



## Planning Commission

### Meeting Minutes

April 17, 2017

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 7:06 p.m.

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

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

Mr. Wallace moved to approve March 20, 2017 minutes, as corrected, seconded by Mr. Kirby. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Kist, yea; Mr. Schell, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

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

Mr. Mayer stated none.

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.

Moved by Mr. Wallace, seconded by Mr. Kist to accept the staff reports and related documents in to the record. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Kist, yea; Mr. Schell, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

#### **V-96-2016 Variance**

**Variances to the Canini Trust Corp PUD and City Sign Code relating to the dimensional requirements for new signage at Turkey Hill within the Canini Trust Corp subarea 8a (PID: 222-000347).**

**Applicant: Sign Vision Co., Inc.**

Mr. Mayer stated that the applicant has requested this application to be tabled and has since submitted revised information for the May meeting.

Mr. Wallace moved to table V-96-2016 to next regular meeting, seconded by Mr. Schell. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, yea; Mr. Kist, yea; Mr. Schell, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

**V-18-2017 Variance**

**Variance to the West Nine 2, Subarea C, section 6(d)(i) to allow a double wide garage door that exceeds nine (9) feet in width at 1 Highgrove within the New Albany Country Club (PID: 222-004634).**

**Applicant: Kevin Knight & Company**

Mr. Mayer presented the staff report.

Mr. Darryl Menerey, Brian Kent Jones, stated that this was brought to our attention during construction. We looked at solving this in an aesthetically pleasing way without having to do major construction however, this was an expensive remediation. The landscape is extensive. The New Albany Country Club and the ARC was notified and agreed to the garage door and screening. The detached garage approved by this board adds additional screening from the off-site view.

Mr. Wallace asked if the plans were put together by Kevin Knight.

Mr. Menerey stated no, they were done by Brian Kent Jones. Kevin Knight was the builder.

Mr. Wallace asked if he Mr. Menerey knew how many homes Brian Kent Jones has designed in New Albany.

Mr. Menerey stated that he doesn't know.

Mr. Wallace asked how many years Mr. Jones has been designing homes in New Albany.

Mr. Menerey stated over 20 years.

Mr. Wallace asked if they have a variance on this property already.

Mr. Mayer stated yes, the accessory structure received a variance for setbacks from the property lines and the primary structure.

Mr. Wallace asked what the accessory structure is.

Mr. Mayer stated that it is a storage structure.

Mr. Menerey stated that it is big enough for another garage.

Mr. Wallace asked how many cars are planned to be parked in this garage.

Mr. Menerey stated that two cars in this garage and two in the other.

Mr. Wallace asked if this variance would be allowed under the current design standards.

Ms. Joly stated that it is not allowed under the zoning text and would not be allowed under DGR's.

Mr. Kirby stated that this is the best fake I've ever seen. Asked if they would leave with staff the details for this door. We have been told by other applicants that this is impossible to do with double wide garage doors.

Mr. Menerey explained the construction.

Mr. Kirby stated that had staff caught this, it would not meet Duncan factors for a variance. But because it was built with staff approval is a large mitigating circumstance.

Mr. Menerey stated that ARC did not catch this either.

Mr. Spalding stated that it's disappointing that we have a people that do business in New Albany, by building and designing, all the time. Don't want to hold the homeowner responsible but you should know better. Let's not do this again. Is there a design reason this is double wide instead of two single bays.

Mr. Menerey stated that it was designed for two and during a review session with the homeowner they requested that it become a double wide garage door.

Mr. Spalding stated that the beautiful home but we don't like to have these issues.

Mr. Kirby asked for public comment.

No response.

Mr. Kirby asked the applicant if they would agree to a condition that if you rebuild the garage the variance goes away.

Mr. Kirby moved to approve V-18-2017 subject to the condition that the variance goes away if the garage is redeveloped such that upon redevelopment it shall be brought into compliance with code. , seconded by Mr. Wallace. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, no; Mr. Kist, yea; Mr. Schell, yea. Yea, 4; Nay, 1; Abstain, 0. Motion passed by a 4-1 vote.

Mr. Wallace stated that the designer should have known that this was not appropriate and did not meet the standards. This property already has a variance for a garage on this property.

**ZC-94-2016 Zoning Change**

**Rezoning 94.6 ± acres of land located generally located west of State Route 605/New Albany-Condit Road, south of Walnut Street, and east and west of Schleppe Road for an area to be known as “New Albany North Zoning District” from its current zoning of “AG” Agricultural and “L-GE” Limited General Employment to “I-PUD” Infill Planned Unit Development (PID: 222-004443, 222-004445, 222-004444, and 222-004446)**

**Applicant: Pulte Homes c/o Aaron Underhill Esq**

Mr. Mayer presented the staff report.

Mr. Ed Ferris stated no engineering except traffic.

Mr. Joe Ridgeway presented the traffic comments.

Mr. Kirby stated that three of the turn lanes are marked "by others"

Mr. Ridgeway explained that the ones at Walnut Street are desired without this development. The southbound one is for the development on the east side of SR 605. The capacity analysis shows that the existing traffic controls will serve the development.

Mr. Schell asked how much more traffic would there be if it was office instead of residential.

Mr. Ridgeway stated that this study didn't do that but this type of development would produce the least amount of traffic.

Mr. Wallace asked about the southbound left turn lane. Verified that the first four items listed in the traffic impact study are by others.

Mr. Kirby asked if we have alignment.

Ms. Joly stated that we have a conceptual alignment that we shared with the developers for the Canine Companions site.

Mr. Kirby asked if we have sufficient ability to force them to align.

Ms. Joly stated that I believe we do and we have a willingness by both parties to create a safe intersection. Canine Companions has an unsafe intersection now so alignment is near the top of the priorities.

Mr. Wallace stated that it is one thing to have a desire and another to enforce.

Ms. Joly stated that we enforce through the civil improvement plans.

Mr. Aaron Underhill, representing Pulte Homes, provided a revised zoning text to the board members and presented a PowerPoint presentation. The revisions are related to architecture and will be pointed out during the presentation. The site plan is the result of several months of work and three meetings at the Rocky Blacklick Accord. The plan is for 240 age restricted units which Pulte Homes is successful with in other parts of the country as affiliates with Del-Webb communities. I believe that a condition exists regarding the age restriction also is a deed restriction. We will continue to work with Mitch and staff on the wording for the deed restriction regarding the age restriction. This will be an empty nester, step down community. We are trying to take the natural amenities at the site and make them into something to draw people to the community to have a regional benefit. We are protecting all the environmental and sensitive areas and trying to make the connection to the metro park. The Rocky Fork Blacklick Accord process changed the Columbus connections, removed the right in, right out onto Walnut, increased the setback along Walnut to 250ft and increased setbacks along northern boundaries. If you look at the updated text, we provided in the text that 10% of units will include a brick element other than the water table. We agree with the staff conditions except for two. This includes the vinyl siding. The maintenance free element is very important, so we tried to provide for good quality vinyl material in the text and understanding the maintenance may be a concern for the city we have put into place a requirement in the text that the HOA will be responsible for cleaning the vinyl annually or every other year and assess the homeowners. The vinyl is found around the community in other areas and even in price points that are higher than we will have here. The average sale price will be around \$400,000. It will be similar to Hampsted Village, Windsor and Links. It is a beaded vinyl siding. From a maintenance standpoint if you compare this to hardi-plank, it needs to be painted every ten years. We have done many other things to enhance the neighborhood from the street including street tree placement, required tree in front yard and enhanced landscaping at intersections. The other change in the text is the allowance for projection of garage in front of front façade. We have one model has a garage projecting. We can agree with the staff condition that limits the model along SR 605 and the east-west road through the site. We would like the opportunity to add to the condition - unless otherwise approved with the final development plan. We think we may be able to show a situation where the home could be done that would be acceptable.

Mr. Kirby asked which condition that was.

Mr. Underhill stated that it was the first condition from the staff presentation. We have a model that allows for a 2ft projection of the garage with an option that would create a 6ft projection of the garage. We would be willing to not allow the option on that model and would like to show you at the final development plan. Provided the board information regarding traffic projections for current zoning versus the senior adult housing. We researched the traffic crashes at SR 605 & Walnut. Over the last five years there were 16 crashes, which average about three per year with no fatalities. Typically, until you get to 5-6 per year that wouldn't cause a look at the intersection from a safety standpoint.

Mr. Wallace asked how the accidents were grouped.

Mr. Larry Creed stated that the distribution were fairly even throughout the years. 2014 was the highest year with 6, 2015 - 4, 2016 - 2.

Mr. Underhill stated that he wanted to also address the school impact. We were trying to determine which number to use for projections and what we used is similar to Straits Farm. Straits Farm is age targeted and this subdivision will be age restricted. Using those number we believe it will generate about 1.5 million per year for the school, under current conditions that is enough revenue to educate 137 students. We have a lot of ground that is zoned for the LGE uses but don't have the interest in this property as much as other areas. Residential will start soon. We are in agreement with staff conditions with the exception of vinyl siding and would like to have the opportunity for the projecting garage to be addressed during final development plan.

Mr. Kist asked criteria used for traffic study. What is the criteria for senior adult housing? How did you determine square footages?

Mr. Underhill stated that we used the neighboring properties for the square footages.

Mr. Creed stated that the senior adult housing category is a land use in the trip generation manual for transportation engineers. When we collect data on a development it is sent to ITE that they publishes the tables. Senior adult housing is a specific category.

Mr. Kirby asked what we we would expect for the landscaping corridors.

Mr. Matt Callahan, Pulte Homes, stated that the landscaping along the rural corridors will be consistent with the Rocky Fork Blacklick Accord recommendations.

Ms. Linda Menerey, EMH&T, stated that we will have more detail at the final development plan. We will be consistent with what you see in the rural corridor with the leisure trail, street trees at 1 tree per 30 feet in groupings.

Mr. Wallace asked Ms. Menerey to use a map to show the areas.

Ms. Menerey used map to explain the different areas including the rural corridor along Walnut and SR 605.

Mr. Wallace asked if the street trees along Walnut will be along the road.

Ms. Menerey stated if that's the desire, yes.

Mr. Kirby asked if the trees will address the streets including Walnut, SR 605 and the internal roads. Is that regularity what we want for a rural corridor?

Ms. Menerey stated that the text states 1 tree per 30 feet for the quantity but they can be planted in groupings or more of a rural character. In addition, we also have 4 per 100 that will also be scattered along there. The intent is not a perfect tree row. We will work with staff and MKSK to determine how that will work but the text provides the framework for quantity.

Mr. Kirby stated that Licking County rural is different than SR 605. Is this parkland.

Ms. Menerey stated that it is open space and we will work out maintenance and ownership with the city.

Mr. Kirby stated that we want to discuss what type of park we want here. Woods versus open space is different; native species or regular spacing. When do we need to decide that?

Mr. Mayer stated that we will see it during the final development plan on the landscape plan.

Mr. Kirby asked if the commitments in the text enough to do either design.

Mr. Mayer stated yes the quantity is established but the design of the parklands is open for review at the final development plan.

Ms. Menerey stated that we will have more detail of landscape details including the street trees with additional tree in the yard, typical home landscaping and corner yards. The next drawing in the packet shows the consistent yard light, street sign, fence, benches, address sign; all the things that make New Albany feel like New Albany.

Mr. Tom Rubey, New Albany Company, stated that we are talking about two different things. One is open space the other is park land. The green around the perimeter along walnut and SR 605 is open space. The park is different. Staff has asked for grading, landscaping, fencing details will be very different along the perimeter and the park. The park will be primarily defined by the preservation of the trees and wetlands.

Mr. Kirby stated that the maintenance is very different between a woods and open park area.

Mr. Rubey stated that we don't know what staff envisions that area as. It will be a regional park. Other than Bevelhymer Park, it will be the largest park within the Rocky Fork Blacklick Accord area. It will be a large asset to the entire community.

Mr. Shockey asked about the parking for the park.

Mr. Rubey stated that the parking will be part of the final development plan to show the layout for the clubhouse and parking lot. It is expected that clubhouse parking lot will also be used by the park visitors.

Mr. Kirby asked if we have an expectation for usable on-street parking.

Mr. Rubey stated that we will have on-street parking on one side of the road.

Ms. Menerey stated that it will be the opposite side from fire hydrants.

Mr. Kirby stated that during the informal review, do we have adjustments in spacing such as flipping orientation to allow usable space between driveways.

Ms. Menerey stated that we will narrow the driveway apron at the street but have not looked that closely at that yet.

Mr. Kirby stated that it will be useful to have a final development plan. The surge parking will be an issue in this development.

Ms. Menerey stated that we can have that at final development plan.

Mr. Kirby stated that we need a sensitivity to the issue.

Mr. Rubey stated that we know that we have six base house plans. We don't have a predetermination on locations. We can come up with something. The homes will not have predetermined house plan permitted for each lot.

Mr. Kirby stated that if we drop below 240 on-street parking spaces we may have an issue.

Ms. Menerey stated that mathematically we should have at least one per house.

Mr. Kirby stated that I am hoping for two spaces per house but didn't know how tight this is. I'm trying to fix a problem for free by just reversing the home.

Mr. Shockey asked about the large wooded area with light green in the middle. What is the light green?

Mr. Rubey showed the aerial photo. We will have some paths throughout the area. Much of this area is wetlands.

Mr. Shockey stated that in the plan you have a nice walking path around the pond.

Mr. Rubey stated that this is a regional community park. We will rely on staff and the professionals on how to best accommodate.

Mr. Kirby asked if any contact has been made with neighbors to the north regarding drainage issues.



Mr. Underhill stated that it is not complete.

Mr. Kirby asked if we have a definition for 1 1/2 stories.

Mr. Rubey stated that what we used takes a lot of cues from the architectural details including dormers, pitch of roof. What we are aiming for is similar to the Dominion club elevations.

Mr. Kirby stated that the second story could be developed even if it's not.

Mr. Rubey stated that is part of the conflict. We drafted this text in a way to not use the design guidelines. The design guidelines do not meet him intent of these units. Some of the owners will want to finish the second floor. The pitch of the roof is important.

Mr. Wallace stated that the staff report states that the homes should be 1/2 stories and a maximum of 3 stories. The zoning text states that a minimum of 50% will be 1 1/2 stories or designed to have appearance of 1 1/2 stories.

Ms. Joly stated that in the staff report, the text is from the standards in the strategic plan for your reference. The request from the applicant does not meet the strategic plan guidance.

Mr. Wallace asked if staff is comfortable with that.

Ms. Joly stated yes. Page 3 in the staff report is not our comments.

Mr. Underhill stated that the perimeter lots were called out to require 1 1/2 stories.

Mr. Kirby asked if there will be any above ground utilities.

Mr. Underhill stated no, they will all be buried.

Mr. Kist asked about the double wide garage doors. Has Pulte ever done this in past in other communities?

Mr. Callahan stated that we have used this style garage door in other communities. We will try to meet the intent to achieve that type of look.

Mr. Kist asked for a real picture of a garage door during the final development plan.

Mr. Callahan stated that we are working through the details of the architecture. We will present those type of details and examples. We will have an architect at the final development plan meeting to discuss.

Mr. Kirby stated that real pictures from straight on and 30 degrees to see the projections would be beneficial.

Mr. Shockey asked staff if any communities allow double wide garage doors within the newer subdivisions.

Mr. Mayer stated that Ealy Crossing allows double wide garage doors that look like two single bay doors.

Ms. Joly stated that it was a variance for the entire subdivision.

Mr. Shockey stated that we considered it appropriate for that neighborhood.

Mr. Mayer stated that Tidewater allows the same garage doors.

Mr. Rubey stated New Albany Links Dominion Club.

Mr. Shockey stated that the benefit of having a double-wide garage door is not having two garage door openers.

Mr. Underhill stated that the older people

Mr. Shockey stated that practically the wider path could be an advantage in some cases. A little bit economical advantage to the builder and owner and a practical advantage to the owner. I read that the roof pitch will be minimum 6:12 except for one provisions that was 4:12.

Mr. Underhill stated that some of the minor elements have the 4:12 pitch.

Mr. Shockey stated that the text states that all swimming pools shall be in rear yard, completely enclosed by fence and screened from other properties. We have a lot of pool variances.

Mr. Underhill stated that we will amend the zoning text to state that no swimming pools will be permitted.

Mr. Kirby asked about the private/public break between the park and homes.

Mr. Underhill stated that we have not solved it but mentioned the bollards.

Mr. Rubey stated that the same bollards as the preservation zones that are 2.5 feet tall. It has been used in Ealy Crossing.

Mr. Kirby asked if the walking paths will be behind the homes in the park.

Mr. Underhill stated that due to privacy issues we will take the path south side of the pond.

Mr. Kirby stated that it is a public park. People can still walk around the pond. Do you have a way to notify the owners of those units?

Mr. Callahan stated that we will make clear representation at time of selling. The bollards will help and we may have a different maintenance plans for the public versus private areas. We have found in our communities when you put the paths in the rear yard like that it becomes a tension point. The owners and users of the path feel uncomfortable so we try to move the paths away from the homes.

Mr. Wallace asked Mitch Banchefsky that there was a reference to deed restrictions. Is that deed restriction going to be in the deed from the New Albany Company to the new owner or for each individual lot?

Mr. Banchefsky stated that we have not addressed that.

Mr. Underhill stated that in the deed from New Albany Company to Pulte. There will be very strict provisions in the deeds from Pulte to the individual owners.

Mr. Wallace stated the staff report stated that the zoning violations should be enforceable by the city.

Mr. Banchefsky stated that if the deed restriction regarding senior housing is violated it's a violation of the deed restrictions and the City can handle as a code enforcement just in case.

Mr. Wallace wanted to ensure that the city has standing to enforce the deed restriction.

Mr. Banchefsky stated that it is in the zoning text as well as the deed restrictions.

Mr. Schell stated that the cost difference is about \$10,000 between vinyl and hardi-plank.

Mr. Underhill stated that I think we said about \$6,000 for Pulte and because of markup the cost for the homeowner would be between \$9,000-\$10,000.

Mr. Schell stated that it would be about 2.5%. Does that have that much of a difference in sales?

Mr. Callahan stated that it can. When a buyer is making a decision they are looking at value, \$10,000 difference can make a difference.

Mr. Schell stated that you seem pretty firm in the vinyl, is it just price point.

Mr. Callahan stated that price point and being able to offer to more buyers. We don't think that vinyl is an inferior product as perceived. Vinyl has a limited life time

warranty, most hardi plank has a 30 year warranty and trim is only 15 year warranty. Maintenance is less with vinyl; Hardi board or similar will need painted within 10-15 years period. Vinyl doesn't need painted. Certainly there is a cost issue but also other factors.

Mr. Schell stated if you did do vinyl and work the maintenance into the HOA fees couldn't you do the same for hardi plank.

Mr. Callahan stated any type of home requires maintenance. One of the concerns that was mentioned specific to vinyl was mold/mildew issues. That can occur on any exterior material. The right maintenance is how you combat that whether it is the HOA or individual owners.

Mr. Spalding stated that it was mentioned that maybe our perception of vinyl is outdated. Can you provide the updated vinyl product to show us that it is not inferior?

Mr. Callahan stated that we can provide examples. He continued by explaining that they will be using a large/thicker gauge O-44 as opposed to the standard O-40. We have also specified beaded finish with 6" profile. Same look from the street as hardi or wood cedar.

Mr. Kist stated that in the text is calls out the O-44 insulated backing or equal. Is that what is used in Windsor. Staff report item 8 page 7.

Mr. Callahan stated that in the zoning text it is the O-44, beaded finish, 6" profile, not insulated.

Mr. Shockey asked if they are using backing.

Mr. Callahan stated no.

Mr. Shockey stated that the hardi plank needs to be re-painted closer to every 5-10 years and when they are painted they need to be re-caulked. Then you have fasteners that pop. There is significant maintenance beyond the vinyl siding. This community is unique including density, architectural style, size of homes, vinyl siding does appeal to the group you will be marketing to. Lack of maintenance on a home that has man made siding that mimics natural siding could be harder and more expensive.

Mr. Kirby asked if you have as built examples of product used in other communities that would be about ten years old.

Mr. Callahan stated that we should but would need to check the exact product.

Mr. Kirby stated that the revised zoning text, page 11 of 22 states that 10% of the homes shall use brick as primary material. We also have a commitment to four sided architecture. The text states brick is to be used on at least one façade. Does that also commit to using brick on the other facades?

Ms. Joly stated that we just noticed that in the text and it would be good to specify the intent.

Mr. Underhill stated that it will not be on all four sides. I think the question is do you want to see it on only the front façade or not at all.

Mr. Kirby stated that the four sided architecture requirement is there for a reason.

Mr. Callahan explained the architectural renderings. When we created these homes we found that brick is not appropriate for all styles of homes. For the Greek revival we use the brick foundation and horizontal siding on all four sides because our designer felt that was most appropriate. The Federal style is appropriate for brick. We added a brick element on the front elevation, brick foundation and siding on the rest. These are details that we would expect to bring back with the final development plan.

Mr. Kirby stated that these have substantial side elevations without much detail (windows). I don't want to lose the brick front, it looks great, but don't want to lose the four sided architecture either.

Mr. Callahan stated that we agree and we wanted to provide the front elevations to make sure we were headed down the right path in terms of what the city is looking for. We can make the further investment into the details.

Mr. Wallace asked if you have a different price point for the brick homes.

Mr. Callahan stated not necessarily, the brick being included has architectural appeal. The buyers are going to opt for the elevation that looks good.

Mr. Wallace asked if the brick will be an option. If the idea is \$400,000 home, if they want to add brick is that an upgrade option of \$10,000. How do you determine.

Mr. Callahan stated that we will have 4-6 elevations for each home and they will all be priced based on the cost to provide the level of details on the home. Brick is more expensive material than siding.

Mr. Kirby asked if staff has reviewed the red-line changes in the revised zoning text.

Ms. Joly stated that is the only one that concerns us is the 4 sided architecture. Want to be careful with four sided architecture. The architecture is more about massing and scale not materials. Our goal is a simplification of the designs. Anything that introduces conflict between the zoning officers in three years trying to understand the text.

Mr. Kirby stated that I'm trying to avoid is a 10% brick commitment in the text and four sided architecture and it may not work.

Mr. Underhill stated that this may be a place where trying to objectively the standards may not work with the art form that is architecture. We can add a condition that states that we will work to find opportunities for brick. We may need more time to work through it as a condition.

Mr. Wallace stated that if you remove the comma it would read that you will have brick 4-sided architecture.

Mr. Underhill stated that four sided brick we can't agree to at this time. It less about the quantity and more about the execution of it.

Mr. Wallace stated that I see it as one issue, the quantity creates a pricing issue that you don't want to commit to.

Mr. Underhill stated that the entire elevation in brick can't be done.

Mr. Kirby stated that he doesn't know enough architecture to know what works. Does the gable end of the roof need to be brick all the way up.

Ms. Joly stated that it's difficult without all elevations because they are large side elevation that are pretty flat. We could take away the 10% requirement.

Mr. Kirby stated that we could require that they are not at any end of a row so the sides don't show as much.

Ms. Joly stated that I do like that we need to look at more information at final development plan.

Mr. Underhill stated that we will have an architect at the final development plan meeting and we could work through it.

Mr. Wallace stated that we need to do something with the text.

Mr. Rubey stated that I like the commitment that they are interior lots only with some additional landscaping. Keep the 10%, must be interior lot and landscape to minimize the views along the side elevations.

Ms. Joly stated that the side yard setback are tight, so that closes much of the view corridor. We wouldn't want to see it on the corner lot or significant lot.

Ms. Menerey spoke from audience, element of the front facade is brick.

Mr. Kist asked if a higher water table would work as four sided architecture.

Mr. Shockey asked if it can be worked out with the final development plan.

Mr. Kirby stated that he has listed that on a 10% brick house it's only on the interior of a block, landscaped and placed to minimize the side view and we will have them come back at final to show how they can make that happen.

Mr. Rubey stated that the brick should turn the corner but we are not sure how far.

Ms. Menerey stated that the 1992 Ascend plan could be a corner lot even though the left side of house wouldn't change material on that corner.

Mr. Wallace stated that the architect could change the design to add brick. It looks like the architect was trying to stick brick on it.

Mr. Shockey stated that I think the architect was trying to add brick to the porch area.

Mr. Kirby stated that they could warp the whole house in brick and you can have it anywhere.

Ms. Joly stated that we need a level of detail that we don't have now. 10% is only 24 homes out of 240 homes.

Mr. Wallace stated that we need to determine how to change the text so they have the flexibility to design but give us the right at the end to say we don't like it.

Ms. Joly stated that is also our point. Typically, we don't count the brick water table as four sided architecture. I want to preserve the ability to simplify this if it doesn't seem right and maybe it is all siding.

Mr. Wallace stated that once we decide on the text I don't know what kind of flexibility staff will have.

Mr. Underhill stated that we can take out the brick and add something as a condition that says at final development plan we will bring a standard back to the board for review and approval related to how the brick will be used.

Mr. Shockey stated that the 10% brick is the problem.

Mr. Wallace asked how do we come up with the text language to allow flexibility but also allows for the out.

Mr. Underhill stated that we could come up with a more detailed standard prior to it being heard by City Council that staff agrees with.

Mr. Kirby stated that we should move on and come back to it. My notes say no pools, clear delineation between public and private. We need to talk about O-44 vinyl is acceptable. 10% brick, if not four sided then only on the interior block and landscaped to minimize side view.

Mr. Wallace asked how we change the text language.

Mr. Kirby stated that this condition will redefine E.

Discussion regarding conditions and brick.

Mr. Kirby asked if the text allows solar panels on south facing roofs.

Mr. Underhill stated no.

Mr. Shockey stated that skylights are visible from the street.

Mr. Kirby stated no. In this type of development that would kill all solar panels. I would like to have south facing roofs.

Mr. Shockey stated that he would not be in favor of solar panels mounted to the exterior of any roof that can be seen from the street.

Mr. Kirby stated that the design guidelines stated that they can't be visible off site. You could have them on the back roofs.

Mr. Rubey stated that is how it is in the country club communities.

Mr. Kirby stated not on the front face.

Mr. Kist stated that I like Mr. Rubey version better because of the corner lots.

Mr. Rubey stated solar panels on southern roof not on public road.

Mr. Wallace asked where the leisure trails are. Where are the pocket parks?

Mr. Underhill stated that he is not sure if they are open space or pocket park.

Mr. Kirby stated that he believes a conflict exist on the garages sticking out.

Mr. Mayer stated that porches can project 5 ft. and garages can project an additional 6 ft. from the porch.

Mr. Underhill stated we are saying that we agree to a condition that states that we can have a 2 ft. projection past the porch for the homes on the SR 605 and E/W road and a 6 ft. projection anywhere else.

Mr. Wallace stated they wanted to add to the condition, unless otherwise approved at final development plan.

Mr. Kirby stated that the design guidelines prohibit garages projecting at all.



Ms. Joly stated that was correct. Also see in the revised text on page 14, which is capped at 20% maximum.

Mr. Kirby stated that it reads that 80% will be on the front facade of the home. Does that include the porch?

Ms. Joly stated no.

Mr. Underhill stated that it should be porch. The discussion at accord was always about the projection as it relates to what is the further most forwards of the front facade or front porch. The text needs cleaned up because some say porch some say façade.

Ms. Joly stated that we feel that 20% is a reasonable request with the additional commitment along the two main streets.

Mr. Kirby requested that the minutes are available during the final development plan meeting.

Mr. Wallace asked on page 8 of 14 of the staff report. There are a couple of points where staff wanted the elements removed.

Mr. Kirby asked Mr. Underhill if he agreed with that condition.

Mr. Underhill stated that he agrees.

Mr. Kirby stated that we will take a short break at 9:30pm and then we will call for the public speakers.

Mr. Kirby call for the meeting to resume at 9:40pm and called for public speakers. Mr. Mayer provide an email from resident.

Mr. Kirby stated that they received an email from Joe Butsko regarding concerns that include speed limit and drainage issues. The residence address is 7534 New Albany Condit Road and the POA & Trustee address is 7510 New Albany Condit Road.

Mr. Wallace asked to make this email part of the record.

Mr. Kirby asked the applicant if he had a copy of the email and asked him to address the concerns in the email.

Mr. Underhill stated that state law does not allow us to make drainage issues worse on neighboring sites and often we try to improve it. The final development plan stage is where we work through these issues. We will commit at this time to meet with

this gentleman and anyone regarding drainage and their current conditions and see if we can help with the situation.

Mr. Bud Zappitelli, 7558 Schleppli Road, (PowerPoint presentation) I would like to thank Aaron, Tom and Matt Callahan for working with me. The project has come a long way but don't think it is where it should be. PowerPoint provided his background, Rocky Fork Blacklick accord ruling and Planning Commissions obligation. Concerns include traffic, Rocky Fork Blacklick Accord process and density. He requested that the Planning Commission refers this case back to Rocky Fork Blacklick Accord to follow the process correctly.

Mr. Dave Roudebush, 7564 New Albany Condit Road, stated that he appreciates the applicant, staff and the board allowing the neighbors to talk and weigh in. I want to echo some of the earlier statements, we talk about the safety at SR 605 and Walnut. We talked about numbers and I think it got watered down a little bit. I think it needs the safety needs to be addressed and incorporated now. Short term impacts include drainage with infrastructure. The applicant stated that they will be getting some studies but we don't have the information right now but they want to move forward. We should make sure there won't be any short and long term negative impacts. We are on wells and the water table is shallow out there.

Mr. Kirby stated that as someone who is on a well and just had a road put in my side yard. You should have it tested prior to any construction by someone would can legally make the document that will tell you this many gallons per hour or drawn down. It gives you the basis to make a claim in case something happens. Also document your drainage issues and current conditions.

Mr. Roudebush asked who the contact is. (Aaron Underhill raised his hand). That is part of the concern is who we contact if we have an issue. A lot of hard work but still a few concerns.

Mr. Kirby stated that the applicant has agreed to talk to the neighbors regarding drainage. He stated that the adjoining neighbors should talk to each other so good ideas don't get wasted.

Ms. Zoe Guirlinger & Troy McGowan, 7656 New Albany Condit Road. Ms. Guirlinger stated that we would like to echo Dave's comments. We are also concerned with the view, will it be a natural look. That is why we purchased here was for the natural environment. Our other concerns include what will the business uses allow in the commercial area. The text today states that drive-thrus are permitted.

Mr. Mayer stated that the revised text states that drive-thru would be a conditional use. He stated that conditional uses are a special hearing and neighbors are notified.

Ms. Guirlinger stated that not a lot of time was spent on what the commercial area will look like and we like more information to alleviate our concerns.

Mr. Mayer stated that conditional uses are not a vested right. They come for special permission from Planning Commission for each drive-thru business. At that time we would have a site plan so we can evaluate the layout in addition to what is in the text requirements. Similar to the public meeting tonight we would notify neighbors within 200 feet and staff would create a staff report and evaluation and have a public hearing similar to tonight.

Ms. Guirlinger stated that 200 ft. is not that far and asked if they can be notified.

Mr. Mayer stated that our agendas are published on the website and in the paper. In the past we have not done that.

Mr. Jack Kruse, 8320 Schleppi, stated that his concerns are density. This is a very high density for this area. A lot of conversation regarding the trees need to be planted in groups to maintain a rural look. That is foolish when the density is 2.8 units / acre. That density is not rural. We had an agreement for a much lower density that we have lost. That is important to go back to that committee to be re-evaluated in a sincere fashion that meets the neighbors that exist here. This is not a neighborhood. We are talking about traffic and drainage issues. Why do you have such high traffic and drainage problems, because you have a high density problem? There are things that can be done to alleviate that. Did anyone check the accidents at Schleppi, we know what happens there and you want to add 500 more cars to that weird intersection. We talked about the parkland. If you don't put a trail in there, they will walk wherever they want to. You must put in a designed trail to protect the environment. It's a great opportunity for you. The rural environment is wonderful, the stars are almost gone from other lighting. Would ask for low lights that shine down. If you reduce the density you will reduce the lights. Those are things that can take place.

Mr. Kirby asked what the lighting will be.

Mr. Mayer stated that only the intersection will be lit.

Ms. Joly stated that some accent lighting or safety lighting in the park areas.

Mr. Kruse asked if these are spec homes, what happens if the economy downturns; do we end up with a muddy mess that will sit for a long time. This is not a well plotted attractive development for New Albany. New Albany has curving roads, cute spaces and green spaces. Not here.

Mr. Kirby asked if the post lights on the garage will be opaque topped.

Mr. Callahan stated that we can agree to the downcast lights on the coach lighting.

Ms. Ann Srba, 6837 E Walnut Street, asked if they are going to be built in phases.

Mr. Callahan stated that it will be in phases. The market will dictate the timeline, 4-7 years. Showed on the map phase 1 will be near the entrance at 605.

Ms. Srba stated that her other concern is traffic. Four years down the road if the road needs to expand I would assume that they will not go into the new residential area for the additional roadway. I would love to see a roundabout at Walnut and SR 605.

Mr. Kirby stated that they have agreed that if Walnut Street is widened they will provide the right-of-way dedication. I believe there is also an agreement SR 605. ODOT must agree to everything on SR 605 because it is a state highway. The changes must meet the warrants. The city is limited which is why we ask for a traffic study to see if we are close and have met a warrant.

Ms. Srba stated that we now have the Metro Park and the ball fields have increased traffic when they all let out at the same time.

Mr. Spalding that city is committed in working with the township and ODOT to figure out what makes the most sense at that intersection. Something needs to happen there but it's a process and takes a while.

Mr. Kirby stated that for the residents when they talk about landscaping, you can talk to them about what you would like to see. Other developers have agreed to that.

Mr. Spalding stated that trees next to the driveway may not be a good idea.

Mr. Kirby stated that we have some trails in the park shown.

Mr. Underhill stated that they may adjust once the environmental constraints are determined.

Mr. Spalding asked if it is a wetland or green space now.

Mr. Underhill stated that it is a wetland in the middle of the trees. It not a cost issue it would be environmental issue.

Mr. Shockey asked what the timeframe is for the final development plan.

Mr. Underhill stated about 60-90 days.

Ms. Zoe Guirlinger asked for clarification of the timeline. Would the infrastructure and park completed for the entire development or will the roads be phased as well.

Mr. Underhill stated that multiple phases, probably a 4-7 year project total. We will have a FDP approved by this commission. Then a final plat to set the streets also

approved by this commission and then to City Council. That will happen in 5-6 phases. Streets will be built with the phases and we will work with staff on the parkland dedication.

Mr. Shockey asked if the parkland will be part of the initial phase.

Mr. Underhill stated that we are open to that and from a marketing standpoint it makes sense to have as an amenity.

Ms. Karen Kruse, 8320 Schleppe, stated that we are surrounded by the Metro Park. My concern is, I'm a bike rider, and I ride the country roads. What will be done to ensure the safety of the children riding along the path on SR 605?

Mr. Spalding stated that there will be a horse fence and trees between the path and roadway.

Mr. Kist stated that he leisure trail will be have a fence between the road and path.

Mr. Underhill agreed due to the speed of traffic.

Mr. Roudebush asked where city sewer, water and utilities be coming in from.

Mr. Callahan stated that half of the site will get water and sewer from the west and the other half will come from SR 605.

Mr. Kirby stated that if your foundation is within 200' to their property line and you are within the city limits you will have access to water and sewer. He continued by asking if the headlights will be blocked by houses for the existing homes to the north.

Mr. Underhill stated yes.

Mr. Shockey asked on page 11 of the revised zoning text regarding roof pitches. Is that paragraph in conflict? What condition will that occur.

Mr. Rubey stated that we will not have gabled roofs with pediments oriented towards the street. That sentence can be removed.

Mr. Underhill confirmed that we are striking the 3<sup>rd</sup> sentence.

Mr. Kirby asked for additional comments. He stated that the open space plus park land came up 3 1/2 acres short. How is that being addressed?

Mr. Underhill stated that we will pull from the parkland dedication bank which is condition 10.

Mr. Wallace asked if D 4-6 from the staff report was address in the conditions.

Ms. Joly stated yes.

Mr. Kirby reviewed conditions. Potential conditions include no pools, clear delineation of private/public boundary, coach lights and driveway lights have opaque top, 10% brick - if it is not four sided than it is only permitted on the interior units on the block and landscaped and placed to minimize the side view

Mr. Shockey asked if we were adding unless otherwise determined at final development plan.

Mr. Kirby stated and to be approved at final development plan but we need this part into the text to modify the 10% line and the 4-sided architecture line. Solar permitted on south facing back roofs, working with neighbors on drainage at final, strike the sentence regarding roof pitch on page 11 of 12.

Mr. Wallace staff condition 12 was modified by adding language at the end that it will be reviewed by City Council, staff PowerPoint recommended condition 1 homes with the projected garages are not allowed along SR 605 unless otherwise approved in the final development plan.

Mr. Kirby stated that we had updated language for that one.

Mr. Wallace stated that there were certain additional architectural details that were going to be provided at the final development plan (list). Open spaces along Walnut and SR 605 will remain parkland and master grading plan is submitted at the time of the final development plan to evaluate those spaces.

Mr. Kirby asked if the utilities were in the text.

Mr. Wallace stated that we have a vinyl issue.

Mr. Kirby stated that O-44 vinyl and vinyl in general may be a condition but we need to agree.

Mr. Underhill stated that the vinyl is a major consideration for us and is important.

Ms. Hickok asked if condition 4 has been modified.

Mr. Wallace stated that the motion needs to address that condition.

Mr. Kirby stated that the motion will need to reword the condition or remove it.

Mr. Wallace asked if we need more information on the vinyl.

Mr. Kirby stated that workable thing is to if vinyl is to be allowed then the actual product is to be approved at final development plan.

Mr. Underhill that was a reasonable compromise.

Mr. Kirby stated that the HOA should be careful about power washing the vinyl. Do we have a motion to move this back to the accord, if so move now. Hearing none, do we want to table this to get it cleaned up or vote on it tonight.

Mr. Shockey stated that he would like to vote tonight.

Mr. Wallace asked what other issues need decided.

Mr. Kirby stated vinyl, do we revise condition 4. Are the conditions sufficient to move on?

Mr. Wallace stated that we are faced with a situation that doesn't happen very often that a fundamental factor of the application is one that the applicant has noted it is very important to them and staff has noted that it is important to them. Is there any other information, if we tabled it, that could be provided to modify condition four?

Mr. Underhill stated that we are trying to quantify the quality of the product. Could we have vinyl approved subject to verification by staff and planning commission at the time of final development plan the product meets or exceeds the quality found in Windsor or.

Mr. Shockey stated that we don't know what that is either.

Mr. Underhill stated that it is about the same spec but a higher quality.

Mr. Wallace wants to ask staffs opinion.

Ms. Joly stated that our two concerns when we discuss vinyl is partially addressed by the quality of the material. The DGRs call for authentic materials and hardi plank replicates those dimensions and profile a little better than vinyl. The quality of installation of the vinyl that's hard to regulate. I feel that we put our recommendation and condition out there for your discussion because we felt that if its acceptable to this commission with experience in this field, looking at different neighborhoods than it could be alright as long as we have enough parameters in place to make sure that the maintenance, quality of installation and quality of material is acceptable.

Mr. Wallace stated that I don't know enough about vinyl to know if it meets the standard. I don't think I've seen enough information.

Ms. Joly stated that Windsor is probably the most comparable example to use. We have visited Windsor and looked at it. If that is the measuring stick.

Mr. Underhill stated that I want it to be that level of quality but not the same spec because we don't even know if they make it anymore. We need to convince you that the quality is at the level or exceeding.

Mr. Kirby stated that vinyl is permitted actual material approved at final development plan comparable in quality to Windsor.

Mr. Shockey stated that it could be final material and style to be approved by staff and commission at the next meeting.

Mr. Wallace stated that we need the condition with quality so we can withdraw the vinyl material approval if it doesn't meet the standard.

Mr. Banchefsky stated that this is the zoning phase. This is where the commission and Council has the most discretion and this is a major item for the developer and a large cost item. I think that decision needs to be made at this phase and then you can have conditions that allow it to come back at the final development plan. I heard someone say that if it's not appropriate than that condition comes out.

Mr. Kirby stated that if it doesn't meet the quality.

Mr. Banchefsky stated that they would need to come back with a higher quality.

Mr. Wallace stated than I would propose to table until I see something to convince me on the vinyl.

Mr. Wallace moved to table ZC-94-2016 until the next regularly scheduled meeting.

Mr. Kirby stated that hearing no second the motion fails. He asked the clerk if she had all conditions discussed.

Ms. Hickok asked for clarification of the vinyl condition.

Mr. Kirby stated that staff report condition 4 is replaced by vinyl is allowed, actual material to be approved at final development plan, comparable in quality to Windsor. He asked if the revised text needs read into the record or is it grandfathered by the earlier motion.

Mr. Banchefsky stated that you just need to clarify in the motion that is what you're voting on.

Mr. Kirby asked if staff is alright with the revised text being the basis.

Mr. Mayer stated yes.

Mr. Kirby moved to approve ZC-94-2016 subject to following conditions:



1. The text is revised to require filing the Housing for Older Persons Exemption is done as deed restrictions and be required prior to the approval of the final plat by City Council for each phase, subject to the approval of the City Law Director.
2. Per the City Traffic Engineer's comment memo the applicant install a northbound left turn on SR-605 at main access drive to Schleppe development and northbound left turn on SR-605 at commercial drive to Schleppe development, subject to city staff's approval.
3. The text is revised to clarify that board and batten is a pattern and not a material.
4. The text is revised to allow vinyl siding; the actual material to be approved at the final development plan and shall be comparable in quality to Windsor.
5. The text is revised so that the four-sided architecture design elements on the side elevations does not include (D) decorative panels underneath some or all the windows, painted to match the color of the window trim located above the panel, and (H) masonry covered foundations.
6. The text is revised so that the four-sided architecture design elements on the rear elevations does not include (F) masonry covered foundations.
7. The text is revised so the metal standing seam roof is only allowed as porch roof materials.
8. The text be revised so that trim, colors, and square footage are removed from the elements that constitute different home designs, and add dormer and number of stories to the list.
9. The text is revised to clarify in subarea B that complete screening of all ground-mounted mechanical and other equipment at ground level by walls, fencing, or landscaping that is consistent and harmonious with the materials on and character of the nearest primary building is required.
10. The residential portion of the development is revised to meet the minimum parkland and open space requirements, use the property owner's parkland bank, or the applicant pay a fee in-lieu of parkland dedications per the procedures found in the city's subdivision regulations.
11. The text is revised to clarify that open space can be owned by the City of New Albany and maintained by the subdivision homeowner's association.
12. 240 age-restricted units are taken out of the New Albany Company Housing Bank for this development and the applicant submit an updated housing unit matrix, to be determined by City Council.
13. The homes with projected garages cannot be located along State Route 605 and the main east/west road unless otherwise approved at the time of final development plan.
14. The additional architectural details provided at final development plan include roof plans; garage door design/ colors; dormer details; entablature; and shutter specifications; columns, cornice and pediment details; window specifications; louver details, brick mould profile.
15. Open spaces along Walnut and State Route 605 remain open park and a master grading plan is submitted at the time of the final development plan to evaluate those spaces.
16. Pools are not allowed.
17. There is clear delineation of public/private boundaries.
18. Coach lights and driveway lights have an opaque top.

19. For the 10% brick, if the home is not four-sided than it is only permitted on the interior units on the block and landscaped and placed to minimize the side view and to be approved at final development plan.

20. Solar panels are permitted on southern facing back roofs.

21. Work with neighbors on drainage at the final development plan.

22. The third sentence of section II(H)(2)(g) (page 11 and 12 of text) is struck regarding roof pitches, seconded by Mr. Wallace. Upon roll call vote: Mr. Kirby, yea; Mr. Shockey, yea; Mr. Wallace, no; Mr. Kist, yea; Mr. Schell, yea. Yea, 4; Nay, 1; Abstain, 0. Motion passed by a 4-1 vote.

Mr. Wallace voted no because he wanted more information on vinyl, he wanted to table the motion.

Mr. Kirby asked for other business.

With no further business, Mr. Kirby polled members for comment and hearing none, adjourned the meeting at 10:58 p.m.

Submitted by Pam Hickok

# APPENDIX



## Planning Commission Staff Report April 17, 2017 Meeting

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### TURKEY HILL FRESH EATS SIGN VARIANCES

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**LOCATION:** 9880 Johnstown Road (PID: 222-004736)  
**APPLICANT:** Sign Vision Co., Inc  
**REQUEST:** Variance for Fresh Eats Signage  
**ZONING:** Infill Planned Unit Development (I-PUD) Canini Trust Corp  
subarea 8a  
**STRATEGIC PLAN:** Neighborhood Retail District  
**APPLICATION:** V-96-2016

Review based on: Application materials received December 29, 2016 and January 5, 2017.

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*Staff Report completed by Stephen Mayer, Community Development Planner.*

This sign variance application was heard and tabled by the Planning Commission on January 18, 2017 to allow the applicant to additional time to prepare canopy plans for the Planning Commission's review and approval.

**The applicant has requested one additional month to get the submittal package completed. Staff recommends to table the application until the regularly scheduled May meeting.**



**Planning Commission Staff Report  
April 17, 2017 Meeting**

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**NEW ALBANY COUNTRY CLUB SECTION 26- HIGHGROVE FARMS  
GARAGE DOOR WIDTH VARIANCE**

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**LOCATION:** 1 Highgrove (PID: 222-004633 and 222-004634)  
**APPLICANT:** Kevin Knight & Company  
**REQUEST:** Variance  
**ZONING:** C-PUD (West Nine 2 PUD Subarea C)  
**STRATEGIC PLAN:** Neighborhood Residential District  
**APPLICATION:** V-18-2017

Review based on: Application materials received March 27, 2017.

*Staff Report completed by Stephen Mayer, Community Development Planner.*

**I. REQUEST AND BACKGROUND**

The applicant has applied for a variance for an existing residential structure at 1 Highgrove within the Highgrove Farms subdivision.

The variance requested is as follows:

- A. Variance to C.O. 1165.06(a)(2)(C) requiring Variance to the West Nine 2, Subarea C, section 6(d)(i) to allow a double wide garage door that is 16 feet in width where code requires all doors be single bay that do not exceed nine (9) feet in width.

Per the PUD zoning text variances shall be heard by the Planning Commission.

**II. SITE DESCRIPTION & USE**

The property is located at 1 Highgrove within the Highgrove Farms subdivision of the New Albany Country Club. The house is located on a 1.35 acre lot the east side of Highgrove, across the street from the Highgrove Farms cul-de-sac. A single family residence is currently constructed on the lot. According to the building permit submittal the house is 10,478 square feet. The surrounding uses include single family residential and golf course. The garage door was discovered upon a final inspection for the Certificate of Occupancy.

**III. EVALUATION**

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

***Criteria***

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

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

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

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

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

#### **IV. RECOMMENDATION**

##### ***Considerations and Basis for Decision***

##### **A. Variance to C.O. 1165.06(a)(2)(C) requiring Variance to the West Nine 2, Subarea C, section 6(d)(i) to allow a double wide garage door that is 16 feet in width where code requires all doors be single bay that do not exceed nine (9) feet in width.**

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

1. The PUD zoning text states “individual bay garage doors are required, doublewide garage doors are prohibited. The width of garage doors shall not exceed nine (9)

feet.”

2. The house is fully constructed and during the final occupancy inspections staff found the house was built with a 16.5 foot wide garage doublewide garage door.
3. When construction documents are reviewed by city staff, they go sheet by sheet to ensure all the code requirements are met and there are no inconsistencies within the plan themselves. The construction plans appear to consistently show a 16.5 foot opening for a doublewide garage door. The sheets showing the doublewide garage door are described below and the plans are inserted at the end of the staff report:
  - a. Sheet A1.0 (architectural foundation plan) and sheet A1.1 (lower level floor plan) shows the doublewide garage door opening.
  - b. Sheet A2.1 (first floor plan) shows a frame to separate the doublewide garage door into two single doors. When cross-referenced with the “wall legend” on sheet GN.1 indicates a “2x4 or 2x6 wood stud wall” separating two garage door bays.
  - c. Sheet A5.2 (elevations) shows the doublewide garage door design with a gray piece so as to show it is designed to look like two single bay doors. However, the doublewide garage door is labeled with a reference code to the window and exterior schedule that likes the garage door as being 16 feet wide and 9 feet high.
4. The property owner and the city of New Albany have agreed that the door does not comply with the PUD text and a variance is necessary.
5. The applicant’s narrative states plans were submitted to both the New Albany Country Club Community Architectural Review Committee (ARC) and the city of New Albany for reviews and approvals. During the construction process it was brought to their attention by the ARC that the doublewide garage door did not meet their prescribed guidelines for the community. They were notified and asked by the ARC to develop a solution which visibly breaks up the doublewide garage door and the current on-site improvements are reflective of the ARC’s acceptable remedy.
6. The request does not seem to be substantial since the applicant has custom designed a doublewide garage door that appears like two single bay garage doors. The garage door has a wood post installed on it that bends with the garage door. This unique design element provides greater articulation and visible depth to the garage door which adds to the door’s appearance of being two doors.



7. It does not appear the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a “substantial detriment” since the garage door is on the rear elevation is not visible from the public right-of-way. At no time is it apparent from the street or sidewalk that a doublewide garage door is present.
8. It appears that granting the variance will not adversely affect the health and safety of persons residing in the vicinity.
9. It appears granting the variance will not adversely affect the delivery of government services.
10. It does not appear the problem can be solved by some manner other than the granting of a variance. The house is fully constructed and there is not enough physical room on this portion of the building to allow for two nine-foot wide garage doors.
11. There appears to be special conditions and circumstances exist which are peculiar to this lot and structure which are not applicable to other lands or structures in the same zoning district since the home does not back onto any other homes. It does not appear the rear elevation with the doublewide garage door is visible from any other home. Furthermore, the rear elevation is only visible to a very small section of the Country Club golf course since it is along a narrow stretch of the course with abundant trees surrounding it.
12. The applicant has provided additional landscaping consisting of a double row of ornamental trees in order to provide additional screening from the golf course to the doublewide garage.

Staff recommends approval of the requested variances should the Planning Commission find that the application has sufficient basis for approval. Although there

is a small discrepancy on the plans, city staff still reviewed and approved the plans mistakenly. Regardless of fault and previous approvals, staff is supportive of the variance for the doublewide garage based on its own merits. The applicant has taken extra care to ensure the garage door appears like two individual garage doors through its unique, customized design. The garage door in question is located on the rear elevation so it not visible from the public right-of-way. Existing and additional landscaping screen the garage door from neighboring properties and the golf course. Therefore, the variance does not appear to be substantial or the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a “substantial detriment.”

**V. ACTION**

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

**Move to approve application V-18-2017.**

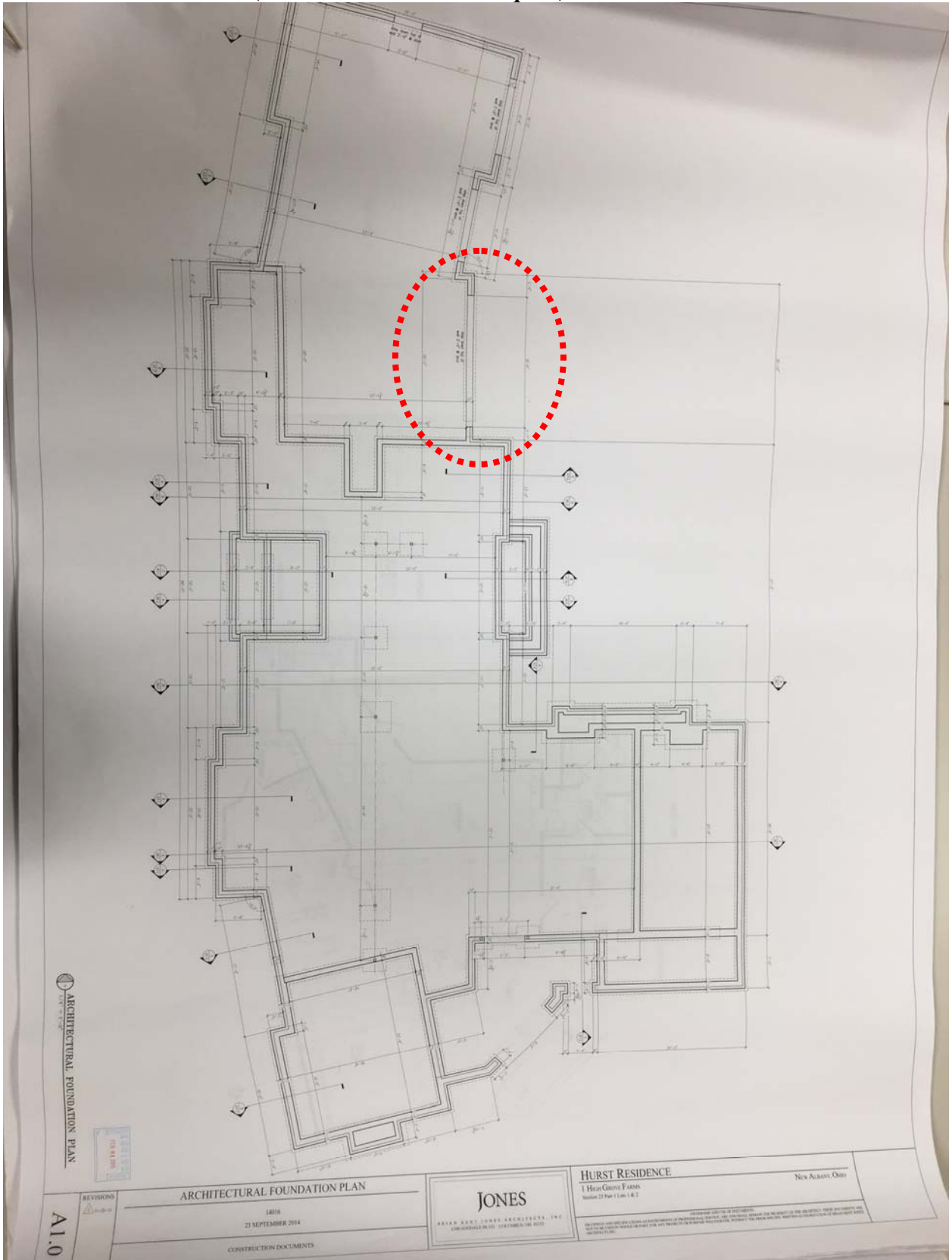


**Approximate Site Location:**



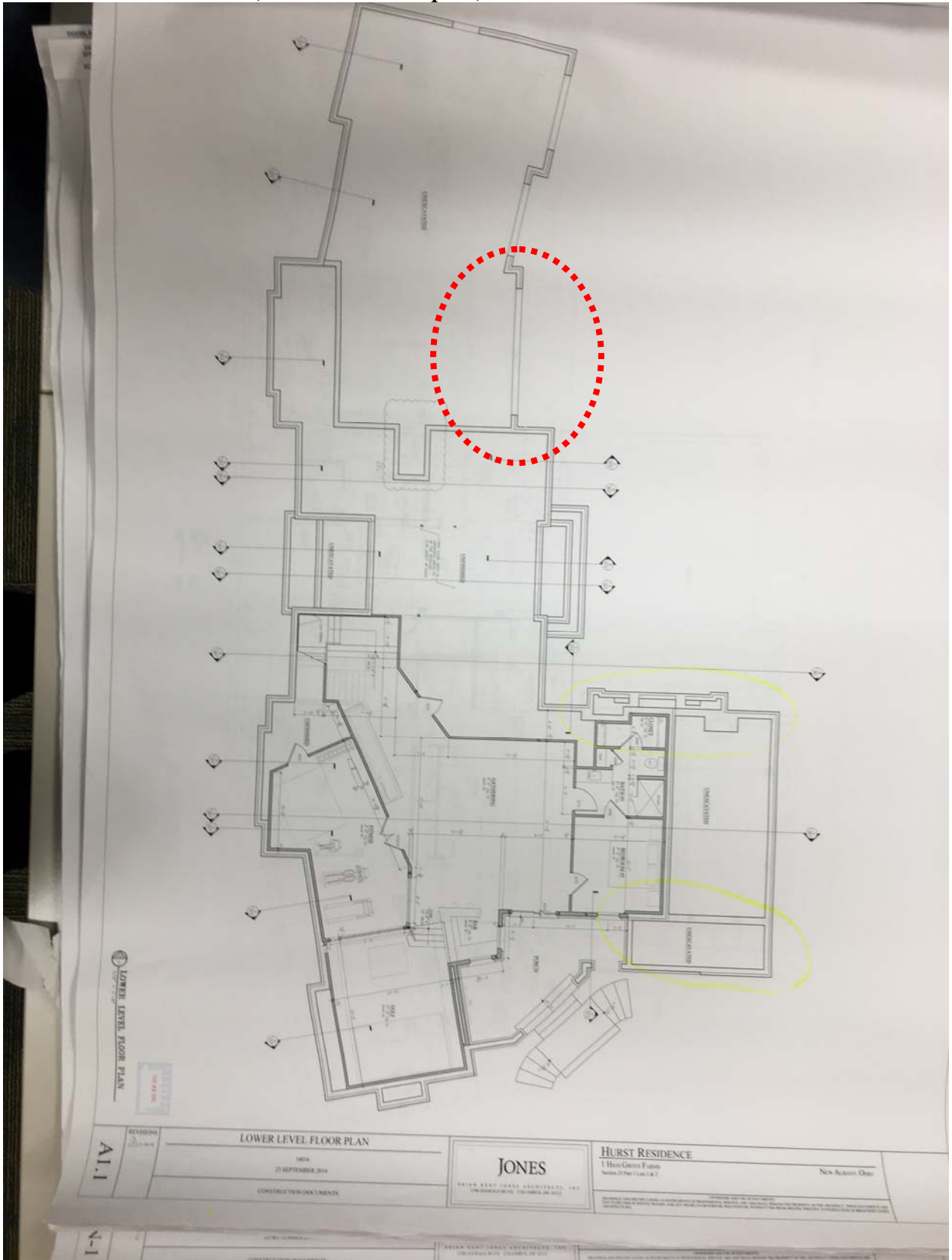
Source: Google Maps

**APPENDIX: Sheet A1.0 (architectural foundation plan)**



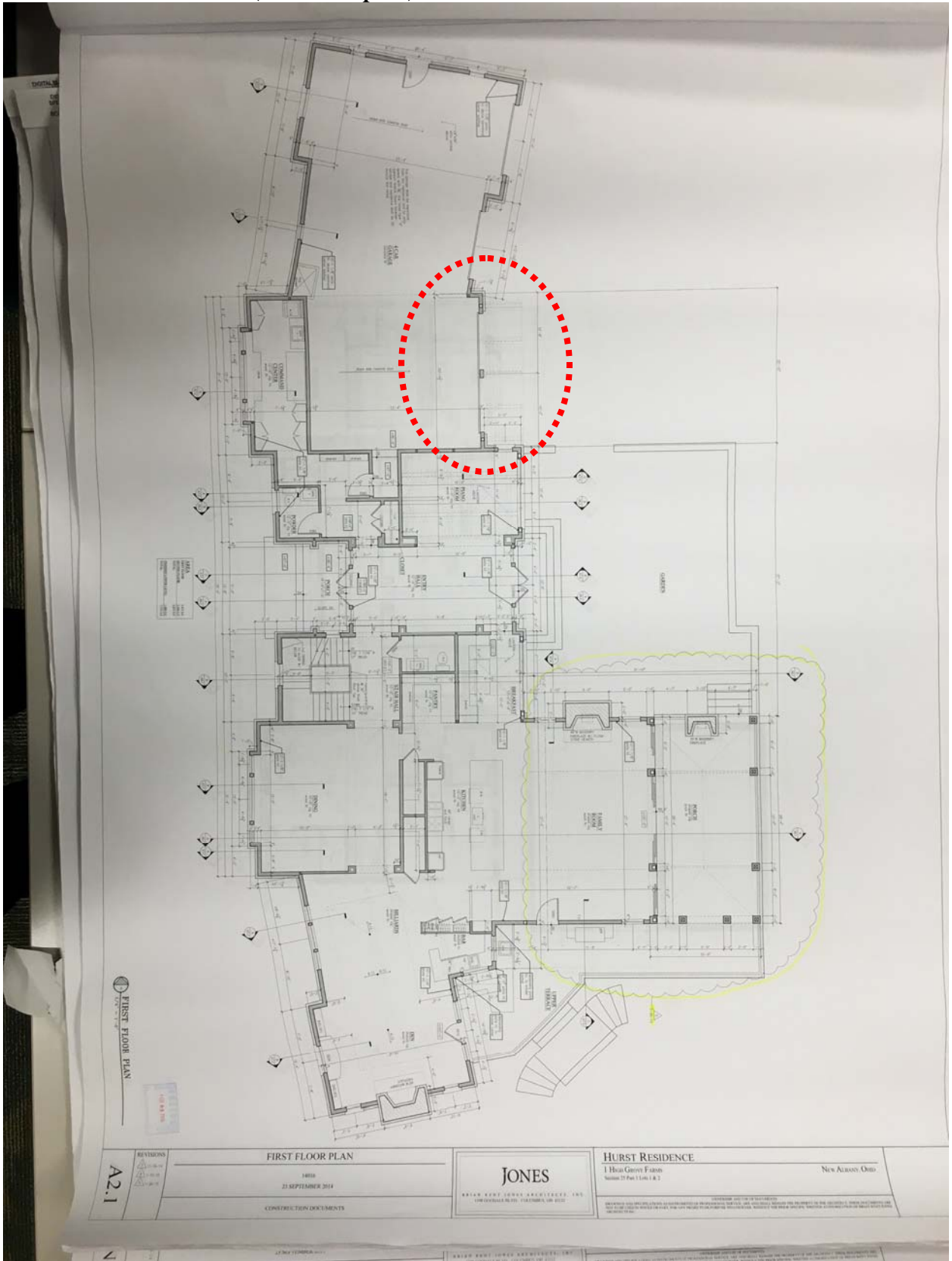


**APPENDIX: Sheet A1.1 (lower level floor plan)**





**APPENDIX: Sheet A2.1 (first floor plan)**







**APPENDIX: Sheet A5.2 (elevations)**

**Exterior Finish Coded Notes**

1. All exterior walls and gables to be finished with 1/2" thick, Type I, white Portland cement plaster over 1/2" thick, 1/2" x 1/2" x 3/8" galvanized metal lath applied in accordance with the manufacturer's instructions. Finish with a smooth coat of the same plaster. Prime and finish with two coats of exterior grade, 100% acrylic latex paint. Color to be selected by the Architect.

2. All exterior windows and doors to be finished with exterior grade, 100% acrylic latex paint. Color to be selected by the Architect.

3. All exterior trim to be finished with exterior grade, 100% acrylic latex paint. Color to be selected by the Architect.

4. All exterior floors to be finished with exterior grade, 100% acrylic latex paint. Color to be selected by the Architect.

5. All exterior roofs to be finished with exterior grade, 100% acrylic latex paint. Color to be selected by the Architect.

**WINDOW AND DOOR NOTES**

NO.	DESCRIPTION	FINISH	NOTES
1	4'-0" x 6'-0" Double Hung Window	White	
2	4'-0" x 6'-0" Double Hung Window	White	
3	4'-0" x 6'-0" Double Hung Window	White	
4	4'-0" x 6'-0" Double Hung Window	White	
5	4'-0" x 6'-0" Double Hung Window	White	
6	4'-0" x 6'-0" Double Hung Window	White	
7	4'-0" x 6'-0" Double Hung Window	White	
8	4'-0" x 6'-0" Double Hung Window	White	
9	4'-0" x 6'-0" Double Hung Window	White	
10	4'-0" x 6'-0" Double Hung Window	White	
11	4'-0" x 6'-0" Double Hung Window	White	
12	4'-0" x 6'-0" Double Hung Window	White	
13	4'-0" x 6'-0" Double Hung Window	White	
14	4'-0" x 6'-0" Double Hung Window	White	
15	4'-0" x 6'-0" Double Hung Window	White	
16	4'-0" x 6'-0" Double Hung Window	White	
17	4'-0" x 6'-0" Double Hung Window	White	
18	4'-0" x 6'-0" Double Hung Window	White	
19	4'-0" x 6'-0" Double Hung Window	White	
20	4'-0" x 6'-0" Double Hung Window	White	
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29	4'-0" x 6'-0" Double Hung Window	White	
30	4'-0" x 6'-0" Double Hung Window	White	
31	4'-0" x 6'-0" Double Hung Window	White	
32	4'-0" x 6'-0" Double Hung Window	White	
33	4'-0" x 6'-0" Double Hung Window	White	
34	4'-0" x 6'-0" Double Hung Window	White	
35	4'-0" x 6'-0" Double Hung Window	White	
36	4'-0" x 6'-0" Double Hung Window	White	
37	4'-0" x 6'-0" Double Hung Window	White	
38	4'-0" x 6'-0" Double Hung Window	White	
39	4'-0" x 6'-0" Double Hung Window	White	
40	4'-0" x 6'-0" Double Hung Window	White	
41	4'-0" x 6'-0" Double Hung Window	White	
42	4'-0" x 6'-0" Double Hung Window	White	
43	4'-0" x 6'-0" Double Hung Window	White	
44	4'-0" x 6'-0" Double Hung Window	White	
45	4'-0" x 6'-0" Double Hung Window	White	
46	4'-0" x 6'-0" Double Hung Window	White	
47	4'-0" x 6'-0" Double Hung Window	White	
48	4'-0" x 6'-0" Double Hung Window	White	
49	4'-0" x 6'-0" Double Hung Window	White	
50	4'-0" x 6'-0" Double Hung Window	White	
51	4'-0" x 6'-0" Double Hung Window	White	
52	4'-0" x 6'-0" Double Hung Window	White	
53	4'-0" x 6'-0" Double Hung Window	White	
54	4'-0" x 6'-0" Double Hung Window	White	
55	4'-0" x 6'-0" Double Hung Window	White	
56	4'-0" x 6'-0" Double Hung Window	White	
57	4'-0" x 6'-0" Double Hung Window	White	
58	4'-0" x 6'-0" Double Hung Window	White	
59	4'-0" x 6'-0" Double Hung Window	White	
60	4'-0" x 6'-0" Double Hung Window	White	

**HURST RESIDENCE**  
1 HEARSHAW FARMS  
SHEET 25 OF 31 (REV. 10/17)

**JONES**  
2100 WEST 10TH AVENUE, SUITE 100  
DENVER, COLORADO 80202

**REVISIONS**  
NO. DESCRIPTION  
1. 08/21/17

**ELEVATIONS**  
DATE: 21 SEPTEMBER 2014  
CONSTRUCTION DOCUMENTS

**NEW ALBANY, OHIO**

**A5.2**

**Handwritten note:** 8/28/15  
Change to window opening  
Add 1/2" of opening on  
9/15/15

**Partial East Elevation**  
**Overall East Elevation**  
**Partial East Elevation**





# SHELL DOCUMENTS

NEW ALBANY, OHIO

HURST RESIDENCE  
1 Hurst (Grove) Farms  
Section 23-0111 (01) & 2

JONES

BALDWIN BRANT BOYER ARCHITECTS, P.C.  
100 KANAWHA AVENUE, CANTON, OHIO 44705

GENERAL NOTES

1816  
23 SEPTEMBER 2014

CONSTRUCTION DOCUMENTS

**IS:**  
notation wall design details and general  
floor grade or to firm bearing, whichever is  
every surface is to be treated wood. Maintain  
and masonry wall  
notation walls shall fall a minimum of 6" within  
shall be 3500 psi and garage slab shall be  
reinforced concrete with a vapor barrier over  
slab-on-grade  
ability to follow all applicable safety codes  
of construction.  
plans have been designed for a load-bearing  
responsibility of the general contractor to

**NOTES:**  
general notes and details for additional criteria.  
items of this project shall meet the values of  
R75 / 1000, R4 = 70 psi, R4 = 750 psi, R4 =  
values vary between these values and the  
a greater value shall govern.  
members shall be 1 1/2" unless noted  
steel (3/4") unless noted otherwise.  
sheathing 1/4" or 5/8" to be noted on plans  
corners (2") solid 2x4's glued and nailed unless  
2x10's (14" wide) 2-2x10's (8" wide) at height  
and otherwise.  
2x4 - glue and nail - at panel edges 10" o.c. at  
edge meeting APA specifications APG-01 and  
Ductura's recommendations. Nails - use 8d  
at 12" o.c. at intermediate supports, unless  
nails and groove of tongue and groove  
quarters. Any attic space over 30" in height  
venting. (These locations are not exhaustively  
listed but are to be determined by owner and architect at  
off heights are either noted on the plans or  
noted on a later date.  
Floor assemblies, not required elsewhere in  
this set, shall be provided with a 2" gypsum board  
at panel membrane or an equivalent framing  
member which complies with Section  
**CEILING:**  
CCA (chromated copper arsenate) type  
pressure treatments will require that all metal  
fasteners be treated with a zinc-rich primer.  
Use of galvanized fasteners is not permitted.  
Use of stainless steel fasteners is not  
permitted unless otherwise noted.

**ATTIC VENTILATION:**  
Suffit vents and roof or ridge vents are to be used. The required total sq. ft. of attic  
ventilation is determined by the requirements of Section R906.1 Roof Ventilation.  
R906.1 Ventilation required. Enclosed attic and enclosed rafter spaces formed  
where ceilings are applied directly to the underside of roof rafters shall have cross  
ventilation for each separate space by ventilating openings protected against the  
intrusion of rain or snow. Ventilating openings shall be provided with  
corrosion-resistant wire mesh, with 3/8 inch maximum by 3/8 inch maximum openings.  
R906.2 Minimum area. The total net free ventilating area shall not be less than 1 to  
150 of the area of the space ventilated except that the total area is permitted to be  
reduced to 1 to 300, provided at least 50 percent and not more than 10 percent of  
the required ventilating area is provided by ventilators located in the upper portion of  
the space to be ventilated at least 3 feet above eave or cornice vents. As an  
alternative, the net free cross-ventilation area may be reduced to 1 to 300 when a  
vapor barrier having a transmission rate not exceeding 1 perm (57.4 mph/In Pa) is  
installed on the warm side of the ceiling.

**WINDOW INFORMATION:**  
1. Window designations shown on the drawings are based on Marvin Ultimate  
Clad series.  
2. In rooms with inadequate window ventilation (storage rooms, bathrooms, etc.)  
The mechanical ventilation system provided shall be capable of producing 0.35  
air change per hour in the room or a whole-house mechanical ventilation  
system is installed capable of supplying outdoor ventilation air of 15 cubic feet  
per minute (CFM) (L/s) per occupant computed on the basis of two  
occupants for the first bedroom and one occupant for each additional bedroom.  
3. Glazing in hazardous locations as defined in Section R908.4 shall be provided  
with a manufacturer's or installer's label, designating the type and thickness of  
glass and the safety glazing standard with which it complies, which is visible in  
the final installation.  
4. R910.1 Emergency escape and rescue required. Basements with habitable  
space and every sleeping room shall have at least one operable emergency  
escape and rescue window or exterior door opening for emergency escape  
and rescue. Where openings are provided as a means of escape and rescue,  
they shall have a sill height of not more than 44 inches above the floor.  
R910.1.1 All emergency escape and rescue openings shall have a minimum  
net clear opening of 5.7 square feet, R910.1.2. The minimum net clear opening  
height shall be 24 inches. R910.1.3 The minimum net clear opening width shall  
be 20 inches.  
5. Fenestration should be in compliance with R1102.1

**DOOR INFORMATION:**  
1. Interior doors, style and finish by owner. Hardware selected by owner.  
2. Door designation example: 2066 indicates a door 2'-0" wide x 6'-4" high.  
3. Glass in exterior doors, interior doors, shower doors, and tub enclosures shall  
comply with the requirements of R908.3 Human Impact Glazing.  
4. All exterior doors of residence shall be equipped with solid wood  
knobs and latches. Solid wood knobs and latches shall be made of solid wood not less  
than 1 1/2" thick, or 20-minute fire-rated.

**WALL LEGEND:**

[Symbol]	2x4 or 2x6 Wood Stud Wall
[Symbol]	Block Veneer
[Symbol]	Concrete Block Wall
[Symbol]	Insulated Concrete Wall
[Symbol]	Alternate

**ELECTRICAL NOTES:**  
1. Electric to be in full compliance with the 2011 National Electric Code.  
2. 400 amp electric service to be grounded.

**HVAC NOTES:**  
1. HVAC to be in full compliance with current code.  
2. HVAC contractor to submit manual J calculations.

**CODE DATA:**  
GOVERNING CODE: 2013 RESIDENTIAL CODE OF OHIO

**SQUARE FOOTAGE:**

FIRST FLOOR:	3,413 S.F.
SECOND FLOOR:	2,440 S.F.
TOTAL:	5,853 S.F.
FINISHED LOWER LEVEL:	1,880 S.F.
TOTAL FINISHED:	7,733 S.F.
4-CAR ATTACHED GARAGE:	1,268 S.F.
UNFINISHED LOWER LEVEL:	1,367 S.F.

**SHEET INDEX:**

SHEET NUMBER	DESCRIPTION
GN-1	General Notes
SP-1	Site Plan
A1.0	Architectural Foundation Plan
A1.1	Lower Level Floor Plan
A2.1	First Floor Plan
A4.1	Second Floor Plan
A5.1	Roof Plan
A5.2	Exterior Elevations
A5.3	Exterior Elevations
A6.1	Building Sections
A6.2	Building Sections
A7.1	Wall Sections
A7.2	Wall Sections
A7.3	Wall Sections
A7.4	Wall Sections
S1.0	Structural Notes
S1.1	Foundation/First Floor Framing Plans
S1.2	Second Floor Framing Plans
S1.3	Second Floor Ceiling Framing Plan
S1.4	Roof Framing Plan
S2.1	Structural Sections

**REVISION**

NO.	DESCRIPTION	DATE	BY
01	See Sheet Schedule, Amend Permittals	09/23/14	JHB
02	Revised Foundation Plans	09/23/14	JHB
03	Revised Foundation Plans	09/23/14	JHB
04	Revised Foundation Plans	09/23/14	JHB
05	Revised Foundation Plans	09/23/14	JHB
06	Revised Foundation Plans	09/23/14	JHB
07	Revised Foundation Plans	09/23/14	JHB
08	Revised Foundation Plans	09/23/14	JHB
09	Revised Foundation Plans	09/23/14	JHB
10	Revised Foundation Plans	09/23/14	JHB
11	Revised Foundation Plans	09/23/14	JHB
12	Revised Foundation Plans	09/23/14	JHB
13	Revised Foundation Plans	09/23/14	JHB
14	Revised Foundation Plans	09/23/14	JHB
15	Revised Foundation Plans	09/23/14	JHB
16	Revised Foundation Plans	09/23/14	JHB
17	Revised Foundation Plans	09/23/14	JHB
18	Revised Foundation Plans	09/23/14	JHB
19	Revised Foundation Plans	09/23/14	JHB
20	Revised Foundation Plans	09/23/14	JHB

PRINTED 4 FEBRUARY 2015

GN-1



**Planning Commission Staff Report  
April 17, 2017 Meeting**

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**NEW ALBANY NORTH ZONING DISTRICT  
ZONING AMENDMENT**

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LOCATION: Generally west of State Route 605/New Albany-Condit Road, south of Walnut Street, east and west of Schleppe Road, and east of the Upper Albany subdivision (PID: 222-004443, 222-004445, 222-004444, and 222-004446)

APPLICANT: Pulte Homes c/o Aaron Underhill Esq

REQUEST: Zoning Amendment

ZONING: "AG" Agricultural and "L-GE" Limited General Employment to "I-PUD" Infill Planned Unit Development

STRATEGIC PLAN: Office District

APPLICATION: ZC-94-2016

Review based on: Application materials received March 31, 2017.

*Staff report completed by Stephen Mayer, Community Development Planner.*

**II. REQUEST AND BACKGROUND**

The applicant requests review and recommendation to rezone 94.6+/- acres. The applicant proposes to create a new zoning district that permits 240 single family age-restricted units within a new residential subdivision. The applicant commits to making this an age-restricted community. This means that at least 80 percent of the units in the development must have at least one occupant who is 55 years of age or older.

The zoning also proposes a five acre commercial subarea to allow for uses found in the city's C-1 Neighborhood Business District. Two acres of the five acre commercial subarea portion of the development contains an existing cell tower. This entire zoning area will be known as the New Albany North Zoning District, and will be zoned I-PUD Infill Planned Unit Development.

On March 16, 2017 the Rocky-Fork Blacklick Accord recommended approval of the application with following conditions of approval:

1. The applicant continue to work with staff regarding a front porch commitment;
2. The New Albany Planning Commission consider the appropriateness of the materials, and;
3. The Planning Commission consider requiring additional landscaping in the setback area of lots 109 through 113 as shown on the preliminary development plan.

**Background:**

The Rocky Fork Blacklick Accord document and the 2006 City of New Albany Strategic Plan envisioned residential uses at this location of the city. In 2010 the majority of this area was envisioned as an appropriate area to be an extension of the Research and Information District and the city's Strategic Plan was updated to show the majority of this area as Office Campus. Therefore, also in 2010 the majority of the site was rezoned to allow the same permitted uses will be the same as in the existing Subarea 5 of the Research and Information District. Currently, the majority of the site is located in the 2014 New Albany Strategic Plan's Office Campus future land use district, with a small portion in the Rural Residential future land use district. However given the proposed use, staff has evaluated this proposal against the Town Residential District standards.

**II. SITE DESCRIPTION & USE**

The neighboring uses and zoning districts include L-GE to the south,unincorporated /residential to the north, the Upper Albany subdivision in the City of Columbus to the west, and to the east is a mixture of unincorporated residential and a portion of the city's business park. The site is currently 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 1111.02 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 1159.08 the basis for approval of a Preliminary Development Plan in an I-PUD shall be:

- 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 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 of dwelling units 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).*

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

1. Houses should front onto public open spaces and not back onto public parks or roads.
2. House should be a minimum of 1.5 stories in appearance and a maximum of three stories.
3. Rear and side loaded garages are encouraged. When a garage faces the street, the front façade of the garage must be setback from the front façade of the house.
4. The maximum width of a garage door facing the street is ten feet.
5. Open space should be sited to protect and enhance existing natural features and environmentally sensitive habitats.
6. Neighborhood open spaces and parks should be located within 1,200 feet of all houses. They should vary in size and be easily accessible to pedestrians.
7. Streets should have five-foot wide sidewalks on both sides of the street, other than in locations approved for eight-foot leisure trails.
8. Leisure trail connections must be established throughout.
9. The district should include a hierarchy of streets.

10. The maximum lot width should not exceed 90 feet. For areas where density exceeds 1.5 dwelling units per acre the maximum average lot width should be no larger than 80 feet.
11. The average single-family lot area should not exceed 12,500 square feet.
12. Stormwater management ponds and areas should be incorporated into the overall design as natural features and assets to the community. Shapes of ponds should not appear engineered, but should appear as if they naturally occurred in the location.
13. A hierarchy of open spaces is encouraged. Each development should have at least one open space located near the center of development. Typically, neighborhood parks range from a half to 5 acres. Multiple greens may be necessary in large developments to provide centrally located greens.
14. Deciduous trees should be planted 30 feet on center.
15. Cul-de-sacs are discouraged in all developments and a multiplicity of connections should be made.

#### **B. Use, Site and Layout**

1. The proposed zoning text is a planned unit development text. PUD texts allow flexibility in design.
2. The 2014 Strategic Plan's "Town Residential" land use category states the base density is one unit per acre, with a density bonus of up to 1.5 dwelling units per acre with strict adherence to the development standards. The preliminary development plan shows the gross density is 2.7 units per acre.
3. A school impact statement has been submitted. The applicant estimates that 0.05 students per unit will be generated in 80% of the homes that are age-restricted and that 0.15 students per unit will be generated in the 20% of the homes that are not age-restricted for a total of 16 students. Based on an assumed 16 students generated, the applicant has projected this development to have a net positive financial impact on the school district. The Planning Commission should evaluate the impact of the proposed use on the local school district.
4. The PUD text consists of two subareas:
  - o Subarea A is 89.6 acres and allows :
    - single-family detached residences, subject to the age restriction requirements;
    - Publicly or privately owned parks and open spaces;
    - One private amenities center/clubhouse, which may include a fitness center, gathering spaces, and/or other recreational and social facilities, amenities, and improvements serving only the residents living in this zoning district; and
    - A maximum of 2 residential model homes at any given time subject to the review and approval of the Planning Commission
  - o Subarea B is 5.0 acres and allows :
    - No more than one Telecommunications Tower, Antenna Support Structure, and related Wireless Telecommunications Facilities;

- A maximum of 30,000 square feet of the uses listed in Section 1145.02 of the Codified Ordinances, C-1 Neighborhood Business District, but excluding funeral services.
        - Examples of uses allowed include, but are not limited to, offices, grocery stores, florists, gift, antique or second-hand stores, restaurants without drive-thrus, and banks.
      - Dry cleaning establishments.
      - Drive-thrus in association with a permitted use shall be conditional uses in this subarea and shall be reviewed in accordance with Chapter 1115 of the Codified Ordinances.
5. Subarea A, section(C) requires homes within this subarea shall be age restricted in accordance with the Fair Housing Act and the HOPA Exemption so that a minimum of 80% of the homes shall be required to have at least one occupant that is age 55 or older. Prior to being issued a temporary or permanent certificate of occupancy for the first home in this subarea, the applicant/developer shall deliver written and legally binding documentation to the City to provide confirmation that the project legally complies with the Act and the HOPA Exemption. Failure to comply with the Act and/or the HOPA Exemption shall constitute a zoning violation that is enforceable by the City. The City Law Director has reviewed the document and recommends a condition of approval requiring filing the Housing for Older Persons Exemption is accomplished as deed restrictions and be required prior to the approval of the final plat by City Council for each phase.
6. Below is a list of setbacks:
- State Route 605:
    - Subarea A: Text proposes a minimum building setback of 160 feet from the centerline.
    - Subarea B: minimum setback of 100 feet for pavement and minimum setback of 150 feet for buildings.
  - Walnut Street:
    - Subarea A: Text proposes a minimum building setback of 160 feet from the centerline.
  - Subarea A:
    - Front Yard Setbacks for residential units: minimum 20 feet from the edge of the right-of-way
    - Side Yard Setbacks for residential units: minimum 5 feet from the property line.
    - Rear Yard setbacks for residential units: varies based on the location. See the preliminary development plan and text, but varies between 15 and 50 feet.
  - Subarea B:
    - Northern Setback: 25 feet for pavement and 50 feet for buildings from subarea boundary and all other portions of the northern boundary line of this subarea shall be 25 feet for pavement and buildings
    - Southern Setback: minimum setback from the southern perimeter boundary line of this subarea shall be 25 feet for pavement and buildings

- Western Setback: minimum setbacks from the western boundary of this subarea shall be 25 feet for pavement and 50 feet for buildings.
  - Interior setbacks: zero lot line setback for pavement and buildings.
7. The subdivision contains lots backing onto Sugar Run. One of the New Albany Strategic Plan's development standards recommendation is that houses should front onto public open spaces and not back onto public parks or roads. The residential subdivision proposal consists of only 22 homes backing onto open space, accounting for 9% of all the lots. The majority of these lots backing onto the open space are designed as such so that they "frame" the primary roadway entrances into the subdivision.

### C. Access, Loading, Parking

1. The residential subdivision portion of the site has four connections and the commercial area is permitted to one additional entry and exit on New Albany-Condit Road.
2. The primary access to the site will be from State Route 605. Additional access to the site will be provided from the following locations; Schleppi Rd. (reconfigured as shown on the preliminary development plan) and connection to the two existing stub streets located to the west of the property being Upper Albany Drive and Winterbek Drive.
3. The subdivision realigns and redesigns Schleppi Road within the subdivision so it is a neighborhood street.
4. The PUD text requires all streets within the development are public and shall be constructed to required public specifications. The right-of-way for internal streets within the development shall be 50 feet in width. Pavement for all internal streets shall be 27 feet in width, measured from back-of-curb to back-of-curb. This matches the requirements in the city's subdivision regulations.
5. The PUD text requires prior to the issuance of the first building permit for any structure to be built in this subarea, the applicant/developer shall dedicate right-of-way to the City for a distance that extends 50 feet from the centerline of State Route 605/New Albany-Condit Road and from the centerline of Walnut Street. The City Engineer has commented this amount of right-of-way is acceptable.
6. A Traffic Impact Study has been submitted and reviewed by the City Traffic Engineer. The City Traffic Engineer comments they find the study to be appropriate and acceptable. The major finding includes the need for turn lanes at two location as part of this development. Staff recommends a condition of approval requiring the applicant install northbound left turn on SR-605 at main access drive to Schleppi development and northbound left turn on SR-605 at commercial drive to Schleppi development.
7. The City Traffic Engineer reviewed a crash summary prepared by EMH&T. This summary indicated that there were no current crash issues that needed to be addressed by the Traffic Impact Study.
8. The text contains a commitment requiring public sidewalk shall be installed within the right-of-way on each street. Sidewalks shall be 5 feet in width and shall be constructed of concrete. Sidewalks on single-loaded or unloaded streets shall be provided only in locations that are approved in a final development plan. The public sidewalks located in the existing residential



community and stubbed to the southwestern portion of Subarea A shall be extended into Subarea A to connect with a leisure path in order to provide pedestrian connectivity between the two neighborhoods.

9. Asphalt leisure trails with a width of 8 feet shall be constructed by the applicant/developer in the following locations in this subarea: (a) Within the right-of-way or "No Build Zones" along State Route 605/New Albany-Condit Road and Walnut Street, (b) along the pocket parks in the northern portion of the subarea, (c) within the southern parkland of the subarea connecting to Winterbek Drive along the western boundary, to the amenity area, and extending to the eastern boundary of the subarea, and (d) around retention ponds in this subarea as identified in an approved final development plan. Additional leisure paths may be constructed within the parkland. Final locations of leisure trails shall be approved as part of one or more final development plans.

#### **D. Architectural Standards**

1. The PUD text states the residential portion of this development will not be required to strictly adhere to the City's Design Guidelines and Requirements (DGRs) and its Codified Ordinances. The text says the intent is to meet the spirit and purpose of the DGRs and the Codified Ordinances by replicating the architectural styles of the DGRs while allowing for deviations to accommodate home designs that serve the active adult segment of the home buying market.
2. The city's Design Guidelines and Requirements standards help create connected neighborhoods that will sustain their quality and vibrancy over time. These guidelines have been developed by New Albany to help ensure that our community enjoys the highest possible quality of architectural design. The guidelines are useful by showcasing good design principles and ensuring development will benefit the entire community.
3. The developer is designing homes for a certain age group whose form and function will not meet the architectural standards of the city's DGRs. The city's goals are to enhance some design elements of the proposed homes to help create quality neighborhoods that hold value over time. A streetscape goal for the project includes layering of features, intersection treatments, street trees, on lot landscaping, and front porches to mitigate the visual impact of the proposed double bay garage doors, that don't meet city's strategic plan standards, on the streetscape.
4. One of the New Albany Strategic Plan's development standards recommendation is house should be a minimum of 1.5 stories in appearance and a maximum of three stories. The PUD text allows homes to be a minimum of one story, and requires 50 percent of the homes be one and half stories.
5. The New Albany Strategic Plan's development standards recommendation is rear and side loaded garages are encouraged. When a garage faces the street, the front façade of the garage must be setback from the front façade of the house. Plus the maximum width of a garage door facing the street is ten feet. The PUD text allows garages to face the street with double-bay garage doors and does not require garages be setback. The PUD text requires at least 80% of the lots (i.e., a minimum of 192 lots) to have garages that do not extend beyond

- the front façade of the home. However, garages located on the remaining than 20% of the lots (i.e., no more than 48 lots) to extend up to six feet beyond the front façade of the home only when the home includes a covered front porch.
6. Another city goal is to have quality building materials such as brick and hardiplank whose characteristics help to ensure the quality of the development over time.
  7. The text permits brick, brick veneer, vinyl beaded siding, cementitious/composite siding, and board and batten siding as exterior façade materials. Staff recommends a condition of approval requiring the text is revised to clarify that board and batten is a pattern and not a material, but a style of siding.
  8. Staff recommends the Planning Commission review the appropriateness of the homes' exterior material. The city's Design Guidelines and Requirements states wood and brick are the most appropriate material for single family residential structures. The DGRs state that alternative materials such as cementitious/composite siding such as hardiplank is used as a substitute for wood in when the shape, size, profile, and surface texture exactly match historic practice as if it was made of wood. The use of vinyl is limited in the City of New Albany. The text requires vinyl siding be beaded, have a minimum thickness of 0.044 inches, and have a reveal of at least 6 inches. A thickness of 0.044 appears to be a midrange in terms of thickness. Subdivisions such as Windsor permit vinyl siding but requires it be higher quality vinyl siding with insulated Styrofoam backing (craneboard of equal).
  9. The city's Design Guidelines and Requirements requires four-sided architecture. In an effort to meet the intent of the DGRs the PUD text prohibits blank façades and contains a definition and criteria for what four-sided architecture shall constitute in this neighborhood.
  10. The PUD text requires any side elevation of a home that faces a public street on a corner lot and any side elevation of a home that is adjacent to open space or parkland shall include two or more windows plus at least one of the design elements from the following list (evaluated below):

<b>Text Requirement:</b>	<b>Staff Comments:</b>
(A) Cornices above windows	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.
(B) Shutters which appear to be open and appear to be operable and mounted on appropriate shutter hardware (hinges and shutter dogs);	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.
(C) Closed shutters that appear to completely cover one or more windows, although no window shall be required to be installed behind such shutters;	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.
(D) Decorative panels	<u>Staff recommends this element is removed from the list</u>

underneath some or all windows, painted to match the color of the window trim located above the panel(s)	<u>since this is a relatively minor architectural element and other portions of the text commits to using elements of traditional American Architecture.</u>
(E) Doors;	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.
(F) Bay windows or bay elements	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.
(G) Chimney;	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.
(H) Masonry covered foundation	<u>Staff recommends this element is removed from the list since this is an already required in another section of the text. This is a minimum requirement and shouldn't be counted as an additional feature to mitigate the absence of traditional American Architecture.</u>
(I) Decorative louvers.	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.

11. Similarly, the PUD text requires the rear elevation of each home shall be articulated with a minimum of at least two of the design elements from the same list (evaluated below):

<b>Text Requirement:</b>	<b>Staff Comments:</b>
(A) Doors;	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.
(B) Porches	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.
(C) Two or more windows (bay windows count as a window)	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.
(D) Bay windows or bay elements	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.
(E) Chimney;	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.
(H) Masonry covered foundation	<u>Staff recommends this element is removed from the list since this is an already required in another section of the text. This is a minimum requirement and shouldn't be counted as an additional feature to</u>

	<u>mitigate the absence of traditional American Architecture.</u>
(I) Decorative louvers.	This appears to be an appropriate architectural element since it will likely add visual interest to the exterior of the home.

- t. The text allows roofs to be of natural slate wood shake or wood shingle, metal standing seam, or an architectural grade fiberglass asphalt shingle. Staff recommends a condition of approval requiring the metal standing seam roof is only allowed as porch roof materials since this is not typical used on the main house masses in residential neighborhoods.
- u. The PUD text requires architectural diversity throughout the residential subdivision by requiring the same home design with the same front elevation shall not be constructed on lots that are adjacent to or directly across the street from one another. The text commits to that when the applicant files the final development plan application for this subarea they shall include, for review and approval by the Planning Commission, a matrix, chart, visual depictions, and/or text to further describe what will constitute different home designs. Staff recommends a condition of approval requiring the text be revised so that trim, colors, and square footage are removed from the elements that constitute different home designs and add dormer and number of stories to the list. Subarea B (commercial area) contains several design requirements but otherwise is required to meet the city’s Design Guidelines and Requirements for commercial structures. The text requires if there is more than one building in this subarea, the architectural details, materials and colors of all buildings shall be compatible. Buildings shall be designed with a comparable level of detail on all sides. Buildings shall be constructed so that they can accommodate more than one tenant, even if a single tenant occupies the building. “Outparcels” and outparcel buildings are be prohibited in this subarea.
- v. Subarea B (commercial area) allows buildings to be a minimum of 1 story and a maximum of 2 stories in terms of function or appearance but in no instance shall exceed thirty-five (35) feet in height above the adjacent finished grade.
- w. Complete screening of all roof-mounted equipment is required on all four sides of buildings with materials that are consistent and harmonious with the building’s façade and character. Such screening shall be provided in order to screen the equipment from off-site view and to buffer sound generated by such equipment.
- x. Complete screening of all ground-mounted mechanical and other equipment at ground level by walls, fencing, or landscaping that is consistent and harmonious with the materials on and character of the nearest primary building. Staff recommends the text is revised to clarify that this screening is required.

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

- 1) The 2014 Strategic Plan’s Roadway Corridors Strategy identifies this portion of State Route 605 and Walnut Street as a Rural Corridors and recommends a 250 foot rural setback from centerline of both these roads. The proposal meets the 250 setback along Walnut Street. Along State Route 605 the applicant proposes a 160 foot building setback from the centerline which is compatible with the development pattern along this corridor.
- 2) The 2014 Strategic Plan’s Green Corridors recommends a 300 foot riparian buffer zone, with a minimum of 150 on each side of Sugar Run. The majority of the subdivision exceeds this distance and provides over 300 feet. Only a small portion of the subdivision near lot 174 appears to be approximately 90 feet on one side of the stream.
- 3) The 2014 Strategic Plan recommends open space be sited to protect and enhance existing natural features and environmentally sensitive habitats. The applicant has provided public parkland where natural features and environmentally sensitive habitats are present.
- 4) The Codified Ordinances contain requirements about the provision of open space and parkland dedication. The table below shows the required and proposed amounts. Per C.O. 1187.16 wet and dry stormwater basins shall not be considered open space. The proposal does not meet the Codified Ordinance requirements.

<b>C.O. Requirement</b>	<b>Shown on PDP as</b>	<b>Required (acres)*</b>	<b>Provided (acres)</b>	<b>Difference</b>	<b>Meets Code?</b>
1187.16 Open Space	Open Space	17.92	(see total below)		
1189.15 Parkland Dedication	open Space	13.22	(see total below)		
	<b>Total</b>	<b>31.14</b>	<b>27.6</b>	<b>-3.54</b>	<b>No</b>

\*Calculations based on 89.6 acres and 240 lots.

- 5) Staff recommends a condition of approval requiring residential portion of the development is revised to meet the open space requirements, use the property owner’s parkland bank or the applicant pay a fee in-lieu of parkland dedications per the procedures found in the city’s subdivision regulations.
- 6) The zoning text states “additional open spaces may be provided within this subarea with configurations, ownership, and maintenance responsibilities defined and approved in the final development plan. Any green spaces or open spaces which are not dedicated or transferred to the City shall be platted as reserve areas which shall be maintained in perpetuity by the HOA.” Staff recommends a condition of approval the text is revised to clarify that open space can be owned by the City of New Albany and maintained by the subdivision homeowner’s association.
- 7) The PUD text states “due to the nature of this subarea as an age-restricted community, it shall be exempt from the requirement of Section 1185.15(c)(6)

that would otherwise require all residences to be located within 1,200 feet of playground equipment.”

- 8) Subarea B (commercial area) allows a maximum lot coverage of 70% and states the existing cell tower and associated accessory structures shall not be counted for purposes of calculating permitted density and lot coverage.
- 9) Street trees shall be required on both sides of internal public streets, except that this requirement shall not apply to the sides of streets which abut parks or reserve areas (the planting requirements, if any, for these areas shall be approved as part of the relevant final development plan). Trees shall be a minimum of 2 ½ inches in caliper at installation and shall be spaced at an average distance of 30 feet on center, except that along Walnut Street and New Albany-Condit Road trees may be grouped, provided the quantity is equivalent to 1 tree per 30 feet or fraction thereof.
- 10) In addition to street trees, the text requires an additional one deciduous tree in the front yard of each residential unit to create the appearance of a double row of street trees.
- 11) The text requires the final development plan for this subarea shall provide a landscaping plan for the no-build zone/required setback areas for New Albany-Condit Road and Walnut Street. The landscaping plan shall be natural in character and shall maintain the character of these thoroughfares as rural roads. In addition to the street tree requirements, within rural road setback, there shall be a minimum of 4 trees/100 lineal feet in natural hedgerow manner and shall be a mix of a minimum of 2” caliper trees subject to the approval of the city landscape architect.
- 12) The PUD text requires that prior to commencing construction of any structures in Subarea A, the developer of Subarea B is required to screen the uses and parking areas within Subarea B from the residential lots that are located immediately to the west of Subarea B on the south of the public street running east-west along the northern portion of the parkland. Such screening may be provided either within Subarea B or within the parkland and shall consist of landscaping, trees, and/or fencing that provides for a minimum opacity of 75% to a minimum height of 6 feet within two years of the start of construction of the first building within Subarea B.

#### **D. Lighting & Signage**

1. No signage is proposed at this time. Subarea B (commercial area) requires all signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany, unless otherwise approved as part of a final development plan for this subarea.
2. Parking lot lighting at subarea B (commercial area) is required to be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.
3. Within subarea A (residential homes) each home must have coach lights on the garage. Uplighting of the exterior of a home shall be prohibited. Security lighting, when used, shall be of a motion sensor type.
4. Light poles within parking lot areas near the private amenities center/clubhouse

shall not exceed 18 feet in height, shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

#### **E. Other Considerations**

1. The zoning text states that future variances within the subdivision be heard by the New Albany Planning Commission instead of the Board of Zoning Appeals. This is a common clause in PUD development texts.
2. Staff recommends that 240 age-restricted units are taken out of the New Albany Company Housing Bank for this development and the applicant submit an updated housing unit matrix.

#### **IV. ENGINEER'S COMMENTS**

The City Engineer comments they have no further comments on this submittal other than those provided relating to the Traffic Impact Study. Staff recommends all the City Engineer's Traffic Impact Study comments are complied with and subject to staff approval. The engineering comments can also be under separate cover from the consulting City Engineer, E.P. Ferris & Associates.

#### **V. RECOMMENDATION**

##### ***Basis for Approval:***

The proposed uses appear to be appropriate for this location within the city but staff has concerns regarding the architecture, and the amount of open space and parkland. The proposed use appears to be appropriate for this location within the city at this transitional point between residential along New Albany Road East in New Albany and the city of Columbus. The applicant proposes a density of 2.7 units per acre. While New Albany Strategic Plan's Town Residential District allows a bonus density of 1.5 units per acre with strict adherence to the development standards, this proposal is unique since it is age restricted. Typically school impact studies assume 0.8 students per house will be generated. In this case, even if 0.8 students are generated within 20% of the subdivision (non-age restricted portion) it would result in only 39 students.

As proposed the zoning meets 10 out of the 15 New Albany's Strategic Plan's development standards. Partial credit can also be provided since half of the homes are required to 1.5 stories and the majority of the houses do front onto public open spaces and not back onto public parks or roads.

The applicant is preserving the stream and has strategically located the proposed roads and lots in order to not impact existing wetlands on the site resulting in the creation of a 22 acre park. However, the residential portion of the subdivision does not meet the required minimum amount of parkland and open space.

The subdivision is well designed through multiple connections with an excellent site design and plan layout. While the street network and layout is desirable from a site planning perspective, and shouldn't be overlooked, departing from the traditional American architectural style is a big consideration. The developer is designing homes

for a certain age group whose form and function will not meet the architectural standards of the city's DGRs and has therefore exempted the residential subdivision from the city's codified architectural requirements known as the DGRs. City staff does not want this departure to become the norm. Although applicant has provided additional landscaping to offset the homes' aesthetics and this housing product adds diversity to the city, staff does not take the departure from the city's Design Guidelines and Requirements lightly and there is a need to offset the architecture with items such as the streetscapes and quality open space. Staff feels quality materials is part of this offset and that is why staff recommends the removal of the vinyl siding as an exterior material.

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

1. The overall effect of the development advances and benefits the general welfare of the community (C.O. 1111.06(f)).
2. The site size and location appears to be sufficient to serve the anticipated development on the site (C.O. 1111.06(g)).
3. The adjacent land uses are generally compatible, including residential uses and uses within close proximity (C.O. 1111.06(a)).
4. The adjacent zonings include similar zoning classifications as the underlying zonings for the proposed I-PUD (C.O. 1111.06(d)).
5. The I-PUD rezoning application is an appropriate application for the request (C.O. 1111.06(e)).
6. The site can be sufficiently accessed (C.O. 1111.06(c)).

## **VI. ACTION**

### **Suggested Motion for ZC-94-2016:**

**To recommend approval to Council of Zoning Change application ZC-94-2016 based on the findings in the staff report with following condition of approval (conditions may be added)**

1. The text is revised to require filing the Housing for Older Persons Exemption is done as deed restrictions and be required prior to the approval of the final plat by City Council for each phase, subject to the approval of the City Law Director.
2. Per the City Traffic Engineer's comment memo the applicant install a northbound left turn on SR-605 at main access drive to Schleppe development and northbound left turn on SR-605 at commercial drive to Schleppe development, subject to city staff's approval.
3. The text is revised to clarify that board and batten is a pattern and not a material.
4. The text is revised to not permit vinyl siding as an exterior material.
5. The text is revised so that the four-sided architecture design elements on the side elevations does not include (D) decorative panels underneath some or all



the windows, painted to match the color of the window trim located above the panel, and (H) masonry covered foundations.

6. The text is revised so that the four-sided architecture design elements on the rear elevations does not include (F) masonry covered foundations.
7. The text is revised so the metal standing seam roof is only allowed as porch roof materials.
8. The text be revised so that trim, colors, and square footage are removed from the elements that constitute different home designs, and add dormer and number of stories to the list.
9. The text is revised to clarify in subarea B that complete screening of all ground-mounted mechanical and other equipment at ground level by walls, fencing, or landscaping that is consistent and harmonious with the materials on and character of the nearest primary building is required.
10. The residential portion of the development is revised to meet the minimum parkland and open space requirements, use the property owner's parkland bank, or the applicant pay a fee in-lieu of parkland dedications per the procedures found in the city's subdivision regulations.
11. The text is revised to clarify that open space can be owned by the City of New Albany and maintained by the subdivision homeowner's association.
12. 240 age-restricted units are taken out of the New Albany Company Housing Bank for this development and the applicant submit an updated housing unit matrix.