" are owned by the city of New Albany but maintained by the HOA in perpetuity in ways agreeable to the city.
10. Final coach light design is subject to staff approval.
11. The traffic control signs, street name signs, and traffic warning signs are subject to staff approval.
12. Address the comments of the City Engineer, subject to staff approval.
13. Additional landscaping must be provided south of Jersey Drive and along the southern zoning district boundary to provide adequate screening for neighbors.
14. Final tree placement for the replacement of trees due to utilities is subject to staff approval.
15. The fee-in-lieu for the parkland dedication/open space requirement of \$135,000 is accepted by Planning Commission.
16. Reserves must not be changed by the city following the construction and turnover from the builder.

Planning Commission noted, "the on street parking is an acceptable amount of parking in regards to the clubhouse area", seconded by Mr. Schell. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea Mr. Schell, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

FPL-38-2018 Final Plat

Final Plat for the 68 lots within the first phase of the development for The Courtyards at New Albany located at 7100 New Albany Condit Rd.(PID: 222-001972).

Applicant: Matt Kirk, EMH&T.

Ms. Russell presented the staff report.

Mr. Herskowitz presented the engineering comments.

Mr. Shannon stated that they agree with the conditions.

Ms. Menerey stated that we would like to revise the wording for condition four (4). We had a discussion with staff. Really good language was approved with the PDP within the preservation zone. We would like to add that back in. We believe that it should be modified that after completion of construction the removal of dead or noxious plant material shall be subject to staff approval.

Mr. Mayer stated that we agree. This will allow the zoning text and the plat to have the consistent language.

Mr. Kirby asked if this is a tree preservation or a preservation zone.

Ms. Menerey stated that the zoning text states tree preservation zone.

Mr. Kirby asked for public comment. (hearing none)

Mr. Kirby moved to approve FPL-38-2018 subject to the following conditions:

1. Address the comments of the City Engineer.
2. Approval of the final plat is contingent upon the approval of the final development plan for this development
3. The plat is revised to show 50 feet of right-of-way be dedicated from the centerline of State Route 605/New Albany-Condit Road, subject to staff approval.
4. The 20 foot tree preservation zone is labeled on the plat and a corresponding note is also added stating the zoning text commitments. The note should say after completion of construction within that area only the construction of underground utility lines and underground storm water management infrastructure shall be permitted. Additionally dead plant material and noxious plant material such as poison ivy, may be removed subject to staff approval.
5. Preservation zone markers are installed on site prior to infrastructure acceptance and the final plat is updated to have a note requiring the signs. The note and locations are subject to staff approval, seconded by Mr. Shockey. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea Mr. Schell, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

With no further business, Mr. Kirby polled members for comment and hearing none, adjourned the meeting at 8:17 p.m.

Submitted by Pam Hickok

APPENDIX



Planning Commission Staff Report June 18, 2018 Meeting

6958 LAMBTON PARK ROAD RECREATIONAL STRUCTURE VARIANCE

LOCATION: 6958 Lambton Park Road (PID: 222-004457)
APPLICANT: Todd Parker, F5 Design/Architecture
REQUEST: Variance to Codified Ordinance Chapter 1165.06(a)(1) to allow a recreational structure to exceed the ground floor area requirement
ZONING: R-3 Single Family Residential District
STRATEGIC PLAN: Neighborhood Residential District
APPLICATION: V-36-2018

Review based on: Application materials received May 18 and June 5, 2018.

Staff report prepared by Jackie Russell, Development Services Coordinator.

I. REQUEST AND BACKGROUND

The applicant proposes to construct a recreational structure at the site and is requesting the following variance:

- A. Codified Ordinance Chapter 1165.06(a)(1) to allow a recreational structure to exceed the ground floor area requirement.

II. SITE DESCRIPTION & USE

According to the Franklin County Auditor, the single family home on the site was constructed in 2014 and is 11,561 square feet in size. The lot is located within New Albany Country Club Section 18. This property is approximately 6.512 acres and is located east of Johnstown Road and south of Fenway Rd. Surrounding land uses include residential homes and a golf course.

III. EVALUATION

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. The Property owners within 200 feet of the property in question have been notified.

Criteria

The standard for granting of an area variance is set forth in the case of *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83 (1986). The Commission must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the “practical difficulties” standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

1. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
2. *Whether the variance is substantial.*
3. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*
4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.*

Plus, the following criteria as established in the zoning code (*Section 1113.06*):

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

III. RECOMMENDATION

Considerations and Basis for Decision

A. Variance to Codified Ordinance Chapter 1165.06(a)(1) to allow a recreational structure to exceed the ground floor requirement.

The following should be considered in the Commission’s decision:

1. The applicant proposes to build a detached field house that is 9,100 +/- square feet in area.
2. Codified Ordinance Section 1165.06(a)(1) states a detached recreational structure shall not:
 - a. Occupy more than twenty-five percent (25%) of a required rear yard, plus forty percent (40%) of any non-required rear yard; Or
 - i. The lot is 6.512 acres (283,662.72square feet) according to the Franklin County Auditor. Five percent (5%) of this total lot area is 14,183.136

- square feet.
 - ii. The required rear yard is 30 feet. 7.5 feet is 25% of the required rear yard. The additional non-required rear yard is 72,759 square feet, 40% of the yard is 29,103.6 square feet.
 - iii. The detached structure is not exceeding this size requirement.
 - b. Provided that in no instance shall the storage building or recreational structure exceed the ground floor area of the main building; Or.
 - i. The ground floor area of the house is 4,130 square feet according to the Franklin County Auditor, which is less than the required rear yard. The entire home is 11,561 square feet. The proposed structure exceeds the floor area by 4,970 square feet.
 - c. Or five percent (5%) of the total lot, whichever is less
 - i. The lot is 6.512 acres (283,662.72square feet) according to the Franklin County Auditor. Five percent (5%) of this total lot area is 14,183.136 square feet. The detached structure is not exceeding this size requirement.
- 3. The field house appears to meet or exceed all of the required setbacks, and other code requirements for development standards.
- 4. The variance appears to preserve the “spirit and intent” of the zoning requirement since the fieldhouse recreational structure is appropriately located on the site in relation to the house, meets all the setback requirements, and it’s exterior design matches that of the home. Although the fieldhouse has a large footprint, the applicant has designed the building to be one story in height and have low roof lines indicating the secondary nature of the fieldhouse in comparison to the primary two-story home. Therefore, the fieldhouse is well designed and scaled to appear as an accessory structure and is appropriate for its surroundings.
- 5. The size regulation is intended to achieve an appropriate scale between recreational structures, and the lot that they sit on as well as with the primary structure. Strict application of the regulation on lots of this size would not achieve a scale that is appropriate. The lot is one of the largest lots, outside of the Farms subdivision. The applicant has designed this structure so it mimics the existing home and detached garage.
- 6. The request does not seem to be substantial given the large size of the lot and the large size of the residence. The area of the fieldhouse appears to be ancillary relative to the primary residence. The structure is located on the side of lot away from residences. Additionally, the lot is landscaped heavily between Johnstown Road and the applicant is providing more landscaping to screen the structure from the public right-of-way. Staff recommends a condition of approval requiring the additional landscaping is installed, subject to staff approval.
- 7. It does not appear the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a “substantial detriment.” The field house appears to be an appropriate scale and design given the size of the primary residence and size of the lot. Additionally there have been other fieldhouses built within the community, so it will not alter the character of the neighborhoods within the city. The other fieldhouses have not needed variances as they have connected the field house to the primary building.
- 8. It appears that granting the variance will not adversely affect the health and safety of

persons residing in the vicinity.

9. It appears granting the variance will not adversely affect the delivery of government services.

In summary, the variance request does not appear to be substantial given the large house, and large sized lot, being one of the largest lots outside of the Farms. The detached garage is situated appropriately within the code required setbacks from adjoining lots and meets all other design criteria. The lot is heavily landscaped and will receive more landscaping to screen the new structure from the public right-of-way. The fieldhouse was designed in such a way that appears secondary to the main building, by being one-story and having low roof lines despite the large footprint. Additionally the fieldhouse is designed to use similar material and design methods as the main house so they are similar in design character.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motions would be appropriate (conditions of approval may be added):

Move to approve application V-36-2018 with the following conditions, all subject to staff approval:

1. Staff recommends a condition of approval requiring the additional landscaping is installed, subject to staff approval.

Approximate Site Location:



Source: Franklin County Auditor



**Planning Commission Staff Report
June 18, 2018 Meeting**

**COURTYARDS AT NEW ALBANT
FINAL DEVELOPMENT PLAN**

LOCATION: 7100 New Albany Condit Road (PID: 222-001972)
APPLICANT: Epcon Communities c/o Aaron L Underhill, Esq.
REQUEST: Final Development Plan
ZONING: I-PUD Infill Planned Unit Development (Yerke West PUD Text)
STRATEGIC PLAN: Office District
APPLICATION: FDP-37-2018

Review based on: Application materials received May 22 and June 5, 2018.

Staff report completed by Jackie Russell, Development Services Coordinator.

I. REQUEST AND BACKGROUND

The applicant requests review of a final development plan for a 105 lot, 100% age-restricted residential housing development on 35.0 +/- acres for the subdivision known as The Courtyards at New Albany. The zoning permits a maximum of 105 units, and one private amenity center within the residential subdivision.

The New Albany Parks and Trails Advisory Board is reviewing the application on June 18, 2018 prior to the Planning Commission Meeting. Staff will share the results at the Planning Commission meeting.

II. SITE DESCRIPTION & USE

The neighboring uses and zoning districts include data centers to the north, office use to the west, and residential to the east and south. The site is currently an undeveloped farm field with a small wooded area.

III. EVALUATION

Staff's review is based on New Albany plans and studies, zoning text, zoning regulations. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text. Planning Commission's review authority is found under Chapter 1159.

The Commission should consider, at a minimum, the following (per Section 1159.08):

- a. *That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;*

- b. *That the proposed development is in general conformity with the Strategic Plan/Rocky Fork-Blacklick Accord or portion thereof as it may apply;*
- c. *That the proposed development advances the general welfare of the Municipality;*
- d. *That the benefits, improved arrangement and design of the proposed development justify the deviation from standard development requirements included in the Zoning Ordinance;*
- e. *Various types of land or building proposed in the project;*
- f. *Where applicable, the relationship of buildings and structures to each other and to such other facilities as are appropriate with regard to land area; proposed density may not violate any contractual agreement contained in any utility contract then in effect;*
- g. *Traffic and circulation systems within the proposed project as well as its appropriateness to existing facilities in the surrounding area;*
- h. *Building heights of all structures with regard to their visual impact on adjacent facilities;*
- i. *Front, side and rear yard definitions and uses where they occur at the development periphery;*
- j. *Gross commercial building area;*
- k. *Area ratios and designation of the land surfaces to which they apply;*
- l. *Spaces between buildings and open areas;*
- m. *Width of streets in the project;*
- n. *Setbacks from streets;*
- o. *Off-street parking and loading standards;*
- p. *The order in which development will likely proceed in complex, multi-use, multi-phase developments;*
- q. *The potential impact of the proposed plan on the student population of the local school district(s);*
- r. *The Ohio Environmental Protection Agency's 401 permit, and/or isolated wetland permit (if required);*
- s. *The U.S. Army Corps of Engineers 404 permit, or nationwide permit (if required).*

It is also important to evaluate the PUD portion based on the purpose and intent. Per Section 1159.02, PUD's are intended to:

- a. *Ensure that future growth and development occurs in general accordance with the Strategic Plan;*
- b. *Minimize adverse impacts of development on the environment by preserving native vegetation, wetlands and protected animal species to the greatest extent possible*
- c. *Increase and promote the use of pedestrian paths, bicycle routes and other non-vehicular modes of transportation;*
- d. *Result in a desirable environment with more amenities than would be possible through the strict application of the minimum commitment to standards of a standard zoning district;*
- e. *Provide for an efficient use of land, and public resources, resulting in co-location of harmonious uses to share facilities and services and a logical network of utilities and streets, thereby lowering public and private development costs;*
- f. *Foster the safe, efficient and economic use of land, transportation, public facilities and services;*
- g. *Encourage concentrated land use patterns which decrease the length of automobile travel, encourage public transportation, allow trip consolidation and encourage pedestrian circulation between land uses;*
- h. *Enhance the appearance of the land through preservation of natural features, the provision of underground utilities, where possible, and the provision of recreation areas and open space in excess of existing standards;*
- i. *Avoid the inappropriate development of lands and provide for adequate drainage and reduction of flood damage;*

- j. *Ensure a more rational and compatible relationship between residential and non-residential uses for the mutual benefit of all;*
- k. *Provide an environment of stable character compatible with surrounding areas; and*
- l. *Provide for innovations in land development, especially for affordable housing and infill development.*

New Albany Strategic Plan

The majority of the site is located in the 2014 New Albany Strategic Plan's Office Campus future land use district, with a small portion in the Rural Residential future land use district. However given the proposed use, staff has evaluated this proposal against the Town Residential District standards. The 2014 New Albany Strategic Plan lists the following development standards for the Town Residential District:

1. Houses should front onto public open spaces and not back onto public parks or roads.
2. House should be a minimum of 1.5 stories in appearance and a maximum of three stories.
3. Rear and side loaded garages are encouraged. When a garage faces the street, the front façade of the garage must be setback from the front façade of the house.
4. The maximum width of a garage door facing the street is ten feet.
5. Open space should be sited to protect and enhance existing natural features and environmentally sensitive habitats.
6. Neighborhood open spaces and parks should be located within 1,200 feet of all houses. They should vary in size and be easily accessible to pedestrians.
7. Streets should have five-foot wide sidewalks on both sides of the street, other than in locations approved for eight-foot leisure trails.
8. Leisure trail connections must be established throughout.
9. The district should include a hierarchy of streets.
10. The maximum lot width should not exceed 90 feet. For areas where density exceeds 1.5 dwelling units per acre the maximum average lot width should be no larger than 80 feet.
11. The average single-family lot area should not exceed 12,500 square feet.
12. Stormwater management ponds and areas should be incorporated into the overall design as natural features and assets to the community. Shapes of ponds should not appear engineered, but should appear as if they naturally occurred in the location.
13. A hierarchy of open spaces is encouraged. Each development should have at least one open space located near the center of development. Typically, neighborhood parks range from a half to 5 acres. Multiple greens may be necessary in large developments to provide centrally located greens.
14. Deciduous trees should be planted 30 feet on center.
15. Cul-de-sacs are discouraged in all developments and a multiplicity of connections should be made.

A. Use, Site and Layout

1. The property is zoned I-PUD under the Yerke West PUD text. Age-restricted dwellings are a permitted use within this subarea.
2. The text requires prior to the issuance of the first building permit for each phase of development within this subarea, the applicant/developer shall provide evidence to the City that it has recorded, with the Office of the Recorder of Franklin County, Ohio and

against all portions of this subarea, a written restriction (a “Recorded Restriction”) requiring that the real property that is the subject of the final plat may only be developed and operated in accordance with the Act and the HOPA Exemption as described in the immediately preceding paragraph.

3. The development contains 105 lots on 35 acres for a density of 3.0 units per acre. The zoning text allows a maximum of 105 lots. The New Albany Company has used their unit bank to offset the additional density, which was executed at the time of rezoning.
4. The minimum front yard setback required by the zoning text is 20 feet from the edge of the right-of-way for all of the homes.

B. Access, Loading, Parking

1. The residential subdivision has four connections.
2. The primary access to the site will be from State Route 605. Additional access to the site will be provided from Souder Drive and Jersey Drive. The developer is required to submit a final plat for all or a portion of the subdivision prior to any road improvements.
3. The PUD text requires all streets within the development are public and shall be constructed to required public specifications. The right-of-way for internal streets within the development shall be 50 feet in width. The final development plan shows 50 feet of dedication.
4. Pavement for all internal is shown as 26 feet in width on the final development plan with curbs. The city’s subdivision regulations recommends subdivision streets have 26 feet of pavement from face of curb to face of curb and the applicant has committed to this standard in their zoning text.
5. The PUD text requires prior to the issuance of the first building permit for any structure to be built in this subarea, the applicant/developer shall dedicate right-of-way to the City for a distance that extends 50 feet from the centerline of State Route 605/New Albany-Condit Road. The City Engineer has commented this amount of right-of-way is acceptable.

C. Architectural Standards

1. The Architectural standards have been approved as part of the PUD rezoning. The PUD text states the design of the neighborhood borrows from the tradition of summer retreat camps like Lakeside Ohio and Oak Bluffs Meeting Camp on Martha’s Vineyard. The City’s architect has reviewed the elevations and says that they elevation designs meet the spirit and purpose of the DGRs in relation to the “Rectangular Form Houses” as stated in the zoning text.
2. The text requires at the time of the final development plan additional architectural details including shutters location and colors; garage door design/colors; dormer details; entablature; exterior paint color of siding and doors; columns, cornice and pediment details; window specifications; louver details, brick mould profile. These details are included in the submitted home elevations and have been reviewed by the city architect.
3. The text also requires more detailed architectural elevations and/or renderings subject to review and approval by the PC to create a baseline set of architectural requirements and guidelines from which each home design will be based. The city architect has the following comments:

- a. The overall massing has significantly improved.
 - b. The homes appear to be scaled appropriately and will feel good at the street while offering good curb-appeal.
 - c. Using all white is a positive. Roof shingles should have more than one color type to add variation to the homes.
 - d. The proposed shutter and garage door colors are appropriate.
 - e. The bracket detail within the elevations is a great detail. Staff recommends a condition of approval that it be maintain to the as-built conditions.
 - f. Horizontal grid openings in windows are not allowed. Windows must have vertical or square orientated grid openings, staff recommends this be a condition of approval.
 - g. Shutters must be designed to appear that they are functioning. Staff recommends a condition of approval that shutters must be installed with the appropriate hardware as if they are functioning shutters.
4. Exterior paint colors for siding, doors, shutters, fascias, cornices, soffits and miscellaneous trim have been submitted. Shutters are required to have appropriate shutter hardware (hinges and shutter dogs.) Staff recommends the final the shutter hardware design is subject to staff approval.
 5. The text states where the courtyard condition is present and is not screened from the view of a public right-of-way by a structure, a decorative fence, in locations to be approved as a part of a final development plan, shall be installed and may extend past the building setback line to provide screening of the courtyard area from the right-of-way. A combination of landscaping and fencing may also be used to achieve the same screening objective, but solid fences shall be prohibited to provide this screening. Where the courtyard conditions are adjacent to open space a decorative fence and landscaping may be installed between the lot line and the courtyard to provide screening. Screening shall have a minimum opacity of 75% to a height of feet. The applicant has submitted the design of the aluminum decorative fencing and a map indicating the areas where this treatment will occur throughout the subdivision. Staff is supportive of only aluminum fencing to be used in areas along public right-of-way or open space.
 6. The zoning text requires on corner lots, the street on which the front façade of a home is required to be located shall be identified as part of the final development plan submittal. This has been submitted and the proposed orientations all appear to be appropriate.
 7. The zoning text section IX(C)(2) states that exposed concrete foundation walls shall be prohibited unless otherwise approved as part of the final development plan. Exposed concrete foundations are not being proposed as part of this final development plan. The applicant has provided an example of brick/brick veneer to cover the concrete foundation.

D. Parkland, Buffering, Landscaping, Open Space, Screening

1. The City Landscape Architect has reviewed the referenced plan in accordance with the landscaping requirements found in the New Albany Codified Ordinances and zoning text. Staff recommends all the City Landscape Architect's comments are complied with

and subject to staff approval. The landscaping comments can also under separate cover from the consulting City Landscape Architect, MKSK.

2. Section VII(G) of the zoning text requires asphalt leisure trails with a width of eight feet to be constructed in the following locations:
 - a. Along the properties frontage on State Route 605.
 - b. East-to-west from Souder Road to the new path on S.R. 605.
 - c. Through the central green space.

The applicant proposes leisure trail along State Route 605 and east to west from Souder to State Route 605. Currently, there is no leisure trail through the central green. The city landscape architect has reviewed the plans and recommends a condition of approval requiring the following changes be made.

- Relocate the community gardens slightly south to align sidewalks with leisure trails to the east and west.
3. Section F(8) of the zoning text requires a five foot wide concrete public sidewalk shall be located within the right-of-way on each street. Sidewalks are provided along all streets where that have homes fronting them. The public sidewalks connect to proposed leisure trail. The City Landscape Architect commented: Add mid-block crosswalks and ADA ramps to Lobelia Drive, Hollyhock Drive, and Foxglove Drive where leisure trails and/or sidewalks terminate to provide safe pedestrian access across entirety to of development from Jersey Drive to New Albany Condit Road. Staff recommends this is a condition of approval.
 4. The zoning text requires the final size and configuration of the amenity area (community clubhouse area) shall be identified in an approved final development plan.
 - a. Use, Site and Layout.
 - i. The zoning text allows for one private amenities enter/clubhouse, which may include a fitness center, gathering spaces, outdoor pool, and/or other recreational and social facilities, amenities, and improvements serving only the residents living in this zoning district.
 - ii. The proposed clubhouse appears to be approximately 3,600 square feet on a 2.7+/- acre lot. It features a pickleball court, bocce ball court, a pool, and community garden with garden shed.
 - iii. The site does not include a bike rack. Staff recommends a bicycle rack be added. Final location of the bicycle rack is subject to staff approval.
 - iv. Inside the building there is an exercise room, kitchen, restrooms, community room, gallery, offices, and a screened in porch.
 - v. The front yard setback is 20 feet per the zoning text, the proposed clubhouse is 140+/- feet from Summersweet Drive.
 - vi. The applicant is proposing 48” tall aluminum fence with a gate and lock is located around the pool per all city and state codes. Since the pool is a community pool the fence must be enlarged to 72” tall per Codified Ordinance 1173.03. Staff recommends a condition of approval requiring the pool fence is a minimum of six feet tall. There is no fencing located around the Bocce ball or pickleball courts.
 - b. Access, Loading, and Parking
 - i. The text states that a parking lot may be provided near the private amenities center/clubhouse to provide for the parking needs of residents and other visitors of the residents in the community, the location of the

parking lot and the number of spaces is to be provided at the time of final development plan for this zoning district.

- ii. C.O. 1167.05(c)(4) says community centers should have one space for every 400 square feet of gross floor area; the minimum would be 9 parking space. The applicant provides 14 parking spaces.
- iii. C.O.1167.05(b)(4) says community swimming pools must provide a minimum of one parking space per 75 square feet of total water surface
- iv. The total square feet of the pool is 800 +/- square feet. The parking code requires 11 parking spaces. The Planning Commission should evaluate if six additional parking spaces must be added to meet the pool requirement.
- v. The primary access to the clubhouse will be from the southern entrance off of New Albany Condit Road to Summersweet Drive.

c. Architectural Standards

- i. The text allows the maximum height of the clubhouse to be 35 feet as measured from finished grade at the door to the ridge on the roof. The propose clubhouse is 23'-4.5".
- ii. The text requires that the private clubhouse be 1 ½ stories in appearance or two stories in height. The architectural design and appearance of this structure shall be complimentary to and consistent with the homes in this subarea. The proposed design appears to meet this code requirement and is 1 ½ stories tall.
- iii. The proposed clubhouse will have a brick water table and white board and batten siding, which are approved materials per the zoning text.
- iv. The zoning text requires that four-sided be used, and blank facades shall be prohibited. The proposed design meets this code requirement by using the same materials and details on the front elevation to the other elevations of the home through material, shutters, and windows.

5. The developer is required to install one street tree per 30 feet on center and four trees per 100 feet in a natural hedgerow manner along State Route 605.

- (a) The frontage along S.R. 605 is approximately 1100+/- feet. Requiring 36 street trees and requiring an additional 44 trees to complete the hedgerow.
- (b) The street tree plan only shows 34 street trees to be installed along S.R. 605. Two additional trees must be added to the street tree plan. The additional landscaping is meeting code requirements along State Route 605 by providing 44 rural corridor trees.
- (c) The city Landscape Architect recommends the following condition of approval: Remove ornamental trees along New Albany Condit Road and replace with large deciduous shade trees. Ornamental trees may remain where fence turns back at Aster Drive and Summersweet Drive to delineate the entry drive and within the interior landscape - however, the Pyrus calleryana must be replaced with another ornamental species due to ODNR declaring it as an invasive species. The sale of all Pyrus calleryana will be banned by 2022. Acceptable replacements from the current plant schedule include Prunus virginiana, Crataegus viridis, and Amelanchier canadensis.

6. The zoning requires one street tree per 30 feet or fraction thereof on average plus an additional deciduous tree in the front yard of each lot. The applicant is meeting the street tree requirements but, does not show a tree in the front yard. Each home must include a tree on their site plan prior to receiving a building permit.
7. The text requires at final development plan, the landscaping is to be reviewed where a courtyard faces public right-of-way and open space. The zoning text requires where a courtyard is adjacent to open space a decorative fence and landscaping may be installed between the lot line and the courtyard to provide screening. Screening shall have a minimum opacity of 75% to a height of 4 feet. The applicant has submitted landscape plans which show three trees and shrubs, with decorative black,aluminum fence to screen the courtyard from the street.
8. The city’s subdivision regulations requires 20% of the gross developed land be common open space. Wet and dry storm water basins shall not be considered open space. In addition to the open space requirements, the city’s subdivision regulations require a parkland dedication of 2,400 square feet per dwelling unit. The required and proposed parkland and open space is below. Below is a table showing the open space and parkland dedication provided.

C.O. Requirement	Shown on FDP as	Required (acres)*	Provided (acres)	Difference	Meets Code?
1187.16 Open Space	Reserves	7	(see total below)	0	
1187.15 Parkland Dedication	Reserves	5.78	(see total below)		
	Total	12.78	7.4	-5.38	No

*Calculations based on 35 acres and 105 lots.

9. Section VIII(A) of the zoning text states “to the extent that parkland and/or open space requirements of the city’s codified ordinances cannot be provided within this zoning district, the development shall be required to provide for an equivalent contribution to the city or Franklin County Metro Parks or undeveloped land in the NAPLS district, or alternatively by making an equivalent monetary contribution to the city for the purpose of funding other parkland development, leisure path, and/or other recreational programs or plans. The form and amount of such contribution shall be approved as part of a final development plan for this zoning district.”
10. The zoning text establishes an alternative procedure to evaluate parkland that differs from the city’s subdivision regulations. The zoning text allows a similar procedure used for evaluating and offsetting development density.
11. The applicant is proposing to pay a \$135,000 fee in-lieu for the shortage in parkland not provided on-site. The amount is based on the appraisal of the fee simple value of 5.4 acres of parkland located within the Rocky Fork Metro Park Area.
12. A dog park is proposed to be located at Reserve “B” (0.3+/- acres). The City Landscape architect has reviewed the park and has the following comments:
 - a. Perimeter fence should be black metal.
 - b. Screen park with evergreen scrubs from existing adjacent residential units.

- c. The enclosed park area should be lawn.
- d. Any park site furniture should be black metal (benches, trash cans, etc.).
- e. Any dog play equipment should be approved by the City.

The above comments are a condition of approval, subject to staff approval.

13. Due to the nature of this subdivision being an age restricted community, the zoning text exempts it from the requirement of Section 1185.15(c)(6) that would otherwise require all residences to be located within 1,200 feet of playground equipment. No active park equipment is proposed.
14. A private community clubhouse shall be located within the 2.7+/- acre open space/amenity area that is shown on the final development plan. This area will include outdoor activities and has been evaluated above.
15. The text states ownership and maintenance of parkland and open space areas shown on the preliminary development plan shall be defined and approved with the final development plan. The text also states the HOA shall be responsible for maintaining the private amenities center/clubhouse and associated improvements, maintaining entry signs and entry features, providing lawn maintenance on each individual lot, and maintaining open space and/or parkland as determined with this final development plan. Additionally the HOA is required to ensure that the community is complying with all of the requirements of the Act and HOPA exemption in Section II C in the zoning text. Below are the city's requirements for parkland ownership:
 - a. Reserve "A" shall be owned by the City of New Albany and maintained by an association comprised of the owners of the fee simple title lots in the subdivision for the purpose of parkland.
 - b. Reserves "D," "E," "F," "K," "L" and "H" are for the purpose of active/passive open space recreational facilities, site amenities, mailbox units, and stormwater management. Staff recommends a condition of approval requiring reserves "D," "E," "K," "L," "F," and "H" are owned by the city of New Albany but maintained by the HOA in perpetuity.
 - c. Reserve C shall be owned and maintained by the HOA for the purpose of a private community clubhouse, creation and amenity space, and central mailboxes.
 - d. Reserve B, 0.3+/- acres shall be owned and maintained by the HOA for the purpose of the dog park.
16. The applicant has submitted an environmental impact letter stating the site does not contain any jurisdictional wetlands or streams. As a result, a permit from the USACE or Ohio EPA would not be required for any development activities associated with this project.

E. Lighting & Signage

1. The text requires each home shall provide coach lights on the garage with an opaque top. The applicant has not provided a specification for the coach light. Final coach light design is subject to staff approval.
2. The applicant has submitted a yard light and post specification that is consistent with lamp posts used in other subdivisions.

3. Street lighting shall be provided at each street intersection per the PUD text and the fixture, color and spacing to be determined the time of the final development plan. The applicant did not provide the height or color of the street lights. Planning Commission should confirm with the applicant that the street lights will not exceed 18 feet tall and will be black or New Albany Green.
4. The applicant has submitted entry feature signage that is to be located at State Route 605 and Aster Drive entrance and at State Route 605 and Summersweet Drive. The sign is designed to be consistent with other New Albany residential subdivisions. The sign is proposed to be a double post sign, New Albany blue with white border. The graphics on the sign will be white and gold. The sign will be 7 feet tall and feature a downcast light.
5. The submittal includes traffic control signs, street name signs, and traffic warning signs. Staff recommends a condition of approval that these signs are subject to staff approval.

F. Other Considerations

1. When the site was rezoned, the Planning Commission placed a condition of approval requiring tree and landscape plan required for the eastern and southern perimeters of the subdivision are required at the time of the final development plan. The tree and landscape plan has been provided on sheet 7 in the final development package. Additionally a tree list has been provided to indicate what trees are existing within the property lines. Additional landscaping must be provided south of Jersey Drive and along the southern zoning district boundary to provide adequate screening for neighbors. The Planning Commission should evaluate the need for additional landscaping between property lines.
2. As a condition of approval from the rezoning trees must be replaced that have been removed from the tree preservation zone, along the southern boundary, due to utility installation. The applicant indicates the replacements of trees on a tree-by-tree basis. Final tree placement is required per the zoning condition and is subject to staff approval.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07 and provided the following comment(s):

1. Consider modifying the Title of the FDP by including reference to Phase 1 and Phase 2.
2. In response to a request during the rezoning process (see memo dated 1/10/17), the developer provided a Turn Lane Warrant Study along the SR 605 corridor. The City's Traffic Engineer approved the study recommendations that include restriping of the existing SR 605 center turn lane pavement markings to create a 225'southbound turn lane at the north site driveway.
3. We will evaluate storm water management, water distribution, sanitary sewer collection and roadway construction related details once construction plans become available

Staff recommends all the City Engineer's comments are complied with and subject to staff approval. The engineering comments can also under separate cover from the consulting City Engineer, E.P. Ferris & Associates.

V. RECOMMENDATION

The overall proposal appears to meet the recommendations of the New Albany Strategic Plan and zoning text requirements. The application includes many of the same amenities such as lighting, landscaping, and signage that have been successfully implemented in other subdivisions.

The subdivision is well designed through multiple connections with an excellent site design and plan layout. While the street network, landscaping, and layout is desirable from a site planning perspective, and shouldn't be overlooked, departing from the traditional American architectural style is a big consideration. The applicant has worked with city staff and the city's architect to arrive at a design that is scaled well and will provide a good curb appeal. The development provides numerous amenities for the residents in a pleasantly designed manner. The neighborhood product here will serve as a good transition piece within the community.

Staff is supportive of this applicant provided the recommended revisions are all addressed. Overall, the proposed development meets:

- 1) The development plan is consistent with the purpose intent and standards of the zoning code and applicable PUD development texts (Section 1159.08(a)).
- 2) The development plan is in conformity with the Strategic Plan (Section 1159.08(b)).
- 3) The development advances and benefits the general welfare of the community (Section 1159.08(c)).
- 4) The relationship of building sites is appropriate with regard to land area (Section 1159.08(f)).

V. ACTION

Suggested Motion for FDP-37-2018:

Move to approve final development plan application FDP-37-2018 based on the finding in the staff report, with the following conditions all subject to staff approval:

1. The bracket detail within the elevations is to be maintained onto the as-built conditions.
2. Windows must have vertical or square orientated grid openings.
3. Shutters must be installed with the appropriate hardware as if they are functioning shutters, the final the shutter hardware design is subject to staff approval.
4. Staff recommends all the City Landscape Architect's comments are complied with and subject to staff approval.
 - a. Relocate community gardens slightly south to align sidewalks with leisure trails to the east and west.
 - b. Add mid-block crosswalks and ADA ramps to Lobelia Drive, Hollyhock Drive, and Foxglove Drive where leisure trails and/or sidewalks terminate to provide safe pedestrian access across entirety to development from Jersey Drive to New Albany Condit Road.
 - c. Perimeter fence should be black medal.
 - d. Screen park with evergreen scrubs from existing adjacent residential units.
 - e. The enclosed park area should be lawn.
 - f. Any park site furniture should be black medal (benches, trash cans, etc.).
 - g. Any dog play equipment should be approved by the City.

- h. Remove ornamental trees along New Albany Condit Road and replace with large deciduous shade trees. Ornamental trees may remain where fence turns back at Aster Drive and Summersweet Drive to delineate the entry drive and within the interior landscape - however, the *Pyrus calleryana* must be replaced with another ornamental species due to ODNR declaring it as an invasive species. The sale of all *Pyrus calleryana* will be banned by 2022. Acceptable replacements from the current plant schedule include *Prunus virginiana*, *Crataegus viridis*, and *Amelanchier canadensis*.
5. Two additional trees must be added to the street tree plan.
 6. Each home must include a tree on their site plan prior to receiving a building permit
 7. Final location of the bicycle rack is subject to staff approval.
 8. The pool fence must be enlarged to 72" tall.
 9. Staff recommends a condition of approval requiring reserves "D," "E," "K," "L," "F," and "H" are owned by the city of New Albany but maintained by the HOA in perpetuity.
 10. Final coach light design is subject to staff approval.
 11. The traffic control signs, street name signs, and traffic warning signs are subject to staff approval.
 12. Address the comments of the City Engineer, subject to staff approval.
 13. Additional landscaping must be provided south of Jersey Drive and along the southern zoning district boundary to provide adequate screening for neighbors.
 14. Final tree placement for the replacement of trees due to utilities is subject to staff approval.

Approximate site location:



Source: Google Maps



**Planning Commission Staff Report
June 18, 2018 Meeting**

**COURTYARDS AT NEW ALBANY- AGE RESTRICTED COMMUNITY
PHASE 1 FINAL PLAT**

LOCATION: 7100 New Albany Condit Road (PID: 222-001972)
APPLICANT: Epcon Communities c/o EMH&T
REQUEST: Final Plat
ZONING: I-PUD Infill Planned Unit Development (Yerke West PUD Text)
STRATEGIC PLAN: Office District
APPLICATION: FPL-38-2018

Review based on: Application materials received May 18, 2018.

Staff report completed by Stephen Mayer, Community Development Manager.

II. REQUEST AND BACKGROUND

The applicant requests review of a final plat for the Courtyards at New Albany subdivision. The plat includes 68 residential lots and eight reserves. The applicant has also submitted a final development plan for the Planning Commission for review at tonight's meeting.

This site was rezoned to allow 105 age-restricted residential housing on February 21, 2018 by the Planning Commission (ZC-84-2018). The rezoning was approved by City Council on May 15, 2018.

III. SITE DESCRIPTION & USE

The neighboring uses and zoning districts include data centers to the north, office use to the west, and residential to the east and south. The site is currently an undeveloped farm field with a small wooded area. The site has been committed to be a 100 percent age-restricted neighborhood. This means that all of the units within the development must have at least one occupant who is 55 years of age or older and no under 21 is allowed to be a permanent resident. The site was rezoned to allow for a maximum of 105 lots. The current plat being reviewed is for 68 residential lots, and known as phase one of the neighborhood.

IV. EVALUATION

Planning Commission's review authority of the final plat is found under C.O. Section 1187. Upon review of the final plat the Commission is to make recommendation to City Council. Staff's review is based on New Albany plans and studies, zoning text, zoning regulations. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

- The final plat is generally in compliance with the Courtyards at New Albany final development plan. The plat shows 68 residential lots, which is a phase of the 105 total lots allowed per the zoning text.
- Section VI(E) of the zoning text requires the minimum lot depth shall be 115 feet. It appears all of the lots are meeting this requirement.
- Section VI(D) of the zoning text requires there shall be a minimum lot width of 52 feet at the building line. It appears all of the lots are meeting this requirement.
- This phase of the plat contains eight (8) reserve areas totaling 8.345 acres:
 - Reserve “A” shall be owned by the City of New Albany and maintained by an association comprised of the owners of the fee simple title lots in the subdivision for the purpose of parkland.
 - Reserves “B,” “D,” “E,” “F,” and “H” are for the purpose of active/passive open space recreational facilities, site amenities, mailbox units, and stormwater management. The plat states these areas will be owned and maintained by the HOA. Historically open space has been dedicated to the city of New Albany. Staff recommends a condition of approval requiring reserves “D,” “E,” “F,” and “H” are owned by the city of New Albany but maintained by the HOA in perpetuity. Staff recommends reserve “B” be owned and maintained by the HOA since it will be used for a dog park.
 - Reserve C shall be owned and maintained by the HOA for the purpose of a private community clubhouse, creation and amenity space, and central mailboxes.
 - Per section VII(D) of the zoning text, the final plat for the subdivision shall provide (as shown on the preliminary development plan) for the dedication to the City of 50 feet of right-of-way to provide for the future extension of the westernmost street running north-south within the development from its intersection with the southernmost public street in the subdivision southward to the southern boundary line of this zoning district. The applicant met this requirement by providing Reserve “G.”
 - Per note “K” on the plat, Reserve “G” shall be owned by the City of New Albany and maintained by an association comprised of the owners of the fee simple title lots in the subdivision for the purpose of future right-of-way to connect development to the south.
- The zoning text requires Prior to the issuance of the first building permit for any structure to be built in this zoning district, the applicant/developer shall dedicate right-of-way to the City for a distance that extends 50 feet from the centerline of State Route 605/New Albany-Condit Road. The plat currently proposes to dedicate 40 feet of right-of-way. Staff recommends a condition of approval requiring the plat is revised to show 50 feet of right-of-way be dedicated from the centerline of State Route 605/New Albany-Condit Road, subject to staff approval.
- The plat will extend Souder Road and create six (6) new roads: Aster Drive, Liatris Lane, Summersweet Drive, Lobella Drive, Holly Hock Drive, and Foxglove Drive.
 - All have at least 50 feet of right-of-way as required by the zoning text.
- The A “Tree Preservation Zone” shall apply for a distance of 20 feet from the southern boundary line of this zoning district. Within that area, only the construction of underground utility lines and underground storm water management infrastructure shall be permitted. Healthy mature trees shall be preserved within this area unless they conflict

with the installation of permitted utility or storm water infrastructure. When trees are removed from the Tree Preservation Zone due to utility installation, reasonable efforts shall be made to plant new trees in areas within or outside of (but near to) the Tree Preservation Zone in order to provide buffering from adjacent parcels outside of this zoning district. Staff recommends a condition of approval requiring the 20 foot preservation zone is labeled on the plat and a corresponding note is also added stating the zoning text commitments. Staff recommends the note includes to only allow the removal of dead plant material, and noxious plant material such as poison ivy and is subject to staff approval.

- As part of the final plat, staff recommends that open space markers be installed where lots back onto the tree preservation zone sited in locations subject to staff approval. These markers will help to delineate the edge of public space and avoid additional encroachment into these areas. The design of the markers will be provided by the applicant and must be approved by the city. Staff recommends a condition of approval requiring these markers be installed prior to any infrastructure acceptance by the city and final plat is revised to have a note requiring such signs.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1187 and provided the following comment(s):

1. We will provide additional comments regarding drainage and other utility easements once detailed construction plans become available.
2. To correspond to the approved Wentworth Crossing plat located just east of the proposed development, please label easements shown along the entirety of the eastern parcel boundary and in other areas as a "Tree Preservation Zone" and add a plat note entitled "Tree Preservation Zone" that prescribes tree preservation and protective measures. Dimension this easement as required.
3. Refer to the existing sidewalk easement shown on Exhibit A and investigate the possibility of extending this easement into the area to be platted.
4. Complete the monumentation note block shown on the bottom right-hand side of sheet 1 by adding symbols to the legend.
5. Refer to Reserve G shown on sheet 3. Please add the "See Note L" label at this location.
6. Provide more descriptive information regarding easements referred to as "UE" and update the cover sheet and all other plan sheets accordingly. We recommend that all drainage, water and sanitary easements be clearly delineated, dimensioned and labeled and that no other easements be allowed to overlap into these areas.
7. Please dimension and label all existing easements and provide Instrument Numbers. Refer to the existing Sugar Run Sanitary sewer along the southern boundary of the platted area as an example.

Staff recommends all the City Engineer's comments are complied with and subject to staff approval. The engineering comments can also under separate cover from the consulting City Engineer, E.P. Ferris & Associates.

V. RECOMMENDATION

Basis for Approval: The final plats are generally consistent with the final development plan and meets code requirements.

VI. ACTION

Should the Planning Commission find that the applications have sufficient basis for approval, the following motions would be appropriate:

Move to recommend approval to council of FPL-38-2018 with the following conditions, all subject to staff approval:

1. Address the comments of the City Engineer.
2. Approval of the final plat is contingent upon the approval of the final development plan for this development.
3. The plat is revised to show 50 feet of right-of-way be dedicated from the centerline of State Route 605/New Albany-Condit Road, subject to staff approval.
4. The 20 foot preservation zone is labeled on the plat and a corresponding note is also added stating the zoning text commitments. The note only allows the removal of dead plant material, and noxious plant material such as poison ivy and is subject to staff approval.
5. Preservation zone markers are installed on site prior to infrastructure acceptance and the final plat is updated to have a note requiring the signs. The note and locations are subject to staff approval.

Approximate site location:



Source: Google Maps