



Planning Commission

Meeting Minutes

September 19, 2016

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 7:03 p.m.

Neil Kirby	Present
Brad Shockey	Present
David Wallace	Present
Bill Steele	Present
Sloan Spalding (council liaison)	Present

Staff members present: Adrienne Joly, Deputy Director; Stephen Mayer, Planner; Ed Ferris, City Engineer; Mitch Banchefsky, City Attorney and Pam Hickok, Clerk.

Mr. Wallace moved to approve as corrected the August 15, 2016 meeting minutes, seconded by Mr. Steele. Upon roll call vote: Mr. Kirby, yea; Mr. Wallace, yea; Mr. Shockey, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Mr. Wallace moved to approve the September 7, 2016 meeting minutes, seconded by Mr. Steele. Upon roll call vote: Mr. Kirby, yea; Mr. Wallace, yea; Mr. Shockey, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Mr. Kirby asked for any changes or corrections to the agenda. Hearing none he stated that we will move the Data Center to the front of the agenda.

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 and received no response.

Mr. Steele moved to accept the staff reports and related documents in to the record, seconded by Mr. Wallace. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

FDP-74-2016 Final Development Plan

Final Development Plan for the Green Harbor Data Center on 9.48 +/- acres generally located west of Souder Road and north of New Albany Road East (PID: 222-004464).

Applicant: EMH&T

Mr. Mayer presented the staff report.

Mr. Ferris presented the engineering comments.

Mr. Todd Cunningham, EMH&T, stated that the board has seen this property before but the previous project was not completed. We are coming back with a different applicant and different site layout. We are in agreement with all nine conditions in the staff report. The owner is available tonight for questions.

Mr. Kirby asked to change the language for condition one from generators to equipment. He continued by stating the screening on all four sides is for both view and noise. He also asked if any smoke stacks could be pointed up. Staff asked for building two alignment to be changed.

Mr. Craig Srba, 6837 E Walnut Street, stated the original rezoning included two conditions that was important to us. It included data center usage for low employee numbers and the roadway was extended when development occurred. City Council, Planning Commission and Rocky Fork Blacklick Accord all stated that road connections were important to the city and it appears that this is no longer important. The Planning Commission meeting with Canine Companions that the desired east west connector road was eliminated. The previous data center on this site required Souder Road to be extended to the northern boundary. Now once again you are being asked to change the zoning text to remove or modify another road. That goes against the strategic plans. We have made our long term plans based on the road extension and zoning text. Now eight years later you're going to delay the requirement. It doesn't seem fair or reasonable to us that it should occur. Why have zoning regulations if they can be changed at any time. It was our hope to annex into the city and utilize the road extension. The right of way has already been extended, water mains installed and extended to the northern boundary I don't see a logical reason why the road shouldn't be extended. If an east connector is added in the future nothing will have been lost. A lot of effort has been put into designing a plan on only half of the entire site with a shared driveway access for the other half just to bypass the original zoning requirement. If this development includes the entire site in subarea 4 then I disagree with the staff recommendation of delaying the Souder Road extension. The zoning text is clear I would request that they uphold the original zoning text Souder East section 4g (1) (b) as originally approved and that Souder Road is extended to the northern boundary at this time since development will be occurring in subarea four. I would also like to say that we appreciate the efforts of staff concerning the roof top equipment and screening and related noise reductions. I would request the noise level testing before and after construction would remain as it was on the previous application for this location.

Mr. Kirby stated that he also had Souder Road extension on his list and asked staff for a response.

Ms. Joly stated that the zoning text from 2008 says that subarea 3 or 4, both sides of Souder, whichever develops first then the road would be constructed to the northern boundary of that subarea. We have two reasons why that should not happen at this time. First, this is a final development plan, the zoning text states when the construction is started. We believe the trigger would be the engineering plans. The final development plan is good for a few years and therefore we could have another plan start construction first. Second, if the road alignment were to change we want to keep some flexibility. We contacted the New Albany Company and stated that they want to enter into an agreement to extend the road in the future. It states that whichever development starts first they have 120 days the road construction must start.

Mr. Kirby asked if that was codified.

Ms. Joly stated that it has not been executed at this time.

Mr. Tom Rubey, New Albany Company, stated that he agrees with that commitment.

Mr. Shockey asked for clarification.

Ms. Joly stated that the road construction would start within 120 days from development starting.

Mr. Spalding asked where the road will end when it is extended.

Ms. Joly stated that the ultimate alignment is to connect to Walnut.

Mr. Spalding asked if we have rights all the way to Walnut.

Ms. Joly stated that we do not which is why we would like the flexibility to alter the alignment if needed.

Mr. Spalding stated that we are then extending the road to nowhere.

Mr. Kirby asked Mr. Srba if he understood the agreement.

Mr. Srba stated that road is supposed to be built when the construction was started not when the application was approved.

Mr. Shockey stated that it will happen when construction of a building starts.

Mr. Kirby stated that it could have a delay of 120 days after the start of construction on the site.

Mr. Srba stated that is fine.

Mr. Shockey asked if water and sewer has been extended in the right of way.

Mr. Ferris stated that it goes to the northern boundary and then west to State Route 605.

Mr. Cunningham verified that it is a loop.

Mr. Kirby verified that Mr. Srba is in the township and explained that properties that are within 200 feet of a public sewer are required to tap into the sewer if they annex into the City limits.

Mr. Shockey asked what type of fence or wall will surround the generator yard.

Ms. Joly stated that we have seen concrete panels, screen material that is mostly solid but we did not mandate a type of material, we do want it to be complimentary to the architecture.

Mr. Shockey asked if we know the height of the generators.

Mr. Cunningham stated that it is being built as a speculative building and we don't have the information. We understand that having that condition that whatever we install will need to have screen to full height.

Mr. Shockey stated that he would prefer that the condition includes height, design and solid material for noise that is complimentary to architecture.

Mr. Wallace asked about if the future building being shifted is listed as a condition.

Mr. Kirby stated that I have it as condition ten.

Mr. Wallace asked for the engineering comment was a condition.

Ms. Joly stated that you should add it as a condition.

Mr. Wallace asked about number of employees.

Mr. Scott Pitcher, Green Harbor, stated that we not sure but anticipate five security and two or three techs onsite to manage the building. We not include any cleaning, maintenance employees.

Mr. Wallace asked if the parking is sufficient.

Mr. Mayer stated that we require 1 parking space for each employee on the main shift, which would be three.

Mr. Prichard stated that depending on the tenant they may have additional employees.

Mr. Kirby asked if the retention area inside the fence.

Mr. Cunningham stated that it is inside the security fence.

Mr. Kirby moved to approve FDP-74-2016 subject to the following conditions

1. The utility yard (equipment area) has solid screen walls on all sides to completely screen the equipment in a manor complimentary to the architecture for both view and noise.
2. The phase 2 portion of the final development plan is revised in accordance with the comments from the City's Landscape Architect.
3. Cross access easements be recorded to ensure Green Harbor provides a connection from the phase 2 site to Souder Road.
4. All future signage is subject to staff approval.
5. A photometric plan is submitted and site lighting is subject to staff approval.
6. The landscape plan is revised to meet the mounding and landscape requirements for the Srba property as well as the City's buffering and screening requirements as found in C.O. 1171.05(c).
7. The final landscape is revised to meet the City Landscape Architect's comments and subject to staff approval.
8. All roof projections (including HVAC units) are fully screened on all four sides of the building.
9. Landscape plan should be revised to show the interior parking lot landscaping calculations
10. Building alignment of phase two building
11. Noise level testing before and after construction.
12. Road extension agreement; Not more than 120 days after construction starts in the subarea the road starts and failure to complete an agreement results in the zoning requirement being applicable.
13. Temporary easement for the turn around.

, seconded by Mr. Wallace. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

FDP-60-2016 Final Development Plan

Final Development Plan for a Home2 Suites by Hilton on 2.5 +/- acres for development of a four story 58,260 square foot hotel along Forest Drive within the Canini Trust Corp subarea 8a (PID: 222-004860).

Applicant: J. Carter Bean Architect, LLC

V-61-2016 Variances

Variances to the Canini Trust Corp PUD text to the required minimum parking lot landscaping area, maximum height of the structure, sign location, and to allow uplighting; and to the New Albany Design Guidelines and Requirements to allow the structure not have operable and active front doors along all public and private roads

for the Home2 Suites by Hilton along Forest Drive within the Canini Trust Corp subarea 8a (PID: 222-004860).

Applicant: J. Carter Bean Architect, LLC

Mr. Mayer stated that the applicant requested the application be tabled to the next meeting.

Mr. Kirby moved to table FDP-60-2016 until regular October meeting, seconded by Mr. Steele. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Mr. Kirby moved to table V-61-2016 until regular October meeting, seconded by Mr. Wallace. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

ZC-63-2016 Zoning Change

Rezoning 9.71 acre area of land generally located north of Smith's Mill Road and west of Beech Road for an area known as "Business Park East Zoning District Subarea 5" from its current zoning of "I-PUD" Infill Planned Unit Development to "L-GE" Limited General Employment and rezoning 3.68 acre area of land generally located north of Smith's Mill Road and east of Beech Road for an area to be known as "Innovation District Subarea B-1" from its current zoning of "I-PUD" Infill Planned Unit Development to "I-PUD" Infill Planned Unit Development (PID: 093-107928-00.000 and 093-107004.00.010)

Applicant: MJB Holdings & AEP Ohio Transmission Co. Inc. c/o Aaron Underhill Esq.

Mr. Mayer presented the staff report.

Mr. Kirby stated that the related that were accepted into the staff report does not include the items that staff just received.

Mr. Ferris presented the engineering comments.

Mr. Kirby asked if we have enough right of way if widening is required.

Mr. Ferris stated that he thinks so but is not sure.

Mr. Aaron Underhill, Underhill & Hodge, stated that as far as the retail is concerned, there is a long list of retail uses allowed on the northeast corner. We are shrinking the retail area on the northeast corner and are adding the two uses including drive thru and gas stations. This board will have the secondary review of these uses.

Mr. Kirby stated that the northwest corner is near AEP and the retail is removed from that corner.

Mr. Underhill stated yes.

Mr. Kirby asked for public comment. Hearing none he asked for board comments.

Mr. Steele asked staff about condition 5 which releases the requirement of pedestrian circulation.

Ms. Joly stated that language was a holdover that relates to a large site, we still have language and intent for sidewalk instead of leisure trails.

Mr. Kirby asked if the bike path will go all the way to Beech.

Ms. Joly stated yes.

Mr. Kirby asked if the language was already present in the 3 acre site.

Ms. Joly stated that we don't believe that we need the internal pedestrian connections for a 3 acre site.

Mr. Underhill stated that on a large campus the internal pedestrian connections are needed. We don't want to create conflicts.

Mr. Kirby stated that don't we still need a sidewalk to prevent conflict between pedestrians and vehicles.

Ms. Joly stated that we want to remove the language on page 6 and keeping the language on page 15.

Mr. Steele asked that on the northwest property, we have adequate rights to get pedestrian path to the crosswalk.

Ms. Joly stated that even if it is not in the text we have it in the base city zoning code would require leisure trail.

Mr. Kirby stated that it is up to AEP to determine how their employees will access the bike path but they will not create a problem for the public on the path.

Mr. Shockey asked if this area will have the secondary review.

Mr. Underhill stated that on the northeast side will have a secondary review of retail.

Mr. Shockey stated that on page 3, item 6 (1-4) staff is recommending a 50 building and pavement setback; is that for both parcels.

Ms. Joly stated that staff report page 3 is subarea 5 and staff report page 4 is subarea B1.

Mr. Shockey stated that this refers to the one area because of the retail uses.

Ms. Joly stated that retail 50/50 pavement and building setback and non-retail have 50 pavement and 100 building setback.

Mr. Kirby stated that it is condition 4 and subarea 5 will retains existing setbacks.

Ms. Joly responded to audience member question by stating that "from the right of way from Beech and Smith's Mill" and "correct".

Mr. Kirby asked applicant if he agrees with all of the conditions.

Mr. Underhill stated yes.

Mr. Wallace moved to recommend approval to Council ZC-63-2016 based on the findings in the staff report subject to the following conditions:

1. To specifically list C-2 uses as a permitted in order to clarify the permitted uses.
2. The Retail Product Sales and Services, Personal Service and Vehicle Service use are added to the prohibited use list in the subarea 5 text.
3. The text be amended for Subarea B-1 to require a minimum 50 foot building and pavement setback from the Beech Road right-of-way.
4. The text be amended for Subarea B-1 so that retail uses have a minimum pavement and building setback of 50 feet, and non-retail uses have a minimum pavement setback of 50 feet and minimum building setback of 100 feet in subarea B-1.
5. The pedestrian circulation requirements in Section H (6)(b) and (c) are removed from the subarea 5 text.
6. The text be amended to require the complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building must address sound as well as views with materials that are consistent and harmonious with the building's façade and character in both subareas
7. The engineering comments are addressed, seconded by Mr. Steele. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

ZC-64-2016 Zoning Change

Rezoning 41.294 ± acre area of land located generally south of Jug Street, east of the Harrison East Zoning District, and west of Mink Street for the area to be known as "Harrison East Expansion District" from its current zoning of "AG" Agricultural to "L-GE" Limited General Employment (PID: 037-112422-00.000, 037-112056-00.002, & 037-112056-00.000)

Applicant: MBJ Holdings c/o Aaron Underhill Esq.

Mr. Mayer presented the staff report ZC-64-2016 and CU-54-2016.

Mr. Wallace asked which ways the uses are not identical.

Mr. Mayer stated that they are different because four sided roof top screening and tree preservation language to be added into the zoning text.

Mr. Ferris presented engineering comments.

Ms. Karen Dennis, 1924 Harrison Road, stated that she had three questions. First, when we talk about leaving trees, most of the trees have already been removed. How do you enforce when the trees have already been removed. Massive destruction of trees in that area from Jug south on this property (showed area on map).

Mr. Underhill stated that I believe that to be true. The request for preserving areas is a blanket that required in all of the zoning districts. We remedy this in section 7c, landscaping, we have screening requirement for property adjacent to residential.

Mr. Kirby asked why the trees were removed in what was effectively a no building zone.

Mr. Rubey stated that identification of wetlands and preservation zones. The army corp has been out there as well as us. I don't know who did it or why.

Mr. Jim Endsley, 12228 Jug Street, stated that the tree line along the western side was removed. I think the trees she is talking about are in this area (showing on map).

Mr. Rubey used a map to show the regional preservation areas. If trees have been removed we will work with staff to make it right.

Mr. Underhill stated that things happen over time with different reasons. We see that as one large development piece even though they weren't part of the same application.

Ms. Dennis stated that they won't be able to restore them in the size that they were. You put a lot of conditions on these applications but how is that enforced. I'm guessing no one here has been out to the site.

Mr. Kirby stated that things that go in the zoning text and any deviation would be a zoning violation. The system is complaint driven and it would be treated as a violation and can be a per day violation. Other conditions are anywhere from good faith to go to municipal court and it varies.

Mr. Mitch Banchefsky stated that they also have to comply with the permits that are issued and inspections are completed throughout the process and must be complied with for occupancy.

Mr. Kirby stated that if you see something let staff know.

Ms. Dennis stated that the mess along Beech Road. We feel that Harrison will end up the same way and enforcement has not happened on Beech after years of complaining. My next question is since this is part of a larger development how will the setbacks work.

Mr. Kirby stated that the lots could be combined to treat it as a single parcel if the zoning is the same. The borders are then expanded to the edges of the parcel. The residences lines won't change unless the property owner sells.

Mr. Jim Endsley stated that that board should expand the setbacks on the side lot lines should be 50' pavement and 100' building when it borders a residential property.

Mr. Shockey asked what the current setback are for these properties in the township.

Mr. Endsley stated he is not sure, it's not much, but they aren't building large buildings in the township. The applicant has done a good job but I'm here to protect the township residents.

Mr. Mayer responded that the 50' building and 50' pavement setback when adjacent to property that the zoning permits residential use.

Mr. Shockey asked if the applicant would object to a 100' building setback near residential.

Mr. Underhill stated that it would be inconsistent with what is existing. We were trying to mirror the existing zonings.

Mr. Rubey stated that we want to do what is right for the neighbors but it is different than what we have done elsewhere. I would like to have the opportunity that when we have end user we could work with staff depending of the height and location of the future structures. If you can come up with a condition that if staff needs to approve setback based on building height.

Mr. Underhill stated that if a structure is over 35' in height then a 100' setback would apply; if under 35' in height then a 50' setback would apply.

Mr. Endsley showed pictures to the board regarding the screening on Smith's Mill.

Mr. Shockey asked if 50' setback for building less than 35' in height and 100' setback for building over 35' in height is acceptable.

Mr. Tim Porter, 2299 Harrison Road, stated that I have 25' pavement setback with no mounding or screening. I don't see how you have the right to ruin what I have. Those setback aren't good enough. If you're going to build something then make it right. This was all corn field. I have been looking at the building for three years. I've been told it's because they don't have full occupancy. Let change the setbacks.

Mr. Underhill stated that he agreed to 50' pavement and 100' building setback.

Mr. Porter asked if they are going to fix what already out there.

Mr. Rubey stated that for the existing buffer he needs to work with the city department to see what meets the code and what doesn't meet code. I can't answer that right now. We will need to work with the city and the property owners.

Mr. Porter asked if the existing trees will stay within the setbacks. My neighbor and I agreed to plant pine trees for screening. Is the mounding part of the 50' setback.

Mr. Rubey stated that you meet the screening requirement in the text by mounding, existing trees, new trees, landscaping or a combination. It is a case by case basis for what screening is proper. We don't want to have mounding that change your drainage. It is what the city landscape architect agrees to.

Mr. Kirby stated that you introduce yourself to the developer so you can tell them what you like. If you have an idea what you would rather have they would rather do what you would like because the cost difference is not much. Mound can change the drainage so be careful asking for mounds.

Mr. Porter asked if we know what will be here (showed location on map).

Ms. Joly stated that that property is the last rezoning on the agenda. Mr. Porter came and spoke to staff about his concerns and some of the recommendations were based on that discussion.

Mr. Kirby asked if we have strong tree language. I heard a tree commitment but is the language in the text.

Ms. Joly stated that condition 2 was additional language is added to the text requiring trees within the perimeter landscape buffer area to be preserved and we will need a third condition for the revised setbacks.

Mr. Kirby stated that the applicant stated that they will be replanting or doing something where the trees came out.

Mr. Underhill stated that we believe that the commitment that was made over here is more than enough.

Mr. Kirby stated that if trees were removed is an area that borders residential you would... he asked the applicant to fill in the blank.

Mr. Rubey stated that I am not committing to re-establish tree rows until I find out what happened. We are committing to the language regarding the preservation tree rows. If we removed the trees we will replace them but if it was a previous owner I'm not sure. I will figure that out between tonight's meeting and the Council meeting for additional tree language.

Mr. Kirby stated that the intention is clear.

Mr. Underhill clarified that setback change can still go away for commercial.

Mr. Kirby stated that the setback change is only for bordering residential.

Mr. Kirby moved to recommend approval to Council of ZC-64-2016 subject to the following conditions:

1. The text requires the complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building must address sound as well as views with materials that are consistent and harmonious with the building's façade and character.
 2. Additional language is added to the text requiring trees within the perimeter landscape buffer area to be preserved.
 3. The setbacks for the areas that border residential are 50' pavement / 100' buildings.
 4. Additional tree language is development before Council, seconded by Mr. Wallace.
- Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

CU-65-2016 Conditional Use

Conditional Use for manufacturing and production for 41.294 ± acre area of land located generally south of Jug Street, east of the Harrison East Zoning District, and west of Mink Street for the area to be known as "Harrison East Expansion District" (PID: 037-112422-00.000, 037-112056-00.002, & 037-112056-00.000)

Applicant: MBJ Holdings LLC c/o Aaron Underhill Esq.

Mr. Mayer presented the staff report.

Mr. Kirby clarified the application is to allow two conditional uses as a permitted use in this area.

Mr. Mayer stated that was correct.

Mr. Ferris stated no engineering.

Mr. Wallace asked if we have this type of conditional use in other areas.

Ms. Joly stated that this is the same model that was put into place in 2010 for the personal care and beauty campus. At that time the area was rezoned and a blanket conditional use application was submitted. The reason the city supported this was first because it had a limitation text already that we felt we had additional standards in place and second we have speed to production.

Mr. Wallace asked about the personal care and beauty campus allow the same type of conditional uses.

Ms. Joly stated that they are exactly the same uses.

Mr. Wallace stated that once we approve this whatever user goes in; the general public won't have a chance to comment regarding a user. Just wanted to know if we had done this before. He asked if we have a sense of the types of uses.

Mr. Underhill stated that the two examples are like an Axium Plastics or CCL Label. They would be light manufacturing, there are a lot of provisions about sound and odor emissions. Which would preclude any of the more objectionable uses.

Mr. Rubey stated they are the same types of uses as the existing Personal Care and Beauty campus.

Mr. Wallace moved to approve CU-65-16 based on the findings in the staff report subject to the following conditions:

1. Approval of individual site plans for manufacturing and production users are subject to staff approval, seconded by Mr. Steele. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

ZC-66-2016 Zoning Change

Rezoning 74.598 ± acre area of land located generally northwest of and adjacent to State Route 161 and Mink Street for the area to be known as “Mink Interchange District” from its current zoning of “AG” Agricultural to “I-PUD” Infill Planned Unit Development (PID: 037-112080-02.001, 035-107490-00.000, 035-107478-00.000, 035-107400-07.000, & 035-107478-00.002)

Applicant: MBJ Holdings c/o Aaron Underhill Esq.

Mr. Mayer provided an update to the Innovations Campus Way and ODOT Mink Street interchange.

Mr. Tim Porter asked about Cobb Road.

Mr. Mayer showed Cobb Road on the map. ODOT plans to cul-de-sac the street. We have worked with ODOT and the street will not be closed until New Albany has completed Innovation Campus Way.

Mr. Endsley asked if Mink Street will be closed.

Mr. Mayer stated that he was not sure.

Audience members asked if the ODOT project is out for bid and contractor.

Mr. Mayer responded and then continued with the staff report for the zoning change and the conditional use.

Mr. Kirby asked why they didn't make the conditional uses a permitted use in the I-PUD. Am I missing something?

Ms. Joly stated that it could be either way.

Mr. Kirby asked if the conditional use has an expiration date.

Ms. Joly stated no, one of our conditions states that it will be permanently granted.

Mr. Ferris stated no comments.

Mr. Ed Bright, 12746 Cobb Road, stated that I am adjacent to the rezoned area (shown on map). What is the setback?

Mr. Underhill stated that it will be 50' setback.

Mr. Bright stated that it is heavily wooded; will the trees remain.

Mr. Underhill stated correct.

Mr. Kirby asked if they have the same preservation language as the last application.

Ms. Joly stated that is our recommendation.

Audience member asked a question.

Mr. Kirby stated that 150' on corridor on the center line of the creek. So the creek will be left alone for 75' on each side except for road and utility crossing.

Mr. Underhill stated that we won't take trees out in the 50' area from the property line and 75' on either side of the creek.

Mr. Rubey stated that we increased the setback from 100' to 150' for this area.

Mr. Kirby stated that the current water agreement does not go past Mink Street.

Mr. Endsley requested that the board considers changing to a 50' pavement and 100' building setback.

Mr. Rubey stated that this area is different. We increased the setback and preservation commitments. We want to keep these setbacks 50' / 50'.

Mr. Underhill stated that this is different from the other areas because the trees will not be coming down and the amount of preservation area.

Mr. Endsley stated that he is concerned with the three properties on Mink Road north of the property.

Mr. Shockey asked if the applicant would be alright with changing the setbacks only for those three properties.

Mr. Underhill shook his head yes. He continued that we have the retail uses in this area. This will be a hybrid situation with the GE uses would be permitted and all this will have secondary review for architecture. We have the text written so as not to create a truck stop atmosphere. The design intent is not to encourage that type of site planning.

Mr. Kirby asked if we can have public notification of the meeting for the pieces that will have secondary review.

Ms. Joly stated the final development plans require notifications just like tonight's notification.

Mr. Shockey stated that it will be an interesting corner.

Mr. Wallace asked if you have ideas for the different uses or look between the southeast and northwest, other than the retail.

Mr. Underhill stated that the uses are a little different. We will have serious consideration because this will be an entry point into New Albany. We don't have any users for this area.

Mr. Wallace using the map showed an area near the Cobb Road and asked what could be built there. Some protection for the resident for development because of this piece and buffer from the retail.

Mr. Bright asked if the piece that goes to Cobb Road will be developed.

Mr. Rubey stated that retail is permitted but it would be a logical area for detention pond but until we see the topography we don't know. Notification will be sent out for development plan once we decide.

Mr. Bob Lucas, Cobb Road resident, asked what kind of protections are in place for the integrity of the tributary.

Mr. Kirby stated that 75' from the centerline of the stream.

Mr. Endsley stated there is another stream that connects to the stream, plus a fiber line on this property.

Mr. Underhill stated that if it is not addressed in our text it would revert back to city code which is 100' protection.

Ms. Joly stated that condition six regarding perimeter setbacks needs to be amended.

Mr. Kirby stated that he has noted that 50' / 100' behind the three properties on the west side of Mink Road north of this piece.

Ms. Joly stated that the text should be updated to reflect the 50' / 50' for clarification.

Mr. Bright asked if the stream not shown is protected.

Mr. Underhill stated that we would need to follow city code if it is not specified in our text.

Mr. Kirby stated that it is a blue line stream then it is protected under the city ordinance.

Mr. Wallace clarified the hotel/motel uses.

Mr. Mayer stated that the staff report may have a typo. Motel/hotel are not permitted.

Mr. Underhill stated that our first submittal included hotel/motels.

Mr. Shockey asked for the definition of travel center.

Mr. Mayer read the definition of travel center from the zoning text. Staff included a condition that would prohibit the overnight parking of trucks.

Mr. Kirby verified the setbacks along the perimeter that is next to other property owned by New Albany Company.

Mr. Mayer stated that it is 50'/50' setbacks for residential properties that abut this subarea.

Mr. Steele asked who would enforce the overnight parking. If it is law enforcement are the citations enforceable on private property. Would it also apply to RVs?

Mr. Underhill stated that ultimately the owner of the property will be responsible for the violation and fine.

Mr. Banchefsky stated that it will be the city zoning department that will enforce.

Mr. Underhill stated that the text can be revised to include RV's, which was the intent.

Mr. Kirby moved to recommend approval to Council ZC-66-2016 subject to the following conditions:

1. Future signage is subject to staff approval
2. The text be amended to specifically list C-2 uses as a permitted in order to clarify the permitted uses.
3. A minimum of 90 feet of building and pavement setback applies to Cobb Road as well as State Route 161.
4. Setback be a minimum of 50 feet of pavement and 100 feet for building from the right-of-way along Mink Street.
5. The text requires that fuel station canopies must adhere to the building setbacks.
6. Text requires 25 foot pavement and 50 foot building along the entire perimeter subarea boundary except for the Stetzk and Howell properties. A 50 foot building and pavement setback is required along the Stetzk and Howell properties generally located to the northeast. Perimeter boundaries are added to the subarea maps.
7. A subarea map is submitted that delineates the area where retail is permitted, the riparian corridor, setbacks and preservation areas.
8. Hotels and motels are a prohibited use in this subarea
9. The definition of a travel center include "but does not include overnight parking of trucks."
10. The vehicle services prohibited use is clarified to add "except as associated with a travel enter as defined."
11. The retail (non-outparcel) uses are required to have the same style requirements as contain in section 3(a) (page 8 of 13) as required for outparcel uses
12. The complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building with materials that are consistent and harmonious with the building's façade and character for sound and views for non-retail, retail, and outparcel uses.

13. In addition to the riparian corridor, the perimeter boundary, at a minimum, shall remain in its wooded state.

14. The text is updated so Mink Street requires the following landscaping:

a. A minimum of ten (10) deciduous trees shall be installed for every 100 feet of frontage on the public right-of-way. Such trees shall be planted in random locations (i.e., not in rows). No more than 30% of such trees shall be of a single species.

b. Mounding shall be permitted but not required. When utilized, mounding shall have a minimum height of 3 feet and a maximum height of 12 feet. The slope of mounds shall not exceed 3:1 from the crest of the mound extending toward the private site, and shall not exceed a 6:1 slope from the crest of the mound extending toward the public right-of-way.

c. A standard New Albany white four-board horse fence may (but shall not be required to) be provided within the public right-of-way.

15. Verification that an application, if required, has been submitted to the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain either a nationwide or individual permit from the U.S. Army Corps of Engineers

16. The applicant create specific standards in the text for travel centers and/or gas stations

17. The setbacks are 50' / 100' behind the three properties north of this properties on the west side on Mink Road; 50' / 50' residential otherwise and protected perimeter stays wooded, seconded by Mr. Wallace. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

CU-67-2016 Conditional Use

Conditional Use for manufacturing and production for 74.598 ± acre area of land located generally northwest of and adjacent to State Route 161 and Mink Street for the area to be known as “Mink Interchange District” (PID: 037-112080-02.001, 035-107490-00.000, 035-107478-00.000, 035-107400-07.000, & 035-107478-00.002)

Applicant: MBJ Holdings LLC c/o Aaron Underhill Esq.

Mr. Kirby asked for any additional information.

Mr. Mayer stated that it applies to the entire subarea.

Mr. Wallace moved to approve CU-67-16 based on the findings in the staff report subject to the following condition:

1. Approval of individual site plans for manufacturing and productions users are subject to staff approval, seconded by Mr. Steele. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

ZC-68-2016 Zoning Change

Rezoning 168.14 ± acre area of land located generally west and east of and adjacent to Beech Road and to the south of and adjacent to Worthington Road for the area to be known as “Beech Interchange District” from its current zoning of “AG” Agricultural to “L-GE” Limited General Employment and “L-OCD” Limited Office Campus District (PID: 082-108582-00.000, 082-108390-00.000, 082-107388-00.000, 094-106836-00.000, 094-109458-00.000, 094-108192-00.000, 082-106404-00.000, 094-106404-01.000, 094-106404-03.000, 094-106866-00.000, 082-107880-00.000, 082-108720-01.000, 082-108720-00.000, 082-106830-01.000, 094-106830-02.000, 094-108384-00.000, 082-106404-00.000, 094-109296-00.000, & 094-108342-00.000)
Applicant: MBJ Holdings c/o Aaron Underhill Esq.

Mr. Mayer presented the staff report.

Mr. Ferris stated no comments.

Mr. Kirby asked for public comment.

No Response from audience.

Mr. Underhill stated that same as other areas.

Mr. Shockey verified the owner of some properties.

Mr. Underhill verified the properties and locations of the zoning changes.

Mr. Kirby asked when we will have the road.

Mr. Underhill stated that we need to plat the road.

Mr. Kirby asked if the parcels have the future road as their lot lines.

Mr. Underhill stated no but we have legal descriptions that define the road.

Mr. Shockey asked if it is the same uses.

Mr. Underhill stated that is the typical as the beauty park rights with some retail rights.

Mr. Shockey stated that I thought we had a hotel.

Mr. Rubey stated no hotel south of 161 on Beech.

Mr. Kirby asked if the road will create a "Y" at Dublin Granville.

Mr. Rubey stated that we have a lot of analysis to do still on the road and the road plat process.

Mr. Wallace asked about setbacks noted in the staff report but not found in the text.

Mr. Mayer stated that it is not in the text but staff is recommending a condition that would require the setbacks added to the zoning text. Condition 2 states that we are recommends a pavement setback of 50'. Building setback of 100' for non-office uses and 50' for office uses.

Mr. Underhill stated that we have made that change in the text but you don't have the updated text.

Mr. Wallace asked if all of the recommendations listed as a condition.

Ms. Joly stated yes.

Mr. Wallace moved to recommend approval to Council ZC-68-16 based on the findings in the staff report subject to the following conditions:

1. Within every subarea the text requires the complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building must address sound as well as views with materials that are consistent and harmonious with the building's façade and character.
2. There is a minimum pavement setback of 50 feet and minimum building setback of 100 feet for non-office uses and a minimum pavement and building setback of 50 feet for office uses along Beech Road.
3. The setback for "other public roads" is eliminated from the text so just the "new public street" requirements applies.
4. For subareas A and B the text is updated to require a minimum 25 foot pavement and 50 foot building setback from other commercially zoned properties and a minimum 50 foot building and pavement setback is proposed when adjacent to property with a zoning classification that permits residential uses.
5. Subareas E and G are removed from the text.
6. Subareas B, C, D, and F require an internal pedestrian circulation system to be created within them just as required in subarea A.
7. Existing trees within side yard and rear yard perimeter buffers are preserved, seconded by Mr. Steele. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

CU-69-2016 Conditional Use

Conditional Use for manufacturing and production for 146.79 ± acre area of land located generally west and east of and adjacent to Beech Road and to the south of and adjacent to Worthington Road for a portion of the area to be known as "Beech Interchange District" (PID: 082-108582-00.000, 082-108390-00.000, 082-107388-00.000, 094-108192-00.000, 094-109296-00.000, 082-106404-00.000, 094-106404-01.000, 094-106404-03.000, & 094-106866-00.000)

Applicant: MBJ Holdings LLC c/o Aaron Underhill Esq.

Mr. Mayer presented to the staff report.

Mr. Wallace moved to recommend approval to Council of CU-69-2016 based on the finding in the staff report and subject to the following condition:

1. Approval of individual site plans for manufacturing and production users are subject to staff approval, seconded by Mr. Kirby. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

ZC-70-2016 Zoning Change

Rezoning 18.168 ± acre area of land located generally at the northwest corner of the Harrison Road and Innovation Campus Way intersection for the area to be known as “Harrison West District” from its current zoning of “AG” Agricultural to “L-GE” Limited General Employment (PID: 037-112050-00.002, 037-112050.00.003, & 037-112050-00.006)

Applicant: MBJ Holdings c/o Aaron Underhill Esq.

Mr. Mayer presented the staff report.

Mr. Kirby asked where the mounding is located.

Mr. Mayer verified where that is in the staff report.

Mr. Kirby asked if the mound is required.

Ms. Joly stated that it does state that the mound is required but it provides a provision further down that clarifies that the mature trees may be kept.

Mr. Kirby asked who decides.

Mr. Mayer stated that it says among the parties.

Mr. Kirby stated that there will be a mound unless the parties agree not to have a mound.

Mr. Wallace stated that there will be a mound unless the parties agree not to have a mound due to saving the mature trees.

Ms. Joly stated that the mounding may be omitted if they desire to save the mature trees.

Mr. Kirby stated that if you don't have mature trees then you must have a mound. I think they should have a choice if both parties agree.

Mr. Spalding asked if a lot of trees exist on the southern boundary of the property.

Mr. Porter showed on the map where the existing trees are located.

Mr. Underhill stated that we will agree to 50' pavement and 100' building setbacks.

Mr. Wallace moved to recommend approval to Council ZC-70-16 based on the findings in the staff report subject to the following conditions:

1. The text requires the complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building must address sound as well as views with materials that are consistent and harmonious with the building's façade and character.
2. Setbacks are 50' / 100' along areas abutting residential property.
3. Mounding is not mandatory if the parties so agree, seconded by Mr. Steele. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

CU-71-2016 Conditional Use

Conditional Use for manufacturing and production for 18.168 ± acre area of land located generally at the northwest corner of the Harrison Road and Innovation Campus Way intersection for the area to be known as "Harrison West District" (PID: 037-112050-00.002, 037-112050.00.003, & 037-112050-00.006)

Applicant: MBJ Holdings LLC c/o Aaron Underhill Esq.

Mr. Mayer stated no additional information.

Mr. Wallace moved to approve CU-71-16 based on the finding in the staff report and subject to the following condition:

1. Approval of individual site plans for manufacturing and production users are subject to staff approval, seconded by Mr. Steele. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Amendment to Codified Ordinance Chapter 1125 (Community Authority)

Mr. Mayer provided a summary of the ordinance amendment. We have two community authorities including the one established in 1995 which is mostly the Plain Local School District. Recently we have established another community authority called New Albany East community authority for Licking County. Our code is written just for the New Albany Community Authority. This is a clarification piece.

Mr. Kirby asked why we have two community authorities.

Mr. Banchefsky stated that the first one was set up before we had anything in Licking County.

Mr. Kirby stated that it is set up for civic purposes including school and roads.

Mr. Spalding stated that it has to do with the debt issuance.

Ms. Joly stated that it is similar set up for Licking County. It was enacted in 2012-2013 and we just realized that we didn't update the code for clarification when we created a second community authority.

Mr. Kirby asked if we have Licking County land in the original community authority.

Ms. Joly stated that there is one parcel in Licking County that is in the Plain Local School District (showed on map) and I believe it is covered by the New Albany Community Authority.

Mr. Wallace asked how someone would figure out which community authority they need to contact.

Mr. Banchefsky stated no, because if we create another authority the code would then be outdated.

Ms. Joly stated that we would inform them at the time of annexation.

Mr. Kirby asked if the Licking County Community Authority will be funding two school districts.

Ms. Joly stated that we can table this to get those details for you.

Mr. Wallace moved to table amendment to Codified Ordinance 1125 to next regular meeting, seconded by Mr. Steele. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Steele, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

With no further business, Mr. Kirby polled members for comment and hearing none, adjourned the meeting at 10:02 p.m.

Submitted by Pam Hickok

APPENDIX



Planning Commission Staff Report September 19, 2016 Meeting

GREEN HARBOR DATA CENTER FINAL DEVELOPMENT PLAN

LOCATION: Southwest corner where Souder Road terminates and generally north of New Albany Road East (PID: 222-004464).
APPLICANT: EMH&T
REQUEST: Final Development Plan
ZONING: Infill Planned Unit Development (I-PUD) Souder East Research and Information District subarea 4
STRATEGIC PLAN: Office District, Research & Information Sub-district
APPLICATION: FDP-74-2015

Review based on: Application materials received August 19, 2016.

Staff Report completed by Stephen Mayer, Community Development Planner.

I. REQUEST AND BACKGROUND

The applicant requests review of a final development plan for the Green Harbor Data Center generally located at the southwest corner where Souder Road terminates and generally north of New Albany Road East.

This final development plan is for two detached-buildings. Phase 1 is the 55,650 square foot Green Harbor Data Center. Phase 2 shown and included in this final development plan could be a second of the Green Harbor Data Center. The total (phase 1 and 2) site totals 9.48 +/- acres.

II. SITE DESCRIPTION & USE

The site is currently vacant and is located within the area known as the Souder East Research and Information District subarea 4. The site will encompass approximately 9.48 acres located north of New Albany Road East and west of Souder Road future extension (extension north of NA Road East). The zoning permits uses included in the OCD (Office Campus District) including administrative, business and professional offices, including operations offices, warehousing, data centers, and manufacturing and production uses.

The Planning Commission approved a final development plan for the Compass Data Center II in 2015 at this same site. No development occurred and therefore a new final development plan for a different user has been submitted.

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.*

A. New Albany Strategic Plan

1. This subdivision is located in the Research & Information Sub-district of the 2014 New Albany Strategic Plan. The development standards for this type of commercial use include (but are not limited to):
 1. All associated mechanical operations must be concealed from the public rights-of-ways and screened architecturally or with landscape in an appealing manner.
 2. Combined curb cuts and cross-access easements are encouraged.
 3. Innovative and iconic architecture is encouraged for office buildings.
 4. Any periphery security must integrate with the existing landscape and maintain and enhance the character of road corridors.
 5. Sites with multiple buildings should be well organized and clustered.
 6. Development sites should strive to retain and incorporate existing natural features into overall designs.

B. Use, Site and Layout

1. The final development plan site contains approximately 9.48 acres and will contain 2 attached structures for a total of 98,580 square feet of data center space with an exterior utility yard area that is proposed to be partially fenced.
2. The proposed buildings will contain office and data center uses as permitted in the Office Campus District as permitted within the Souder East Office, Research and Information District texts.

3. The office and data center use is consistent with the Strategic Plan which specifically recommends data center, clean production and technology related uses for the Research and Information District.
4. Below is a table listing the required and proposed setbacks for each phase. The phase 1 site plan meets all the required setback requirements.
5. Stormwater retention for the site will be controlled by the proposed ponds on the perimeters of the site.
6. A decorative security fence will surround the building, parking lot, and utility yard on all four sides. The applicant is proposes to use same decorative security fence as Compass. No fencing information has been provided for phase 2.
7. The city landscape architect has commented the applicant should consider aligning the face of the phase 2 building with phase 1 and realign the entry road and parking. Making the buildings parallel with each other will create a better site organization and consistency and uniformity along Souder Road.

Green Harbor Data Center (Phase 1)

Setback from Right-of-Way	Required	Proposed
Front Yard (Souder Road)	30 ft pavement & building	184 ft to main building 129 pavement setback
Side Yard (north)	25 ft for any structure or service area	27 ft s to generators and main building
Side Yard (south)	25 ft pavement & building	31 ft pavement 100 ft building
Rear Yard	20 ft pavement & 40 building	28 ft pavement 127 ft to main building & 72 to generators
Lot Coverage	70% max	30%

Phase II/Future Data Center

Setback from Right-of-Way	Required	Proposed
Front Yard (Souder Road)	30 ft pavement & building	67 ft to parking lot 140 ft to main building
Side Yard (north)	50 ft pavement & building	50 ft pavement 167 ft building
Side Yard (south)	25 ft for any structure or service area	23 ft building <u>[DOES NOT MEET CODE]</u> Staff recommends the building is shifted 2 feet to the north to comply with code requirements.
Rear Yard	20 ft pavement & 40 building	28 ft pavement 66 ft building (to screen wall) & 129 to main building

Lot Coverage	70% max	30%
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Below is a table showing site plan specs for other development in the Research and Information District:

	<u>Nationwide</u>	<u>TJX</u>	<u>Sarcom/PCM</u>	<u>Compass</u>	<u>Green Harbor Ph1</u>	<u>Green Harbor Ph2</u>
Building Setback (feet) from R/W	1,000 from Souder Rd	280 from NA Rd. E 130 from SR 605	140 from Souder Road 260 from NA Rd. E	365 from Souder Rd 190 from NA Rd. E	184 ft from Souder Road	140 ft from Souder Road
Building Sq. Ft.	112,000	80,000	33,000	49,210	55,650	43,200
Parking Spaces	60	46	14	34	22	38
Employees	40	28	3	Unknown	Unknown	Unknown
Lot Coverage	13%	36%	24%	32%	50%	45%

C. Access, Loading, Parking

1. Zoning text Section 4(G)(1)(b) requires Souder Road shall be extended to the northern boundary of this subarea when development first occurs in either Subarea 3 or Subarea 4. Souder Road was extended in 2012 to the approximate southern boundary of subarea 4 and a section of subarea 3 when the Nationwide/ Project Noble datacenter was approved. Right-of-way was dedicated all the way to the northern boundary of this subarea at that time.
2. Requiring Souder Road to be extended does not appear to be necessary at this time. The city has a Memorandum of Understanding with the New Albany Company concerning the future construction of Souder Road once the ultimate alignment and connection to the existing road network is determined.
3. Per the zoning text Section 4(G)(3) one full service curbcut shall be allowed on both Souder Road. The locations of these curbcuts and any additional curbcuts shall be determined and approved at the time of final development plan. There are currently no curb cuts located within subarea 4 (where this site located) and subarea 3 (across the street from this site). There is currently undeveloped land north of Project Noble on the east side of Souder Road. The final development plan shows both phases of the Green Harbor project sharing one curb cut. However, there is a chance the phase 2 site could be developed by a different entity. Staff recommends a condition of approval requiring cross access easements be recorded to ensure Green Harbor provides a connection from the phase 2 site to Souder Road. The 2014 Strategic Plan recommends encouraging combined curb cuts and cross-access easements for the Research and Information District.
4. The city's parking code C.O. Section 1167.05 (f) requires one parking space for each one employee on the main shift. The site plan provides 21 parking spaces for Green Harbor and 38 additional spaces for phase II. The applicant has not provided the employees on the main shift. Staff recommends the Planning Commission confirm the number of employees on the main shift from the applicant.
5. The applicant proposes to provide two loading spaces for each building. Per 1167.06(C) one loading space is required for each building.

6. Per the zoning text Section 4 (G)(5), bicycle parking is required to be located within a reasonable location of the building.
7. There is a 24 foot wide internal access drive, referenced as the perimeter road in this staff report, circling the entire site. 24 feet is the equivalent to a residential neighborhood street width. Codified Ordinance Chapter 1171.06 states the maneuvering lane width to be 22 feet. The drive aisle is shown as being 24 feet.

D. Architectural Standards

1. The zoning text subarea 1 section (F)(4)(e) requires all elevations of a building that are visible from a public right-of-way shall receive similar treatment in terms of style, materials, and design so that such elevations are not of a lesser visual character than any other. The building fronts Souder Road and the front elevation contains the majority of the architectural articulation and ornamentation.
2. The building has been designed in a simple contemporary form and is consistent with other data centers in the area. The main building elevations are 28 feet in height. The rooftop metal screen panels adds an additional six of height for a total height of 34 feet. The maximum building height for structures shall not exceed 45 feet. Architectural elements such as monitors, chimneys, parapets and cupolas may exceed this height limitation.
3. The façade of the building uses a variety of materials and colors to break up the overall mass of the building. The building will be mainly constructed of concrete panels painted soft or medium gray. The façade that is oriented towards the main access drive will have a sheet metal siding colored gray accents. The HVAC screening on the rooftop is expanded metal roof panels. The front façade contains anodized aluminum storefront with clear glass.
4. It appears the building has a comparable use of materials on all elevations. The primary entrances are made prominent through the use of an extensive anodized aluminum storefront with clear glass.
5. The proposed data center use requires a large amount of exterior mechanical equipment to be installed in a utility yard. When the first Compass Datacenter site was approved, the Planning Commission conditioned it by requiring utility yards are screened from public roads either by fencing, walls, or a combination thereof. The developer ultimately elected to do a combination and added landscaping to provide additional screening where a fence is proposed. One of the factors that contributed to this design was the fact that the site backed up to another existing datacenter. The applicant proposes the same screening scenario at this site by providing a wall on the sides of the utility yard, and installing just fencing at the rear of the property.
6. The Planning Commission heard testimony regarding noise levels in the area during the review of the Compass II FDP and required the applicant to submit a sound study of the before and after development to ensure no additional noise was generated.
7. Unlike the first compass site where it backs onto another data center's utility yard, this site backs onto an undeveloped parcel owned by Canine Companions which is slated to become the regional office and training facility for the

- organization. When the previous Compass Datacenter II was approved at this site the Planning Commission and staff had not reviewed Canine Companions rezoning proposal which contains additional use information. The Planning Commission should evaluate the proposed utility yard's lack of screening via a wall, which is utilized by all the existing data centers besides Compass, and its effect on the neighboring undeveloped parcel and the residences to the north.
8. This site's building pad will be raised from the existing elevation. The increased elevations and the lack of existing vegetation on the site may result in the mechanical yard being visible from State Route 605. The 2014 New Albany Strategic Plan recommends all associated mechanical operations must be concealed from the public rights-of-ways and screened architecturally or with landscape in an appealing manner.
 9. Given the additional information on the neighboring uses, grading and potential visibility from State Route 605, staff recommends the utility yard (equipment area) has metal screen wall with no perforations or a solid wall of another material on all sides.
 10. Souder East Research and Information District Zoning Text subarea 4(F)(3)(f) requires items such as utility conduits, roof and wall projections such as vent and exhaust pipes to be designed, located, or screened so as to minimize their visibility and visual impact. The proposed building's colored renderings do not show rooftop exhaust vents and mechanical equipment being visible from the public right-of-way along Souder Road and New Albany Road East. Although it appears all the rooftop mechanical equipment is screened, staff recommends a condition of approval requiring all rooftop mechanical equipment be screened on all four sides for views and noise.

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

1. The Research and Information Campus Design Guidelines Plan recommends a 125 foot setback/landscape corridor from the centerline of Souder Road. The Green Harbor building is setback a minimum of 215 +/- feet from centerline of Souder Road and Phase II building is setback a minimum of 168 +/- feet from centerline of Souder Road.
2. Street trees, a four rail horse fence, mounding and leisure trail are shown on the landscape plan along the west side of Souder Road and appear to match the recommendations found in Research and Information Campus Design Guidelines Plan.
3. Per Zoning Text Subarea 4 section H(4) along that portion of the northern boundary line of Subarea 4 that is shared with Franklin County Parcel Number 220-000596 (currently owned by Craig Srba), an earthmound shall be provided within the minimum pavement setback from that property line. Installation of the earthmound shall occur in conjunction with the construction of the first building (this building) in Subarea 4. The earthmound shall be a minimum of 6 feet in height at its crest and shall be planted with evergreen and/or deciduous trees at an average rate of 12 trees per 100 lineal feet. Deciduous trees shall be a minimum of 2 inches in caliper and evergreen trees shall be a minimum of 6 feet in height at installation. Trees may be planted in a row or randomly. The installation of the earthmound may deviate from the requirements of this

provision if necessary to preserve the health of existing trees, provided that such deviations are approved by the Village's Landscape Architect. All areas that are not landscaped shall have grass (seed or sod). Staff recommends the landscape plan is revised to meet this code requirement.

4. 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, and the design guidelines found in the 2013 Trust Corp Signage Recommendations plan. Staff recommends all the City Landscape Architect's planting plan comments are complied with and subject to staff approval. The landscaping comments can also be found under separate cover from the consulting City Landscape Architect, MKSK.

Green Harbor planting plan comments

- i. The hedgerow planting spacing along the western and southern property lines should be random, spaced 4-6' on center and plant material selected should adhere to size requirements, percentages and species. Additionally, install 3" caliper shade trees at a rate of 7 per 100 linear feet of hedgerow in random massings to adequately screen from the adjacent property. Refer to Figure 7 Research & Information Campus Design Guidelines.
- ii. Parking lot islands should be placed no less than every ten (10) parking spaces and should be no less than 350 square feet in size. Each should be planted with an approved deciduous shade tree and no-mow mix. Refer to Figure 9 Research & Information Campus Design Guidelines and New Albany Zoning Text.
- iii. Water detention basins should be no-mow turf.
- iv. Water detention basins should be a naturalized shape.
5. Entry drive should be maximum 30' wide. Refer to Figure 6 Research & Information Campus Design Guidelines.
6. Height of the frontage mound should be 6' in height and the top of the mound should be 5' wide. Refer to Figure 3.1 Research & Information Campus Design Guidelines for the applicable typical road section.
7. The four rail fence should terminate at the entry road and not turn back towards the site interior. Refer to Figure 6 Research & Information Campus Design Guidelines

Phase 2 planting plan comments

- i. Install a frontage mound adhering to the design guidelines and matching the phase 1 mound. Refer to Figure 3.1 Research & Information Campus Design Guidelines for the applicable typical road section.
- ii. Install a mound along the northern property line that continues and connects to the frontage mound. This mound size should adhere to New Albany zoning code for adequate screening from residential adjacencies. Additionally, the mound should be planted to provide 75% opacity. Refer to New Albany Zoning Code for specifics.
- iii. Install four rail fence and leisure trail according to the design guidelines and matching phase 1.
- iv. Water detention basins should be a naturalized shape.

- v. Continue the hedgerow planting along the western property line. Plant spacing should be random, spaced 4-6' on center and plant material selected should adhere to size requirements, percentages and species. Additionally, install 3" caliper shade trees at a rate of 7 per 100 linear feet of hedgerow in random massings to adequately screen from the adjacent property. Refer to Figure 7 Research & Information Campus Design Guidelines.
 - vi. Parking lot islands should be placed no less than every ten (10) parking spaces and should be no less than 350 square feet in size. Each should be planted with an approved deciduous shade tree and no-mow mix. Refer to Figure 9 Research & Information Campus Design Guidelines and New Albany Zoning Text.
 - vii. Water detention basins should be no-mow turf.
1. Per the Research and Information Campus Design Guidelines Plan the applicant proposes hedgerow tree plantings along the north, west, and south side of the parcel.
 2. The north side of the parcel abuts property outside of the City of New Albany that appear to be owned and/or used for residential purposes. Per Codified Ordinance 1171.05(c) for commercial, industrial, office and institutional uses which abut districts where residences are a permitted use, a buffer zone with a minimum width of 25 feet should be created. Such screening within the buffer zone shall consist of natural vegetation planted no closer than three (3) feet to any property line. Natural vegetation shall have an opaqueness of seventy-five percent (75%) during full foliage and shall be a variety which will attain ten (10) feet in height within five (5) years of planting. Staff recommends the north property line of this parcel is revised to meet this code requirement, subject to the City Landscape Architect's approval.
 3. The zoning code requires a minimum of 5% interior parking lot landscaping on the site. The amount of interior parking lot landscaping is not indicated on the plans. The landscape plan should be revised to show the interior parking lot landscaping calculations.

F. Lighting & Signage

1. Per the Zoning Text Subarea 1 (J)(5) for non-retail uses a signage and graphics plan shall be presented for review and approval by the Planning Commission at the time of final development plan. The applicant has not indicated if there will be any proposed signage for the site. Staff recommends any future signage is subject to staff approval. Per Zoning Text Subarea 1 (J)(1) all signage must conform to the standards set forth in Codified Ordinance Chapter 1169.
2. A photometric plan has not been submitted. All lights must be cut-off and downcast shoebox style and no more than 30 feet tall to meet the requirements in Zoning Text Subarea 1 (I). Staff recommends a photometric plan is submitted showing zero light pollution to neighboring properties and lighting is subject to staff approval.

G. Other Considerations

1. The applicant has submitted a letter stating there are no wetlands or streams on the property.

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) In accordance with 1159.07(3)D., provide a legend with a symbol for concrete monuments. Show the location of the monuments on the FDP.
- 2) We recommend that the developer provide an access easement where the existing T-Turn around has been constructed (Refer to Exhibit A).
- 3) We will provide detailed engineering related review comments, including comments related to detention pond grading, when construction plans become available for review.

The engineering comments can also under separate cover from the consulting City Engineer, E.P. Ferris & Associates.

V. RECOMMENDATION

The proposed development complements the Research and Information District due to the buildings' orientation and generous front yard setbacks. Staff has concerns on the amount of screening provided for the utility yard since they may visible from State Route 605 and could generate noise levels that exceed the average intensity of street traffic noise. Unlike the first compass site where it backs onto another data center's utility yard, this site backs onto an undeveloped parcel owned by Canine Companions which is slated to become the regional office and training facility for the organization. The Planning Commission should evaluate the proposed utility yard's lack of screening via a wall, which is utilized by all the existing data centers besides Compass, and its effect on the neighboring undeveloped parcel and the residences. Given the additional information on the neighboring uses, staff recommends the utility yard (equipment area) has solid screen walls on all sides to completely screen the generators.

Staff recommends screening of the rooftop equipment is provided on all sides of the building. Lastly, additional landscaping along the north property line must be installed to properly buffer from the neighboring residential properties.

V. ACTION

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

Move to approve final development plan application FDP-74-2016, based on the findings in the staff report subject to the following conditions all subject to staff approval:

1. The utility yard (equipment area) has solid screen walls on all sides to completely screen the generators.
2. The phase 2 portion of the final development plan is revised in accordance with the comments from the City's Landscape Architect.
3. Cross access easements be recorded to ensure Green Harbor provides a connection from the phase 2 site to Souder Road.
4. All future signage is subject to staff approval.
5. A photometric plan is submitted and site lighting is subject to staff approval.
6. The landscape plan is revised to meet the mounding and landscape requirements for the Srba property as well as the City's buffering and screening requirements as found in C.O. 1171.05(c).
7. The final landscape is revised to meet the City Landscape Architect's comments and subject to staff approval.
8. All roof projections (including HVAC units) are fully screened on all four sides of the building.
9. Landscape plan should be revised to show the interior parking lot landscaping calculations.

Approximate Site Location:



Source: Bing Maps.



**Planning Commission Staff Report
September 19, 2016 Meeting**

**INNOVATION DISTRICT SUBAREA B-1 & BUSINESS PARK EAST SUBAREA 5
ZONING AMENDMENT**

LOCATION: Northwest and northeast corners of Beech Road and Smith’s Mill Road. (PID: 093-107928-00.000 and 093-107004.00.010)
APPLICANT: MBJ Holdings & AEP Ohio Transmission Co. Inc. c/o Aaron Underhill Esq.
REQUEST: Zoning Amendment
ZONING: Business Park East Zoning District Subarea 5 from its current zoning of “I-PUD“ Infill Planned Unit Development to “L-GE” Limited General Employment and Innovation District Subarea B-1” from its current zoning of “I-PUD“ Infill Planned Unit Development to “I-PUD“ Infill Planned Unit Development
STRATEGIC PLAN: Mixed Retail/Office District
APPLICATION: ZC-63-2016

Review based on: Application materials received July 29, 2016.

Staff report completed by Stephen Mayer, Community Development Planner.

III. REQUEST AND BACKGROUND

The applicant requests review and recommendation to rezone a total of 13.39 acres located at the northwest and northeast corners of the Beech Road and Smith’s Mill Road intersection.

The applicant requests to remove the permitted retail rights on the property by rezoning 9.71 acres of land generally located north of Smith’s Mill Road and west of Beech Road for an area known as “Business Park East Zoning District Subarea 5” from its current zoning of “I-PUD“ Infill Planned Unit Development to “L-GE” Limited General Employment. This new text contains a similar list of permitted, conditional, and prohibited uses as the neighboring Business Park East Innovation District Subareas known as the Personal Care and Beauty Campus, where companies such as Anomatic, Accel, Axium, and Veepak are located.

The applicant also requests to expand the retail rights on the land on a remaining undeveloped portion of subarea Innovation District Subarea B by rezoning from its current zoning of “I-PUD“ Infill Planned Unit Development to “I-PUD“ Infill Planned Unit Development. This portion of the subarea shall be known as

Innovation District Subarea B-1. The additional retail permitted being added as part of this rezoning include fuel stations and drive-thru uses.

II. SITE DESCRIPTION & USE

The Business Park East zoning district was approved by the Planning Commission in 2009. In 2010 the Planning Commission approved a rezoning that created the Innovation District. Retail uses were permitted within these subareas at the time they each rezoned in 2009 and 2010. In 2014 the property owner rezoned the southwest corner of the Beech Road and Smith's Mill Road intersection to expand the land on which retail uses are permitted. At this time, the retail "cap" was created and applies to all land that permits retail uses at the Beech Road and Smith's Mill Road intersection. The retail cap permits no more than 92 total acres of retail development.

The neighboring uses and zoning districts include L-GE and limited retail.

III. PLAN REVIEW

Planning Commission's review authority of the zoning amendment application is found under C.O. Chapters 1107.02 and 1159.09. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to City Council. Staff's review is based on city plans and studies, proposed zoning text, and the codified ordinances. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

Per Codified Ordinance Chapter 1111.06 in deciding on the change, the Planning Commission shall consider, among other things, the following elements of the case:

- (a) Adjacent land use.
- (b) The relationship of topography to the use intended or to its implications.
- (c) Access, traffic flow.
- (d) Adjacent zoning.
- (e) The correctness of the application for the type of change requested.
- (f) The relationship of the use requested to the public health, safety, or general welfare.
- (g) The relationship of the area requested to the area to be used.
- (h) The impact of the proposed use on the local school district(s).

A. New Albany Strategic Plan

The 2014 New Albany Strategic Plan lists the following development standards for the Office District:

1. Office buildings should not exceed five stories in height.
2. The design of office buildings should include four-sided architecture in order to address multiple frontages when present
3. On-Street parking is discouraged.
4. Primary parking should be located behind buildings and not between the primary street and the buildings.
5. Parking areas should be screened from view.
6. Loading areas should be designed so they are not visible from the public right-of-way, or adjacent properties.

7. Sidewalks/leisure trails should be placed along both sides of all public road frontage and setback 10 feet from the street.
8. Common open spaces or green are encouraged and should be framed by buildings to create a “campus like” environment.
9. Appropriate screening should be installed as a buffer between the office district and adjacent residential. If mounding is necessary to achieve this the “reverse slope” type with a gradual slope side toward the right-of-way is preferred.
10. Street trees should be provided at no greater a distance than 40 feet on center.
11. Individual uses should be limited in size, acreage, and maximum lot coverage.
12. No freeway/pole signs are allowed.
13. Heavy landscaping is necessary to buffer these uses from adjacent residential areas.
14. A 200 foot buffer should be provided along State Route 161.
15. Structures must use high quality building materials and incorporate detailed, four sided architecture.
16. When double fronting sites exist, office buildings should address both frontages.
17. Plan office buildings within the context of the area, not just the site, including building heights within development parcels.
18. Sites with multiple buildings should be well organized and clustered if possible.
19. All office developments should employ shared parking or be designed to accommodate it.
20. All office developments should plan for regional stormwater management.
21. Office developments should provide connections to the regional trail system.
22. Green building and site design practices are encouraged.
23. Innovative an iconic architecture is encouraged for office buildings.

B. Use, Site and Layout

1. The General Matters section in the text requires that proposed developments containing uses allowed in the GE zoning district can reviewed and approved by city staff. Proposed developments containing uses allowed in the C-1 and C-3 zoning districts must reviewed and approved by the Planning Commission via a final development plan application.

Subarea 5

2. The applicant writes in their narrative the first purpose of this rezoning is to remove the right to develop and operate retail uses within Subarea 5 of the Business Park East Zoning District. The applicant proposes to remove the retail rights by rezoning the property to L-GE Limited General Employment district. However, several categories in the General Employment regulations permit retail establishments, including Retail Product Sales and Services, Personal Service and Vehicle Service. Staff recommends the Retail Product Sales and Services, Personal Service and Vehicle Service use are added to the prohibited use list in the text.
3. The limitation text will allow for general office activities, data centers, and research & production uses.
4. Conditional uses include car fleet and truck fleet parking, and manufacturing and production.

5. Prohibited uses include warehouse & distribution, off-premises signs, industrial product sales and services, mini-warehouses, radio/television broadcast facilities, and sexually oriented business. Staff recommends additional prohibited uses based on bullet point #2 above.
6. The text contains the following setbacks (unchanged from the existing zoning text):
 1. Beech Road: minimum building and pavement setback of 50 feet from the right-of-way.
 2. Smith's Mill Road: minimum building setback of 100 feet and minimum 50 foot pavement from the right-of-way.
 3. Other public roads: minimum pavement and building setback of 25 feet.
 4. The text does not contain any perimeter boundaries setbacks.

Subarea B-1

7. The applicant writes in their narrative the second purpose of this rezoning is to slightly expand the retail and related use rights in the new Innovation District subarea B-1. Existing subarea B, consisting of 12.12 acres, presently allows for the development of retail uses, but those uses do not include fuel stations or restaurants with drive-thrus. Prior to this rezoning Business Park East subarea 5 allows for the development and operation of fuel stations and drive-thru uses, so the net result of this application is to shift these uses from the northwest side of Beech Road to the northeast side of Beech Road.
8. Staff recommends a condition of approval requiring the text be amended to specifically list C-2 uses as a permitted in order to clarify the permitted uses.
9. Subarea B-1 allows limited uses in the GE General Employment District. There are no proposed changes to the GE General Employment District permitted, conditional, and prohibited uses.
10. The subarea B-1 zoning text contains the same list of permitted as the existing with the following uses use additions (new permitted uses):
 1. Gas stations and other fueling stations, with or without convenience stores and/or car washes (but excluding self-service car washes);
 2. Restaurants, with or without drive-thrus;
 3. Banks, savings and loans, and credit agencies, with or without drive-throughs.
11. The text prohibits outdoor playground equipment.
12. The text contains the same retail "cap" language requiring no more than 92 acres be developed for retail uses.
13. The text contains the following setbacks:
 1. Beech Road: minimum building setback of 50 feet and pavement setback of 25 feet from the right-of-way.
 - Staff recommends there be a minimum 50 foot building and pavement setback from the Beech Road right-of-way.
 2. Smith's Mill Road: minimum building setback of 50 feet and minimum 25 foot pavement from the right-of-way.
 - Staff recommends a condition of approval requiring retail uses have a minimum pavement and building setback of 50 feet, and

non-retail uses have a minimum pavement setback of 50 feet and minimum building setback of 100 feet.

3. Other public roads: minimum pavement and building setback of 25 feet.
14. Due to the proximity of this site to the State Route 161/Beech Road and its location adjacent to commercially zoned land in the existing Licking County business park, the site would appear to be most appropriate for commercial retail development.

C. Access, Loading, Parking

Subarea 5

1. Parking will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development for each individual site.
2. The number, location, and spacing of curbcuts on public rights-of-way shall be determined and approved at the time that an application for a certificate of appropriateness for this subarea is filed with the city.
3. The text does not contain any commitments for right-of-way dedications for future public roadways as all roads are fully improved and adequate for the proposed uses.
4. The text contains requirements for a public pedestrian circulation for retail uses in Section (H)(b) and (c). Staff recommends these requirements are removed from the text since they are no longer applicable.

Subarea B-1

5. Detailed traffic access will be determined in consultation with City Staff as the site is developed.
6. Parking will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development for each individual site.
7. The text requires an internal pedestrian circulation system to be created so that a pedestrian using a public sidewalk or leisure trail along a public street can access the adjacent building through their parking lots with markings, crosswalks, etc.
8. The text does not contain any commitments for right-of-way dedications for future public roadways, as all roads are fully improved and adequate for the proposed uses.

D. Architectural Standards

Subarea 5

1. The maximum building height is 65 feet.
2. The proposed rezoning seeks to implement many of the same or improved standards and limitations set forth in the New Albany Architectural Design Guidelines and Requirements (Chapter 1157).
3. The same architectural requirements for non-retail uses as the existing Innovation District subarea A are proposed.
4. The City's Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities careful attention must be paid to their design to

ensure they are appropriately integrated into the rest of the business park. The Harrison East limitation text includes the same specific design requirements for uses not governed by the DGRs as those in the other subareas of the Business Park East Innovation District, which will ensure the quality design of these buildings.

5. The text requires complete screening of all roof-mounted equipment and appurtenances from the view of the public right-of-way with materials that are consistent and harmonious with the building's façade and character. Staff recommends the complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building with materials that are consistent and harmonious with the building's façade and character for sound and views for non-retail, retail, and outparcel uses. This will provide additional noise abatement to neighboring properties in addition to improved aesthetics

Subarea B-1

1. The text does not propose any modifications to the architectural requirements for non-retail and retail uses.
2. The text contains specific architectural requirements for retail uses and outparcel retail sites. Buildings must be between one (1) and two and half (2.5) stories in height with a maximum height of 35 feet. The architectural requirements are predominately the same as the ones required at the Beech Road and Smith's Mill Road intersection.
3. The maximum building height is 65 feet for non-retail uses.
4. The proposed rezoning seeks to implement many of the same or improved standards and limitations set forth in the New Albany Architectural Design Guidelines and Requirements (Chapter 1157).
5. The same architectural requirements for non-retail uses as the existing Innovation District subarea A are proposed.
6. The City's Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. The Harrison East limitation text includes the same specific design requirements for uses not governed by the DGRs as those in the other subareas of the Business Park East Innovation District, which will ensure the quality design of these buildings.
7. The text requires complete screening of all roof-mounted equipment and appurtenances from the view of the right-of-way from Beech Road and Smith's Mill Road with materials that are consistent and harmonious with the building's façade and character for non-retail, retail, and outparcel uses. Complete screening from State Route 161 is exempt. Staff recommends the complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building with materials that are consistent and harmonious with the building's façade and character for sound and views for non-retail, retail, and outparcel uses. This will provide additional noise abatement to neighboring properties in addition to improved aesthetics.

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

Subarea 5

1. No Maximum lot coverage is listed in the text. Therefore the underlying zoning requirements apply.

Subarea B-1

2. Maximum lot coverage for this subarea is 80%. This is the same as subarea B.
3. Both subarea texts require additional landscape standards along all major thoroughfares including Beech Road and Smith's Mill Road.
 - a. A minimum of eight (8) trees shall be installed for every 100 feet of frontage on the public right-of-way in addition to street trees. Mounding shall be permitted but not required. When utilized, mounding shall have a minimum height of three feet and a maximum height of six feet. The slope of mounds shall not exceed 6:1 on the public street side.
 - b. Horse fence is required all publically dedicated roads.
4. Street trees requirements are not listed in the text. Staff recommends the text is updated to require street trees to be located an average of 30 feet on center throughout the development for all the subareas.
5. Minimum tree sizes for on-site trees match the standards in the Innovation District for all the subareas.

E. Lighting & Signage

1. No signage is proposed at this time. Per the text all signage shall meet the standards set forth in Codified Ordinance 1169 (City Sign Code).
2. Both subareas contain language city gateway features at the intersection of Beech Road and Smith's Mill Road.
3. All lighting shall be cut-off type fixtures and down cast to minimize light spilling beyond the boundaries of the site. The maximum height is 30 feet.
4. The zoning text requires lighting details to be included in the landscape plan which is subject to review and approval by the City Landscape Architect.
5. Subareas B, C, D, and E require security lighting, when used, shall be of a "motion sensor" type.

F. Other Considerations

1. The applicant has submitted a school impact statement which states the proposed zoning will result in fewer children in the school district and add significant value to the land that will be a substantial financial benefit to the school district.
2. The General Matters section in the text requires that proposed developments containing uses allowed in the GE zoning district can be reviewed and approved by city staff. Proposed developments containing uses allowed in the C-1 and C-3 zoning districts must reviewed and approved by the Planning Commission via a final development plan application.

IV. ENGINEER'S COMMENTS

Our review comments on the referenced rezoning are as follows:

1. Regarding the northeast corner of Smith's Mill Road and Beech Road (Subarea B-1), access will depend on the site's layout and use. Full access to the parcel could be located at the midpoint on Beech Road and possibly on Smith's Mill Road. The access on Smith's Mill Road must be as far east as possible without conflicting with the Multi-Tenant Building access. Two additional Limited use accesses could be located on Beech Road. Cross over access within the limits of the site is an important consideration. (Refer to Exhibit A attached)
2. Regarding Subarea 5, a Full access could be located on Innovation Campus Way West 200' or more from Beech Road.
3. Left turn warrant analysis is recommended to determine if turn lanes on Beech Road are required. Roadway widening is a possibility.
4. All access locations are subject to ODOT Access Management criteria.

V. RECOMMENDATION

Basis for Approval:

The proposed rezoning is generally consistent with the principles of commercial development in the Strategic Plan and the existing business park in Licking County. Additional restrictions and commitments have been provided that are above what the base zoning code would require.

1. The large scale of the rezoning will result in a more comprehensive planned redevelopment of the area and will ensure compatibility between uses (1111.06(a)).
2. The L-GE and L-OCD rezoning application is an appropriate application for the request (1111.06(e)).
3. The overall effect of the development advances and benefits the general welfare of the community (1111.06(f)).
4. The proposed rezoning will allow for the development of businesses that will generate revenue for the school district while eliminating residential units having a positive impact on the school district (1111.06(h)).

Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

VI. ACTION

Suggested Motion for ZC-63-2016:

To recommend approval to Council of Zoning Change application ZC-63-2016 based on the findings in the staff report with following condition of approval (conditions may be added)

1. To specifically list C-2 uses as a permitted in order to clarify the permitted uses.
2. The Retail Product Sales and Services, Personal Service and Vehicle Service use are added to the prohibited use list in the subarea 5 text.
3. The text be amended for Subarea B-1 to require a minimum 50 foot building and pavement setback from the Beech Road right-of-way.
4. The text be amended for Subarea B-1 so that retail uses have a minimum

pavement and building setback of 50 feet, and non-retail uses have a minimum pavement setback of 50 feet and minimum building setback of 100 feet in subarea B-1.

5. The pedestrian circulation requirements in Section H (6)(b) and (c) are removed from the subarea 5 text.
6. The text be amended to require the complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building must address sound as well as views with materials that are consistent and harmonious with the building's façade and character in both subareas.



**Planning Commission Staff Report
September 19, 2016 Meeting**

**HARRISON EAST EXPANSION ZONING DISTRICT
ZONING AMENDMENT**

LOCATION: Generally south of Jug Street, east of the Harrison East Zoning District, and west of Mink Street (PID: 037-112422-00.000, 037-112056-00.002, & 037-112056-00.000).
APPLICANT: MBJ Holdings c/o Aaron Underhill Esq.
REQUEST: Zoning Amendment
ZONING: AG Agricultural to L-GE Limited General Employment
STRATEGIC PLAN: Office District
APPLICATION: ZC-64-2016

Review based on: Application materials received July 29, 2016.

Staff report completed by Stephen Mayer, Community Development Planner.

IV. REQUEST AND BACKGROUND

The applicant requests review and recommendation to rezone 41.294 +/- acres. The applicant proposes to create a new limitation text in the New Albany Business Park. This area will be known as the Harrison East Expansion Zoning District, and will be zoned Limited General Employment (L-GE). The proposed limitation text meets the intent of the Strategic Plan's mixed use office district land use category by providing compatible general employment uses. A conditional use for production and manufacturing within this subarea is being reviewed in conjunction with this application (CU-65-2016).

This new text contains the same list of permitted, conditional, and prohibited uses as the Harrison East Zoning District, and the Business Park East Innovation District Subareas known as the Personal Care and Beauty Campus, where companies such as Anomatic, Accel, Axiom, and Veepak are located. Other development standards are almost identical to the surrounding subareas.

II. SITE DESCRIPTION & USE

The site is currently being annexed into the city and is in its 60-day annexation petition holding period. An ordinance for this annexation is expected to be introduced on September 20, 2016. The site is located within Licking County, south of Jug Street, east of the Harrison East Zoning District, and west of Mink Street. The neighboring uses and zoning districts include L-GE and unincorporated agricultural, residential, and commercial. The site itself is comprised of farm fields.

III. PLAN REVIEW

Planning Commission's review authority of the zoning amendment application is found under C.O. Chapters 1107.02 and 1159.09. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to City Council. Staff's review is based on city plans and studies, proposed zoning text, and the codified ordinances. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

Per Codified Ordinance Chapter 1111.06 in deciding on the change, the Planning Commission shall consider, among other things, the following elements of the case:

- (i) Adjacent land use.
- (j) The relationship of topography to the use intended or to its implications.
- (k) Access, traffic flow.
- (l) Adjacent zoning.
- (m) The correctness of the application for the type of change requested.
- (n) The relationship of the use requested to the public health, safety, or general welfare.
- (o) The relationship of the area requested to the area to be used.
- (p) The impact of the proposed use on the local school district(s).

E. New Albany Strategic Plan

The 2014 New Albany Strategic Plan lists the following development standards for the Office District:

- 24. Office buildings should not exceed five stories in height.
- 25. The design of office buildings should include four-sided architecture in order to address multiple frontages when present
- 26. On-Street parking is discouraged.
- 27. Primary parking should be located behind buildings and not between the primary street and the buildings.
- 28. Parking areas should be screened from view.
- 29. Loading areas should be designed so they are not visible from the public right-of-way, or adjacent properties.
- 30. Sidewalks/leisure trails should be placed along both sides of all public road frontage and setback 10 feet from the street.
- 31. Common open spaces or green are encouraged and should be framed by buildings to create a "campus like" environment.
- 32. Appropriate screening should be installed as a buffer between the office district and adjacent residential. If mounding is necessary to achieve this the "reverse slope" type with a gradual slope side toward the right-of-way is preferred.
- 33. Street trees should be provided at no greater a distance than 40 feet on center.
- 34. Individual uses should be limited in size, acreage, and maximum lot coverage.
- 35. No freeway/pole signs are allowed.
- 36. Heavy landscaping is necessary to buffer these uses from adjacent residential areas.
- 37. A 200 foot buffer should be provided along State Route 161.

38. Structures must use high quality building materials and incorporate detailed, four sided architecture.
39. When double fronting sites exist, office buildings should address both frontages.
40. Plan office buildings within the context of the area, not just the site, including building heights within development parcels.
41. Sites with multiple buildings should be well organized and clustered if possible.
42. All office developments should employ shared parking or be designed to accommodate it.
43. All office developments should plan for regional stormwater management.
44. Office developments should provide connections to the regional trail system.
45. Green building and site design practices are encouraged.
46. Innovative an iconic architecture is encouraged for office buildings.

F. Use, Site and Layout

15. The proposed zoning text is a limitation text. A limitation text can only establish more restrictive requirements than the zoning code.
16. It appears the applicant has used the development standards from the Harrison East Zoning District limitation text. The applicant proposes the same setbacks as Harrison East Zoning District:
 1. Jug Street: minimum 50 foot pavement and 100 foot building setback from right-of-way. This exceeds the building setback from the existing Business Park East limitation texts.
 2. Other public rights-of-way: minimum building setback of 50 and minimum pavement setback of 25 feet from the right-of-way.
 3. Perimeter Boundaries: 25 foot building and pavement setback from other commercially zoned properties. 50 foot building and pavement setback is proposed when adjacent to property with a zoning classification that permits residential uses.
17. This is the same list of permitted, conditional, and prohibited uses as Business Park East Innovation District Subarea A, known as the Personal Care and Beauty Campus, where companies such as Anomatic, Accel, Axium, and Veepak are located.
18. The limitation text will allow for general office activities, warehouse & distribution, off-premises signs, data centers, and research & production uses. Personal service and retail product sales and services are only allowed as accessory uses to a permitted use in this subarea.
19. Conditional uses include car fleet and truck fleet parking, and manufacturing and production.
20. Prohibited uses include industrial product sales and services, mini-warehouses, vehicle services, radio/television broadcast facilities, and sexually oriented business.
21. Due to the proximity of this site to the State Route 161/Beech Road and the future State Route 161/Mink Street interchanges, and its location adjacent to commercially zoned land in the existing Licking County business park, the site would appear to be most appropriate for commercial development.

G. Access, Loading, Parking

9. Detailed traffic access will be determined in consultation with City Staff as the site is developed.
10. Parking will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development for each individual site.
11. The text commits to dedicate 30 feet of right-of-way as measured from the centerline of Jug Street as necessary.
12. The text requires an internal pedestrian circulation system to be created so that a pedestrian using a public sidewalk or leisure trail along a public street can access the adjacent building through their parking lots with markings, crosswalks, etc.

H. Architectural Standards

8. The proposed rezoning seeks to implement many of the same or improved standards and limitations set forth in the New Albany Architectural Design Guidelines and Requirements (Chapter 1157).
9. The same architectural requirements as the existing Innovation District subarea A are proposed.
10. The City's Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. The Harrison East limitation text includes the same specific design requirements for uses not governed by the DGRs as those in the other subareas of the Business Park East Innovation District, which will ensure the quality design of these buildings.
11. The text requires complete screening of all roof-mounted equipment and appurtenances on all four sides of the each building with materials consistent and harmonious with the building's façade and character. Staff recommends the text is updated require the screening addresses sound as well as views so it matches the requirements in the Harrison East District.

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

6. Maximum lot coverage for this subarea is 75% (same as the Harrison East District).
7. The proposed zoning text does not propose any tree replacement or preservation areas. The text states "standard tree preservation practices will be put into place to preserve and protect trees during all phases of construction, including the installation of snow fence at the drip line." There are several trees at the northwest corner and south boundary of this district. Staff recommends additional language is added to the text requiring trees within the perimeter landscape buffer area to be preserved.
8. Landscaping within the required minimum building and pavement setbacks along Jug Street shall be provided in accordance with the following standards (same as Harrison East District):
 - a. A minimum of ten (10) deciduous trees shall be installed for every 100 feet of frontage on the public right-of-way. Such trees shall be planted in random locations (i.e., not in rows). No more than 30% of such trees

- shall be of a single species.
 - b. Mounding shall be permitted but not required. When utilized, mounding shall have a minimum height of 3 feet and a maximum height of 12 feet. The slope of mounds shall not exceed 3:1 from the crest of the mound extending toward the private site, and shall not exceed a 6:1 slope from the crest of the mound extending toward the public right-of-way.
 - c. A standard New Albany white four-board horse fence may (but shall not be required to) be provided within the public right-of-way.
9. The applicant proposes to require landscaping and/or mounding so as to provide an opacity of 75% on the date that is five years after planting to a total height of 10 feet above ground level from abutting residentially zoned and used properties. Even if there is a street between this site and a residential zoned and used property it shall be considered abutting. This is the same buffer requirement contained in the Harrison East District. The landscaping must be located in the 50 foot pavement and building setback area.
 10. Street trees will be located an average of 30 feet on center throughout the development.
 11. Minimum tree sizes for on-site trees match the standards in the Innovation District.

H. Lighting & Signage

6. No signage is proposed at this time. Per the text all signage shall meet the standards set forth in Codified Ordinance 1169 (City Sign Code).
7. All lighting shall be cut-off type fixtures and down cast to minimize light spilling beyond the boundaries of the site. The maximum height is 30 feet.
8. The zoning text requires lighting details to be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

I. Other Considerations

3. The applicant has submitted a school impact statement which states the proposed L-GE zoning will result in fewer children in the school district and add significant value to the land that will be a substantial financial benefit to the school district.

IV. ENGINEER'S COMMENTS

1. We spoke with Jared Knerr, P.E., P.S. of the Licking County Engineer's Office. Licking County has completed a preliminary engineering study of Jug Street between the Franklin County line and Mink Road. Once funding is available, pavement widening, drainage and other improvements are anticipated. At this time, it is not anticipated that additional takes along the 60 foot wide existing R/W will be necessary. Therefore the 30' R/W from centerline as stated in the application is sufficient.

V. RECOMMENDATION

Basis for Approval:

The proposed rezoning is generally consistent with the principles of commercial development in the Strategic Plan and the existing business park in Licking County. Additional restrictions and commitments have been provided that are above what the base zoning code would require.

5. The large scale of the rezoning will result in a more comprehensive planned redevelopment of the area and will ensure compatibility between uses (1111.06(a)).
6. The L-GE rezoning application is an appropriate application for the request(1111.06(e)).
7. The overall effect of the development advances and benefits the general welfare of the community (1111.06(f)).
8. The proposed rezoning will allow for the development of businesses that will generate revenue for the school district while eliminating residential units having a positive impact on the school district (1111.06(h)).

Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

VI. ACTION

Suggested Motion for ZC-64-2016:

To recommend approval to Council of Zoning Change application ZC-64-2016 based on the findings in the staff report with following condition of approval (conditions may be added)

1. The text requires the complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building must address sound as well as views with materials that are consistent and harmonious with the building's façade and character.
2. Additional language is added to the text requiring trees within the perimeter landscape buffer area to be preserved.



**Planning Commission Staff Report
September 19, 2016 Meeting**

**HARRISON EAST EXPANSION ZONING DISTRICT
CONDITIONAL USE**

LOCATION: Generally south of Jug Street, east of the Harrison East Zoning District, and west of Mink Street (PID: 037-112422-00.000, 037-112056-00.002, & 037-112056-00.000).

APPLICANT: MBJ Holdings c/o Aaron Underhill Esq.

REQUEST: Conditional Use for Manufacturing and Production

ZONING: AG Agricultural but proposed to be rezoned to L-GE Limited General Employment

STRATEGIC PLAN: Office District

APPLICATION: CU-65-2016

Review based on: Application materials received July 29, 2016.

Staff report completed by Stephen Mayer, Community Development Planner.

V. REQUEST AND BACKGROUND

The applicant requests approval for manufacturing and production as a conditional use within the Harrison East Expansion zoning district. The district is proposed to be zoned L-GE and the proposed conditional use will allow for the manufacturing, processing, fabrication, packaging, or assembly of goods. If approved, the conditional use will apply to the entire 41.294 acre zoning district.

II. SITE DESCRIPTION & USE

The site is currently being annexed into the city and is in its 60-day annexation petition holding period. An ordinance for this annexation is expected to be introduced on September 20, 2016. The site is located within Licking County, south of Jug Street, east of the Harrison East Zoning District, and west of Mink Street. The neighboring uses and zoning districts include L-GE and unincorporated agricultural, residential, and commercial. The site itself is comprised of farm fields.

III. EVALUATION

The general standards for Conditional Uses are contained in Codified Ordinance Section 1115.03. The Planning Commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location meets all of the following requirements:

- (a) *The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.*
- The limitation text associated with the rezoning of the property places additional requirements, above the general GE requirements, on the development of the property. These requirements further ensure that the character of the area is preserved and enhanced by future development.
 - The limitation text establishes setbacks that are more stringent than the minimum GE requirements. The text requires a minimum pavement setback of 50 feet and a minimum building setback of 100 feet from the Jug Street right-of-way. There shall be a minimum building and pavement setback of 25 feet from any perimeter boundary of this subarea that is not adjacent to a public right-of-way, except that the minimum building and pavement setback from perimeter boundaries of this Zoning District that are adjacent to property with a zoning classification that permits residential uses shall be 50 feet.
 - Site plans for proposed developments within this subarea will be approved on a user by user basis. Approval of these individual site plans should be subject to staff approval, as part of the approval of individual zoning permits.
 - The Planning Commission approved the same request the majority of the existing business park in Licking County. The Harrison East Zoning District received approval for the same request in January 2016. Allowing the manufacturing and production uses in this expansion district would allow both sites to be developed holistically.
 - The Planning Commission has approved similar comprehensive Conditional Use applications for manufacturing and production uses in other subareas within Licking County. This has enabled the city to land several economic development projects with quick construction timelines. To maintain a competitive advantage over other locations, upon approval of the conditional use application it will be exempt from time limitations of C.O. 1115.07. Because speed to market is one of the most important factors when a company is undertaking site selections, having the conditional use previously approved has a positive benefit to the city's economic development goals and fiscal strength.
- (b) *The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
- The proposed use will complement the office and distribution uses which are permitted uses within the overall area. The New Albany business park consists of four clusters. The Personal Care and Beauty Campus is planned for manufacturing, warehousing, and distribution uses. New Albany's Personal Care and Beauty Campus is the first of its kind in the country, and has attracted global industry leaders as a result of its ability to seamlessly integrate product manufacturing, labeling, packaging and distribution within a single campus.
 - Additional design guidelines for warehouse type manufacturing facilities contained in the zoning text further ensure their compatibility with the

character of the area. The same architectural requirements as the existing Innovation District subarea A and Expansion subarea are proposed.

- The City's Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. The Harrison East Expansion zoning text includes specific design requirements for uses not governed by the DGRs, which ensures the quality design of these buildings.

(c) *The use will not be hazardous to existing or future neighboring uses.*

- The use will be subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district.

(d) *The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*

- The zoning district is located south of Jug Street and east of Harrison Road, near to the Beech Road/State Route 161 interchange and future Mink Street interchange. Additional roadways such as Innovation Campus Way are planned to serve these commercial properties.
- The city of New Albany and city of Columbus updated their water and sewer agreement to include this area thereby making this area within the New Albany expansion area. Sewer and water service is available for extension in this location.
- The proposed manufacturing and production use will produce no new students for the school district.

(e) *The proposed use will not be detrimental to the economic welfare of the community.*

- The proposed manufacturing and production uses will generate income tax by the creation of new jobs.

(f) *The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*

- The use will be subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district.
- The applicant, as part of the conditional use statement, has committed to attracting only users to the site that do not produce excessive amounts of traffic, noise, smoke, fumes, glare or odors.

- The zoning text requires complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of each building using materials that are consistent and harmonious with the building's façade and character. This provides additional noise abatement to neighboring properties in addition to improved aesthetics.
- (g) *Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.*
- The infrastructure in this portion of the city is being designed to accommodate the traffic associated with commercial uses.
 - There is no reason to believe that that traffic generated by the manufacturing and production uses will have any greater impact than traffic for permitted users in the GE district.
 - Due to the proximity of this site to the State Route 161 interchange and its location adjacent to commercially zoned land in the existing Licking County business park to the west, the site appears to be most appropriate for manufacturing and production uses. An extension of Innovation Campus Way, extending through this subarea, will provide a connection to the future Mink Street interchange that is being designed to separate vehicular and truck traffic.
 - Detailed traffic access will be determined in consultation with City Engineer as the site is developed.

V. RECOMMENDATION

Basis for Approval:

The overall proposal appears to be consistent with the code requirements for conditional uses and meets the development standards and recommendations contained in the 2014 New Albany Strategic Plan and New Albany Economic Development Strategic Plan. The proposed manufacturing and production use will likely compliment the permitted uses within the subarea. New Albany has four distinct clusters of commerce within the overall business park. The Personal Care and Beauty Park cluster is the appropriate area for manufacturing, packaging and distribution. The Personal Care and Beauty Park contains infrastructure designed to accommodate the traffic associated with manufacturing and production uses and is strategically located close to State Route 161. This conditional use meets the recommendations in the New Albany Economic Development Strategic Plan by providing additional business type diversity, and attracting supply-chain industries.

The limitation text for this area establishes more restrictive regulations for development and therefore many of the city's strategic plan's office development standards are required to be implemented. The manufacturing and production uses must follow the same development standards as any other permitted use in this area. This conditional use meets the recommendations in the New Albany Economic Development Strategic Plan by providing additional business type diversity, and attracting supply-chain industries.

Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

VI. ACTION

Suggested Motion for CU-65-2016:

To approve Conditional Use application CU-65-2016 based on the findings in the staff report with following condition of approval (conditions may be added)

1. Approval of individual site plans for manufacturing and production users are subject to staff approval.



**Planning Commission Staff Report
September 19, 2016 Meeting**

**MINK INTERCHANGE ZONING DISTRICT
ZONING AMENDMENT**

LOCATION: Generally northwest of and adjacent to State Route 161 and Mink Street (PID: 037-112080-02.001, 035-107490-00.000, 035-107478-00.000, 035-107400-07.000, & 035-107478-00.002)

APPLICANT: MBJ Holdings c/o Aaron Underhill Esq.

REQUEST: Zoning Amendment

ZONING: AG Agricultural to I-PUD Infill Planned Unit Development

STRATEGIC PLAN: Office District

APPLICATION: ZC-66-2016

Review based on: Application materials received July 29, 2016.

Staff report completed by Stephen Mayer, Community Development Planner.

VI. REQUEST AND BACKGROUND

The applicant requests review and recommendation to rezone 74.598 ± acres. The applicant proposes to create a new zoning district in the New Albany Business Park. This area will be known as the Mink Interchange Zoning District, and will be zoned I-PUD Infill Planned Unit Development.

The PUD text permits the same Limited General Employment (L-GE) list of permitted, conditional, and prohibited uses as Business Park East Innovation District Subareas, known as the Personal Care and Beauty Campus, where companies such as Anomatic, Accel, Axium, and Veepak are located. Other development standards are almost identical to the surrounding subareas.

The text also permits the retail uses contained in the C-3 Highway Business District including motor vehicle sales and service establishments, hotels and motels, and carry out food and beverage establishments with drive-through facilities. The zoning text allows other retail uses such as conference centers, gasoline and other fuel stations with or without car washes and/or convenience stores, and travel centers to serve the commercial trucking industry.

A conditional use for production and manufacturing within Subarea A is being reviewed in conjunction with this application (CU-67-2016)

The proposed zoning text meets the intent of the Strategic Plan’s office district land use category in this area by providing compatible general employment uses. The Mink Road Area Plan Addendum states “New Albany has been very deliberate about the amount of retail uses within its borders. The city has also been realistic about the need for uses that serve employees in the expanding business park. As the Beech Road area is built out, the city will need to monitor the demand for additional auto-oriented retail uses in or around the Mink Street Interchange.”

II. SITE DESCRIPTION & USE

The site was annexed via Ordinance-13-2016. The ordinance for the annexation was passed on June 22, 2016. The site is located within Licking County, north of Cobb Road and west of Mink Street. The neighboring uses and zoning districts include L-GE and unincorporated agricultural/residential. The site is comprised of two homes, some wooded areas, and farm fields.

III. PLAN REVIEW

Planning Commission’s review authority of the zoning amendment application is found under C.O. Chapters 1107.02 and 1159.09. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to City Council. Staff’s review is based on city plans and studies, proposed zoning text, and the codified ordinances. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

Per Codified Ordinance Chapter 1111.06 in deciding on the change, the Planning Commission shall consider, among other things, the following elements of the case:

- (q) Adjacent land use.
- (r) The relationship of topography to the use intended or to its implications.
- (s) Access, traffic flow.
- (t) Adjacent zoning.
- (u) The correctness of the application for the type of change requested.
- (v) The relationship of the use requested to the public health, safety, or general welfare.
- (w) The relationship of the area requested to the area to be used.
- (x) The impact of the proposed use on the local school district(s).

I. New Albany Strategic Plan

The 2014 New Albany Strategic Plan lists the following development standards for the Office District:

- 47. Office buildings should not exceed five stories in height.
- 48. The design of office buildings should include four-sided architecture in order to address multiple frontages when present
- 49. On-Street parking is discouraged.
- 50. Primary parking should be located behind buildings and not between the primary street and the buildings.
- 51. Parking areas should be screened from view.
- 52. Loading areas should be designed so they are not visible from the public right-of-way, or adjacent properties.

53. Sidewalks/leisure trails should be placed along both sides of all public road frontage and setback 10 feet from the street.
54. Common open spaces or green are encouraged and should be framed by buildings to create a “campus like” environment.
55. Appropriate screening should be installed as a buffer between the office district and adjacent residential. If mounding is necessary to achieve this the “reverse slope” type with a gradual slope side toward the right-of-way is preferred.
56. Street trees should be provided at no greater a distance than 40 feet on center.
57. Individual uses should be limited in size, acreage, and maximum lot coverage.
58. No freeway/pole signs are allowed.
59. Heavy landscaping is necessary to buffer these uses from adjacent residential areas.
60. A 200 foot buffer should be provided along State Route 161.
61. Structures must use high quality building materials and incorporate detailed, four sided architecture.
62. When double fronting sites exist, office buildings should address both frontages.
63. Plan office buildings within the context of the area, not just the site, including building heights within development parcels.
64. Sites with multiple buildings should be well organized and clustered if possible.
65. All office developments should employ shared parking or be designed to accommodate it.
66. All office developments should plan for regional stormwater management.
67. Office developments should provide connections to the regional trail system.
68. Green building and site design practices are encouraged.
69. Innovative an iconic architecture is encouraged for office buildings.

J. Use, Site and Layout

22. The proposed zoning text is a planned unit development text. PUD texts allow flexibility in design.
23. The General Matters section in the text requires that proposed developments containing uses allowed in the GE zoning district can be reviewed and approved by city staff. Proposed developments containing uses allowed in the C-1 and C-3 zoning districts must reviewed and approved by the Planning Commission via a final development plan application. Staff recommends a condition of approval requiring the text be amended to specifically list C-2 uses as a permitted in order to clarify the permitted uses.
24. Below is a list of setbacks:
 1. State Route 161: Text proposes a minimum pavement setback of 45 feet and a minimum building setback of 90 feet from the right-of-way.
 - Staff recommends this setback apply to Cobb Road as well as State Route 161 and increase the setback to a minimum of 90 feet of building and pavement. This will make it consistent with other subareas along State Route 161 in Licking County.
 2. Mink Street: The text requires a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the right-of-way along Mink Street.

- Staff recommends the setback be a minimum of 50 feet of pavement and 100 feet for building from the right-of-way. This would create an opportunity for landscaping along Mink Street to establish the character of the corridor.
 - 3. Innovation Campus Way: minimum 50 foot pavement and building setback from right-of-way.
 - This matches the zoning subareas east of Harrison Road.
 - 4. Other public rights-of-way: minimum pavement and building setback of 25 feet.
 - 5. Staff recommends the text requires that fuel station canopies must adhere to the building setbacks.
 - 6. Interior property boundary setbacks are zero building and pavement setbacks.
 - 7. The zoning text does not contain any perimeter boundaries: Staff recommends the same setbacks used in similar zoning texts which requires 25 foot pavement and 50 foot building along the entire perimeter except for the Stetzik and Howell properties. A 50 foot building and pavement setback should be located next to the Stetzik and Howell properties generally located to the northeast. Staff recommends perimeter boundaries are added to the subarea maps.
25. This subarea proposes to allow the same list of permitted, conditional, and prohibited uses as Business Park East Innovation District Subarea A, known as the Personal Care and Beauty Campus, where companies such as Anomatic, Accel, Axium, and Veepak are located. This allows general office activities, warehouse & distribution, off-premises signs, data centers, and research & production uses.
26. The applicant also proposes to allow retail uses as well contained in the C-1 and C-3 commercial zoning districts. The C-3 zoning district also permits the permitted and conditional uses in the C-2 district. The text limits the retail (non-GE district uses) to only be permitted on the east and south sides of the centerline of the creek. Staff recommends a condition of approval that a subarea map that delineates the area where retail is permitted be submitted.
27. The applicant proposes to allow conference centers, gasoline and other fuel stations with or without car washes and/or convenience stores; and travel centers. Travel centers are defined in the text as “a development functioning as a single location for a variety of different but related uses, such as but not necessarily limited to gasoline and other fuel services, convenience stores, laundry services, and restaurants. Such centers may serve the commercial trucking industry in addition to regular (non-truck) motorists.” Staff recommends a condition requiring the definition of a travel center include “but does not include overnight parking of trucks.”
28. In addition the retail uses listed above, the text proposes the following retail uses in the C-1, C-2, and C-3 zoning districts which include:
1. Commercial recreational facilities such as community and public swimming pools, skating rinks, bowling alleys, physical fitness centers
 2. Lumber and home improvement sales.

3. Hotels and motels. Staff recommends a condition requiring hotels and motels are a prohibited use in this subarea.
4. Garden centers.
5. Retail stores primarily engaged in selling merchandise for personal or household consumption, and rendering services incidental to the sale of these goods:
6. Food and food products, consisting of: grocery, meat, fish, fruit or vegetable markets or combinations thereof, dairy or bakery products, specialty food stores such as candy or confectionery, and miscellaneous food stores which conform to the purpose of the General Business District.
7. General merchandise, consisting of: department stores, and limited price variety stores.
8. Home furnishings, consisting of: furniture and equipment sales, radio, television, and music stores.
9. Building material retail stores, not having outside storage of material, consisting of: plumbing and electrical supplies, paint, wall paper, upholstery, and interior decorating stores, and hardware stores.
10. Apparel, consisting of: clothing, furnishings, and accessory items for men, women and children, custom tailor shops and combined apparel sales and personal service operations, and miscellaneous apparel and accessory stores.
11. Similar retail stores, including: drug stores, florists, gift and novelty stores, books and newspapers, camera, photographic and optical goods, jewelry, and other retail stores which conform to the purpose and intent of the General Business District.
12. Personal services, involving the care of the person and his/her personal effects, including consumer services generally involving the care and maintenance of tangible property or the provision of tangible services for personal consumption including:
13. Restaurants, but not including restaurants with drive- through facilities.
14. Banks, savings and loans, and credit agencies, but not including establishments with drive-through facilities.
15. Barber and beauty shops.
16. Self-service laundries.
17. Dry-cleaning establishments.
18. Funeral services.
19. Human medical and dental clinics.
20. Radio, television, or small appliance repair.
21. Public and private parking areas.
22. On-premises duplication and reproduction facilities.
23. Equipment rental or leasing, not including outdoor storage of material.
29. The applicant is proposing to prohibit some retail uses including: tool rental and household moving centers; sales of cars, motorcycles, boats and recreational vehicles; repair of TVs, appliances, precision instruments; and business machines; locksmiths; upholsters; and furniture refining.

30. Veterinary offices and animal hospitals.
31. Conditional uses include car fleet and truck fleet parking, and manufacturing and production.
32. Prohibited uses include industrial product sales and services, mini-warehouses, vehicle services, radio/television broadcast facilities, and sexually oriented business. Staff recommends the vehicle services prohibited use is clarified to add “except as associated with a travel center as defined.”
33. Due to the proximity of this site to the State Route 161/Mink Street interchange and its location adjacent to commercially zoned land in the existing Licking County business park, the site would appear to be most appropriate for commercial development.

K. Access, Loading, Parking

13. Detailed traffic access will be determined in consultation with City Staff as the site is developed.
14. Parking will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development for each individual site.
15. The text requires an internal pedestrian circulation system to be created so that a pedestrian using a public sidewalk or leisure trail along a public street can access the adjacent building through their parking lots with markings, crosswalks, etc.
16. The text does not contain any commitments for right-of-way dedications for future public roadways because dedications for Innovation Campus Way have already been completed and none are needed along Mink Street.

L. Architectural Standards

12. The proposed rezoning seeks to implement many of the same or improved standards and limitations set forth in the New Albany Architectural Design Guidelines and Requirements (Chapter 1157).
13. The same architectural requirements for non-retail uses as the existing Innovation District subarea A are proposed.
14. The City’s Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. This limitation text includes the same specific design requirements for uses not governed by the DGRs as those in the other subareas of the Business Park East Innovation District, which will ensure the quality design of these buildings.
15. The text contains specific architectural requirements for retail uses and outparcel retail sites. Buildings must be between one (1) and two and half (2.5) stories in height with a maximum height of 35 feet. The architectural requirements are predominately the same as the ones required at the Beech Road and Smith’s Mill Road intersection.
16. Staff recommends a condition the retail (non-outparcel) uses are required to have the same style requirements as contain in section 3(a) (page 8 of 13) as required for outparcel uses to provide for a consistent retail architecture throughout the subarea.

17. The text requires complete screening of all roof-mounted equipment and appurtenances from the view of the right-of-way from Mink Street with materials that are consistent and harmonious with the building's façade and character for non-retail, retail, and outparcel uses. Complete screening from State Route 161 is exempt. Staff recommends the complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building with materials that are consistent and harmonious with the building's façade and character for sound and views for non-retail, retail, and outparcel uses. This will provide additional noise abatement to neighboring properties in addition to improved aesthetics.
18. Due to the unique nature of the Travel Center use, staff recommends that the applicant create specific standards in the text for travel centers and/or gas stations.

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

12. Maximum lot coverage for this subarea is 80%.
13. The text requires a riparian corridor setback of 150 feet extending 75 feet on each side of the centerline of the creek that runs the subarea. No pavement, buildings, or other improvements shall be constructed within this setback area, except for lateral utility lines and one paved vehicular crossing shall be permitted within the setback area.”
14. The proposed zoning text does not propose any tree replacement or preservation areas except for the riparian corridor. The text states “standard tree preservation practices will be put into place to preserve and protect trees during all phases of construction, including the installation of snow fence at the drip line.” It further requires that within the riparian corridor setback area, no trees shall be removed unless they are dead, diseased, or an invasive species. Clearing of understory growth within this area shall be permitted in accordance with customary and reasonable forestry management practices.
15. Portions of this site are significantly wooded. Staff recommends that in addition to the riparian corridor the perimeter boundary, at a minimum, shall remain in its wooded state. The Planning Commission should consider additional preservation commitments.
16. The PUD text does not contain any additional landscaping public for public street frontages. None of the surrounding, existing subareas require additional landscaping for Innovation Campus Way. This is the first rezoning that fronts onto Mink Street. Landscaping wasn't initially installed along Beech Road with the first phase of construction and staff has learned its importance to neighboring property owners. Therefore staff recommends Mink Street have similar landscaping as required along Harrison Road and Beech Road which are:
 - a. A minimum of ten (10) deciduous trees shall be installed for every 100 feet of frontage on the public right-of-way. Such trees shall be planted in random locations (i.e., not in rows). No more than 30% of such trees shall be of a single species.
 - b. Mounding shall be permitted but not required. When utilized, mounding shall have a minimum height of 3 feet and a maximum height

of 12 feet. The slope of mounds shall not exceed 3:1 from the crest of the mound extending toward the private site, and shall not exceed a 6:1 slope from the crest of the mound extending toward the public right-of-way.

- c. A standard New Albany white four-board horse fence may (but shall not be required to) be provided within the public right-of-way.

17. The text does not contain additional setback and landscaping requirements for areas where this subarea is adjacent to residential uses. Staff recommends the same requirements as utilized in other zoning texts which requires a 50 foot pavement and building setback from the Stetzik and Howell residentially used properties. Additionally a buffer be planted with natural vegetation that has 75% opacity and a height of 10 feet within five years of planting where a commercial use is adjacent to the a residential use.

18. Street trees will be planted at 3 per 100 linear feet of street frontage. This is generally consistent with the city's typical one tree per 30 feet.

K. Lighting & Signage

9. No signage is proposed at this time. Staff recommends future signage is subject to staff approval.

10. All lighting shall be cut-off type fixtures and down cast to minimize light spilling beyond the boundaries of the site. The maximum height is 30 feet.

11. The zoning text requires lighting details to be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

L. Other Considerations

4. The applicant has submitted a school impact statement which states the proposed zoning will result in fewer children in the school district and add significant value to the land that will be a substantial financial benefit to the school district.

IV. ENGINEER'S COMMENTS

City Engineer comments they have no engineering related comments at this time.

V. RECOMMENDATION

Basis for Approval:

The proposed rezoning is generally consistent with the principles of commercial development in the Strategic Plan. Additional restrictions and commitments have been provided that are above what the base zoning code would require.

1. The large scale of the rezoning will result in a more comprehensive planned redevelopment of the area and will ensure compatibility between uses (1111.06(a)).
2. The I-PUD/L-GE rezoning application is an appropriate application for the request(1111.06(e)).
3. The overall effect of the development advances and benefits the general welfare of the community (1111.06(f) and (1159.08(c)).

4. The proposed rezoning will allow for the development of businesses that will generate revenue for the school district while eliminating residential units having a positive impact on the school district (1111.06(h)).
5. Future development will provide sidewalks and trails which will connect into the existing trail/sidewalk network (1159.03(c)).
6. The proposed development is consistent with the purpose and intent and applicable standards of the Zoning Code (1159.08(a)).
7. The applicant has committed to providing increased building setbacks and increased landscape requirements in addition to other commitments. These additional commitments will ensure that the development will include more amenities than would be possible through the strict application of the minimum commitment to standards of a standard zoning district (1159.02(d)).
8. The use of a Planned Unit Development allows for deviations from the zoning code and increased design commitments to provide a more flexible and desirable development (1159.08(d)).
9. The site can be sufficiently serviced via the existing streets and future streets, including but not limited to the extension of Innovation Campus Way (1111.06(b) and 1159.08(g)).

Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

VI. ACTION

Suggested Motion for ZC-66-2016:

To recommend approval to Council of Zoning Change application ZC-66-2016 based on the findings in the staff report with following condition of approval (conditions may be added)

1. Future signage is subject to staff approval
2. The text be amended to specifically list C-2 uses as a permitted in order to clarify the permitted uses.
3. A minimum of 90 feet of building and pavement setback applies to Cobb Road as well as State Route 161.
4. Setback be a minimum of 50 feet of pavement and 100 feet for building from the right-of-way along Mink Street.
5. The text requires that fuel station canopies must adhere to the building setbacks.
6. Text requires 25 foot pavement and 50 foot building along the entire perimeter subarea boundary except for the Stetzk and Howell properties. A 50 foot building and pavement setback is required along the Stetzk and Howell properties generally located to the northeast. Perimeter boundaries are added to the subarea maps.
7. A subarea map is submitted that delineates the area where retail is permitted, the riparian corridor, setbacks and preservation areas.
8. Hotels and motels are a prohibited use in this subarea
9. The definition of a travel center include “but does not include overnight

- parking of trucks.”
10. The vehicle services prohibited use is clarified to add “except as associated with a travel center as defined.”
 11. The retail (non-outparcel) uses are required to have the same style requirements as contain in section 3(a) (page 8 of 13) as required for outparcel uses
 12. The complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building with materials that are consistent and harmonious with the building’s façade and character for sound and views for non-retail, retail, and outparcel uses.
 13. In addition to the riparian corridor, the perimeter boundary, at a minimum, shall remain in its wooded state.
 14. The text is updated so Mink Street requires the following landscaping:
 - a. A minimum of ten (10) deciduous trees shall be installed for every 100 feet of frontage on the public right-of-way. Such trees shall be planted in random locations (i.e., not in rows). No more than 30% of such trees shall be of a single species.
 - b. Mounding shall be permitted but not required. When utilized, mounding shall have a minimum height of 3 feet and a maximum height of 12 feet. The slope of mounds shall not exceed 3:1 from the crest of the mound extending toward the private site, and shall not exceed a 6:1 slope from the crest of the mound extending toward the public right-of-way.
 - c. A standard New Albany white four-board horse fence may (but shall not be required to) be provided within the public right-of-way.
 15. Verification that an application, if required, has been submitted to the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain either a nationwide or individual permit from the U.S. Army Corps of Engineers
 16. The applicant create specific standards in the text for travel centers and/or gas stations



**Planning Commission Staff Report
September 19, 2016 Meeting**

**MINK INTERCHANGE ZONING DISTRICT
CONDITIONAL USE**

LOCATION: Generally northwest of and adjacent to State Route 161 and Mink Street (PID: 037-112080-02.001, 035-107490-00.000, 035-107478-00.000, 035-107400-07.000, & 035-107478-00.002)

APPLICANT: MBJ Holdings c/o Aaron Underhill Esq.

REQUEST: Conditional Use for Manufacturing and Production

ZONING: I-PUD Infill Planned Unit Development

STRATEGIC PLAN: Office District

APPLICATION: CU-67-2016

Review based on: Application materials received July 29, 2016.

Staff report completed by Stephen Mayer, Community Development Planner.

VII. REQUEST AND BACKGROUND

The applicant requests approval for manufacturing and production as a conditional use within the Mink Interchange zoning district. The district is proposed to be zoned L-GE and the proposed conditional use will allow for the manufacturing, processing, fabrication, packaging, or assembly of goods. If approved, the conditional use will apply to the entire 74.598 acre zoning district.

II. SITE DESCRIPTION & USE

The site was annexed via Ordinance-13-2016. The ordinance for the annexation was passed on June 22, 2016. The site is located within Licking County, north of Cobb Road and west of Mink Street. The neighboring uses and zoning districts include L-GE and unincorporated agricultural/residential. The site is comprised of two homes, some wooded areas, and farm fields.

IV. EVALUATION

The general standards for Conditional Uses are contained in Codified Ordinance Section 1115.03. The Planning Commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location meets all of the following requirements:

- (h) The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.*

- The limitation text associated with the rezoning of the property places additional requirements, above the general GE requirements, on the development of the property. These requirements further ensure that the character of the area is preserved and enhanced by future development.
 - With staffs recommended changes to the zoning texts listed in the rezoning staff report, the limitation text establishes setbacks that are more stringent than the minimum GE requirements.
 - Site plans for proposed developments for GE uses within this subarea will be approved on a user by user basis. Approval of these individual site plans should be subject to staff approval, as part of the approval of individual zoning permits.
 - The Planning Commission has approved similar comprehensive Conditional Use applications for manufacturing and production uses in other subareas within Licking County. This has enabled the city to land several economic development projects with quick construction timelines. To maintain a competitive advantage over other locations, upon approval of the conditional use application it will be exempt from time limitations of C.O. 1115.07. Because speed to market is one of the most important factors when a company is undertaking site selections, having the conditional use previously approved has a positive benefit to the city's economic development goals and fiscal strength.
- (i) *The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
- The proposed use will complement the office and distribution uses which are permitted uses within the overall area. The New Albany business park consists of four clusters. The Personal Care and Beauty Campus is planned for manufacturing, warehousing, and distribution uses. New Albany's Personal Care and Beauty Campus is the first of its kind in the country, and has attracted global industry leaders as a result of its ability to seamlessly integrate product manufacturing, labeling, packaging and distribution within a single campus.
 - Additional design guidelines for warehouse type manufacturing facilities contained in the zoning text further ensure their compatibility with the character of the area. The same architectural requirements as the existing surrounding subareas are proposed including requiring four-sided screening of all roof-top equipment for views and sound.
 - The City's Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. The Mink Interchange zoning text includes specific design requirements for uses not governed by the DGRs, which ensures the quality design of these buildings.
- (j) *The use will not be hazardous to existing or future neighboring uses.*

- The use will be subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district.

- (k) *The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
 - The zoning district is adjacent to the future Mink Street interchange. Additional roadways such as Innovation Campus Way are planned to serve these commercial properties.
 - The city of New Albany and city of Columbus updated their water and sewer agreement to include this area thereby making this area within the New Albany expansion area. Sewer and water service is available for extension in this location.
 - The proposed manufacturing and production use will produce no new students for the school district.

- (l) *The proposed use will not be detrimental to the economic welfare of the community.*
 - The proposed manufacturing and production uses will generate income tax by the creation of new jobs.

- (m) *The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*
 - The use will be subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district.
 - The applicant, as part of the conditional use statement, has committed to attracting only users to the site that do not produce excessive amounts of traffic, noise, smoke, fumes, glare or odors.
 - Within the rezoning application staff has recommended the complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building with materials that are consistent and harmonious with the building's façade and character for sound and views for non-retail, retail, and outparcel uses. This will provide additional noise abatement to neighboring properties in addition to improved aesthetics.

- (n) *Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.*
 - The infrastructure in this portion of the city is being designed to accommodate the traffic associated with commercial uses.

- There is no reason to believe that that traffic generated by the manufacturing and production uses will have any greater impact than traffic for permitted users in the GE district.
- Due to the proximity of this site to the State Route 161 interchange and its location adjacent to commercially zoned land in the existing Licking County business park to the west, the site appears to be most appropriate for manufacturing and production uses. An extension of Innovation Campus Way, extending through this subarea, will provide a connection to the future Mink Road interchange that is being designed to separate vehicular and truck traffic.
- Detailed traffic access will be determined in consultation with City Engineer as the site is developed.

V. RECOMMENDATION

Basis for Approval:

The overall proposal appears to be consistent with the code requirements for conditional uses and meets the development standards and recommendations contained in the 2014 New Albany Strategic Plan and New Albany Economic Development Strategic Plan. The proposed manufacturing and production use will likely compliment the permitted uses within the subarea. New Albany has four distinct clusters of commerce within the overall business park. The Personal Care and Beauty Park cluster is the appropriate area for manufacturing, packaging and distribution. The Personal Care and Beauty Park contains infrastructure designed to accommodate the traffic associated with manufacturing and production uses and is strategically located close to State Route 161. This conditional use meets the recommendations in the New Albany Economic Development Strategic Plan by providing additional business type diversity, and attracting supply-chain industries.

The limitation text for this area establishes more restrictive regulations for development and therefore many of the city's strategic plan's office development standards are required to be implemented. The manufacturing and production uses must follow the same development standards as any other permitted use in this area. This conditional use meets the recommendations in the New Albany Economic Development Strategic Plan by providing additional business type diversity, and attracting supply-chain industries.

Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

VI. ACTION

Suggested Motion for CU-67-2016:

To recommend approval to Council of Zoning Change application CU-67-2016 based on the findings in the staff report with following condition of approval (conditions may be added)

1. Approval of individual site plans for manufacturing and production users are subject to staff approval.



**Planning Commission Staff Report
September 19, 2016 Meeting**

**BEECH INTERCHANGE ZONING DISTRICT
ZONING AMENDMENT**

LOCATION: Generally west and east of and adjacent to Beech Road and to the south of and adjacent to Worthington Road (PID: 082-108582-00.000, 082-108390-00.000, 082-107388-00.000, 094-106836-00.000, 094-109458-00.000, 094-108192-00.000, 082-106404-00.000, 094-106404-01.000, 094-106404-03.000, 094-106866-00.000, 082-107880-00.000, 082-108720-01.000, 082-108720-00.000, 082-106830-01.000, 094-106830-02.000, 094-108384-00.000, 082-106404-00.000, 094-109296-00.000, & 094-108342-00.000)

APPLICANT: MBJ Holdings c/o Aaron Underhill Esq.
REQUEST: Zoning Amendment
ZONING: AG Agricultural to “L-GE” Limited General Employment and “L-OCD” Limited Office Campus District
STRATEGIC PLAN: Office District
APPLICATION: ZC-68-2016

Review based on: Application materials received July 29, 2016.

Staff report completed by Stephen Mayer, Community Development Planner.

VIII. REQUEST AND BACKGROUND

The applicant requests review and recommendation to rezone 168.14+/- acres. The applicant proposes to add this land to the existing business park in Licking County as a new zoning district with five subareas. This area will be known as Beech Interchange District subareas A, B, C, D, and F, and will be zoned Limited General Employment (L-GE) and Limited Office Campus District (L-OCD). The proposed limitation text meets the intent of the Strategic Plan’s office category by providing compatible general employment uses.

Subarea A of this new text contains the same list of permitted, conditional, and prohibited uses as the Harrison East Zoning District, and the Business Park East Innovation District Subareas known as the Personal Care and Beauty Campus, where companies such as Anomatic, Accel, Axium, and Veepak are located. Other development standards are almost identical to the surrounding subareas. A conditional use for production and manufacturing within Subarea A is being reviewed in conjunction with this application (CU-69-2016).

Subareas B, C, D, and F will contain the same list of permitted, conditional, and prohibited uses as the Winding Hollow Zoning District and its adjacent subareas from the original Business Park East zoning text.

II. SITE DESCRIPTION & USE

Portions of this site are annexed and zoned AG Agricultural and the remainder is currently being annexed into the city and is in its 60-day annexation petition holding period. An ordinance for this annexation was introduced on September 6, 2016 to city council. The site is located within Licking County, south of Jug Street, east of the Harrison East Zoning District, and west of Mink Street. The neighboring uses and zoning districts include L-GE and unincorporated agricultural, residential, and commercial.

III. PLAN REVIEW

Planning Commission's review authority of the zoning amendment application is found under C.O. Chapters 1107.02 and 1159.09. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to City Council. Staff's review is based on city plans and studies, proposed zoning text, and the codified ordinances. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

Per Codified Ordinance Chapter 1111.06 in deciding on the change, the Planning Commission shall consider, among other things, the following elements of the case:

- (y) Adjacent land use.
- (z) The relationship of topography to the use intended or to its implications.
- (aa) Access, traffic flow.
- (bb) Adjacent zoning.
- (cc) The correctness of the application for the type of change requested.
- (dd) The relationship of the use requested to the public health, safety, or general welfare.
- (ee) The relationship of the area requested to the area to be used.
- (ff) The impact of the proposed use on the local school district(s).

M. New Albany Strategic Plan

The 2014 New Albany Strategic Plan lists the following development standards for the Office District:

- 70. Office buildings should not exceed five stories in height.
- 71. The design of office buildings should include four-sided architecture in order to address multiple frontages when present
- 72. On-Street parking is discouraged.
- 73. Primary parking should be located behind buildings and not between the primary street and the buildings.
- 74. Parking areas should be screened from view.
- 75. Loading areas should be designed so they are not visible from the public right-of-way, or adjacent properties.

76. Sidewalks/leisure trails should be placed along both sides of all public road frontage and setback 10 feet from the street.
77. Common open spaces or green are encouraged and should be framed by buildings to create a “campus like” environment.
78. Appropriate screening should be installed as a buffer between the office district and adjacent residential. If mounding is necessary to achieve this the “reverse slope” type with a gradual slope side toward the right-of-way is preferred.
79. Street trees should be provided at no greater a distance than 40 feet on center.
80. Individual uses should be limited in size, acreage, and maximum lot coverage.
81. No freeway/pole signs are allowed.
82. Heavy landscaping is necessary to buffer these uses from adjacent residential areas.
83. A 200 foot buffer should be provided along State Route 161.
84. Structures must use high quality building materials and incorporate detailed, four sided architecture.
85. When double fronting sites exist, office buildings should address both frontages.
86. Plan office buildings within the context of the area, not just the site, including building heights within development parcels.
87. Sites with multiple buildings should be well organized and clustered if possible.
88. All office developments should employ shared parking or be designed to accommodate it.
89. All office developments should plan for regional stormwater management.
90. Office developments should provide connections to the regional trail system.
91. Green building and site design practices are encouraged.
92. Innovative an iconic architecture is encouraged for office buildings.

N. Use, Site and Layout

34. The proposed zoning text is a limitation text. A limitation text can only establish more restrictive requirements than the zoning code.

Subarea A

35. Subarea A is located south of Dublin-Granville/Worthington Road, west of Beech Road, and east of the Winding Hollow Zoning District.
36. Subarea A contains the same list of permitted, conditional, and prohibited uses as Business Park East Innovation District Subarea A, known as the Personal Care and Beauty Campus, where companies such as Anomatic, Accel, Axium, and Veepak are located.
37. The limitation text will allow for general office activities, warehouse & distribution, off-premises signs, data centers, and research & production uses. Personal service and retail product sales and services are only allowed as accessory uses to a permitted use in this subarea.
38. Conditional uses include car fleet and truck fleet parking, and manufacturing and production.
39. Prohibited uses include personal service and retail product sales, industrial product sales and services, mini-warehouses, vehicle services, radio/television broadcast facilities, and sexually oriented business.
40. The applicant proposes the following setbacks:

1. Beech Road: minimum building and pavement setback of 50 feet from the right-of-way.
 - Staff recommends there be a minimum pavement setback of 50 feet and minimum building setback of 100 feet for non-office uses and a minimum pavement and building setback of 50 feet for office uses.
2. Worthington Road: minimum pavement setback of 25 feet and minimum building setback of 50 feet from the right-of-way.
3. New Public Street: minimum pavement setback of 25 feet and minimum building setback of 50 feet from the right-of-way.
4. Other public roads: minimum building and pavement setback of 25 feet from the right-of-way.
 - Staff recommends the setback for “other public roads” is eliminated from the text so the “new public street” requirements applies.
5. The text does not contain any Perimeter Boundaries. Staff recommends the text is updated to require a minimum 25 foot pavement and 50 foot building setback from other commercially zoned properties and a minimum 50 foot building and pavement setback is proposed when adjacent to property with a zoning classification that permits residential uses.

Subareas B

41. The applicant proposes to rezone this subarea Limited Office Campus District (L-OCD). The limitation text allows the permitted and condition uses found in C.O. 1144.02 and 1144.03, provided the conditional uses are approved in accordance with C.O. Chapter 1115 by the Planning Commission. The Office Campus District permits the following uses:
 - (a) Administrative business and professional offices as specified in C.O. Sections 1143.02(a), (b), and (c).
 - (b) General offices and general office buildings designed for leased space, including but not limited to, operational, administrative and executive offices for personnel engaged in general administration, operations, purchasing, accounting, telemarketing, credit card processing, bank processing, other administrative processing, and other similar business activities in accordance with C.O. Section 1127.02(e) of the Planning and Zoning Code.
 - (g) Data Centers.
42. The following uses are listed as conditional uses within the Office Campus District (OCD), and are subject to approval in accordance with Chapter 1115, Conditional Uses:
 - (a) Drive-through facilities to be developed in association with a permitted use.
 - (b) Research facility for research, analysis, and development, which can be characterized as clean, non-hazardous and light use, and activities incidental or necessary to the conduct of such research, analysis, and development.

- (c) Miscellaneous accessory uses when the primary use of the building is permitted in C.O. Section 1144.02(a) or (b), such as show room, distribution, repair shop, light assembly and similar ancillary uses.
- (d) Hotel/Motel including conference and banquet facilities.
- 43. Worthington Road: minimum pavement setback of 25 feet and minimum building setback of 50 feet from the right-of-way.
- 44. The text does not contain any setbacks from State Route 161. The majority of this subarea is adjacent to the off-ramp from State Route 161 to Beech Road.
- 45. The text does not contain any Perimeter Boundaries. Staff recommends the text is updated to require a minimum 25 foot pavement and 50 foot building setback from other commercially zoned properties and a minimum 50 foot building and pavement setback is proposed when adjacent to property with a zoning classification that permits residential uses.

Subarea C, D, F

- 46. The applicant proposes to rezone the entire subarea to Limited Office Campus District (L-OCD) which contains the same permitted and conditional uses are subarea B.
- 47. The applicant proposes to require a minimum 25 foot building and pavement setback from the right-of-way of Lucille Lynd Road.
- 48. Due to the proximity of this site to the State Route 161/Beech Road and its location adjacent to commercially zoned land in the existing Licking County business park, the site would appear to be most appropriate for commercial development.
- 49. The text contains language referring to subareas E and G. Staff recommends these subareas are removed from the zoning text since they are outside of this application's scope.

O. Access, Loading, Parking

- 17. The subarea map shows an anticipated future right-of-way delineation along the western boundary of Subarea A. The zoning text states this is shown for illustrative purposes only and the developer shall dedicate an amount of right-of-way for this new public street to the city as mutually agreed upon by the city and developer provided that the city will obtain or require the dedication of right-of-way from other owners of affected property, to the extent applicable, in order to provide for an equitable dedication of right-of-way from all property owners that will be benefitted by this improvement.
- 18. Within Subarea A, the text requires the developer shall dedicate property to the city or other relevant political subdivision as necessary to provide a maximum of 30 feet of right-of-way from the centerline of Worthington Road and a maximum of 50 feet of right-of-way from Beech Road from the centerline. Other streets shall have an appropriate amount of right-of-way but in event shall the rights-of-way for these other public streets exceed 60 feet in width. The text requires the developer shall grant easements to the city which are adjacent to all of the aforementioned rights-of-way to the extent necessary to provide for the installation and maintenance of street improvements.

19. The text states the number, location, and spacing of curbcuts on public right-of-way shall be determined and approved by the city manager or their designee in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this subarea.
20. The text requires the developer to work with city staff to determine the appropriate timing and phasing of all required street improvements.
21. The text does not contain right-of-way dedications along Worthington Road or any other road at subarea B. Staff doesn't anticipate additional dedications to be necessary.
22. The text does not contain right-of-way dedications along Lucille Lynd Road or any other road at subarea C, D, and F. Staff doesn't anticipate additional dedications to be necessary.
23. Subarea A text requires parking will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development for each individual site. Subareas B, C, D, and F is silent on parking requirement so the city's parking code still applies.
24. The text requires an internal pedestrian circulation system to be created within in Subarea A so that a pedestrian using a public sidewalk or leisure trail along a public street can access the adjacent building through their parking lots with markings, crosswalks, etc. Subareas B, C, D, and F do not require an internal pedestrian circulation system to be created within them. Staff recommends all the subareas require the same internal pedestrian circulation system to be created as stated in subarea A.

P. Architectural Standards

19. The maximum building height is 65 feet for structures in subarea A.
20. The proposed rezoning seeks to implement many of the same or improved standards and limitations set forth in the New Albany Architectural Design Guidelines and Requirements (Chapter 1157).
21. The same architectural requirements as the existing Personal Care and Beauty Campus, where companies such as Anomatic, Accel, Axium, and Veepak are located are proposed for subarea A.
22. The City's Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. The Beech Interchange subarea A limitation text, where the General Employment District uses are permitted, includes the same specific design requirements for uses not governed by the DGRs as those in the other subareas of the Business Park East Innovation District, which will ensure the quality design of these buildings.
23. Subareas B, C, D, and E of the limitation text, where the Office Campus District uses are permitted, are silent on architectural standards, therefore the New Albany Architectural Design Guidelines and Requirements (DGRs) (Chapter 1157) shall apply. The DGRs contain architectural standards for office buildings.

24. The text does not require any screening for rooftop equipment within subarea A. Staff recommends the text requires complete screening that addresses sound as well as views of all roof-mounted equipment and appurtenances on all four sides of the each building with materials consistent and harmonious with the building's façade and character.
25. Subareas B, C D E requires screening for rooftop equipment. Staff recommends the text requires complete screening that addresses sound as well as views of all roof-mounted equipment and appurtenances on all four sides of the each building with materials consistent and harmonious with the building's façade and character.

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

19. Maximum lot coverage for this subarea is 75% for subarea A, B, C, D, and F. This is consistent with other subareas.
20. The proposed zoning text does not propose any tree replacement or preservation areas. The text states “standard tree preservation practices will be put into place to preserve and protect trees during all phases of construction, including the installation of snow fence at the drip line.” There are several trees at the northwest corner of this district. Staff recommends that the zoning text is updated to require existing trees in side yard and rear yards buffers be preserved.
21. The zoning text's subarea A requires additional landscaping Beech Road:
 - a. A minimum of one (1) deciduous trees shall be installed for every 25 feet of frontage on the public right-of-way in addition to street trees. Such trees shall be planted in random locations (i.e., not in rows). The text allows the material to be reduced to a minimum caliper of 1 inch to gain additional material similar to what is done in the Personal Care and Beauty Campus.
 - b. Mounding shall be permitted but not required. When utilized, mounding shall have a minimum height of 3 feet and a maximum height of 12 feet. The slope of mounds shall not exceed 6:1.
22. The text requires a mound with a maximum height of 6 feet to be installed in the pavement setback along any perimeter boundary of this subarea that is adjacent to residential uses in subarea A. The city's landscape screening requirements also apply which requires natural vegetation screening shall have a minimum opaqueness of seventy-five percent (75%) during full foliage. The use of year-round vegetation, such as pines or evergreens, is encouraged. Vegetation shall be planted no closer than three (3) feet to any property line.
23. Street trees will be located an average of 30 feet on center throughout the development for all the subareas.
24. Minimum tree sizes for on-site trees match the standards in the Innovation District for all the subareas.

N. Lighting & Signage

12. No signage is proposed at this time. Per the text all signage shall meet the standards set forth in Codified Ordinance 1169 (City Sign Code).

13. All lighting shall be cut-off type fixtures and down cast to minimize light spilling beyond the boundaries of the site. The maximum height is 30 feet.
14. The zoning text requires lighting details to be included in the landscape plan which is subject to review and approval by the City Landscape Architect.
15. Subareas B, C, D, and E require security lighting, when used, shall be of a “motion sensor” type.

O. Other Considerations

5. The applicant has submitted a school impact statement which states the proposed L-GE zoning will result in fewer children in the school district and add significant value to the land that will be a substantial financial benefit to the school district.

IV. ENGINEER’S COMMENTS

1. City Engineer comments they have no engineering related comments at this time.

V. RECOMMENDATION

Basis for Approval:

The proposed rezoning is generally consistent with the principles of commercial development in the Strategic Plan and the existing business park in Licking County. Additional restrictions and commitments have been provided that are above what the base zoning code would require.

9. The large scale of the rezoning will result in a more comprehensive planned redevelopment of the area and will ensure compatibility between uses (1111.06(a)).
10. The L-GE and L-OCD rezoning application is an appropriate application for the request(1111.06(e)).
11. The overall effect of the development advances and benefits the general welfare of the community (1111.06(f)).
12. The proposed rezoning will allow for the development of businesses that will generate revenue for the school district while eliminating residential units having a positive impact on the school district (1111.06(h)).

Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

VI. ACTION

Suggested Motion for ZC-68-2016:

To recommend approval to Council of Zoning Change application ZC-68-2016 based on the findings in the staff report with following condition of approval (conditions may be added)

1. Within every subarea the text requires the complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building must address sound as well as views with materials that are

- consistent and harmonious with the building's façade and character.
2. There is a minimum pavement setback of 50 feet and minimum building setback of 100 feet for non-office uses and a minimum pavement and building setback of 50 feet for office uses along Beech Road.
 3. The setback for "other public roads" is eliminated from the text so just the "new public street" requirements applies.
 4. For subareas A and B the text is updated to require a minimum 25 foot pavement and 50 foot building setback from other commercially zoned properties and a minimum 50 foot building and pavement setback is proposed when adjacent to property with a zoning classification that permits residential uses.
 5. Subareas E and G are removed from the text.
 6. Subareas B, C, D, and F require an internal pedestrian circulation system to be created within them just as required in subarea A.
 7. Existing trees within side yard and rear yard perimeter buffers are preserved.



**Planning Commission Staff Report
September 19, 2016 Meeting**

**BEECH INTERCHANGE ZONING DISTRICT
CONDITIONAL USE**

LOCATION: Generally west and east of and adjacent to Beech Road and to the south of and adjacent to Worthington Road (PID: 082-108582-00.000, 082-108390-00.000, 082-107388-00.000, 094-106836-00.000, 094-109458-00.000, 094-108192-00.000, 082-106404-00.000, 094-106404-01.000, 094-106404-03.000, 094-106866-00.000, 082-107880-00.000, 082-108720-01.000, 082-108720-00.000, 082-106830-01.000, 094-106830-02.000, 094-108384-00.000, 082-106404-00.000, 094-109296-00.000, & 094-108342-00.000)

APPLICANT: MBJ Holdings c/o Aaron Underhill Esq.
REQUEST: Conditional Use for Manufacturing and Production
ZONING: I-PUD Infill Planned Unit Development
STRATEGIC PLAN: Office District
APPLICATION: CU-69-2016

Review based on: Application materials received July 29, 2016.

Staff report completed by Stephen Mayer, Community Development Planner.

IX. REQUEST AND BACKGROUND

The applicant requests approval for manufacturing and production as a conditional use within the Beech Interchange zoning district subarea A. The district is zoned L-GE and the proposed conditional use will allow for the manufacturing, processing, fabrication, packaging, or assembly of goods. If approved, the conditional use will apply to the entire 168.1 acre subarea.

II. SITE DESCRIPTION & USE

Portions of this site are annexed and zoned AG Agricultural and the remainder is currently being annexed into the city and is in its 60-day annexation petition holding period. An ordinance for this annexation was introduced on September 6, 2016 to city council. The site is located within Licking County, south of Jug Street, east of the Harrison East Zoning District, and west of Mink Street. The neighboring uses and zoning districts include L-GE and unincorporated agricultural, residential, and commercial.

V. EVALUATION

The general standards for Conditional Uses are contained in Codified Ordinance Section 1115.03. The Planning Commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location meets all of the following requirements:

- (o) *The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.*
- The limitation text associated with the rezoning of the property places additional requirements, above the general GE requirements, on the development of the property. These requirements further ensure that the character of the area is preserved and enhanced by future development.
 - The limitation text establishes setbacks that are more stringent than the minimum GE requirements. The applicant is proposing larger front yard setbacks and more stringent landscaping standards along Beech Road and neighboring residential uses.
 - The text requires a mound with a maximum height of 6 feet to be installed in the pavement setback along any perimeter boundary of this subarea that is adjacent to residential uses in subarea A. The city's landscape screening requirements also apply which requires natural vegetation screening shall have a minimum opaqueness of seventy-five percent (75%) during full foliage. The use of year-round vegetation, such as pines or evergreens, is encouraged. Vegetation shall be planted no closer than three (3) feet to any property line.
 - Site plans for proposed developments within this subarea will be approved on a user by user basis. Approval of these individual site plans should be subject to staff approval, as part of the approval of individual zoning permits.
 - The Planning Commission approved the same request for numerous other subareas including Innovation District, Innovation District Expansion, and the Harrison East Zoning District.
 - The Planning Commission has approved similar comprehensive Conditional Use applications for manufacturing and production uses in other subareas within Licking County. This has enabled the city to land several economic development projects with quick construction timelines. To maintain a competitive advantage over other locations, upon approval of the conditional use application it will be exempt from time limitations of C.O. 1115.07. Because speed to market is one of the most important factors when a company is undertaking site selections, having the conditional use previously approved has a positive benefit to the city's economic development goals and fiscal strength.
- (p) *The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
- The proposed use will complement the office and distribution uses which are permitted uses within the overall area. The New Albany business park consists of four clusters. The Personal Care and Beauty Campus is planned for manufacturing, warehousing, and distribution uses. New Albany's

Personal Care and Beauty Campus is the first of its kind in the country, and has attracted global industry leaders as a result of its ability to seamlessly integrate product manufacturing, labeling, packaging and distribution within a single campus.

- Additional design guidelines for warehouse type manufacturing facilities contained in the zoning text further ensure their compatibility with the character of the area. The same architectural requirements as the existing Innovation District subarea A and Expansion subarea are proposed.
- The City's Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. The Beech Interchange zoning text includes specific design requirements for uses not governed by the DGRs, which ensures the quality design of these buildings.

(q) *The use will not be hazardous to existing or future neighboring uses.*

- The use will be subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district.

(r) *The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*

- Subarea A is located south of Dublin-Granville/Worthington Road, west of Beech Road, and east of the Winding Hollow Zoning District. Additional roadways such as curved road shown along the western boundary of the subarea on the subarea's map are planned to serve these commercial properties.
 - The city is currently planning for this next section of the business park. This area is within the New Albany expansion area and plans are in place to extend sewer and water service.
 - The proposed manufacturing and production use will produce no new students for the school district.

(s) *The proposed use will not be detrimental to the economic welfare of the community.*

- The proposed manufacturing and production uses will generate income tax by the creation of new jobs.

(t) *The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*

- The use will be subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious

or otherwise objectionable impact on any land which is located in any other zoning district.

- The applicant, as part of the conditional use statement, has committed to attracting only users to the site that do not produce excessive amounts of traffic, noise, smoke, fumes, glare or odors.
 - The zoning text requires complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of each building using materials that are consistent and harmonious with the building's façade and character.
- (u) *Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.*
- The infrastructure in this portion of the city is being designed to accommodate the traffic associated with commercial uses.
 - There is no reason to believe that that traffic generated by the manufacturing and production uses will have any greater impact than traffic for permitted users in the GE district. The limitation text commits to provide additional right-of-way along major corridors to ensure there is adequate service.
 - Due to the proximity of this site to the State Route 161 interchange and its location adjacent to commercially zoned land in the existing Licking County business park to the north, west, and east, the site appears to be most appropriate for manufacturing and production uses.
 - Detailed traffic access will be determined in consultation with City Engineer as the site is developed.

V. RECOMMENDATION

Basis for Approval:

The overall proposal appears to be consistent with the code requirements for conditional uses and meets the development standards and recommendations contained in the 2014 New Albany Strategic Plan and New Albany Economic Development Strategic Plan. The proposed manufacturing and production use will likely compliment the permitted uses within the subarea. The Business Park contains infrastructure designed to accommodate the traffic associated with manufacturing and production uses and is strategically located close to State Route 161. This conditional use meets the recommendations in the New Albany Economic Development Strategic Plan by providing additional business type diversity, and attracting supply-chain industries.

The limitation text for this area establishes more restrictive regulations for development and therefore many of the city's strategic plan's office development standards are required to be implemented. The manufacturing and production uses must follow the same development standards as any other permitted use in this area. This conditional use meets the recommendations in the New Albany Economic Development Strategic Plan by providing additional business type diversity, and attracting supply-chain industries.

Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

VI. ACTION

Suggested Motion for CU-69-2016:

To recommend approval to Council of Zoning Change application CU-69-2016 (conditions may be added) based on the findings in the staff report with following condition of approval (conditions may be added)

1. Approval of individual site plans for manufacturing and production users are subject to staff approval.



**Planning Commission Staff Report
September 19, 2016 Meeting**

**HARRISON WEST ZONING DISTRICT
ZONING AMENDMENT**

LOCATION: Northwest corner of the Harrison Road and Innovation Campus Way intersection (PID: 037-112050-00.002, 037-112050.00.003, & 037-112050-00.006).
APPLICANT: MBJ Holdings c/o Aaron Underhill Esq.
REQUEST: Zoning Amendment
ZONING: AG Agricultural to L-GE Limited General Employment
STRATEGIC PLAN: Office District
APPLICATION: ZC-70-2016

Review based on: Application materials received July 29, 2016.

Staff report completed by Stephen Mayer, Community Development Planner.

X. REQUEST AND BACKGROUND

The applicant requests review and recommendation to rezone 18.168 +/- acres. The applicant proposes to create a new limitation text in the New Albany Business Park. This area will be known as the Harrison West Zoning District, and will be zoned Limited General Employment (L-GE). The proposed limitation text meets the intent of the Strategic Plan's Office District land use category by providing compatible general employment uses.

This new text contains the same list of permitted, conditional, and prohibited uses as the Harrison East Zoning District, and the Business Park East Innovation District Subareas known as the Personal Care and Beauty Campus, where companies such as Anomatic, Accel, Axium, and Veepak are located. Other development standards are almost identical to the surrounding subareas.

A conditional use for production and manufacturing within this subarea is being reviewed in conjunction with this application (CU-71-2016).

II. SITE DESCRIPTION & USE

The site is currently being annexed into the city and is in its 60-day annexation petition holding period. An ordinance for this annexation is expected to be introduced on September 20, 2016. The site is located within Licking County, generally at the northwest corner of the Harrison Road and Innovation Campus Way intersection. The

neighboring uses and zoning districts include L-GE and unincorporated residential. The site itself is comprised of residential structures and fields .

III.PLAN REVIEW

Planning Commission’s review authority of the zoning amendment application is found under C.O. Chapters 1107.02 and 1159.09. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to City Council. Staff’s review is based on city plans and studies, proposed zoning text, and the codified ordinances. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

Per Codified Ordinance Chapter 1111.06 in deciding on the change, the Planning Commission shall consider, among other things, the following elements of the case:

- (gg) Adjacent land use.
- (hh) The relationship of topography to the use intended or to its implications.
- (ii) Access, traffic flow.
- (jj) Adjacent zoning.
- (kk) The correctness of the application for the type of change requested.
- (ll) The relationship of the use requested to the public health, safety, or general welfare.
- (mm) The relationship of the area requested to the area to be used.
- (nn) The impact of the proposed use on the local school district(s).

Q. New Albany Strategic Plan

The 2014 New Albany Strategic Plan lists the following development standards for the Office District:

- 93. Office buildings should not exceed five stories in height.
- 94. The design of office buildings should include four-sided architecture in order to address multiple frontages when present
- 95. On-Street parking is discouraged.
- 96. Primary parking should be located behind buildings and not between the primary street and the buildings.
- 97. Parking areas should be screened from view.
- 98. Loading areas should be designed so they are not visible from the public right-of-way, or adjacent properties.
- 99. Sidewalks/leisure trails should be placed along both sides of all public road frontage and setback 10 feet from the street.
- 100. Common open spaces or green are encouraged and should be framed by buildings to create a “campus like” environment.
- 101. Appropriate screening should be installed as a buffer between the office district and adjacent residential. If mounding is necessary to achieve this the “reverse slope” type with a gradual slope side toward the right-of-way is preferred.
- 102. Street trees should be provided at no greater a distance than 40 feet on center.
- 103. Individual uses should be limited in size, acerage, and maximum lot coverage.

- 104. No freeway/pole signs are allowed.
- 105. Heavy landscaping is necessary to buffer these uses from adjacent residential areas.
- 106. A 200 foot buffer should be provided along State Route 161.
- 107. Structures must use high quality building materials and incorporate detailed, four sided architecture.
- 108. When double fronting sites exist, office buildings should address both frontages.
- 109. Plan office buildings within the context of the area, not just the site, including building heights within development parcels.
- 110. Sites with multiple buildings should be well organized and clustered if possible.
- 111. All office developments should employ shared parking or be designed to accommodate it.
- 112. All office developments should plan for regional stormwater management.
- 113. Office developments should provide connections to the regional trail system.
- 114. Green building and site design practices are encouraged.
- 115. Innovative an iconic architecture is encouraged for office buildings.

R. Use, Site and Layout

- 50. The proposed zoning text is a limitation text. A limitation text can only establish more restrictive requirements than the zoning code.
- 51. It appears the applicant has used similar development standards from the Harrison East Zoning District and Innovation District Subarea A limitation texts.
 - 1. Harrison Road: minimum 50 foot pavement and 100 foot building setback from right-of-way as it exists on this date that the zoning text is approved.
 - This matches the requirements across the street to the south at Innovation District subarea I.
 - This matches the requirements to the east at the Harrison East Zoning District.
 - 2. Innovation Campus Way: 25 foot pavement and 50 foot building setback from right-of-way. This appears to be appropriate given the surrounding setbacks and land uses.
 - Innovation District subarea A to the west requires a minimum 25 foot pavement and building setback from right-of-way.
 - Innovation District subarea I to the south requires a minimum 100 building and 25 foot pavement setback from right-of-way. This larger setback was due to the fact that residential was across the street at the time of rezoning.
 - Harrison East Zoning District to the east requires a minimum 50 foot building and pavement setback from right-of-way.
 - 3. Other public rights-of-way: minimum building setback of 25 and minimum pavement setback of 25 feet from the right-of-way.

4. Perimeter Boundaries: 25 foot building and pavement setback from other commercially zoned properties. 50 foot building and pavement setback is proposed when adjacent to property with a zoning classification that permits residential uses.
 - This matches other surrounding zoning districts' requirements.
52. This is the same list of permitted, conditional, and prohibited uses as Business Park East Innovation District Subarea A, known as the Personal Care and Beauty Campus, where companies such as Anomatic, Accel, Axium, and Veepak are located.
53. The limitation text will allow for general office activities, warehouse & distribution, off-premises signs, data centers, and research & production uses. Personal service and retail product sales and services are only allowed as accessory uses to a permitted use in this subarea.
54. Conditional uses include car fleet and truck fleet parking, and manufacturing and production.
55. Prohibited uses include industrial product sales and services, mini-warehouses, vehicle services, radio/television broadcast facilities, and sexually oriented business.
56. Due to the proximity of this site to the State Route 161/Beech Road and the future State Route 161/Mink Street interchanges, and its location adjacent to commercially zoned land in the existing Licking County business park, the site would appear to be most appropriate for commercial development.

S. Access, Loading, Parking

25. Detailed traffic access will be determined in consultation with City Staff as the site is developed.
26. Parking will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development for each individual site.
27. The text requires an internal pedestrian circulation system to be created so that a pedestrian using a public sidewalk or leisure trail along a public street can access the adjacent building through their parking lots with markings, crosswalks, etc.

T. Architectural Standards

26. The proposed rezoning seeks to implement many of the same or improved standards and limitations set forth in the New Albany Architectural Design Guidelines and Requirements (Chapter 1157).
27. The same architectural requirements as the existing Innovation District subarea A are proposed and Harrison East District.
28. The City's Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. This limitation text includes the same specific design requirements for uses not governed by the DGRs as those in the other subareas of the Business Park East Innovation District, which will ensure the quality design of these buildings.

29. The text does not require complete screening of all roof-mounted equipment and appurtenances that addresses sound and views on all four sides of the each building with materials consistent and harmonious with the building's façade and character. Since there is residential adjacent to the north, staff recommends the text is updated require this screening so it matches the requirements in the Harrison East District and other surrounding zoning texts.

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

25. Maximum lot coverage for this subarea is 75% (same as the Harrison East District).
26. Landscaping within the required minimum building and pavement setbacks along Harrison Road shall be provided in accordance with the following standards:
- a. A landscape buffer is required to be located within the pavement setback that will achieve 75% screening year-round. A minimum of one tree per 25 feet of front, in addition to street trees, is required. The text also requires a naturalized appearance
 - i. This matches (verbatim) the landscaping requirements contained in Innovation District subarea I to the south.
 - ii. Surrounding zoning districts (Harrison East District to the east) require a minimum of ten (10) deciduous trees shall be installed for every 100 feet of frontage on the public right-of-way. Such trees shall be planted in random locations (i.e., not in rows). No more than 30% of such trees shall be of a single species.
 - b. Mounding shall be permitted but not required. When utilized, mounding shall have a maximum height of 12 feet. 70% of the trees are required to be on the street side of the mound.
 - i. Surrounding zoning districts also allow but don't require mounding. These existing districts contain additional mounding standards including having a minimum height of 3 feet and a maximum height of 12 feet. The slope of mounds shall not exceed 3:1 from the crest of the mound extending toward the private site, and shall not exceed a 6:1 slope from the crest of the mound extending toward the public right-of-way.
 - c. A standard New Albany white four-board horse fence may (but shall not be required to) be provided within the public right-of-way.
 - i. This matches surrounding zoning districts.
27. The zoning district proposes to require the same (verbatim) landscape and mounding screening requirements from residences as required in Innovation District Subareas I and J to the south. The text requires for those perimeter boundaries which abut a residentially zoned and used property:
- a. A minimum six foot high mound shall be constructed and shall include landscaping on the mound which shall consist of a mixture of deciduous trees, evergreens, and bushes to provide 75% opacity five years after planting to a total height of 10 feet above ground level. The mounds and landscaping must be placed in the setback area and may encroach the

adjacent property owner's land only if that neighbor gives their approval.

- b. The text allows for the preservation of existing trees within the landscape buffer area to remain and be used to meet the screening requirements.
28. Street trees will be located an average of 30 feet on center throughout the development.
29. Minimum tree sizes for on-site trees match the standards in the Innovation District.

Q. Lighting & Signage

16. No signage is proposed at this time. Per the text all signage shall meet the standards set forth in Codified Ordinance 1169 (City Sign Code).
17. All lighting shall be cut-off type fixtures and down cast to minimize light spilling beyond the boundaries of the site. The maximum height is 30 feet.
18. The zoning text requires lighting details to be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

R. Other Considerations

6. The applicant has submitted a school impact statement which states the proposed L-GE zoning will result in fewer children in the school district and add significant value to the land that will be a substantial financial benefit to the school district.

IV. ENGINEER'S COMMENTS

1. City Engineer comments they have no engineering related comments at this time.

V. RECOMMENDATION

Basis for Approval:

The proposed rezoning is generally consistent with the principles of commercial development in the Strategic Plan and the existing business park in Licking County. Additional restrictions and commitments have been provided that are above what the base zoning code would require.

13. The large scale of the rezoning will result in a more comprehensive planned redevelopment of the area and will ensure compatibility between uses (1111.06(a)).
14. The L-GE rezoning application is an appropriate application for the request(1111.06(e)).
15. The overall effect of the development advances and benefits the general welfare of the community (1111.06(f)).
16. The proposed rezoning will allow for the development of businesses that will generate revenue for the school district while eliminating residential units having a positive impact on the school district (1111.06(h)).

Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

VI. ACTION

Suggested Motion for ZC-70-2016:

To recommend approval to Council of Zoning Change application ZC-70-2016 based on the findings in the staff report with following condition of approval (conditions may be added)

1. The text requires the complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of the building must address sound as well as views with materials that are consistent and harmonious with the building's façade and character.



**Planning Commission Staff Report
September 19, 2016 Meeting**

**HARRISON WEST ZONING DISTRICT
CONDITIONAL USE**

LOCATION: Northwest corner of the Harrison Road and Innovation Campus Way intersection (PID: 037-112050-00.002, 037-112050.00.003, & 037-112050-00.006).

APPLICANT: MBJ Holdings c/o Aaron Underhill Esq.

REQUEST: Conditional Use for Manufacturing and Production

ZONING: AG Agricultural but proposed to be rezoned to L-GE Limited General Employment

STRATEGIC PLAN: Office District

APPLICATION: CU-71-2016

Review based on: Application materials received July 29, 2016.

Staff report completed by Stephen Mayer, Community Development Planner.

XI. REQUEST AND BACKGROUND

The applicant requests approval for manufacturing and production as a conditional use within the Harrison West zoning district. The district is proposed to be zoned L-GE and the proposed conditional use will allow for the manufacturing, processing, fabrication, packaging, or assembly of goods. If approved, the conditional use will apply to the entire 18.168 acre zoning district.

II. SITE DESCRIPTION & USE

The site is currently being annexed into the city and is in its 60 day annexation petition holding period. An ordinance for this annexation is expected to be introduced on September 20, 2016. The site is located within Licking County, generally at the northwest corner of the Harrison Road and Innovation Campus Way intersection. The neighboring uses and zoning districts include L-GE and unincorporated residential. The site itself is comprised of residential structures and fields

VI. EVALUATION

The general standards for Conditional Uses are contained in Codified Ordinance Section 1115.03. The Planning Commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location meets all of the following requirements:

- (v) *The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.*
- The limitation text associated with the rezoning of the property places additional requirements, above the general GE requirements, on the development of the property. These requirements further ensure that the character of the area is preserved and enhanced by future development.
 - The limitation text establishes setbacks that are more stringent than the minimum GE requirements. Perimeter boundaries of this Zoning District that are adjacent to property with a zoning classification that permits residential uses shall be 50 feet.
 - Site plans for proposed developments within this subarea will be approved on a user by user basis. Approval of these individual site plans should be subject to staff approval, as part of the approval of individual zoning permits.
 - The Planning Commission approved the same request the majority of the existing business park in Licking County. The Harrison East Zoning District (to the east) and Innovation District Subarea A (to the west) both received approval for the same request. Allowing the manufacturing and production uses in this district would allow this and neighboring sites to be developed holistically.
 - The Planning Commission has approved similar comprehensive Conditional Use applications for manufacturing and production uses in other subareas within Licking County. This has enabled the city to land several economic development projects with quick construction timelines. To maintain a competitive advantage over other locations, upon approval of the conditional use application it will be exempt from time limitations of C.O. 1115.07. Because speed to market is one of the most important factors when a company is undertaking site selections, having the conditional use previously approved has a positive benefit to the city's economic development goals and fiscal strength.
- (w) *The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
- The proposed use will complement the office and distribution uses which are permitted uses within the overall area. The New Albany business park consists of four clusters. The Personal Care and Beauty Campus is planned for manufacturing, warehousing, and distribution uses. New Albany's Personal Care and Beauty Campus is the first of its kind in the country, and has attracted global industry leaders as a result of its ability to seamlessly integrate product manufacturing, labeling, packaging and distribution within a single campus.
 - Additional design guidelines for warehouse type manufacturing facilities contained in the zoning text further ensure their compatibility with the character of the area. The same architectural requirements as the existing Innovation District subarea A and Expansion subarea are proposed.
 - The City's Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to

the inherent size and nature of these facilities careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. This zoning text includes specific design requirements for uses not governed by the DGRs, which ensures the quality design of these buildings.

- (x) *The use will not be hazardous to existing or future neighboring uses.*
 - The use will be subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district.

- (y) *The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
 - The zoning district is located south of Jug Street and west of Harrison Road, near to the Beech Road/State Route 161 interchange and future Mink Road interchange. Additional roadways such as Innovation Campus Way are planned to serve this commercial property.
 - The city of New Albany and city of Columbus updated their water and sewer agreement to include this area thereby making this area within the New Albany expansion area. Sewer and water service is available for extension in this location.
 - The proposed manufacturing and production use will produce no new students for the school district.

- (z) *The proposed use will not be detrimental to the economic welfare of the community.*
 - The proposed manufacturing and production uses will generate income tax by the creation of new jobs.

- (aa) *The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*
 - The use will be subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district.
 - The applicant, as part of the conditional use statement, has committed to attracting only users to the site that do not produce excessive amounts of traffic, noise, smoke, fumes, glare or odors.
 - The zoning text requires complete screening of all roof-mounted equipment and appurtenances shall be required on all four sides of each building using materials that are consistent and harmonious with the building's façade and

character. This provides additional noise abatement to neighboring properties in addition to improved aesthetics.

(bb) Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.

- The infrastructure in this portion of the city is being designed to accommodate the traffic associated with commercial uses.
- There is no reason to believe that that traffic generated by the manufacturing and production uses will have any greater impact than traffic for permitted users in the GE district.
- Due to the proximity of this site to the State Route 161 interchange and its location adjacent to commercially zoned land in the existing Licking County business park to the west, the site appears to be most appropriate for manufacturing and production uses. An extension of Innovation Campus Way, extending through this subarea, will provide a connection to the future Mink Road interchange that is being designed to separate vehicular and truck traffic.
- Detailed traffic access will be determined in consultation with City Engineer as the site is developed.

V. RECOMMENDATION

Basis for Approval:

The overall proposal appears to be consistent with the code requirements for conditional uses and meets the development standards and recommendations contained in the 2014 New Albany Strategic Plan and New Albany Economic Development Strategic Plan. The proposed manufacturing and production use will likely compliment the permitted uses within the subarea. New Albany has four distinct clusters of commerce within the overall business park. The Personal Care and Beauty Park cluster is the appropriate area for manufacturing, packaging and distribution. The Personal Care and Beauty Park contains infrastructure designed to accommodate the traffic associated with manufacturing and production uses and is strategically located close to State Route 161. This conditional use meets the recommendations in the New Albany Economic Development Strategic Plan by providing additional business type diversity, and attracting supply-chain industries.

The limitation text for this area establishes more restrictive regulations for development and therefore many of the city's strategic plan's office development standards are required to be implemented. The manufacturing and production uses must follow the same development standards as any other permitted use in this area. This conditional use meets the recommendations in the New Albany Economic Development Strategic Plan by providing additional business type diversity, and attracting supply-chain industries.

Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

VI. ACTION

Suggested Motion for CU-71-2016:

To approve Conditional Use application CU-71-2016 based on the findings in the staff report with following condition of approval (conditions may be added)

1. Approval of individual site plans for manufacturing and production users are subject to staff approval.