



Planning Commission

Meeting Minutes

June 4, 2018

7:00 p.m.

New Albany Planning Commission met in regular session in the Council Chambers of Village Hall, 99 W Main Street and was called to order by Planning Commission Chair Neil Kirby by at 7:04 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: Stephen Mayer, Development Services Manager; Jackie Russell, Development Services Coordinator; Ed Ferris, City Engineer; Mitch Banchefsky, City Attorney and Pam Hickok, Clerk.

Moved by Mr. Wallace, seconded by Mr. Schell to approve the April 16, 2018 minutes. Upon roll call vote: Mr. Kirby, yea Mr. Wallace, yea; Mr. Shockey, yea Mr. Schell, yea; Mr. Kist, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0.

Moved by Mr. Wallace, seconded by Mr. Kist to table the May 21, 2018 minutes. Upon roll call vote: Mr. Kirby, yea Mr. Wallace, yea; Mr. Shockey, yea Mr. Schell, yea; Mr. Kist, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0.

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

Mr. Mayer stated none from staff.

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

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

Mr. Kirby stated that he received two sets of information in the packet and asked for clarification of which is the current information being reviewed tonight.

Mr. Mayer stated that the items with the most current date should be used for tonight's review.

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

ZC-32-2018 Rezoning

Rezoning of 170 +/- acres from Agricultural (AG) to Limited General Employment (L-GE) for an area south of Jug St, east of Beech Road, and east of Evans Rd (PID: 222-000443, 222-002133, and 038-11376-00.000).

Applicant: PowerGrid LLC. C/o Jack Reynolds

Mr. Mayer presented the staff report.

Mr. Ed Ferris presented the engineering comments.

Mr. Jack Reynolds, Smith & Hale, stated that we spent a lot of time last meeting discussing many items. Since last meeting we spoke with Carl McCullough, who owns property to the east, and we have increased the setback to 50' pavement and 100' building setback and insure the preservation of the existing trees and increased opacity of 75%. We also spoke with Mr. Harris, for Sergakis property, and we agreed to move the pavement setback to 60' to increase the mound and the building setback was moved to 125' due to his house proximity to the property lines. These properties are called out by parcel number in the text to prevent confusion. We tried to make accommodations with our neighbors.

Mr. Kirby asked if any conflicts with staff or engineering comments.

Mr. Reynolds stated no.

Mr. Kirby asked if there are existing mature trees along the east property line and what is the height of the trees.

Mr. McCullough stated that the existing trees include hedge apple trees, mature oak trees as well as some dead ash trees that need removed. We want to work with the developer because we want to successfully run our business. We can't have a building within 50'. Our intention is to keep the integrity of the tree line. We are ok with the setback but want to keep the tree line. We are not interested in mounding, we just want to keep the existing tree line.

Mr. Kirby asked if the oak trees are forty feet tall.

Mr. McCullough stated that a couple red oak that are 100 years old and about 75-80' tall.

Mr. Kirby asked where they are located.

Mr. McCullough stated that they are south of the green house in the fence row.

Mr. Kirby asked if they object to the height of the trees along the entire property line. I'm checking for building setbacks because shade for your business is a problem.

Mr. McCullough stated that EMH&T completed a study (Mr. Reynolds provided to the board) that showed the shading of a 65' building within the 25 feet range. Were alright with that. The tree line is for more wind protection. We understand that a lot of the data centers are less than 40' tall and we have seen how the VAData was developed and understand the security fence and roadways around the entire building so if it is developed like that, it is good as neighbors.

Mr. Kirby stated that a building that is shorter than the trees will not provide a problem for you.

Mr. Schell thanked Mr. McCullough for his flexibility.

Mr. McCullough stated that he wants to be good neighbors.

Mr. Shockey asked what the road right of way going to be on the south side of Jug Street.

Mr. Mayer stated that it is 50' of right of way.

Mr. Shockey asked what the setback is along Jug Street.

Mr. Mayer stated it is 50' pavement setback.

Mr. Shockey stated that is 50' from the right of way line and another 50' for pavement and then another 50' for the building setback. On the east side next to residential we have a 50' setback for pavement and building.

Mr. Mayer stated that correct.

Mr. Ferris stated that the existing is 60' on Jug Street.

Mr. Shockey asked the applicant for clarification on the setbacks along the east side.

Mr. Reynolds stated that it is 50' pavement / 50' building setbacks.

Mr. Ferris stated that he would like to correct the previous statement, the applicant has agreed to 50' right of way.

Mr. Kist stated that we talk about the right of way on Jug and wanted to confirm that they are alright with the right of way dedication for the Innovation Campus Way extension.

Mr. Reynolds stated yes, we were notified early on that it would be required.

Mr. Wallace asked if the requirement is in the zoning text.

Mr. Kirby asked which road condition 1 is for.

Mr. Mayer stated that it is for the extension of Innovation Campus Way and any other roads that will be needed and not shown at this time.

Mr. Jim Harris, representing Michael Sergakis on Evans Road, stated that when I was here at the last meeting, I presented some grave concerns that I don't think have been addressed. I asked for a hydrological study to be performed for both storm water and ground water. Through these properties we have the tributaries and a lot are in the floodway. We had an engineer that handed out a nice map that showed the existing topography, that doesn't do any good if we are going to put 170 acres of pavement and buildings. I think it is incumbent upon for everyone to know what effect that will have on storm water and ground water. She said that it would take 4-6 weeks to perform the hydrological study. Let's have it performed. Let's see what the effects will be. Let's not wait until something happens and need to fix it. If you look at the map, his house is right near the property line. His sanitation line and wells are very close to the property line as well. We are very concerned about the effect that this development will have on his property. I have talked to Mr. Reynolds and this is what they have offered. This is what we would like which I think is reasonable. Starting at the eastern edge of the yellow line and come in 400' you will be just past his barn. We are asking that the 400' stretch of property have a setback of a setback of 100' for parking and 200' for building. We are only talking about 400 feet of the 30 acre track. That will protect his property, well and sewer. This room is about 25' would you want a 65' building that close to your house. Staff said that residents were ok with that, which residents? No one is ok with that. It ok for development and the city, not the residents. We know that it will be developed; we just want it done properly and timely and to have the appropriate studies done before. We don't know what is going to go there. I don't think it is asking too much for 100' pavement and 200' building setbacks for about 400' of his property to protect his buildings, well and sanitation system.

Mr. Mike Sergakis, 6400 Evans Road, stated that Mr. Harris did a good job. We are not trying to stop development just trying to make sense of what's going on. We can't get flood insurance in New Albany for good reason.

Mr. Spalding stated that we did fill out the paperwork and are waiting approval.

Mr. Sergakis stated that I need the study before their development floods my sanitation system. If my sanitation systems fails I will need to vacate my property per Franklin County. I have a well that supplies all of the water for the four parcels that I own for a total of 20 acres. My brother is an engineer and was looking at the area when it was raining and stated that he doesn't know how they will do it.

Mr. Kirby asked what "it" was.

Mr. Sergakis stated flooding my property.

Mr. Kirby confirmed that were talking about storm water detention.

Mr. Sergakis stated storm water detention, ground water runoff and the disturbance of the wells in the area. When you dig you can upset the water table. Were just trying to head off issues before they happen and become bigger issues. I want to do my due diligence. My property is zoned agricultural, the property behind us is agricultural. I'm not gaining anything. The city will probably give in on the property taxes and give the abatement. I'm not against progress but it needs to be cautiously handled. I think we need to be very cautious about how and where it will be developed. I was very dismayed in hearing that they may extend the Evans Road. A&F bought the property at the end of the road and they considered doing that because of parking issues. Evans Road is about 10-12' wide with the homes within 20' of the roadway and wells in front of the homes. If that is ever done, you are condemning at least two homes.

Mr. Kirby asked if he has had his wells tested by a professional.

Mr. Sergakis stated that he did when he developed and has since but will be doing a new study.

Mr. Kirby stated that it is good to do before any development.

Audience member asked why we should.

Mr. Kirby stated that if they mess up your water and you can prove it, the developer needs to fix it. That's the law. It easiest to prove it if you have a professional test the well and provide flow rates. It's a piece of insurance.

Mr. Sergakis stated that it is a base and will get an updated test as well as testing my sanitation system.

Mr. Shockey asked about the type of sanitation system he has.

Mr. Sergakis stated that it is a mound arretation. The tank is between the house and the mound and is to the east of the house. It is an evapomound and is very effective. The mound is about 130-140 feet with a reserve mound. The property on the south side has been farmed for many years. Last year the farmer knocked down and damaged many of the trees that were on my property. I need the setback to protect my tree root system.

Mr. Schell asked when the house was built.

Mr. Sergakis stated 2002 or 2003.

Mr. Schell asked if the well was also installed at the same time.

Mr. Sergakis stated yes.

Mr. Schell confirmed that the other properties have been farmed since that time.

Mr. Sergakis stated yes. Part of my property is hay, livestock, vegetable, fruits. The rain this year has flooded out my tomatoes. You need the right combination of water and soil. I needed to add a bridge to access my property. If there are any changes to the water I don't know if I will be able to access my house.

Mr. Kirby asked if storm water and ground water studies and review is part of the process.

Mr. Mayer stated that we have adopted the City of Columbus storm water policy and they need to follow all of those standards prior to any development can occur. The developer will needs to submit a site improvement plan which is the engineering plans that show the grading, storm water retention/detention, site improvements. They need to be approved and permitted by the City prior to any work.

Mr. Sergakis asked about the effect of wells and sanitation systems.

Mr. Mayer stated that it looks at the onsite for storm water and ensures that any downstream properties are not negatively impacted and that they remain the same.

Mr. Kirby stated that you get as much water as you get now.

Mr. Sergakis stated that what you're saying that since we don't know what will be built, could be anything data center or factory. What you're saying is that the study will happen but not now.

Mr. Kirby stated that if they farm it for five more years they don't need to do a study. Before any dirt moves the study needs completed and approved by staff.

Mr. Shockey confirmed that a development plan does not come to Planning Commission for this site.

Mr. Mayer stated that is correct, it is reviewed by staff.

Mr. Shockey stated that it is a staff review.

Mr. Mayer stated that parcels less than 2 acres with some exceptions.

Mr. Kirby stated that we will see the road plat.

Mr. Shockey confirmed that no other preliminary and final development for this site. Why does the next application have a preliminary development plan and this one does not.

Mr. Mayer stated that this is a limitation text. The limitation means that they can only add more restrictions to the city code. The next application is zoning PUD which would allow them more flexibility and can lessen restrictions from city code, if permitted. We

require the development plans when they are zoned PUD because the zoning provides more flexibility.

Mr. Banchefsky stated that this is basically a straight zoning with limitations. The PUD is flexible and therefore have multi-stage process.

Mr. Kirby asked if condition one will include other right of way that may be extended to this property.

Mr. Mayer stated that we are still working on the exact language for the agreement but have told the applicant that it is required prior to Council.

Mr. Kirby stated that the applicants attorney is shaking his head yes.

Mr. Shockey asked the applicant if he feels confident about the engineering. If this development floods a downstream property; who is responsible to correct the issue. Is it shared by the city, construction company, engineering firm.

Mr. Reynolds stated that if litigation is brought, it would probably be brought to multiple parties. There is an avenue available that if there are problems after development is complete to address. There are remedies available to the downstream properties. The LGE is a commonly used zoning. We have been doing the LGE for a while and we have put in the appropriate drain structures to ensure the downstream properties aren't negatively impacted. You can't increase. You will probably get a better because we will catch the sheet flow and bring it into the detention.

Mr. Walt Barrett, 2285 Beech Road, asked if anything will be done with Jug Street. Are you doing anything about the trucks driving on Jug Street? There is a load limit on Jug and semi go down the road all the time. Are we doing anything to keep semi off of Jug or Beech. We can only have one trash collector in the area because we have to keep the trash trucks off of Beech Road. Why can't a sign be installed in the business park that requires all semis exit to SR 161.

Mr. Spalding stated that some of those areas are not within the city limits and the other jurisdictions would need to address the restrictions. If the annexation is approved we will have some of Jug Street. Your point is valid and we do need to try to direct truck traffic away from the communities that can't support it. That is why a lot of the road connections are being proposed. To force the truck traffic to stay as close to SR 161 as possible. There is now a new connection at Mink and SR 161 to divert some of the truck traffic away from residential.

Mr. Barrett asked why can't we add signage in the Business Park that is in New Albany, that all truck traffic must exit to SR 161.

Mr. Spalding stated that we can work, being good neighbors with the tenants, but restricting road traffic that may be a problem that the engineer or city attorney could

respond. Lots of reasons that people may need to use alternate routes including traffic conditions, road closures.

Mr. Kirby asked the city attorney for a response to the traffic.

Mr. Banchefsky stated that a lot of case law involved in what you can put on roads including weight limits and traffic safety and I would need to look into it.

Mr. Barrett asked about engine braking.

Mr. Banchefsky stated that we have current code that addresses engine braking.

Mr. Harris stated that no studies have been completed. They want to do the studies when they build. The problem with that is that none of the property owners will know it. They will have no input.

Mr. Wallace stated that we discussed this last meeting that you can submit a public records request.

Mr. Harris stated that it was but wanted to make it clear that no studies have been done and no further input from residents because they won't know that it is going on. We want to avoid.

Mr. Shockey stated that I was not suggesting that there would be litigation but wanted to point out that in the event of an issue that there is an avenue to seek relief.

Ms. Erin Myers, 2579 Beech Road, stated that addressing us as your neighbors in the community. Speaking about what you have learned over the years. Where do you have this example of development working well? We have the in front of us Innovation Campus, Amazon, maybe five more buildings going down to the end of Jug Street and now this annexation happening around us. Where do you have this example of it working? Can you give me an example? In addition, when you speak about noise and different things. There are things going on there, you have taken away all of the nature; no blue sky, no stars, no frogs, no crickets. Amazon has a gate that open and closes and beeps every 15 minutes because they do a drive around. It is nice out and I would like to have my windows open but they are driving around in their cars, gate beeping and conversations in the middle of the night when we are trying to sleep. As far as the rear of the property, I am just one person, what kind of guarantee we have that you will keep your promises about what you're doing. What about the flooding, you're talking about altering a completely unique area. I think you should do the study, I think it's really important.

Mr. Kirby stated that they will do the study before.

Ms. Myers stated that she thinks it vital and sure their learning. Invest 110% and learn as much as you can because you're inching out all of these small properties and people and taking away what was so precious about where we live.

Mr. Kirby stated that if they farm it for five years they are not going to change anything until they find a development plan.

Ms. Myers stated do your homework first. Don't have issues that would take away this man's place to live. He shouldn't have to, none of us should have to do the legwork or testing our well. That shouldn't be our problem. We have lives and you are the ones coming in and changing everything.

Mr. Kirby stated that I've had to test my well for this same reason.

Ms. Myers stated that I'm just saying all these changes are what you are doing so why do we have to. We have other things to take care of.

Ms. Cindy Bowlin, 23 Keswick, stated that she has the 36 acres just south of Mr. Sergakis that is being sold to the applicant. I keep hearing about the buyer and the development and people that we think are not part of the community that haven't been affected. I have owned property on Evans Road since 1978 and lived in New Albany since 1971. That 36 acres has been in beans and corn for the last 40 years. My sister and I are both retirees and we inherited the property from parents. If you look at the property north of a proposed road it is land locked, very small frontage on Evans Road, but it is essentially land locked so we need to go through with this sale. It has been available for sale and have never heard anything from any neighbors showing interest so they could protect their property. I don't want to minimize the concerns that the neighbors have. I've been in the community for a very long time and watched the development. Thanked the board for the development in New Albany and believes the city does an amazing job controlling the development in this area over the last 25-30 years.

Ms. Allison Cisserow, PNC Bank who has the additional 125 acres that is being discussed tonight. The property has been marketed for well over a year. We had a few ideas that were brought to the city and worked with Jennifer Chrysler to get the right development that works with the strategic plan. We are trying to work with the community. We have not had any neighbors come to us offering to purchase it and we are trying to do what is best for our clients. The property is held in trust.

Ms. Myers asked if Beech Road is managed by ODOT.

Mr. Banchefsky stated that it would be up to New Albany to setting the speed limit.

Ms. Meyers (from audience) asked if the speed limit could be reduced.

Mr. Kirby stated that once New Albany has control of the road they can manage the speed limits.

Mr. Spalding asked what the speed limit is on Beech south of Jug.

Mr. Mayer stated he is not sure, Beech Road south of SR 161 is closed and is not sure what speed limit the road is being designed for. The city does try to lower speed limits when possible. Portions of Beech Road may be ODOT controlled. Sometimes, even when a road is completely in the city limits, ODOT may have easements that dictate what the speed limit is.

Ms. Myer asked who you approach to get a change.

Mr. Kirby stated that your approach Council.

Mr. Schell asked the applicant about Mr. Harris's proposal about the 400' of different setback.

Mr. Reynolds stated that we discussed it. With the type of buildings that were talking about developing it would become a 1,600 foot 200' setback and would take out about three acres.

Mr. Schell stated that the applicant is not in favor

Discussion between audience members

Mr. Kirby asked for any other comments. (no response). He stated that he had one additional condition about 50' of right of way on Jug Street.

Mr. Kirby moved to approve ZC-32-2018 subject to the following conditions:

1. A Right-of-Way Dedication Agreement is submitted and signed by the city manager as part of this rezoning application.
 2. City Engineer's comments shall be addressed to the satisfaction of the City Engineer
 3. 50' of right of way on Jug Street, as presented by the City Engineer, seconded by Mr. Kist.
- Upon roll call vote: Mr. Kirby, yea Mr. Wallace, yea; Mr. Shockey, yea Mr. Schell, yea; Mr. Kist, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0.

**ZC/PDP-33-2018 Rezoning & Preliminary Development Plan
Rezoning of 36.2 +/- acres from Agricultural (AG) to Infill Planned Unit Development (I-PUD) for the Faith Life Church located at 2487, 2407, and 2337 Beech Road (PID: 037-112590-00.000, 037-111510-00.000, 037-111504-00.002).
Applicant: Faith Life Church c/o Aaron Underhill, Esq.**

Ms. Russell presented the staff report.

Mr. Ferris presented the engineering comments.

Mr. Aaron Underhill, Underhill & Hodge representing Faith Life Church, stated that currently the church is located within Jersey Township and is in process of being annexed. We tried to do a pre-annexation agreement with Council to address the

proposed road to the north and Council was not comfortable with the agreement. So we shifted and completed the right of way dedication agreement that will be approved by Council. We chose to zone to PUD to provide the flexibility to allow some of the items that were permitted in the township and to allow the Planning Commission review of the development plan. This facility, in addition to services, has a production facility and a strong outreach program. In the zoning text we outlined the current uses that are accessory/ancillary to the church but certainly a large part of what they do. They have temporary residential living facility for women and men who are struggling and trying to get back on their feet. They are not people who are drug addicts or substance abuse problems. Part of the churches mission is to help these people get on their feet and give them the tools to get jobs and survive financially. When we wrote the text we tried to take into account all of the different uses that are or could become a part of this facility. A church can serve many different roles including daycare, preschools, etc. Most of the items seem consistent with the Presbyterain church text with the exception of the temporary residential living facility and outreach programs. We have an existing building with established architecture. The design guidelines for the city have more of a Georgian feel for new buildings but does recognize that an existing building, that will remain, that the better thing to do is to complement the existing architecture. That is what we tried to do using the same materials and massing. (provided existing pictures by flash drive) Most of the building is setback 600-700 feet from Beech Road so the large building fades into the background. The building height is proposed at 50'. We recognize that the steeple/tower with a clock height that we proposed is not likely to be approved. We tried to write into the text some flexibility but to set the expectation that we are going to want the height that could be that tall but will probably be more minor elements as we try to redesign that element so it doesn't feel so grand or massive. The reason we wanted such structure. (provide some site line pictures by flash drive) The church is not visible from Beech Road with the new Axiom building. We think it creates a dangerous condition as people are trying to find the church and one of the reasons we are proposing this element is so this building will have some presence from SR 161 and Beech Road. The steeple would be shorter than the water tower. (shown on picture) Another element that is important is the signage. We worked with staff on compromised language in the text for size and height. We understand that we will bring more detail later. For a building of this size we want to make sure that the entrances we have ground signage that we expect to be consistent with the business park. We also expect some building signage for identification of the use and wayfinding. This is a 36 acre site. We expect much discussion on signage during the development plan. We believe this is a benefit to the community. In order to expand we need access to the public utilities which is the reason we are annexing into New Albany. We can't accommodate improvements of this magnitude without public utility resources. By bringing this into New Albany, there are several benefits to the city including the current payroll is about 2.7 million which is 42 equivalent employees. We expect at buildout that we will have about 100 employees and 4.6 million in payroll, which is about 92,000 a year for the city. We are not asking for any TIF monies or money for infrastructure. We expect over 3 year period; 7 million dollars in construction payroll yielding \$140,000 to the city total. The church has agreed to dedicate about 2 acres of right of way for a road on the north side of the property at no charge to the city. The church will construct the private drive and the city would be

responsible to construct the public street, if needed. I have Todd Cunningham, engineer and some church representatives available for questions.

Mr. Kirby asked about the up lighting on the steeple.

Mr. Underhill stated that the up lighting is to provide, especially in the winter, some means to identify the structure from the road. We don't have many details but we agree that it won't bleed anywhere else or create light pollution offsite. The goal is to illuminate so it can be recognized from the street.

Mr. Kirby stated that I don't want it to bleed off and with the height of the steeple that could be a problem. Downcast or internally lit would help with that issue. Asked if up lit landscaping is wanted.

Mr. Underhill stated that it is the existing condition.

Mr. Kirby asked what is meant by flood lighting.

Mr. Underhill stated that I don't think we intend to use flood lighting so if it is mentioned somewhere we would give that up.

Mr. Kirby stated that he had no concerns with lighting the sidewalks and parking areas.

Mr. Shockey stated that it is simplistic in the text. I think we would want the lighting schedule and the light fixture details. That should also be part of the staff approval.

Mr. Underhill stated that it will be part of the final development plan.

Mr. Kirby stated that if you are willing to pull the blanket permission for the up lit landscaping from the preliminary development plan so that it is not in the zoning text we can settle it at final. We need to resolve the direct conflicts and up lighting is an issue for the neighbors.

Mr. Underhill stated that as long as it is not prohibited, we can remove it as long as it is noted that it will be considered at final development plan. We agree.

Mr. Wallace asked if staff is alright with the text stating that all existing signage will be considered legally conforming without anything being submitted.

Mr. Underhill stated that there are references throughout the text of items being legally conforming. There is a whole section in the city code for non-conforming uses where a casualty event would prohibit reconstruction without bringing everything into compliance with code. If we were to voluntarily remove an item then we would be required to get approval or meet the new standard. The involuntarily circumstances are the ones that I'm concerned about and the reason it was added to the text.

Mr. Wallace stated that you explained the intent but that doesn't help with the practicality of what is existing there. Maybe we can deal with this a final.

Mr. Underhill stated that we can provide an inventory with pictures at the final development plan. I would hope that this board doesn't see the pictures and then doesn't agree and asks us to remove items.

Mr. Kist stated that this needs to go to ARB, just so we understand the timing, when does ARB see the submittal.

Mr. Mayer stated that ARB will not review at rezoning but any future final development plans will need to be seen by the Architecture Review Board first. They will make a recommendation then it will come to the Planning Commission for final review and approval.

Mr. Shockey asked for timeframe.

Mr. Underhill stated next spring start and 2-3 years to complete.

Mr. Kirby asked which fire department is in this area.

Mr. Mayer stated that it is Monroe Township Fire.

Mr. Kirby asked what the fire fighting capability is in relation to height for Monroe Township.

Mr. Underhill stated that he didn't know.

Mr. Kirby stated that he didn't have a problem with the steeple but want to be clear with the expectations for a structure that may be taller than the firefighting is available for. It's understood that if it is permitted, fighting a fire on the steeple may not be practical for the steeple as it is for the building. Plain Township has a 65' limit on structures for a reason. The city will need held harmless for permitting it if no one can fight the fire.

Mr. Todd Cunningham, EMH&T, stated that he doesn't believe that there is a large risk due to the type of materials planned. The 65' is the business campus height, as well, which is also Monroe Fire.

Mr. Shockey stated that they probably also have mutual aid with Plain Township.

Mr. Kirby asked the city attorney if a hold harmless is necessary.

Mr. Banchefsky stated that he doesn't believe that it is necessary, there is no liability to the city relative to if there is a fire with the steeple.

Mr. Kirby asked even if it is above the local firefighting capability. The steeple is maximum height of 80' and the maximum firefighting capability is 65'.

Mr. Cunningham stated that all of the occupied space will have internal fire suppression systems. If we are at the point where we may lose the steeple we have a larger problem on the site and the fire department would have backed off.

Mr. Kirby stated that didn't want it to be a surprise later. Asked if the plan calls for 360 degree firefighting.

Mr. Cunningham stated that we will work with the fire department to verify that we have appropriate access to achieve 360 degree firefighting. We currently have paved access around the perimeter of the entire building. The church is on a greywater system because we don't have access to public water at this time. Connecting to public water is one of the first things we will be doing.

Mr. Kirby stated that the potential road appears to cross a stream or ditch on one alignment and the second alignment goes right down the center.

Mr. Cunningham stated that it is a delineated feature and will be a preserved. We will provide a better plan at final development plan. It has been accounted for.

Mr. Kirby asked about the restaurant and coffee shop, are they internal to the building.

Mr. Underhill stated that they currently exist in the building and are not intended for standalone or general public's use.

Mr. Kirby confirmed that being internal is not a hardship.

Mr. Underhill stated no.

Mr. Wallace stated that some concern about the current depiction of the steeple. When will we talk about what it will look like?

Mr. Underhill stated that at final development plan, the text is written that it may be possible but not a given. We tried to set the expectation in the zoning text. Our burden when we come back is to show you that this is a secondary element and that will justify the height.

Mr. Wallace stated that we will deal with lighting at final development plan.

Mr. Kirby stated that we have an agreement on the up lit steeple has no bleed over, no floodlighting, and up lit landscaping gets removed from the text and discussed at final development plan. On page 2 - density for all structures does not include pavement.

Mr. Underhill stated that density does not include pavement, lot coverage is intended to deal with the pavement.

Mr. Kirby confirmed that you can have about 20% in building footprint and parking and building can't exceed 70%.

Mr. Wallace stated that he didn't see anything about park land.

Mr. Mayer stated that open space requirement is only for residential subdivisions. The other zoning districts follow the lot coverage requirement.

Mr. Kirby stated that they are 30% open space because they are limited to 70% lot coverage.

Mr. Wallace asked if there are any playgrounds, picnic areas.

Mr. Mayer stated that the zoning text page 2 of 10 (G) playgrounds.

Mr. Underhill stated that any changes to the exterior will come back to this board for review. Don't know if it will be part of the original final development plan.

Mr. Kirby asked on page 3 it talks about sidewalks may encroach ten feet into the required minimum pavement setback. Aren't sidewalks typically in the right of way?

Mr. Mayer stated that is correct.

Mr. Underhill stated that the homes have sidewalks from Beech to the residential homes. We want the existing sidewalks to the homes to remain.

Mr. Kirby asked if the wording should be changed.

Mr. Mayer stated yes, wording can be changed for clarification.

Mr. Shockey asked about a street crossing since the leisure trail is on the east side of Beech.

Mr. Mayer stated that we need to be careful with mid-block crossing.

Mr. Cunningham stated that we would not recommend a crossing at Beech and the existing entrance. But at the intersection at Smith's Mill Road North and Beech Road could be considered.

Mr. Kirby asked if the new entrance will have a sidewalk.

Mr. Cunningham stated yes, the sidewalk will go from Beech Road to the front door for ADA compliance.

Mr. Shockey asked if a stop light is proposed.

Mr. Cunningham stated no.

Mr. Shockey stated that there will be more traffic over the years. How do we protect people trying to cross the street?

Mr. Cunningham stated we would be willing to work with city engineer for a push button cross walk.

Mr. Kirby confirmed that the city would install sidewalks when the public road is installed.

Mr. Mayer stated yes and would be a good time for the city to look at crossing.

Mr. Shockey asked if they need a force main.

Mr. Cunningham stated that we don't have an opportunity for gravity sewer because the sewer that was extended north through the AEP site has the grade that falls to the west in this area. The sewer was extended has a limitation on how far west it can be extended. We worked with CCL to get an easement to extend the force main until the gravity sewer is extended.

Mr. Shockey stated that it is a private force main.

Mr. Kirby asked for a clarification of elimination of setbacks; page 3 (5)(f). Can we add "along the common lot line between the two parcels". The way it is written is overbroad what we want is to remove the setbacks from the common lot line.

Mr. Mayer stated that he agrees and believes that they can work with the applicant.

Mr. Underhill stated that this is the standard language that we have used in other areas.

Mr. Kirby stated that the current language is overbroad.

Mr. Mayer stated that staff will work with the applicant on language.

Mr. Walt Barrett, 2285 Beech Road, asked why this is in New Albany instead of Jersey Township and other concern is with lighting. The first sign submitted to Jersey Township was a big LED sign out front and was denied in Jersey Township. We asked them to turn lights down at night.

Mr. Kirby stated that this property will have the typical standard that they can't light a neighbor's property more than so many fractions of a foot-candle.

Mr. Mayer stated that is correct and we usually get the photometric plans with the final development plan.

Mr. Barrett stated that we have the same problem with Axium and CCL. We didn't know anything about Axium being built.

Mr. Kirby asked if the rest of the business campus under the same restriction.

Mr. Mayer stated yes, it is the city's policy that any lighting stays on the property and does not bleed onto other properties.

Mr. Kirby stated that the city can enforce the light spillage. This process does work because I was able to have street lights shielded that were shining onto my property.

Mr. Barrett stated that they have lights all along the church at Christmas.

Mr. Kirby asked the applicant for confirmation.

Mr. Underhill stated that we will not bleed onto the other properties and adhere to the city codes. We do have a right to light our property.

Mr. Barrett stated that the other problem we had was that CCL started construction work at 5am. Poured concrete with big football stadium lights.

(multiple audience members speaking)

Mr. Barrett stated that is the other concern is construction will be 3 years. Construction, dust and noise for three years. I've already put up with it for 2-3 years. They put in a temporary road right next to my property with all the trucks in the morning. The drainage ditch was installed a little higher than mine and now all the water puddles at the end of my property. Trash blowing into my property.

Mr. Kirby stated that if they changed your drainage and that is verifiable then that is a code enforcement issue that can be enforced. City staff is who you need to start with but it is a complaint driven basis.

Mr. Mayer offered to meet after the meeting.

Mr. Shockey stated that we could ask the applicant to ensure the contractor start times are set by contract.

Mr. Barrett stated that the Ruscilli was better than the CCL builder.

Mr. Banchefsky stated that we have a noise ordinance and the police department can write citations if needed.

Mr. John Napoli, 2471 Beech Road, stated that they didn't tell you that they have four houses in front of them. I can't believe we are being attacked again. In the last ten years we have been attacked from the east and now the west. I know these people, they are

good people, and the church is a very progressive church. I wish they would have built it somewhere else. We bought out there 1998-1999 to just to retire and relax. Now we need to fight this and it's the reinvention of the crystal cathedral. They bought three houses on our road. I live next to one of the houses they own and my daughter lives next to one. What they do as far as maintenance is little to none. I haven't seen any individual to pick up sticks, trash. I'm out every day picking up garbage because they throw it in our yard. I pick up all of the tree limbs on the shared tree row. They have no maintenance. The house next door put in a new gravel parking space and pushed all of dirt to the front and it's been there for a month. They have car parts sitting under a tree from an accident two years ago. We told the applicants about this issue a few months ago. The black walnut trees don't get picked up. I called last year the person who is supposed to be in charge of the housing. I was astonished at these pictures. When we discussed the project they didn't give us any description. They said they were going to build a small vocational building. The big thing is that we live in front. Where is the traffic going to go? Now you're going to put another 200-300 cars on the road. They think big. At the Jersey Township meeting when they first submitted it was stated that it looked like an airport landing strip - then the lighting was changed. The signage that they wanted looked like it should be in Vegas - it was denied by Jersey Township. I don't want another cathedral behind me. Leave me alone. NACO has beat the heck out of us. They don't do anything they promise. I live right across from KDC they were supposed to put trees in. Today there is nothing there and the lights still come into our house every night. The trucks will come in from a different way. We're going to build a road parallel to SR 161 for the trucks. It's not done. I'm 81 and I don't care. I don't need a village behind me.

Mr. Kirby stated that the trees that are not installed can be required. Let city staff know because if it was in the zoning they are required to put it in.

Audience member stated that all of the 300-400 cars at nighttime are shining the headlights into our windows.

Mr. Kirby stated that they need to start with staff.

Mr. Mayer stated that I can help.

Mr. Chuck Holton, 2365 Beech Road, stated that I'm just south of the entrance. All of neighbors have passion. The first application had speakers come in that stated they have had lived there for 40 years and no one wanted to buy it. PNC then stated that anyone can come and buy it. The average joe doesn't have the money to purchase 125 acres. We moved out of the city to be out of the city and we have the city and then some all around us. Five years from now I hope someone comes and offers me money but while I'm here, we talk about good neighbors. I didn't hear anything about being good neighbors, neither applicant asked the neighbors what we can do to help you. Mr. Shockley you mentioned crossing Beech Road. My daughter runs the loop and tries to cross Beech Road. Trying to get a car out is just as bad. Can't get out on Sundays. That's in today's condition. The square footage that I heard is 3x the size. Where is that traffic going to go and come from? What will that mean to me as a neighbor? No one

came to me to ask how they could help me or how I would get in and out of my driveway. Some things are never shared. We have all of these things (codes) but why do I need to be the one to check all of these items. What is shared in here is what should be developed. It should be up to staff to verify that what they presented is what is built. What is shared in here is not what happens out there. I've sat in these meetings. We talked about the campus over there and didn't know how many people would be in there. At that meeting I talked about shift change, I work at Honda, and what that would look like. We were told that it won't look like that; it would be small scale. I learned something today, because some of that doesn't need to be shared with us, we don't know what that is, we just propose putting buildings but don't know what it will be. That is foolish. The world that I live in we have to have the forecast and know what that is. That is part of the presentation. That is not being shared and because it is not shared then we come back and we talk about it. Have you ever been out there at 10:30-11 at night? Erin is spot on. Open your window at night.

Ms. Erin Myers (from audience) stated that the odor. Does anyone test the air? If you have any allergies. One day its linen and the next is fir trees. The stuff that comes down in the creek is disgusting. Just once in a while just go test the air and tell me if it's ok.

Mr. Holton asked if they know what happens at 4am once a week. Just a loud boom. The concrete trucks were during third shift. I shouldn't have to talk to the builders that should be the city. There should be no way that shouldn't happen. Have a substantial fine, \$40,000 - \$100,000 depending on their pocketbook looks like. Do you know what happens every night when you're gone? KDC employees smoke in the church parking lot because KDC is smoke free. I worry every time I hear/see someone wondering what are they doing. Do you read the paper? The police beat shows all the traffic, drug problems and OVI do you know where those arrests are occurring. Beech Road. That was not there ten years ago. It is today. The church is nice, trying to provide for underprivileged women, women with children, without spouses. That's a great thing but what do we see in the news more and more every day. We see the shootings that are taking place by ex-spouses. I don't know where these people are coming from or there background. Now we are going to expand it by three times the size. I didn't hear what exactly was going there. I heard some restraints, outreach center. What is an outreach center? What type of people will be in the outreach center? What does the background check look like for that? So I think about one thing. Learned the golden rule as a young kid, Do unto others as you would have others do unto you. I would challenge anyone if you had to live there is that what you would want because it's not what I signed up for and I'm stuck.

Mr. Napoli stated that I don't know what is going on in the houses that they own. People come and go. We should have neighbors. I don't know what these peoples background is. Who are these people? They are not poor. They drive beautiful cars. We try to be friendly but I don't know if I can trust anyone. Who rents from you?

Church representative stated that they are people from the community, people from our church. We don't bus people in from Columbus.

Mr. Napoli asked how often you check on them.

Church representative stated every week. We have to meet with a home service coach that works with them on finances.

Mr. Timothy Keesee, Faith Life Pastor.

Mr. Kirby stated that in other developments we have had applicants work with the neighbors. One thing could be worked out that would not be a delay or hardship such as the contractor not working early or late hours. You have large curb cuts you could make inquiries to see if the neighbors would like access to your parking lot to use the curb cut.

Mr. Keesee stated that they would be open for discussions.

Mr. Kirby stated that have the discussion with the neighbors. The other one that seems to work well is where screening gets planted. Can it be planted on the neighbor's property if desired? These are the type of things that can be negotiated. Come back with a list of ways that you are working with the neighbors at final development plan. Offering them something and finding out their needs may eliminate some fear and doubt. The zoning text for KDC probably doesn't allow for noxious odors to carry off the property.

Mr. Mayer stated that believes there is something in the text that would be complaint based.

Mr. Kirby stated that call the city and complain, it does work. It takes time but it does work.

Mr. Schell asked about the trash pickup.

Mr. Mayer stated that I know of other businesses that have had early trash pickup and neighbors have called. That is also a police enforcement issue.

Mr. Spalding stated that we can call KDC about the trash pickup.

Mr. Mayer stated that that business association in the business park have been proactively working to stop the employees from littering.

Mr. Schell asked about the problem getting out of your driveway, would getting access to the church parking lot work for you?

Mr. Holton stated that we would need to see.

Mr. Spalding asked if the church hires law enforcement during service release.

Mr. Keesee stated that we have two officers on-site but they don't direct traffic but we have talked about that as an option.

Mr. Kist asked if they have security.

Mr. Keesee stated that we don't have 24 hr security. We have security a couple times during the week depending on the function. Our use is mostly on the weekends and youth program on Tuesday nights.

Mr. Kist asked if there is any existing mounding.

Mr. Keesee stated no mounding but there is a tree line.

Mr. Kirby asked about parking lot screening. The back of the residential houses to the east have lights from the parking lot aimed at the back of their homes.

Mr. Cunningham stated that final development plan will have the city code requirements such as headlight screening.

Mr. Kirby stated that another church reorganized the parking spaces to reduce the headlight. It's a cheap fix to make friends with the neighbors. Have that addressed by final development plan.

Mr. Mayer stated that the final development plan has the same notification process as this hearing. Code requires that everyone within 200 feet receive a notice. So everyone that received a letter for this hearing will receive a notice for the next meeting.

Mr. Shockey asked for clarification of the residential homes for the speakers tonight and which ones the church owns.

(Multiple responses)

Mr. Shockey stated that I've heard some very strong positions of the residents that are stuck in this area being surrounded. I don't like it when the neighbors feel stuck. By the final development plan should have the church and the neighbors to work out some of these details. It's a church, a big church but there should be a way to solve some of the concerns. At the final development plan we will have the landscape plans and lighting details. Can you promise to clean up the trash and address some of the concerns, things will go so much better.

Mr. Underhill stated that he will meet with the neighbors before final development plan just as I did with the Yerkes plan. Anyone who is a seller, we are a buyer within reason and are willing to discuss.

Mr. Barrett asked if the city has ever thought about restaurants out there.

Mr. Mayer stated that there are existing sections that are zoned for retail and restaurants uses.

Audience members speaking about Axium and CCL.

Mr. Kist asked about the steeple approval.

Mr. Kirby stated that we are agreeing that it can be up to 80 feet tall and ARB gets first review.

Mr. Mayer stated correct, ARB and PC will review at final development plan.

Mr. Kirby moved to approve ZC-33-2018 subject to the following conditions:

1. A Right-of-Way Dedication Agreement is submitted and signed by the city manager as a part of this rezoning application.
2. City Engineer's comments shall be addressed to the satisfaction of the City Engineer.
3. Up lighting of the steeple will be reviewed at the time of the Final Development Plan, with no bleeding onto other properties, no flood lighting to be used in this zoning district, and the following statement shall be removed from the zoning text: "landscape up lighting from a concealed source shall be permitted. All ground-mounted up lighting fixtures must be screened by landscaping." The landscape lighting will be reviewed at Final Development Plan.
4. The review of signage is moved to the time of Final Development Plan.
5. Restaurants, coffee shops, and cafes shall be located internal to the site, as specified.
6. Work with engineer to coordinate pedestrian crossing at the new road.
7. The elimination of setbacks section requirement should be modified to indicate common lot lines instead of parcels.
8. Review with the neighbors should be done prior to Final Development Plan, preferably more than one time. , seconded by Mr. Schell. Upon roll call vote: Mr. Kirby, yea Mr. Wallace, yea; Mr. Shockey, yea Mr. Schell, yea; Mr. Kist, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0.

Mr. Spalding thanked the members of the public. Your feedback is very helpful.

Mr. Kirby stated that whether you live in the city or township feel free to come and speak to staff or the board.

Mr. Wallace stated that at the last meeting that he would get together with staff and we were not able to connect so it will be on an upcoming meeting.

With no further business, Mr. Kirby polled members for comment and hearing none, adjourned the meeting at 10:11 p.m.

Submitted by Pam Hickok

APPENDIX



Planning Commission Staff Report June 4, 2018 Meeting

JUG ROAD AND INNOVATION CAMPUS WAY WEST ZONING AMENDMENT

LOCATION: West of Beech Road, east of Evans Road, and south of Jug Street (PID: 220-000443, 222-002133, and 038-133760-00.00,).
APPLICANT: PowerGrid LLC c/o Jack Reynolds
REQUEST: Zoning Amendment
ZONING: AG Agricultural to L-GE Limited General Employment
STRATEGIC PLAN: Office District
APPLICATION: ZC-32-2018

Review based on: Application materials received May 2 and 25, 2018.

Staff report completed by: Jackie Russell, Development Services Coordinator.

I. REQUEST AND BACKGROUND

The applicant requests review and recommendation to rezone 170.18+/- acres. The applicant proposes to create a new limitation text in the New Albany Business Park. This area will be known as Jug Road and Innovation Campus Way West, and will be zoned Limited General Employment (L-GE). The proposed limitation text meets the intent of the Strategic Plan's office district land use category by providing compatible general employment uses.

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

The application was first heard at the May 21, 2018 meeting. The application was tabled for two weeks while the applicant made changes in regards to setbacks for neighboring properties.

II. SITE DESCRIPTION & USE

The overall site consists of three parcels and is located within both Franklin County and Licking County, west of Beech Road, east of Evans Road, and south of Jug Street. One of the parcels has already been annexed into the city. The additional two parcels are currently

undergoing the annexation process into the City; both are scheduled to have their second reading at city council on June 5th, 2018. The site .The neighboring uses and zoning districts include L-GE, Planned Unit Development (PUD) and unincorporated agricultural/residential. The site is comprised of homes and farm fields.

III.PLAN REVIEW

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

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

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

A. New Albany Strategic Plan

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

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

14. A 200 foot buffer should be provided along State Route 161.
15. Structures must use high quality building materials and incorporate detailed, four sided architecture.
16. When double fronting sites exist, office buildings should address both frontages.
17. Plan office buildings within the context of the area, not just the site, including building heights within development parcels.
18. Sites with multiple buildings should be well organized and clustered if possible.
19. All office developments should employ shared parking or be designed to accommodate it.
20. All office developments should plan for regional stormwater management.
21. Office developments should provide connections to the regional trail system.
22. Green building and site design practices are encouraged.
23. Innovative an iconic architecture is encouraged for office buildings.

B. Use, Site and Layout

1. The proposed zoning text is a limitation text. A limitation text can only establish more restrictive requirements than the zoning code.
2. It appears the applicant has used the development standards from surrounding zoning districts:
 - Jug Street: Text proposes minimum 50 foot pavement setback and minimum 100 foot building setback from the right-of-way.
 - This matches other sections of the business park that are adjacent to Jug Street such as the Harrison East Zoning District.
 - Evans Road: The text proposed a minimum pavement and building setback of 25 feet from the right-of-way of Evans Road.
 - Innovation Campus Way West: Text proposes minimum 25 foot pavement and building setback from the right-of-way.
 - This matches the nearby Business Park East Subarea A and the adjacent Beech Road West Zoning District standards.
 - New Public Streets: The text proposes a minimum of 25 foot building and pavement setback, from the right-of-way, for any new commercial public street. For any semi-rural new public street the minimum building and pavement setback will be 50 feet from the right-of-way.
 - The standards from the new commercial public street match the recent Beech Road West and Business Park East Subarea A zoning texts.
 - Perimeter Boundaries: The text proposes that the minimum pavement setback shall be 50 feet and a minimum building setback of 100 feet for any boundary that is adjacent to a residentially used property, except for the south boundary of parcel 222-002151, 222-002153 and 222-002149, which will have a 60 foot pavement setback and a 125 foot building setback.
 - This overall standard matches other recent rezoning such as the Harrison East Zoning District and the Mink Interchange Zoning District and appears to be an appropriate perimeter boundary.
 - Quasi-Residential Boundaries: The text proposes a minimum pavement and building setback of 50 feet from areas which have a combination of commercial and residential use, as well as residential properties with

preexisting large setbacks along Jug Street South, along the eastern boundary of the Licking County stream crossing.

3. This is the same list of permitted, conditional, and prohibited uses as the majority of the New Albany International Business Park. These are also the uses found in the Personal Care and Beauty Campus, where companies such as Anomatic, Accel, Axium, and Veepak are located.
4. The limitation text will allow for general office activities, warehouse & distribution, off-premises signs, data centers, and research & production uses. Personal service and retail product sales and services are only allowed as accessory uses to a permitted use in this subarea.
5. Conditional uses include car fleet and truck fleet parking, and manufacturing and production.
6. Prohibited uses include industrial product sales and services, mini-warehouses, personal service, vehicle services, radio/television broadcast facilities, and sexually oriented business.
7. Due to the proximity of this site to the State Route 161 interchange and its location adjacent to commercially zoned land in the existing Licking County business park to the east, the site would appear to be most appropriate for commercial development.

C. Access, Loading, Parking

1. The text proposes to dedicate a minimum of 50 feet of right-of-way for Jug Street and the extension of Innovation Campus Way West.
2. The text also requires that all other public streets constructed within this zoning district shall have a right-of-way width that is appropriate for the character and anticipated usage of such streets as guided by the City of New Albany 2014 Strategic Plan and determined by the aforementioned traffic study.
3. To ensure the city can obtain right-of-way from the applicant through the property to allow for the future construction of a public street city staff recommends a condition of approval requiring a Right-of-Way Dedication Agreement is submitted and signed by the city manager as part of this rezoning application.
 - a. The text states the developer shall work with the city manager or his designee to determine the appropriate timing and phasing of all required street improvements. Future public street connections to the west, north, and south will be determined when development occurs.
 - b. A Evans Road connection has been envisioned as part of the 2014 New Albany Strategic Plan. A future road connection will continue to allow for a cohesive system of streets which create seamless transitions between different land uses around New Albany. The 2014 New Albany Strategic Plan states “new connections within the Business Park around Smith’s Mill Road are important because of the continued growth of this area.”
 - c. The text requires that prior to submitting with the city for a plat or private site development relating to any public streets in this subarea, the developer shall be required to obtain approval of a traffic study.
4. Detailed traffic access will be determined in consultation with City Staff as the site is developed.
5. Parking will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development for each individual site.

6. The text requires an internal pedestrian circulation system to be created so that a pedestrian using a public sidewalk or leisure trail along a public street can access the adjacent building through their parking lots with markings, crosswalks, etc.

D. Architectural Standards

1. The proposed rezoning seeks to implement many of the same or improved standards and limitations set forth in the New Albany Architectural Design Guidelines and Requirements (Chapter 1157).
2. The same architectural requirements as the existing Innovation District subarea A, Business Park East, Beech Road South are proposed.
3. The City's Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. The zoning text includes specific design requirements for uses not governed by the DGRs, which will ensure the quality design of these buildings.
4. The text requires complete screening of all roof-mounted equipment shall be 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 attenuate sound generated by such equipment.
5. The maximum building height permitted is 65 feet. This matches all of the surrounding zoning districts in the Licking County portion of the New Albany business park.

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

1. Maximum lot coverage for this subarea is 75%.
2. The zoning text proposes to establish an internal preservation zone:
 - a. The internal preservation zones that are located outside of the minimum required perimeter pavement setbacks as shown on the Preservation Plan illustrate the land that has been or is anticipated to be preserved pursuant to applicable federal and state permits that have been issued or once they are approved and issued by the Ohio Environmental Protection Agency and the U.S. Army Corps of Engineers. The text states the Preservation Plan is being provided for illustrative purposes only, and the final boundaries of the Preservation Zones that are located outside of the minimum required perimeter pavement setbacks shall be the same as the boundaries of the portions of the site that will be required to be preserved under applicable federal and state permits, as may be amended from time-to-time.
 - b. The text includes the provision that stream corridor protection zones should be utilized as a site amenity and provide public access for leisure trail and linear park space.
 - c. The text is silent on setbacks along the stream corridors. Therefore C.O. 1171.03(c) applies which requires all streams with a drainage area greater than fifty acres and their riparian corridors shall be preserved. The corridor width shall be a minimum of 100 feet with at least twenty-five feet on each side of the centerline of the stream.

3. Landscaping is required within the minimum pavement setback along Jug Street and Innovation Campus Way West.
 - a. The buffer shall be planted with a minimum quantity of one tree per 25 feet, in addition to street trees. Trees shall be randomly planted to create a naturalized appearance. Trees shall be of native species. Evergreen trees or shrubs shall not be permitted in the area between the buffer landscape and the edge of street pavement. Section C.4 above, the fence may be located 1 foot from the edge of that easement. Where screening of parking areas is required along Beech Road, the buffer shall have a minimum height of 3.5 feet and a minimum opacity of 75%.
 - b. This buffer may consist of mounding not to exceed (no steeper than) a 6:1 ratio and tree plantings. Mounding, when used, shall be a minimum height of 3 feet and maximum of 12 feet. Trees a mix of ornamental, deciduous, evergreen and shrubs shall be planted on the mound with a minimum of 70% of the trees occurring on the street side. No trees shall be located within the upper quartile of the crest of the mound.
 - c. These landscaping requirements match the recent Beech Road South zoning text.
4. The zoning district proposes to require the similar landscape and mounding screening requirements from residences as required in in the recently approved Beech Road South Zoning District. The text states:
 - a. For those perimeter boundaries which abut residentially zoned properties with frontage on either Beech Road or Morse Road (if two contiguous properties have an intervening public street right-of-way between them, they shall still be considered to be abutting), a minimum six (6) foot high mound shall be installed along the property line and shall include a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% five years after planting to a total height of 10' above ground level. These mounds shall be installed within the minimum pavement setback area as required by this zoning text and may encroach on the abutting property if that owner is in agreement with the mounds installation on his/her property. Prior to submitting a zoning permit which includes a landscape plan without a mound, the applicant will provide documentation from the adjacent property owner that the landscape plan is acceptable to them. The plan for these areas must be reviewed and approved by the City's Landscape Architect.
 - b. If there are existing trees within this perimeter area and the desire among the parties is to preserve the existing trees then the mounding may be omitted and the existing trees may be utilized as the required screening. The requirement for 75% opacity 5 years after installation is still applicable with this alternative and, therefore, if necessary, additional landscaping materials (i.e., deciduous trees, evergreens or bushes) shall be planted along those perimeter boundary areas to meet the 75% opacity requirement. The plan for these areas must be reviewed and approved by the City's Landscape Architect.
5. The proposed zoning text contains similar language regarding tree preservation as appears in the zoning text for the existing Innovation District, Business Park East, and Beech Road South zoning text.

6. Street trees will be located in all publicly dedicated rights-of-way within or adjacent to this Zoning District and shall contain one tree for every thirty feet of road frontage. Trees may be grouped or regularly spaced. This requirement may be waived in areas where existing vegetation occurs, subject to the approval of the City Landscape Architect.
7. The proposed text says that any healthy and existing trees within the setbacks area should be preserved and utilized as screening, additional landscaping may be planted to increased opacity of 75% between the application and the Quasi-Residential properties.

E. Lighting & Signage

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

F. Other Considerations

1. The applicant has submitted a school impact statement which states the proposed L-GE zoning is for commercial purposes, therefore no new students will be added into the school district. The schools should benefit from the rezoning as the property has been farmed for many years and in each county the property value will increase with the new use(s) and bring additional tax dollars for school purposes.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and provided the following comment(s):

- Based on how this area develops, we recommend that a Traffic Study be provided that analyzes the existing Innovation Campus Way West and Beech Road intersection prior to development occurring on the site. Time frames for signalization and/or additional turn lanes should be examined.

V. RECOMMENDATION

Basis for Approval:

The proposed rezoning is generally consistent with the principles of commercial development in the Strategic Plan and the existing business park in Licking County. The overall effect of the development advances and benefits the general welfare of the community and will allow for the development of businesses. Factors such as the proximity of this site to State Route 161, the community's desire to expand the business park and the fiscal benefits of employment intensive uses, this site is appropriate for these types of commercial development. Additional restrictions and commitments have been provided that are above what the base zoning code would require.

New Albany has historically embraced the idea of creating multiple road connections within the city. Creating multiple connections helps to alleviate congestion by providing multiple

routes and dispersing traffic. The submitted zoning exhibit shows an extension of Innovation Campus Way West. However, staff anticipates additional connections and to ensure the city can obtain right-of-way from the applicant through the property to allow for the future construction of a public street city staff recommends a condition of approval requiring a Right-of-Way Dedication Agreement is submitted and signed by the city manager as part of this rezoning application.

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

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

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

VI. ACTION

Suggested Motion for ZC-32-2018:

To recommend approval to Council of Zoning Change application ZC-32-2018 based on the findings in the staff report with following condition of approval (conditions may be added)

1. A Right-of-Way Dedication Agreement is submitted and signed by the city manager as part of this rezoning application.
2. City Engineer's comments shall be addressed to the satisfaction of the City Engineer.



**Planning Commission Staff Report
June 4, 2018 Meeting**

**FAITH LIFE CHURCH ZONING DISTRICT
ZONING AMENDMENT AND PRELIMINARY DEVELOPMENT PLAN**

LOCATION: 2487, 2407, and 2337 Beech Road (PID: 037-112590-00.000, 037-111510-00.000, 037-111504-00.002)
APPLICANT: Faith Life Church c/o Aaron Underhill Esq
REQUEST: Zoning Amendment and Preliminary Development Plan
ZONING: "AG" Agricultural to "I-PUD" Infill Planned Unit Development
STRATEGIC PLAN: Office District
APPLICATION: ZC/PDP-33-2018

Review based on: Application materials received May 4 and 24, 2018.

Staff report completed by Jackie Russell, Development Services Coordinator.

II. REQUEST AND BACKGROUND

The applicant requests review and recommendation to rezone 36.2 +/- acres. The applicant proposes to create a new zoning district that memorializes its rights to continue to operate the existing uses and improvements on the site upon its annexation to the City and to provide for the expansion of the church's facilities and related uses.

The properties contain a 52,000 +/- square feet structure, parking areas, and two homes used by the church. The future development will include an anticipated 154,000 +/- square feet expansion of the main church structure and two additional ancillary structures that will be used for Church outreach programs.

II. SITE DESCRIPTION & USE

The site is currently comprised of two homes and a church. The neighboring uses and zoning districts include L-GE to the south and across the street along Beech Road. The property to the west is currently being annexed and rezoned to L-GE. Neighboring uses include residential to the north and east of the church properties.

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:

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

E. New Albany Strategic Plan

The Faith Life Church properties are located within the Office District of the 2014 New Albany Strategic Plan. While they are located in this district, the strategic plan does not offer any development standards for Religious/Institutional Uses. For your reference the 2014 New Albany Strategic Plan development standards for the Office District are listed below:

24. Office buildings should not exceed five stories in height.
25. The design of office buildings should include four-sided architecture in order to address multiple frontages when present
26. On-Street parking is discouraged.
27. Primary parking should be located behind buildings and not between the primary street and the buildings.
28. Parking areas should be screened from view.
29. Loading areas should be designed so they are not visible from the public right-of-way, or adjacent properties.
30. Sidewalks/leisure trails should be placed along both sides of all public road frontage and setback 10 feet from the street.
31. Common open spaces or green are encouraged and should be framed by buildings to create a “campus like” environment.
32. Appropriate screening should be installed as a buffer between the office district and adjacent residential. If mounding is necessary to achieve this the “reverse slope” type with a gradual slope side toward the right-of-way is preferred.
33. Street trees should be provided at no greater a distance than 40 feet on center.
34. Individual uses should be limited in size, acreage, and maximum lot coverage.
35. No freeway/pole signs are allowed.
36. Heavy landscaping is necessary to buffer these uses from adjacent residential areas.
37. A 200 foot buffer should be provided along State Route 161.
38. Structures must use high quality building materials and incorporate detailed, four sided architecture.
39. When double fronting sites exist, office buildings should address both frontages.
40. Plan office buildings within the context of the area, not just the site, including building heights within development parcels.
41. Sites with multiple buildings should be well organized and clustered if possible.
42. All office developments should employ shared parking or be designed to accommodate it.
43. All office developments should plan for regional stormwater management.
44. Office developments should provide connections to the regional trail system.
45. Green building and site design practices are encouraged.
46. Innovative an iconic architecture is encouraged for office buildings.

F. Use, Site and Layout

8. The proposed zoning text is a planned unit development text. PUD texts allow flexibility in design and uses.
9. A school impact statement has been submitted. The applicant states that rezoning the property will allow for the expansion of the church, as opposed to residential development. This use will not create the possibility of new students entering the district and will have no negative impact on the school district.
10. The zoning text allows :
 - Churches and other religious institutions;
 - Temporary residential living facilities made available on a charitable basis to individuals that have suffered from abuse, are having financial problems , or are experiencing some other personal difficulties unrelated to drug and/or alcohol abuse. This use shall only be

permitted in the homes note on the preliminary development plan which have the addresses of 2337 Beech Road and 2487 Beech Road, No single structure used for these purposes shall exceed 3,000 square feet in size, and no more than two temporary residential living facility structures shall be permitted in this zoning district. For purposes of this zoning text, a residential living facility shall be “temporary” if individuals generally are permitted to reside there for a continuous period of no more than one (1) calendar year;

- One “provision outreach center,” defined to mean a building operated on a charitable basis by a church or other religious facility, which provides a place where individuals provide services for others.” It is intended to provide computer classes, job training, and a youth auto repair shop.
- Accessory uses include:
 - Adult and child day care
 - Preschools
 - Parochial schools serving students in primary or secondary grades
 - Technical and educational classroom facilities
 - Restaurants, coffee shops, and cafes
 - Gymnasiums or similar facilities
 - Administrative offices
 - Television, radio, and internet streaming or similar productions, provided, however, that any antennas or communications towers shall not be permitted unless approved in accordance with applicable requirements of the Codified Ordinances
 - Outreach programs

11. Below is a list of setbacks:

- Beech Road:
 - Minimum building and pavement setback of 100 feet from the existing edge of the right-of-way of Beech Road. Sidewalks may encroach up to 10 feet into the required minimum pavement setback.
- Perimeter Boundaries:
 - A minimum pavement setback of 25 feet and a minimum building setback of 50 feet from all perimeter boundaries of this zoning district, except that all improvements that exist on the effective date of this text which encroach into these minimum required setbacks shall be p-permitted to remain.
- New Public Street:
 - A minimum building and pavement setback of 25 feet from the edge of right-of-way for the new public street, except that if right-of-way is not dedicated to the City pursuant to the Right-of-Way Dedication Agreement that is described, then this setback requirement shall no longer be effective.
- Interior Setbacks:
 - There shall be a zero setback requirement for pavement and buildings from property lines that are interior to this zoning district.
- Elimination of Setbacks
 - In the event that a parcel location within this subarea and an adjacent parcel located outside of this subarea (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined

into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text shall no longer apply with respect to these parcels.

- Conformity of Existing Improvements
 - Structures and pavement which exist on the effective date of this text shall be considered to be legally conforming under this zoning text and the Codified Ordinances and may be repaired and/or replaced in the event of a casualty event such as (but not limited to) storm, fire, or flood damage. New structures not being constructed for the purpose of replacing existing structures that have been damaged or destroyed by a casualty event shall be required to adhere to the minimum setback requirements of this text.

G. Access, Loading, Parking

7. Vehicular access to and from this zoning district is provided as four connections. A center access point extending from Beech Road to the center of the zoning district, a full movement access point generally aligned with the existing intersection of Beech Road and Smith's Mill Road North, from a new public street and two separate driveways serving the existing residential structures on Beech Road.
8. Right-of-way shall be dedicated to the City at a width of 50 feet to provide for a new public street to be constructed by the City extending westward from the current intersection of Beech Road and Smith's Mill Road North through the northern portion of the zoning district, and easements shall be dedicated to the City adjacent to such right-of-way in order to accommodate public and private utilities. To ensure the city can obtain right-of-way from the applicant through the property to allow for the future construction of a public street city staff recommends a condition of approval requiring a Right-of-Way Dedication Agreement is submitted and signed by the city manager as part of this rezoning application.
9. Parking shall be provided at the minimum rate of 1 space for every 3 seats in the main sanctuary/auditorium, 3 spaces for each classroom, and 1 space for every 250 square feet of office uses. Parking for all other permitted or accessory uses shall be in accordance with C.O. 1167.
10. A minimum of 2 loading spaces will be required for the primary building. Loading spaces for all other uses shall be provided in accordance with C.O. 1167.

H. Architectural Standards

6. The PUD text states except as provided within the text, architecture for buildings in this zoning district shall be governed by the requirements of the City's Design Guidelines and Requirements (DGRs) for Institutional and Civic Buildings.
7. The maximum building height for primary structures shall not exceed 50 feet when measured to the top of the roof. The steeple element is permitted to have a maximum height of 80 feet. The text states minor architectural elements on the steeple that exceed the height requirement must be reviewed and approved by the city's Architectural Review Board and Planning Commission as part of a final development plan application review and if the boards determine it to be architecturally appropriate. All accessory structures shall not exceed 35 feet in height.
8. All service areas and loading docks shall be fully screened from public rights-of-way.

9. The text requires complete screening of all roof-mounted equipment from sight and sound.
10. The proposed zoning text states the following in regards to architecture requirements for the primary building:
 - a. The addition to the existing building will reflect an architectural style and character that compliments the existing structure. The final architectural design of the addition to the existing primary building and or any new accessory buildings will be reviewed as a part of the final development plan. Future changes to existing or new structures shall require the review and approval of an amended final development plan.
 - b. The addition to the primary building will use materials that are substantially similar or complimentary to the existing building. The primary building color will be earth tones of light and medium sand and the primary exterior building material shall be split-face concrete masonry units (CMU). Light sand is the main body color of the existing building, with contrasting bands and outlines in darker sand-tone split-face masonry; the proposed addition will repeat this palette and add a deeper earth-tone contrast color for some wall surface. earth-toned, stone column bases/piers at the new main and secondary entries will add textural variation and emphasize the entries.
 - c. The new addition will repeat the existing use of Exterior Insulation and Finish Systems (EIFS)/ stucco in light sand coordinated with the light CMU wall areas, and darker contrasting stucco treatment in keeping with the amber color that is used at the current entry.
 - d. The proposed addition will mirror the existing curved tinted glass curtain wall with capped insulated aluminum wall panels. The new addition will extend this to the east, terminating at the new steeple feature.
 - e. The new steeple structure will incorporate the same tinted glass curtain aluminum framed curtain wall with a CMU base to be located at the corner of the new church chapel. Structural steel and concrete will be visible through the glass to stand in contrast to the earth tones of the building's finishes and add interest to the campus, tying it into the nearby Beauty Campus.
 - f. A new main entry will be emphasized with a barrel vault roof canopy finished in standing seam metal roof panels from the new front entry to the rear west secondary entry. It will use similar materials such as split-face CMU, EIFS, metal wall panels, aluminum framing, and steel columns.
11. The proposed zoning text states the following in regards to architectural requirements for accessory structures:
 - a. Primary material shall include, but not be limited to: brick, brick veneer, stone, stone veneer, wood, fiber cement board, metal board and batten, and/or hardi-plank (or similar composite materials)
 - b. Vinyl siding is prohibited.
 - c. Prefabricated metal buildings, untreated masonry block structures and building featuring primarily all glass finishing are not permitted.
 - d. Poured concrete exterior walls are not prohibited.
 - e. The same or similar exterior materials found on the primary church building that exists on the site and/or similar exterior façade materials

approved by the Planning Commission for the expansion of the primary building as part of the final development are permitted for a new accessory building located at least 350 feet from centerline of Beech Road.

12. While the proposed design requirements differs from the City's Design Guidelines and Requirements for civic and institutional uses, which require traditional American architecture, staff is supportive of the variation since there is an existing structure today that does not meet the requirements of the DGRs. Allowing a consistent design for construction of expansions and new buildings will create a campus environment.
13. The City Architect reviewed the proposed designs and comments
 - a. The designs are appropriate.
 - b. He is supportive of the same material being used on the expansion of the building to achieve consistency and continuity within the design.
 - c. He is also supportive of the materials being used on the accessory buildings to create a campus feel.
 - d. He believes the colors and materials, in addition to the large setbacks from public rights-of-way help the buildings blend into the background.

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

- 1) The proposed text states that all existing landscaping is permitted and legally conforming with this zoning. If the existing landscaping should be need to be replaced it must conform to the requirements within the zoning text.
- 2) A landscape plan will be submitted with a final development plan.
- 3) The text requires reasonable and good faith efforts to preserve existing trees and tree rows occurring within the setbacks. Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction.
- 4) The text also requires a four-board white horse fence to be installed and maintained along Beech Road. The fence shall be located one foot from the edge of the Beech Road right-of-way unless otherwise approved by the Planning Commission as a part of a final development plan.
- 5) Street trees shall be required along Beech Road right-of-way behind the horse fence and shall contain one tree for every 30 feet of frontage. Trees may be grouped or regularly spaced. Trees shall be a minimum of 3inches in caliper at installation. 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.
- 6) The PUD text requires that if a new public street is created the installation of street trees, fencing, and other improvements within the right-of-way or associated easements shall be the responsibility of the City.

D. Lighting & Signage

4. All existing signage within this zoning district shall be deemed legally conforming. At such time that signage must be replaced in must conform to the requirements within the zoning text.
5. Unless otherwise stated in the zoning text the requirements of C.O. 1169 shall apply. Final details for all signs will be submitted with the final development plan.
6. Signage is permitted on other structures other than the primary church building, only as approved as part of the final development plan. It shall only be used for the purpose

of identifying the building use and guiding pedestrian/vehicular traffic internal to the zoning district.

7. Ground signs are permitted at the central and northern vehicular access points along Beech Road. Additionally if a new public road is constructed a future ground sign identifying the religious uses within the zoning district is permitted. These ground signs may be monument signs or dual post signs.
8. Wall signs have the following requirements in the zoning text and must be approved as part of a final development plan:
 - a. On each east-facing and west-facing elevation one wall sign is permitted to be installed. The top of the sign can be no higher than 40 feet from grade and has a maximum area of 120 square feet.
 - i. This matches the largest signage permitted in the city in other commercial zoning districts.
 - b. On the north-facing elevation one wall sign is permitted with the same requirements (top of the sign no higher than 40 feet from grade, and a maximum area of 120 square feet); but not be installed until a new public street is built.
 - i. This matches the largest signage permitted in the city in other commercial zoning districts.
 - c. No wall signs are permitted on the south-facing elevation.
 - d. Wayfinding signs are allowed as secondary signs on the primary building. The number, placement, and sizes of these signs will be placed where it seems architecturally appropriate, as determined by the Planning Commission as part of the final development plan.
9. Existing light poles and fixtures are permitted to remain until they are voluntarily replaced or need to be replaced.
10. Parking lot lighting and private street lighting will be cut-off type fixtures and down cast.
11. Uplighting of the church steeple shall be permitted provided that the light does not extend to properties outside of the zoning district. The Planning Commission should evaluate the appropriateness of uplighting this structure.
12. All Light poles shall not exceed 20 feet in height, must be constructed of metal and should either be black or New Albany green. The gooseneck fixtures shall be utilized on the light poles.
13. All landscape uplighting from a concealed source is permitted and all ground-mounted uplighting fixtures must be screened by landscaping.
14. Flood lighting of buildings shall be permitted for employee and visitor security. The Planning Commission should confirm with the applicant if they are flood light the building. If so, the Planning Commission should confirm the appropriateness of this lighting.
15. All other lighting in the zoning district shall be in accordance with Codified Ordinances.

E. Other Considerations

1. All new utilities will be placed underground.
2. The zoning text states that future variances within the zoning district be heard by the New Albany Planning Commission and any appeals will be heard by the Board of Zoning Appeals. This is a common clause in PUD development texts.

3. The Design Guidelines and Requirements Section 8 III (1) states, “Civic and institutional projects must submit a development plan for review by the Architectural Review Board.” At the time of final development plan the applicant will provide an application to the Architectural Review Board prior to the Planning Commission meeting.

IV. ENGINEER’S COMMENTS

The City Engineer comments are located below:

1. We recommend that 50’ of public right-of-way as measured from the road centerline be dedicated for each developer owned parcel located adjacent to Beech Road.
2. The sanitary sewer force main system as shown on the PDP is not approved until further discussions are held with the developer’s design engineer. 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 as it is an existing Church within the community. The rezoning application allows for the existing to Church to maintain their existing uses and programming. The proposed permitted and accessory uses are consistent with other religious use and churches within the community. The applicant gives specific guidelines and requirements for the future of the campus. While the proposed design requirements differs from the City’s Design Guidelines and Requirements for civic and institutional uses, which require traditional American architecture, staff is supportive of the variation since there is an existing structure today that does not meet the requirements of the DGRs. Allowing a consistent design for construction of expansions and new buildings will create a campus environment.

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

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

VI. ACTION

Suggested Motion for ZC/PDP-33-2018:

To recommend approval to Council of Zoning Change application ZC/PDP-33-2018 based on the findings in the staff report with following condition of approval (conditions may be added)

1. A Right-of-Way Dedication Agreement is submitted and signed by the city manager as part of this rezoning application.
2. City Engineer's comments shall be addressed to the satisfaction of the City Engineer.