



Planning Commission

Meeting Minutes

October 16, 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 p.m.

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

Staff members present: Stephen Mayer, Planner; Adrienne Joly, Director of Administrative Services; Ed Ferris, City Engineer; Mitch Banchevsky, City Attorney and Pam Hickok, Clerk.

Moved by Mr. Kist, seconded by Mr. Schell to approve 9/18/17 minutes. Upon roll call vote: Mr. Kirby, yea; Mr. Kist, yea; Mr. Wallace, abstain; Mr. Schell, yea. Yea, 3; Nay, 0; Abstain, 1. Motion approved by a 3-0

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.

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

VAR-62-2017 Variance

A variance to allow a residential home to encroach the building setback located at 7014 Hanby's Loop. (PID: 222-004844)

Applicant: Guzzo and Garner

Mr. Stephen Mayer presented the staff report.

Mr. Ferris stated no engineering.

Mr. Dave Johnson, architect, stated that the homeowner desires to keep the view to the left where the golf course is located. The main living areas of the house is facing the golf course. The front of the house must face the street. The main purpose was to appease the homeowner and the ARC. Many of the private areas such as the master bedroom facing the rear and the public areas are facing the golf course.

Mr. Wallace asked the square footage of the house.

Mr. Johnson stated that it is approximately 4200 square feet.

Mr. Kirby as the ground level footprint.

Mr. Johnstown stated with the garages the house is about 90ft. across. First floor square footage is about 2800 square feet.

Mr. Kirby asked if ARC has a minimum square footage.

Mr. Tom Rubey stated that it is 2500 square feet.

Mr. Wallace asked if it depicts an outdoor covered porch living area.

Mr. Johnson stated yes, and explained the location. I pulled the covered porch area to the interior of the house due to the gas easement.

Mr. Schell asked if it will be open or landscaped.

Mr. Johnson stated that there is an existing 1850's brick house towards the back to the left. The view of the golf course if the reason they chose this lot.

Mr. Kirby asked who own lots 61 & 62.

Mr. Tuckerman stated that he owns lots 60 & 61.

Mr. Rubey stated lot 62 is not sold.

Mr. Kirby asked Mr. Rubey if he supported the variance.

Mr. Tom Rubey, The New Albany Company stated yes.

Mr. Kirby asked Mr. Tuckerman if he supported the variance.

Mr. Brian Tuckerman, stated that he supports the variance as long as they don't encroach anymore than what is shown.

Mr. Kirby stated that the neighbor's thoughts are the most useful pieces of information. He continued by asking if NACO platted the lot.

Mr. Rubey stated yes.

Mr. Kirby stated that we knew the buildable footprint for the lot.

Mr. Johnson stated that I was under the impression that this was 15' rear yard like the interior lots and found out differently during plan review.

Mr. Kist asked what the average square footage of the homes in that area.

Mr. Mayer stated that he doesn't have that information.

Mr. Kist stated that driving through the neighborhood I would believe that 4200sf is in line with the other homes.

Mr. Mayer stated that would believe so.

Mr. Wallace asked if another design would fit within the existing setbacks.

Mr. Johnson stated that he is sure another design would fit but the homeowner would not be as interested in design as the way this takes advantage of the views to the left.

Mr. Wallace stated that it appears that the covered porch is what pushes the master bedroom into the setback.

Mr. Johnson stated that he would not be able to get the first floor master to work with this lot.

Mr. Wallace confirmed that what is driving the variance is the property owners' preference.

Mr. Johnson stated that is true. I felt that because the house only has a portion that encroaches. We could move it forward but then we have the problem with the stoop. The ARC wanted the front load garage to be setback.

Mr. Kirby asked if we have a comparison on the buildable area of the lot with other lots.

Mr. Mayer stated that don't have that number but when we are evaluating. When you take away the easements it appears to be very similar to the interior lots.

Mr. Wallace stated that looking at the map, we will have this same problem on some of the other lots.

Mr. Kirby stated that some are already built.

Audience member responded.

Mr. Wallace asked which lots are built.

Mr. Tuckerman explained which lots are built from the audience.

Mr. Wallace asked what the square footage is of the homes that are built.

Mr. Tuckerman stated about 4500 sf.

Mr. Kist asked if the neighbor is concerned with the AC unit being located in the setback.

Mr. Guzzo stated that the AC units can be moved.

Mr. Tuckerman stated that as long as it doesn't obstruct their view of the golf course.

Mr. Kirby asked if you would be willing to move the AC units out of the setback.

Mr. Johnson stated yes, I think we have room by the fireplace.

Mr. Kist moved to approve V-62-2017 subject to the following conditions:

1. The AC units are moved out of the setback
2. The encroachment into the setback be no more than one foot as presented, seconded by Mr. Kirby. Upon roll call vote: Mr. Kirby, yea; Mr. Kist, yea; Mr. Wallace, yea; Mr. Schell, yes. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Mr. Wallace stated that he would typically vote no on this type of variance but since the neighbors don't have a concern and the site lines remain to the golf course, although an alternative design could fit on the lot, I will vote in favor.

Mr. Kirby stated that he had the same comments/concerns.

**PDP/FDP-63-2017 Final Development Plan
Preliminary and Final Development Plan for the AEP Transmission Building 2
generally located north of Smith's Mill Road and west of Beech Road. (PID: 93-
107046-00.04 and 93-107928.00.00)
Applicant: Moody Nolan.**

Mr. Mayer presented the staff report.

Mr. Ferris presented the engineering comments.

Mr. Dave Rinaldo, American Electric Power, stated that he doesn't have anything to add but is available for questions.

Mr. Kirby asked if they agree with staff conditions.

Mr. Rinaldo stated yes.

Mr. Kirby stated that condition six, regarding lighting levels needs to have numbers included.

Mr. Mayer stated that I think generally it is one foot-candle or less than one. Based on the setbacks of this location I don't think they will have a problem with zero foot candles.

Mr. Schell asked if any additional retaining ponds are needed.

Mr. Scott Schaffer, EMH&T, stated that the dark green is detention pond. Explained on map. They are intended to be more of a wetland with a lot of plantings.

Mr. Kist asked where the existing wetland is located.

Mr. Schaffer stated yes and the intent is to preserve that wetland. The storm water detentions features will not require a wet feature. (Explained locations using the map)

Mr. Schell asked if AEP owned the woods.

Mr. Schaffer stated yes, it will remain trees and we work to incorporate the outdoor area with the building, patios and walkways.

Mr. Kirby asked if you would comment on the demonstration lots.

Mr. Rinaldo stated that the demonstration lots is an area to test the types of plants to use in the right of ways and be able to show what it could look like. We have many variety of plantings that are designed to attract bees & pollinators or larger plants to attract deer & turkeys. It will be an area to show concerned citizens or city officials.

Mr. Kirby asked for public comment.

Mr. Wallace asked if we agreed on a number.

Mr. Kirby stated that the condition is subject to staff approval but that when staff has the number we usually use they can fill in the number.

Mr. Mayer stated that you can say less than 1 foot candle.

Mr. Kirby moved to approve FDP-63-17 subject to the following conditions:

1. A lot combination or lot line adjustment is executed so the parking lot and building are located entirely on the same lot prior to a building permit being issued
2. Per the zoning text, additional trees along Smith's Mill Road and the landscaping is subject to the approval of the City Landscape Architect.
3. The City Landscape Architect's comments are complied with and subject to staff approval.
4. All future signage is subject to staff approval.
5. Address the comments of the City Engineer to the satisfaction of the City Engineer.
6. A photometrics plan is submitted that has a foot candle with lighting levels less than one at the property lines, and be subject to staff approval.
7. Site lighting is subject to staff approval.
8. All roof projections (including HVAC units) are fully screened on all four sides of the building, seconded by Mr. Wallace. Upon roll call vote: Mr. Kirby, yea; Mr. Kist, yea; Mr. Wallace, yea; Mr. Schell, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

VAR-65-2017 Variance

A variance to allow a proposed road to be a private street located northeast of the Granger First & Main Site. (PID: 222-000088)

Applicant: F&M New Albany Re LLC.

Mr. Mayer presented the staff report.

Mr. Ferris stated no engineering comments.

Mr. Brian Tuckerman stated that he is representing Granger, First and Main and will likely be doing the construction on the villas. The only thing I would add to the presentation is that the purpose of the private streets. This area is a senior living community so they would like to keep this low key until the time that the roads are extended.

Mr. Kirby asked if there is a gap between the right of way and property line.

Mr. Mayer stated that the intent is that there is no gap. There was a land swap so the property curves. (shown on map)

Mr. Kirby confirmed that Plain Township could get access to the roadway if it would become public.

Mr. Wallace stated that when we approved the variance for Miller Road that a condition was included that development to the south of Rose Run. I don't see a similar language in the right of way agreement.

Mr. Mayer stated that the agreement needs to be revised to clearly state the area of development to the north or east.

Mr. Wallace asked if language needs added to the condition to meet the intent.

Mr. Kirby verified that we are revising condition three.

Mr. Mayer stated yes.

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

Mr. Wallace moved to approve V-65-17 subject to the following conditions:

1. Publicly dedicated right of way to allow a future public road must be provided along the entire width of the property (from Main Street to the property boundary at Rose Run) in accordance with condition #3 below.
2. All new roadways (public or private) are built to public street material and construction specification standards.
3. Chappell Drive is to be built and operated initially as a private street. Prior to the issuance of a building permit on the property, the City and the applicant will enter into a written agreement that will provide for the future dedication of Chappell Drive that extends from Main Street to this property's eastern property line and its improvements as public right-of-way following the date when a certificate of appropriateness, final plat or final development plan (whichever comes first) is issued by the City for the property located to the east or north of and adjacent to the applicant's property which provides for a public street to be constructed on that property that extends to its shared boundary line with the applicant's property. This condition shall run with the land in accordance to Condition 5, herein.
4. Street pavement marking delineating public and private streets is provided at the Chappell Drive and Street "CC" intersection.
5. Land has Covenants, Conditions, & Restrictions (CC&Rs) to allow access to private roads if a lot split occurs, subject to approval by the city law director.
6. The final terms of the agreement are subject to city staff approval, seconded by Mr. Kirby. Upon roll call vote: Mr. Kirby, yea; Mr. Kist, yea; Mr. Wallace, yea; Mr. Schell, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

PP-66-2017 Preliminary Plat

Preliminary Plat for a new public street generally located east of Beech Road and South of Worthington Road.

Applicant: City of New Albany

FP-67- Final Plat

Final Plat for the dedication of public right-of-way and easements for the first phase of a new street located east of Beech Road and south of Worthington Road.

Applicant: City of New Albany

Mr. Mayer presented the staff reports for PP-66-2017 and FP-67-2017.

Mr. Ferris stated no comments.

Mr. Schell asked what the timing for this project.

Mr. Todd Cunningham, EMH&T, the city portion of the road the first 1900 feet which the final plat covers is committed to be completed August 18, 2018. The northern part of the road will be used for construction access while infrastructure is constructed. No set timetable for the road completion for phase 2 to connect to Worthington Road.

Mr. Kirby asked what happens to the south.

Mr. Mayer stated that the property owner has been dedicating additional right of way. New roads are heard by Planning Commission, however, if an existing roads are heard by City Council. We have received right of way along Beech Road on both sides to complete roadway improvements.

Mr. Kirby wants to make sure that we have a roadway network that will be able to support the area. Are we good for north/south with this alignment?

Ms. Joly stated that the landscape plan standard is accounting for development in 10 acres increments. That maximizes flexibility. We see the east side of Beech could be a nice transition area and west of Beech Road has flexibility.

Mr. Kirby stated that a lot of the area east of here is out of our hands.

Ms. Joly stated that AEP is a good example of using the development plan to disperse traffic.

Mr. Kirby stated that we need to plan to accommodate all the way to Morse Road.

Mr. Schell moved to approve PP-66-2017, seconded by Mr. Kirby. Upon roll call vote: Mr. Kirby, yea; Mr. Kist, yea; Mr. Wallace, yea; Mr. Schell, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Mr. Kist moved to approve FP-67-2017, seconded by Mr. Schell. Upon roll call vote: Mr. Kirby, yea; Mr. Kist, yea; Mr. Wallace, yea; Mr. Schell, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Western Licking County Accord Presentation

Ms. Joly provided a presentation for the Western Licking County Accord.

Mr. Kirby asked if there is a plan in place if we decided that we needed more than quarterly meetings that we impaneling a panel.

Ms. Joly stated that it is not in this document but we have discussed it. We have talked about that at the first quarterly meeting we would create a charter. It is not specified in this document but if that is important to the commission than we can add that as a condition and we would pass on to City Council.

Mr. Kirby stated that it should only be implemented when needed. We barely got the RFBA into place when needed. We need to be ready to have a panel and that all of the jurisdictions agree.

Ms. Joly stated that we will be more successful or stronger if we have that panel in place.

Mr. Kirby asked if houses are built in the old Village of Jersey as this envisions. Do we have any issues with the things that are under our control.

Ms. Joly stated that it is part of Jersey Township and they plan to create this old Jersey. I think it would fall under the information sharing protocol.

Mr. Kirby stated that New Albany has been careful not be build residential to the east. We need to look at that to make sure that we are ready for this if built around our borders.

Ms. Joly stated that yellow is rural residential and those are at densities that are consistent with Jersey township comprehensive plan now. We think there is an opportunity. There wasn't anything added to the document that differs from the other planning documents. The old Jersey idea may provide the function for a little more dense housing. Johnstown will be revising the comp plan.

Mr. Kirby asked how much time to review. Put on the next regularly scheduled meeting.

With no further business, Mr. Kirby polled members for comment and hearing none, adjourned the meeting at 8:43 p.m.

Submitted by Pam Hickok

APPENDIX



Planning Commission Staff Report October 16, 2017 Meeting

NACC SECTION 28 - EBRINGTON 7014 HANBY'S LOOP BUILDING SETBACK VARIANCE

LOCATION: 7014 Hanby's Loop Lot 56, New Albany Country Club Section 28
APPLICANT: Guzzo & Garner Custom Builders LLC.
REQUEST: Variance to the West Nine 2 Subarea C 4(d) to reduce the rear yard setback requirement from 30' to 15'.
ZONING: West Nine 2 Subarea C PUD Text
STRATEGIC PLAN: Neighborhood Residential District
APPLICATION: V-62-17

Review based on: Application materials received September 15, 2017

Staff report completed by Jackie Russell, Community Development Clerk.

I. REQUEST AND BACKGROUND

The applicant is requesting a variance to the West Nine Zoning Text to reduce the required thirty foot rear yard building setback to fifteen feet for the construction of a single family residence.

The site is zoned PUD (West Nine 2 Subarea C PUD Text) and is located in the New Albany Country Club Section 28. In April of 2016 Planning Commission reviewed an application to modify the zoning text to allow the entire Ebrington subdivision to change the rear yard setback from thirty feet to fifteen feet. The Commission tabled the application to allow city staff to collect more information and speak with the developer. The applicant stated in the May meeting that the interior lots were to be similar to the Oxford subdivision which permits a 15 foot rear yard setback. In May of 2016 the Planning Commission voted 5-0 to approve a zoning text modification to the West Nine Two Zoning Text to only allow Ebrington lots 42 – 55 to have a rear yard setback of fifteen feet, instead of the whole subdivision.

II. SITE DESCRIPTION & USE

The Ebrington subdivision contains 65 single family lots. This section of the Country Club is approximately 43 acres and is accessed via Southfield Road from the south and Ebrington Road from the north. The site is located south of Highgrove, northwest of

Sedgwick Drive and east of Thompson Park in Franklin County. The subdivision currently has infrastructure (roads, sidewalks, leisure trail, tot lot, etc.) installed and one residential lot is under construction. The subdivision is bordered by the Country Club Golf Course the west, south, and east sides. This proposed subdivision is within subarea C of the West Nine 2 C-PUD zoning.

A preliminary and final development plan modification was approved on June 16, 2014 via application FDM-37-2014. This section of the country club has been platted in three parts: Section 1 approved June 16, 2014 via FPM-38-2014, section 2 approved May 18, 2015 via FP-41-2015, and section 3 approved October 19, 2016 via FPM-92-2015.

III. EVALUATION

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

Criteria

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

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

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

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

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*

10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

IV. RECOMMENDATION

Considerations and Basis for Decision

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

1. Lot 56 is located on the north side of the northwest corner of Hanby's loop.
2. In May of 2016 the Planning Commission voted to approve a zoning text modification to the West Nine Two Zoning Text to only allow Ebrington lots 42 – 55 (lots interior to Hanby's Loop) to have a rear yard setback of fifteen feet, instead of the whole subdivision.
3. The text modification allows for greater buildable area and possible larger footprints, but because these are custom homes there's also a greater possibility of designing a site to meet these standards. By limiting the scope of the request to only the lots interior to Hanby's Loop, the possibility of creating future variance requests was minimized. The Planning Commission approved the text modification because modifying the rear yard setback does not appear to change the essential character of the neighborhood, and with the change to only apply this to lots interior to Hanby's Loop, it will not affect any existing homes in another subdivision.
4. Lot 56 in Ebrington is wider along the street than it is deep. City Code defines the lot frontage as "that portion of the lot that directly abuts the street, and has direct access thereto." And code states "Rear lot line" means that lot line which is opposite and furthest removed from the front lot line. Therefore the lot line which the applicant requests the reduction in building setback is the rear lot line.
5. There is an existing sanitary line easement located the west side of the lot. The lot's shape (shallow) and presence of a sanitary sewer easements creates special conditions and circumstances which are peculiar to the land and are not applicable to other lots in the subdivision which causes a decrease in the buildable area of the lot.
6. Accounting for the restricted buildable area on the lot due to the sanitary sewer, the buildable lot size is very comparable to the lots on the interior of Hanby's Loop which were granted a reduction in the rear building setback.
7. It appears the variance preserves the "spirit and intent" of the zoning requirement and "substantial justice" would be done by granting the variance. The Ebrington subdivision is meant to be transitional subdivision between the higher density homes at Lansdowne and the large estate lots at Highgrove. This lot is across the street, just north, of the lots that have a 15 foot rear yard setback, and therefore preserves the transitional nature of the subdivision. Additionally, lot 56 is more

similar to an interior lot in this subdivision than it is an exterior lot in the subdivision.

8. The applicant has stated that both the intent of the architect and the homeowner was to orient the residence to maximize the natural views and living space on the west side of the property, treating it like the rear yard within the design. The applicant states that the owners are specifically building a new residence for the first floor master suite feature.
9. The variance does not appear to be substantial because modifying the rear yard setback does not appear to change the essential character of the neighborhood and although the applicant is proposing a rear yard setback of 15 feet, to match the other existing lots, the maximum amount which the home is encroaching the building line is +/- 11.13 feet according to the site plan. The majority of new residence appears to meet the 30 foot rear yard setback.
10. It appears that granting the variance will not impact the essential character, yet it will preserve the spirit and intent of zoning requirement of the area since other properties in the subdivision do have a fifteen foot rear building setback.
11. It appears that granting the variance will not adversely affect the delivery of government services, 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.

In summary, the variance request does not appear to be substantial given the location and nature of the lot within the subdivision. The request has been previously approved within the subdivision for other interior lots. Lot 56 abuts to other residential homes which causes it to appear more like an interior lot than an exterior lot. Additionally there are building restraints on the west side, due to easements, which create special circumstances and conditions of the lot. The spirit and intent of the zoning requirement will be preserved and the characteristic of the area will not be harmed upon approval of the variance. For these reasons staff is supportive of the request.

V. ACTION

In accordance with C.O. 1113.06, "Within thirty (30) days after the public hearing, the Planning Commission shall either approve, approve with supplementary conditions, or disapprove the request for appeal or variance." If the approval is with supplementary conditions, they should be in accordance with C.O. Section 1113.04. The decision and action on the application by the Planning Commission is to be based on the code, application completeness, case standards established by the courts, and as applicable, consistency with village plans and studies.

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

Move to approve variance request V-62-2017 to reduce the rear build lot for lot 56 from the required 30 foot rear yard setback to 15 feet for the construction of an a single family residence:

APPROXIMATE SITE LOCATION:



Source: Franklin County Auditor



**Planning Commission Staff Report
October 16, 2017 Meeting**

**AEP TRANSMISSION BUILDING 2
PRELIMINARY & FINAL DEVELOPMENT PLAN**

LOCATION: Generally located at the corner of Beech Road NW and Smith's Mill Road(PID: 93-107046, 93-107928-00.00).
APPLICANT: Moody Nolan
REQUEST: Preliminary & Final Development Plan
ZONING: Comprehensive Planned Unit Development (C-PUD) Innovation Zoning District Amendment C-PUD text Subarea G-3 and Beech Road West
STRATEGIC PLAN: Office District and Mixed Retail/Office District
APPLICATION: FDP-63-2017

Review based on: Application materials received September 15, 2017.

Staff Report completed by Jackie Russell, Community Development Clerk.

II. REQUEST AND BACKGROUND

The applicant requests review of a combined preliminary and final development plan for a new AEP transmission building located immediately southeast of the existing Operations Center and will be connected with the Transmission Building One. The Planning Commission heard and approved the Preliminary and Final Development plan for building one on October 20, 2014. The building received occupancy on June of 2017 following a conditional occupancy which was applied for August 2016.

This proposed development plan is for a 167,499 square foot office building. The proposed building will be three stories tall. The building will house numerous accessory uses such as two separate training rooms, a simulation instruction room, and a large general use meeting room. Multiple smaller conference rooms, a small coffee and sandwich shop and general office space are also located within the proposed building.

III.SITE DESCRIPTION & USE

The site is a total of 62.983 acres. The site currently has two other AEP buildings, the Operations Center and the Transmission Building One. The surrounding area is zoned for the same or similar office uses.

The site is located on two zoning districts. The current AEP facility's property is zoned L-GE, under the Columbus Southern Power Company Limitation Text. The two parcels owned by MBJ Holdings, to the east, are zoned C-PUD under the Business Park

East Innovation Zoning District Amendment C-PUD Text, subarea G-3. The zoning runs with land. Therefore, the portions of the development under each zoning district will be reviewed with the corresponding zoning standards.

III.EVALUATION

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

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

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

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

- a. *Ensure that future growth and development occurs in general accordance with the Strategic Plan;*
- b. *Minimize adverse impacts of development on the environment by preserving native vegetation, wetlands and protected animal species to the greatest extent possible*

- c. *Increase and promote the use of pedestrian paths, bicycle routes and other non-vehicular modes of transportation;*
- d. *Result in a desirable environment with more amenities than would be possible through the strict application of the minimum commitment to standards of a standard zoning district;*
- e. *Provide for an efficient use of land, and public resources, resulting in co-location of harmonious uses to share facilities and services and a logical network of utilities and streets, thereby lowering public and private development costs;*
- f. *Foster the safe, efficient and economic use of land, transportation, public facilities and services;*
- g. *Encourage concentrated land use patterns which decrease the length of automobile travel, encourage public transportation, allow trip consolidation and encourage pedestrian circulation between land uses;*
- h. *Enhance the appearance of the land through preservation of natural features, the provision of underground utilities, where possible, and the provision of recreation areas and open space in excess of existing standards;*
- i. *Avoid the inappropriate development of lands and provide for adequate drainage and reduction of flood damage;*
- j. *Ensure a more rational and compatible relationship between residential and non-residential uses for the mutual benefit of all;*
- k. *Provide an environment of stable character compatible with surrounding areas; and*
- l. *Provide for innovations in land development, especially for affordable housing and infill development.*

A. New Albany Strategic Plan

- 1. This building is located within 2 Future Land Use districts: Office and Mixed Retail/Office. Since the site will contain an office use, below are the applicable development standards found 2014 New Albany Strategic Plan for the Office District:
 - a) Office building should not exceed five stories in height.
 - b) On-street parking is discouraged.
 - c) Primary parking should be located behind buildings and not between the primary street and the buildings.
 - d) Parking areas should be screened from view.
 - e) Loading areas should be designed so they are not visible from the public right-of-way, or adjacent properties.
 - f) Sidewalks/leisure trails should be placed along both sides of all public road frontage and setback 10 feet from the street.
 - g) Common open spaces or greens are encouraged and should be framed by buildings to create a “campus like” environment.
 - h) Street trees should be provided at no greater a distance than 40 feet on center.
 - i) Individual uses should be limited in size, acreage, and maximum lot coverage.
 - j) Heavy landscaping is necessary to buffer these uses from adjacent residential areas.
 - k) Structures must use high quality building materials and incorporate detailed, four-sided architecture.

- l) Plan office buildings within context of the area, not just the site, including building heights within development parcels.
- m) Sites with multiple buildings should be well organized and clustered if possible.
- n) All office developments should employ shared parking or be designed to accommodate it.
- o) Innovative and iconic architecture is encouraged for office buildings.

B. Use, Site and Layout

1. The city landscape architect has review the plans and comments the plan has done a great job of matching what was already built in Phase 1 and the vocabulary that was developed there.
2. The proposed layout of the site places the new building and majority of the parking within the Business Park East Innovation Zoning District Amendment C-PUD Text, subarea G-3 and a portion of the parking lot is within the Beech Road West Zoning Text. Subarea G-3 and Beech Road West both allow the permitted and conditional uses with the General Employment District (GE). The new building will bring approximately 600 employee work stations and offices.
3. The General Employment District, Codified Ordinance Chapter 1153.02, lists general office activities as a permitted use. Permitted Accessory uses may include amenities, like the coffee shop, which are considered personal services for the use of employees in the firm or building.
4. The applicant has submitted a narrative stating the proposed administration building will contain office and other administrative duties like training. The letter also states that the proposed building will be secondary to the first transition building.
5. The office campus use is consistent with the Strategic Plan which specifically states that the Mixed Retail/Office district still uses development standards of the Office district. Office campuses are a recommend use within the office district.
6. Storm water retention for the site will be controlled by proposed ponds on the perimeter of the parking lot and an interior space between the existing parking and proposed parking.
7. The proposed transmission building’s parking lot is located over existing lot lines. Staff recommends a condition of approval that a lot combination or lot line adjustment is executed so the parking lot and building are located entirely on the same lot prior to a building permit being issued.
8. Below is a table listing the required and proposed setbacks for the campus.

Requirements		<u>Proposed*</u>
<u>Beech Road West</u>	<u>Business Park East Subarea G-3 Zoning Text</u>	
Building setback of 25 feet for all other public roads, other than Beech.	Minimum building setback of 100 feet from Smith’s Mill Road right-of-way	600+ feet
Pavement setback of 25 feet for all other public roads, other than	Minimum pavement setback of 55 feet from Smith’s Mill Road right-	100 feet

Beech.	of-way	
Minimum Perimeter Boundaries building setback of 25 feet.	Minimum building setback from northern boundary is 50 feet	280 feet from northern property line
Minimum Perimeter Boundaries pavement setback of 25 feet.	Minimum pavement setback from northern boundary is 50 feet	200 feet from Innovation Campus Way West
	Minimum side yard building setback from is 25 feet	260 feet building setback from western property line
Building and pavement of 50 feet from Beech Road right-of-way		900+ feet pavement & 1,450 feet building setback from Beech Road

C. Access, Loading, Parking

1. Per Codified Ordinance 1167.05(d)(17), professional, administrative, and business offices are required to provide 1 parking space for each 250 square feet of gross floor area. Based on the 167,499 square foot building 670 parking spaces are required. The applicant is providing 670 parking spaces.
2. Business Park East Innovation Zoning District Amendment C-PUD Text allows for loading spaces to be provided as shown on the final development plan. The applicant proposes two loading spaces on the rear of the building. It appears additional loading can occur at the drop-off area at the front of the building as well.
3. Both zoning districts require an asphalt leisure trail, eight (8) feet in width, to be built along Smith’s Mill Road. The site plan shows this leisure trail and appears to meet code requirements.
4. There is an expansive pedestrian walkway system provided internally at the site.

D. Architectural Standards

1. The proposed building is designed in such a way that it will act as a complement and match the existing building. This building will help to create a campus environment. The second transmission building has also been designed to act secondary to the first transmission building. It will be three stories, while the existing building has a partial fourth floor.
2. The applicant proposes to connect this building to the existing facility by an enclosed overhead walkway on the second and third floors.
3. The applicant comments the mechanical roof top equipment will be located on the flat roofs flanking the central sloped roof elements and they will be concealed behind equipment screens. Staff recommends a condition of

approval requiring all roof-top mechanical equipment is fully screened on all four sides and is subject to staff approval to ensure complete screening.

4. The building is an innovative and iconic architecture which the New Albany Strategic Plan encourages for office buildings and matches the existing transmission one building.
5. The building and site is appropriately oriented to the “S” curve along Smith’s Mill Road where the boulevard is located.
6. The building is three stories with for a maximum building height of 63 feet at the highest point of the sloped roof. The majority of the building is approximately 50 feet in height.

Requirements	Proposed
<u>Business Park East Subarea G-3 Zoning Text</u>	
Maximum height for any building or structure shall be 65 feet	63 feet
Buildings may be cementitious products such as hardi-plank or its equivalent, brick, wood siding, cultured stone and composition material	Brick with metal architectural features.

7. The building contains a slanted roof in the center of the building. The City Architect previously reviewed the transmission one building proposal and commented that the sloped roof element in question is akin to other architectural features noted in Codified Ordinance 1165.05 (“...cupolas, domes, spires, or similar structures...”) which are allowed to exceed building height requirements. While the sloped roof is not exactly the same as a historical dome, the overall intent is essentially the same: a decorative, yet fully structural, element. In this case, the element in question is designed to be of a modern architectural style as opposed to being of religious intent and matches the roof line of the existing transmission building.
8. The façade of the building uses a variety of materials and colors to break up the overall mass of the building. The building will be mainly constructed of brick and contains large expanses of glass panels. The brick, windows, and overall material selection appears to match the existing transmission facility building.
9. It appears each building elevation has a comparable use of materials. The primary entrance is made prominent through the use of a slightly higher slanted roof over the central atrium which creates a focal point at the entrance.

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

1. The application also includes a proposal to use the northeast corner of the site, south of Innovation Campus Way, to be used for demonstration plots for landscaping. An asphalt leisure trail is proposed to connect the demonstration plots to the buildings and parking lot.
2. Business Park East Innovation Zoning District Amendment C-PUD Text section II(H)(2) states a preservation zone, as located and dimensioned on the subarea

map and consisting of approximately 2 acres, shall be created and maintained to protect existing trees in the area shown on the plan. This area shall remain undisturbed except for the purpose of removing dead or diseased plant material in accordance with generally accepted horticultural practices. The applicant has stated the conservation area will not be impacted.

3. A landscape buffer will be located along the 100 foot setback off Smith's Mill Road and Business Park East Subarea G-3 requires landscaping within the 55 foot setback area.
4. All service areas including loading docks, exterior storage of materials, supplies, equipment or products shall be screened at ground level from all public roads and/or adjacent properties with earth mounding, walls, or landscaping. The loading area on the east elevation of the building appears to be fully screened by existing and proposed landscaping.
5. Trash dumpsters are required to be screened from all public roads and/or adjacent properties at ground level with materials and shall be equipped with a gate to provide total opacity. No new dumpsters are shown on the site plan and it appears the building will utilize the existing screen dumpsters that were constructed with the first transmission building.
6. Four rail horse fence and leisure trail is installed along the entire frontage of this phases of the AEP development as required by code.
7. Street trees are already installed the extent of the improvements along Smith's Mill Road as required by code.
8. Codified Ordinance 1171.06 requires one 1 tree for every 10 parking spaces provided. 670 parking spaces equates to 67 trees required and the applicant is providing 70.
9. Business Park East Subarea G-3(H)(4)(b) requires 8 trees per 100 feet of frontage along Smith's Mill Road. This phase of the site has over approximately 590 feet of frontage along Smith's Mill Road which equates to 47 trees being required in the buffer area. The landscape plan shows approximately 30 are provided. Per Business Park East Subarea G-3(H)(4)(b) "trees shall be strategically planted to allow visibility from Smith's Mill Road and are subject to the approval of the City Landscape Architect. Staff recommends, per the zoning text, additional trees along Smith's Mill Road and the landscaping is subject to the approval of the City Landscape Architect.
10. Codified Ordinance 1171.05(e)(3) requires landscaping to be installed based on the lot coverage from buildings and parking areas. Based on the lot coverage for this site, 66 trees are required to be installed. The applicant is proposing in excess of 120 trees at various locations on the site.
11. The City Landscape Architect has reviewed the landscape plan and issued the following comments:
 - a. Confirm "bike path connector" is 8' wide asphalt leisure trail.
 - b. Provide complete planting plan in conjunction with plant schedule already provided. Revise and resubmit.
 - c. Extend mound along Smith's Mill Road farther west to terminate closer to "bike path connector."

12. Staff recommends all the City Landscape Architect's comments are complied with and subject to staff approval. The landscaping comments can also under separate cover from the consulting City Landscape Architect, MKSK.
13. The Columbus Southern Power Company Limitation Text requires a minimum of 8% interior parking lot landscaping on the site and the Business Park East Subarea G-3 Zoning Text requires a minimum of 5%. The plans show that 25% green space is provided within the parking area.

F. Lighting & Signage

1. The Innovation District Subarea G-3(J)(1) states for non-retail uses a signage and graphics plan shall be presented for review and approval by the Planning Commission at the time of final development plan. The applicant has proposed a new ground sign along Innovation Campus Way West that matches other existing ground signs on the site. Staff recommends any future signage is subject to staff approval. Per the zoning text all signage must conform to the standards set forth in Codified Ordinance Chapter 1169.
2. A photometric plan has not been submitted. Staff recommends a condition of approval requiring a photometrics plan is submitted that has zero or near zero lighting levels at the property lines, and be subject to staff approval.
3. Both zoning texts require external lighting to be cut off type fixtures and down cast. Light poles can be no higher than 30 feet and must be of a standard light source type, color, and style. The applicant has not provided a lighting plan that includes lighting specifications that meet zoning requirements. Staff recommends a condition of approval that site lighting is subject to staff approval.

G. Other Considerations

None.

IV. ENGINEER'S COMMENTS

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

- 1) At a September 6, 2017 project kick off meeting, the developer agreed to provide an updated Traffic Study to account for the additional employees and to reanalyze the Beech Road corridor by changing background traffic generation from "Outlet Mall" to "Mixed Use". When this data becomes available, it will be used to analyze existing (see Exhibit A) and proposed curb cuts.
- 2) We will evaluate storm water management, water distribution, sanitary sewer collection and roadway construction related details once construction plans become available.

The engineering comments can also under separate cover from the consulting City Engineer, E.P. Ferris & Associates. Staff recommends a condition of approval requiring

the applicant address the comments of the City Engineer to the satisfaction of the City Engineer.

V. RECOMMENDATION

Staff recommends approval since the development plan is consistent with the purpose, intent and standards of the two development texts. The proposed development integrates with the existing AEP Operations Center and AEP Transmission One Building and has done a great job of matching what was already built with the first transmission building and the vocabulary that was developed there. The building integrates innovative and iconic architecture and is designed to have a similar level of finish on all four sides. The site plan has been carefully laid out to properly address the public right-of-way and existing conditions on the site.

VI. ACTION

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

Move to approve final development plan application FDP-63-2017, based on the findings in the staff report subject to the following conditions all subject to staff approval:

1. A lot combination or lot line adjustment is executed so the parking lot and building are located entirely on the same lot prior to a building permit being issued
2. Per the zoning text, additional trees along Smith's Mill Road and the landscaping is subject to the approval of the City Landscape Architect.
3. The City Landscape Architect's comments are complied with and subject to staff approval.
4. All future signage is subject to staff approval.
5. Address the comments of the City Engineer to the satisfaction of the City Engineer.
6. A photometrics plan is submitted that has zero or near zero lighting levels at the property lines, and be subject to staff approval.
7. Site lighting is subject to staff approval.
8. All roof projections (including HVAC units) are fully screened on all four sides of the building.

Approximate Site Location:



Source: Google Maps.



**Planning Commission Staff Report
October 16, 2017 Meeting**

**GRANGER SENIOR LIVING
CHAPPELL DRIVE VARIANCE**

LOCATION: Generally located at 227 East Main Street (PID: 222-000152, 222-000088, 222-000160, 222-000019, 222-000219, 222-000030, 222-000066, and portions of 222-000236, 222-001845, and 222-000240)

APPLICANT: F&M New Albany RE LLC

REQUEST: Variances to allow a private street

ZONING: C-PUD: NACO 1998 PUD Subarea 4C: Village Commercial, NACO 1998 PUD Subarea 3D: Ganton, and UCD Urban Center District Village Core and Campus subareas)

STRATEGIC PLAN: Village Center

APPLICATION: V-65-2017

Review based on: Application materials received September 15 and 18, 2017.

Staff Report completed by Stephen Mayer, Development Services Manager.

IV. REQUEST AND BACKGROUND

The applicant has applied for a variance to the Street Standards Plan found in the New Albany Urban Center Code for the Granger Senior Living development. The city's Architectural Review Board conditionally approved a Certificate of Appropriateness application to allow the Granger Senior Living development on December 8, 2014. The Architectural Review Board's conditions include, but are not limited to, the following:

- Streets shall meet Urban Center Code standards unless variances to the Urban Center Code's Street and Network Standards are approved.
- The site shall not prohibit future road connections to a future road network.

Per the Urban Center Code's Street & Network Standards section 5.2.2 deviations from the standards shall follow the variance process in C.O. Section 1187.20 (which requires Planning Commission to make a recommendation to City Council, and City Council will ultimately vote on the variance request).

The following variance is requested:

- A. Variance to Urban Center Code section 5.5.9 to allow a private street where code requires that all streets must be publicly dedicated.

III. SITE DESCRIPTION & USE

The site consists of numerous lots totaling 14.9 +/- acres generally located south of the Plain Township Fire Station, east of Johnstown Road, north of the Jewish Day School, and west of Rose Run. The site is partially developed with the donut building and the remainder is undeveloped land. At completion the proposed development will consist of two larger scaled buildings (Donut and L-building) close to Johnstown Road that will be connected by an enclosed walkway. They are designed to complement one another. Each larger building will be 3 stories. The campus has two entrances which lead to 2-unit villas at the rear of the site near Rose Run. A stream corridor zone has been established along Rose Run. Additional open space with regional stormwater basins are provided at the south end of the campus near the Jewish Day School

Plans for the site include the development and operation of an assisted living, memory care, congregate care, and independent living uses serving senior citizens and other individuals in need of assistance with the activities of daily living. The site is zoned Urban Center Code (UCC) and Comprehensive Planned Unit Development (C-PUD). The C-PUD portion of the site is located within the Urban Center Overlay District. The site is located within the Village Core, Campus, and Parks and Preservation sub-districts. The Village Core and Campus sub-districts and both permit convalescent and congregate care center uses.

The site is located within the Conceptual Boundary of the Urban Center Code. This is a conceptual area because at the time the Urban Center Code was created the existing conditions did not match the desired future form or street layout. The Urban Center Code subareas within this conceptual boundary provide a general development pattern envisioned in this area.

IV. 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.

- 13. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*

14. *Whether the variance is substantial.*
15. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*
16. *Whether the variance would adversely affect the delivery of government services.*
17. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
18. *Whether the problem can be solved by some manner other than the granting of a variance.*
19. *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*):

20. *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.*
21. *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.*
22. *That the special conditions and circumstances do not result from the action of the applicant.*
23. *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.*
24. *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. CONSIDERATIONS AND BASIS FOR DECISION

A. Variance to Urban Center Code section 5.5.9 to allow a private street where code requires that all streets must be publicly dedicated.

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

1. Urban Center Code section 5.5.9 requires “all streets must be publically dedicated. Private streets and closed or gated streets are prohibited.”
2. The intent of the requirement is to increase connectivity. Public streets and sidewalks are allowed to be accessed by everyone. Per the city’s 2014 Strategic Plan creating multiple connections help to alleviate congestion by providing multiple routes and dispersing traffic.
3. The applicant proposes to extend Chappell Drive as a private street.
4. The Planning Commission previously approved a variance to allow Miller Avenue to be constructed to city street material and construction specification standards and to require prior to the issuance of a building permit on the property, the City and the applicant will enter into a written agreement that will provide for the future dedication of Miller Avenue that extends from Main Street to this property’s eastern property line and its improvements as public right-of-way following the date when a certificate of appropriateness, final plat or final development plan (whichever comes first) is issued by the City for the

- property located to the east of and adjacent to the applicant's property which provides for a public street to be constructed on that property that extends to its shared boundary line with the applicant's property. This condition shall run with the land.
5. The applicant has submitted a proposed future right-of-way dedication agreement. The agreement is very similar to the approved and executed agreement that allows for Miller Avenue to be initially constructed as a private street but be dedicated as public right-of-way in the future when development occurs to the east and the public connection is needed. This new proposal must be updated to allow for the street to be publically dedicated when either development occurs to the east or north of the Granger site. Staff recommends the final terms of the agreement are subject to city staff approval.
 6. The applicant has stated that inviting public traffic into the site will interfere with the serene environment that resident's desire and will be detrimental to the project's success. The developer's narrative states they are seeking an agreement similar to Miller Avenue which must commit to building Chappell Drive with the same materials and to the same standards as a public street would be required to be built, but request that it remain private.
 7. The Urban Center Code conceptually lays out three east/west public streets through this site. The approved site plan contains two east/west connections, which appear to be sufficient to meet the needs of this project. However, by eliminating one east/west connection point, the remaining connections are more important to attain adequate connectivity and access that is desired for the Village Center in order to achieve an urban form. Therefore, staff recommends the ability to extend Chappell Drive across Rose Run to the eastern property line via publically dedicated right-of-way in future per an agreement similar to Miller Avenue be executed.
 8. To accommodate the interface between public and private streets, a design feature (traffic circle and/or demarcation in the pavement) should be utilized to delineate the private from the public and to ensure that vehicles can properly turn around without having to access private property.
 9. The variance does not appear to be substantial since whereas a typical variance approval permits a permanent exception to the city's requirements, this proposal creates a temporary situation where the street will be private, but still allows for it to be a public street in the future when adjacent development occurs. This ensures the city's strategic plan and urban center code recommendations will still be met in the future.
 10. Staff recommends the same requirement as Miller Avenue to require Chappell Drive be built with the same materials and to the same standards as a public street. Staff recommends that every road within the Granger Senior Living campus is built to public roadway standards. This way, if streets are allowed to remain private today, but were to convert to public streets in the future, they would be consistent with surrounding public streets.
 11. The variance does not appear adversely affect the delivery of government services, 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.

However, it is difficult to require private streets to connect to other private streets. Therefore, private streets can result in less connectivity which limits the travel opens and access to emergency vehicles. Staff recommends a condition of approval requiring that land has Covenants, Conditions, & Restrictions (CC&Rs) to allow access to private roads if a lot split occurs, subject to approval by the city law director.

V. RECOMMENDATION

The proposed development is located at a key gateway into the Village Center. The site plan does a good job of prioritizing the streetscape and urban design along Main Street to create a pedestrian oriented development. A design goal of this development is to create a campus feel. One way to achieve this it to condense the interior site plan to minimize paved surface and maximize greenspace and create a strong connection to the Rose Run pedestrian corridor. This is accomplished by modifying the interior street circulation, and rearranging the Villas to increase open spaces. However, it is important to plan for the ability of Chappell Drive to extend over the Rose Run corridor to a future road network to the east of Rose Run.

Public access and connectivity are hallmarks of the city's planning documents. Achieving a balance between the city's goals and the specific needs of a project requires careful consideration. However, the requested variance appears to meet the development goals of the Village Center Plan. The variance does not appear to be substantial since the site layout would still provide future connections similar to the Urban Center Code's Street Standards Plan.

The agreement is very similar to the approved and executed agreement that allows for Miller Avenue to be initially built as a private street but be dedicated as public right-of-way in the future when development occurs on neighboring parcels. The variance does not appear to be substantial since whereas a typical variance approval permits a permanent exception to the city's requirements, this proposal creates a temporary situation where the street will be initially private, but still allows for it to be a public street in the future when adjacent development occurs. This ensures the city's strategic plan and urban center code recommendations can still be met in the future.

To accommodate the interface between public and private streets, a design feature (traffic circle and/or demarcation in the pavement) should be utilized to delineate the private from the public and to ensure that vehicles can properly turn around without having to access private property.

VI. ACTION

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

Move to approve application V-65-2017 based on the findings in the staff report with the following conditions of approval, all subject to staff approval:

1. Publicly dedicated right of way to allow a future public road must be provided along the entire width of the property (from Main Street to the property boundary at Rose Run) in accordance with condition #3 below.
2. All new roadways (public or private) are built to public street material and construction specification standards.
3. Chappell Drive is to be built and operated initially as a private street. Prior to the issuance of a building permit on the property, the City and the applicant will enter into a written agreement that will provide for the future dedication of Chappell Drive that extends from Main Street to this property's eastern property line and its improvements as public right-of-way following the date when a certificate of appropriateness, final plat or final development plan (whichever comes first) is issued by the City for the property located to the east of and adjacent to the applicant's property which provides for a public street to be constructed on that property that extends to its shared boundary line with the applicant's property. This condition shall run with the land in accordance to Condition 5, herein.
4. Street pavement marking delineating public and private streets is provided at the Chappell Drive and Street "CC" intersection.
5. Land has Covenants, Conditions, & Restrictions (CC&Rs) to allow access to private roads if a lot split occurs, subject to approval by the city law director.
6. The final terms of the agreement are subject to city staff approval

APPROXIMATE SITE LOCATION:



Source: Bing Maps and City Staff



**Planning Commission Staff Report
October 16, 2017 Meeting**

**GANTON PARKWAY
PRELIMINARY ROAD PLAT**

LOCATION: Generally located east of Beech Road and south of Worthington Road (PID: 094-107106-00.000).
APPLICANT: The City of New Albany
REQUEST: Preliminary plat for 3,714.1 feet of public right-of-way
ZONING: L-GE Limited General Employment
STRATEGIC PLAN: Office District
APPLICATION: PP-66-2017

Review based on: Application materials received September 10, 2017.

Staff report completed by Jackie Russell, Community Development Clerk.

V. REQUEST AND BACKGROUND

This application is for a preliminary plat for 3,714.1 feet of future public right-of-way dedication for a new street named Ganton Parkway. The city of New Albany also requests review and approval of a final plat for a section of the preliminary plat at tonight's meeting via a separate application.

This general alignment is recommended in the 2014 Strategic Plan as an additional roadway to gain additional connectivity in the International Business Park.

VI. SITE DESCRIPTION & USE

The proposed future right-of-way dedication as delineated on the preliminary plat will serve and provide additional connections through the International Business Park in Licking County. The proposed road is located east of Beech and south of Worthington.

VII. EVALUATION

Planning Commission's review authority of the preliminary plat is found under C.O. Section 1187.04. Upon review of the preliminary plat the Planning Commission is to approve or disapprove the application. If approved two (2) copies of the signed preliminary plat shall be forwarded to the applicant and one copy retained in the permanent files in the zoning office. The applicant is required to submit a final plat after approval of a preliminary plat. Staff's review is based on city plans and studies, zoning text, zoning regulations. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

- The preliminary road plat is for land located within the L-GE Limited General Employment District. The L-GE zoning district does not require a development plan to be filed. The only applications required for Planning Commission's review are preliminary and final plats.
- The Ganton Parkway consists of 3,714.16 +/- feet of future right-of-way. This future roadway will connect Worthington Road and Beech Road at a more southern and eastern portion of the existing roads in order to provide additional connections.
- The plat is consistent with code requirements.
- This preliminary plat illustrates the future alignment of Ganton Parkway.
- The 2014 New Albany Strategic Plan's thoroughfare plan recommends an east/west connection in this approximate area and recommends a collector street with total right-of-way dedication width between 85-107 feet for streets, sidewalks, tree lawns, and utilities. The proposed dedication meets the recommendations in the strategic plan by providing 78 feet of right-of-way and 30 feet of easements for utilities.
- This proposed street dedication is identified as a recommended future connection as a Commercial Collector Road in the 2014 New Albany Strategic Plan's Thoroughfare Plan. The strategic plan and Beech Road South Master Landscape and Sign Plan recommends one drive lane in each direction with a center turn lane or boulevard. The city's road design matches the recommendations. City council approved funding for the construction of a section of this roadway (see separate final plat application) and utilities via resolution R-43-2017 on September 5, 2017.
- This preliminary plat's right-of-way width is designed to accommodate current and future traffic and provide additionally means of access to and from current and future development in this area.
- The Planning Commission and City Council approved rezonings on the west side of Beech Road that correspond to a future extension of this roadway. The rezoning boundaries were met to align with a future roadway and appear to match this preliminary plat's alignment on Beech Road.

VIII. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plat in accordance with Code Section 1187.04 and states they have no engineering related comments.

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

V. RECOMMENDATION

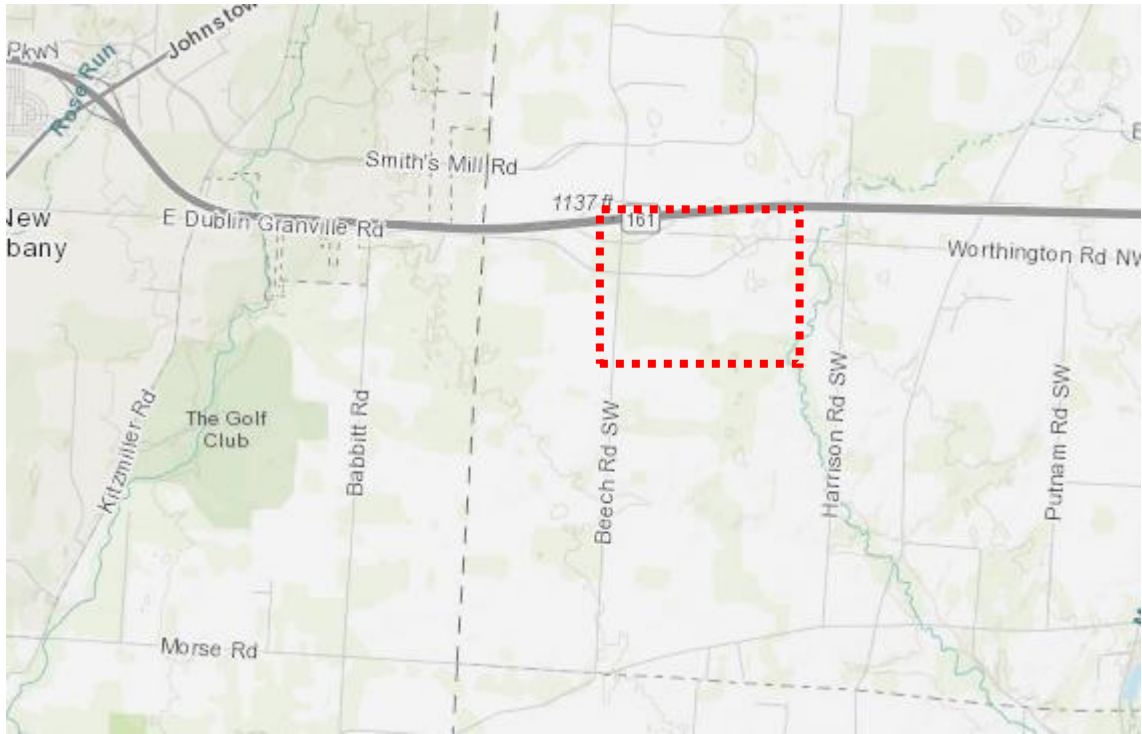
Basis for Approval: Staff recommends approval since the preliminary road plat is consistent with the overall vision and recommendations for this area from the 2014 Strategic Plan's Thorough Fare plan and meets code requirements.

VI. ACTION

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

Move to approve PP-66-2017.

Approximate Site Location:



Source: Franklin County Auditor



**Planning Commission Staff Report
October 16, 2017 Meeting**

**GANTON PARKWAY
FINAL ROAD PLAT**

LOCATION: Generally located east of Beech Road and south of Worthington Road (PID: 094-107106-00.000).
APPLICANT: The City of New Albany
REQUEST: Final plat for 1,800+/- foot long section of public right-of-way.
ZONING: L-GE Limited General Employment
STRATEGIC PLAN: Office District
APPLICATION: FP -67-2017

Review based on: Application materials received September 10, 2017.

Staff report completed by Jackie Russell, Community Development Clerk.

IX. REQUEST AND BACKGROUND

The application is for a final plat for dedication of right-of-way for the first phase of Ganton Parkway. This general alignment is recommended in the 2014 Strategic Plan as an additional roadway to gain additional connectivity in the International Business Park.

X. SITE DESCRIPTION & USE

The proposed right-of-way dedication will create the curb-cut on Beech Road to provide a new connection to Worthing Road in Licking County. The proposed road is located east of Beech Road extending in a slight Northeast curve toward Worthington Road. The area on the north side of the plat is undeveloped land and the area to the south side of the plat is currently under construction.

XI. EVALUATION

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

- The proposed dedication consists of 1,800 linear +/- feet of new right-of-way. This connection will be on 3.214 acres with a curb-cut on Beech Road.
- The intersection at Worthington Road is not proposed to be platted at this time. The right-of-way is being phased in order to allow for temporary construction access from Worthington Road to the sidecat property. Additional phases will be platted as new development occurs in the area.

- This plat will create the right-of-way will be dedicated to the City of New Albany. This road will be designed to accommodate current and future traffic and development within the International Business Park. The 2014 New Albany Strategic Plan's thoroughfare plan recommends an east/west connection in this approximate area and recommends a collector street with total right-of-way dedication width between 85-107 feet for streets, sidewalks, tree lawns, and utilities. The proposed dedication meets the recommendations in the strategic plan by providing 78 feet of right-of-way and 30 feet of easements for utilities.
- This preliminary plat's right-of-way width is designed to accommodate current and future traffic and provide additionally means of access to and from current and future development in this area.
- The Planning Commission and City Council approved rezonings on the west side of Beech Road that correspond to a future extension of this roadway. The rezoning boundaries were met to align with a future roadway and appear to match this preliminary plat's alignment on Beech Road.
- Per 1187.06(c) the applicant shall submit a written statement which shall include evidence that the Ohio Environmental Protection Agency and U.S. Army Corps of Engineers has considered the applicant's application and granted such permit or determined that such permit is not applicable. The applicant has provided the approval from Department of the Army, Huntington District, Corps of Engineers indicating the approval of the Nationwide Permit #14.

XII. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plat in accordance with Code Section 1187.04 and states they have no engineering related comments.

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

VII. RECOMMENDATION

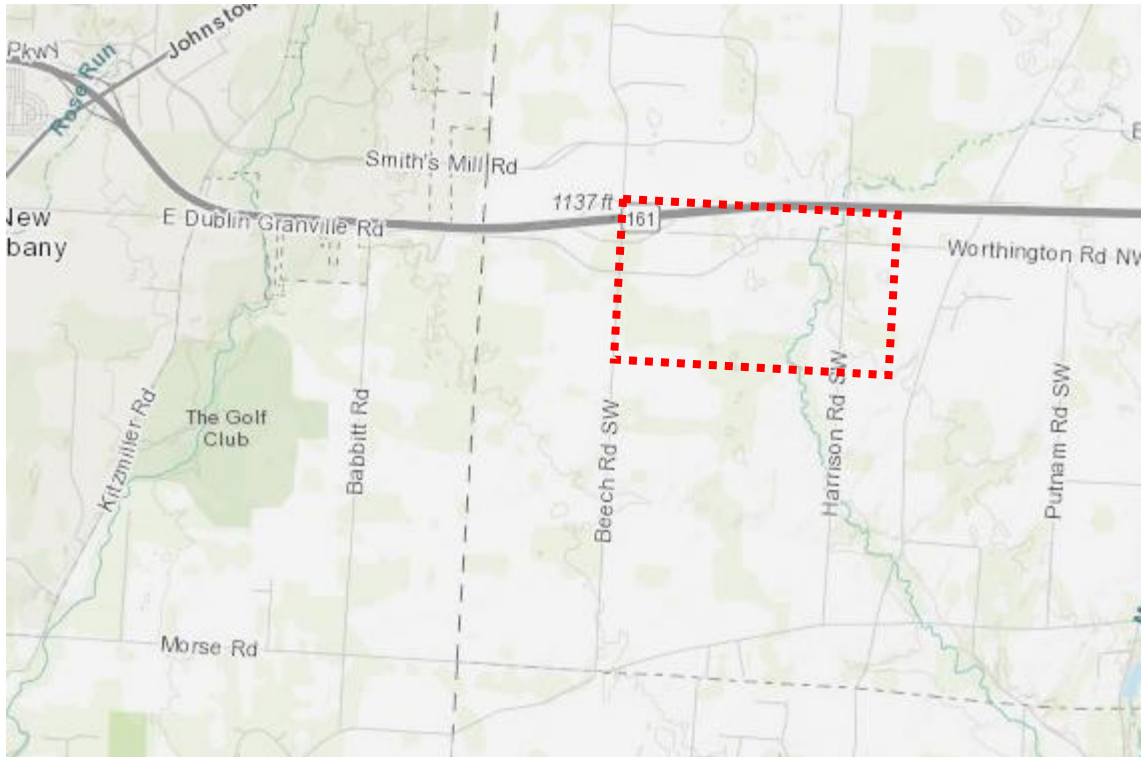
Basis for Approval: The road plat is consistent with the overall vision and recommendations for this area from the 2014 Strategic Plan's Thorough Fare plan, matches the preliminary plat and meets code requirements.

VIII. ACTION

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

Move to recommend to city council approval of application FP-67-2017.

Approximate Site Location:



Source: Franklin County Auditor