



Planning Commission

Meeting Minutes

March 18, 2019

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 Vice-Chair David Wallace by at 7:00 p.m.

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

Staff members present: Steve Mayer, Development Services Manager (arrived 7:23pm); Jackie Russell, Development Services Coordinator; Chris Christian, Planner; Mitch Banchefsky, City Attorney; Ed Ferris, Engineer; Jennifer Mason, Clerk; and Josie Taylor, Clerk.

Moved by Ms. Wilttrout, seconded by Mr. Wallace to approve February 20, 2019 minutes, as corrected. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wilttrout, yea. Yea, 2; Nay, 0; Abstain, 1. Motion passed by a 2-0.

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

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

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

ZC-6-2019 Zoning Change

Rezoning of 12.47 acres from Infill Planned Unit Development (I-PUD) and Residential (R-1) to Infill Planned Unit Development (I-PUD) for an area located to the north of and adjacent to U.S. Route 62/Johnstown Road, east of and adjacent to Walton Parkway, and south and adjacent to Bevelhymer Road ((PID: 222-000616, 222-000617, 222-000618, 222-000655, 222-000623, 222-004186, 222-004466, 222-002558, and 222-004467) for an area to be known as the "Walton-62 Commerce Zoning District."

Applicant: New Albany Company C/O Aaron L. Underhill, Esq.

Ms. Russell presented the staff report.

Mr. Ferris presented the engineering comments.

Mr. Aaron Underhill, representing the applicant, stated that we are repositioning the the property for the current demand. The current zoning is over twenty years old. In

addition, some additional nearby parcels were acquired and want to create continuity. We have some interest from a hotel and still have demand due to the business park. Trying to match across the street with the height limit. The hotel is planned to be in the rear. We are trying to provide flexibility with the location of the gas station. The board will have secondary review of this site. Difficult to tell how many outparcels we will have but the text requires a minimum of .75 acre. We have eliminated the ability to do large retail uses; the proposed text is limiting the tenant spaces to 15,000 square feet. We do not have any disagreements with engineering comments. We are working with staff and with the number of uses possible, we think that the traffic study should be provided during the final development plan. We will have cross access easement along the frontage and want this to function as one uniform development. We are adding some more acreage and tried to keep as many standards in place as possible.

Mr. Shockey asked if the roadway will be completed with a final development plan. Will I be able to turn left into the collector road?

Mr. Tom Rubey stated that there is a boulevard so there is a right in/ right out along Walton Parkway. The full service movement on Bevelhymer I think will be moved to the north. Staff has asked for a traffic analysis with the development plan.

Mr. Shockey stated that some people will want to turn left onto Walton Parkway.

Mr. Rubey stated that we believe that a majority of the traffic will come from SR 62 and the expressway.

Mr. Shockey stated that the traffic study may show that but depending what is built southbound traffic will need to be addressed.

Mr. Rubey stated that would require breaking the median.

Mr. Wallace verified that we will see that at the final development plan.

Mr. Rubey stated yes.

Mr. Wallace stated that the ingress/egress seems convoluted.

Mr. Spalding stated that the zoning texts has some prohibited uses that include drive thru facilities.

Ms. Russell stated that drive thru facilities with restaurants are a permitted use but a beer/wine sales drive thru is prohibited.

Mr. Spalding stated that it says carryout food & beverage; we are only talking about a beverage store not a fast food restaurant.

Ms. Russell stated correct. It is permitted use in both A & B.

Mr. Spalding asked if they will have 5' concrete sidewalks.

Mr. Underhill stated yes, built by the developer.

Mr. Spalding asked if they will have screening of all parking.

Mr. Underhill stated yes.

Mr. Spalding verified minimum 30" continuous planting hedge, fence, wall or earth mound.

Mr. Underhill stated correct.

Mr. Wallace asked for public comment.

Mr. Tom Drake, 10007 Johnstown Road, which is just east of this project. I'm assuming that you will be installing public water and sewer.

Mr. Underhill stated that is correct.

Mr. Drake asked if his property able to be rezoned to C-3 or will they remain rural residential.

Mr. Wallace stated that an application can always be submitted.

Mr. Drake stated that he wanted to know if they will land lock us and we wouldn't be able to rezone.

Mr. Underhill stated that you always have the ability to petition to rezone. Land lock would have no bearing on it.

Mr. Drake asked if they put a gas station in over here will you install a privacy fence.

Mr. Underhill stated that we have setback and screening requirements for that use. We are going to provide some access on that side.

Mr. Drake stated that you talked about no left turns. Dairy Queen is right across the street from me with a no left turn to go west. An officer could write 50 tickets a day if they were to sit there. Everyone coming west tries to turn left into Dairy Queen and I can't get into my driveway. The turn lane going east bound people get into too early and I have problems getting into my driveway due to that as well. That part of the roadway is a traffic disaster. Turkey Hill has probably had 15-20 accidents since they opened. You need to have some consideration for the residents that need to turn into their driveways.

Mr. Shockey stated that generally when someone develops a property they are required to extend sewer to the property line which would be your common line.

Mr. Ferris stated correct.

Mr. Drake asked if connection was optional or mandatory.

Mr. Shockey stated that it depends on how close your house is. The city staff will be able to answer that question when they receive the final development plan. I think water is already available.

Mr. Drake stated that they did not install residential taps only commercial.

Mr. Shockey stated that he should pay attention to the agendas so he doesn't miss the final development plan.

Ms. Russell stated that all neighbors within 200 feet will be notified.

Mr. Drake stated that it's been a long time and all of a sudden it seems like some big movement.

Mr. Wallace stated that this is a general change of zoning. The final development plan...

Mr. Drake stated that if he understands correctly the back part was already zoned that way and just adding Johnstown Road.

Mr. Wallace stated that when they come in for the final development plan is when they can tell us where specific buildings are located, roads, access points and screening details.

Ms. Mary Hursey, 10015 Johnstown Road, asked if the roadway was going to be between her property and the property that New Albany Company owns with the road stub. Does that make my property a corner lot?

Mr. Wallace stated that map depicts existing roads in the dark blue and the dotted lines are thought to be a good place for connectivity (conceptual ideas). At the final development plan the roads may look different.

Ms. Hursey asked if this property right behind her.

Mr. Underhill responded from audience.

Mr. Wallace stated that is not part of tonight's application.

Ms. Hursey stated that they brought water right to the front of my yard but when they widened the road they brought the water... (cut out)

Mr. Wallace stated that he didn't know the answer.

Mr. Shockey asked if she was in city or township.

Ms. Hursey she wasn't sure.

Conversation between Ms. Hursey and Mr. Underhill.

Mr. Shockey stated that the triangle has some different boundaries and not all of it is New Albany.

Mr. Mayer stated that city staff can talk to her about connecting to water process and fees. Typically when construction occurs in an area the developer is required to extend to the end of the development so that when the next person develops they will be able to make a connection. Township residents are not able to be served per the requirements.

Ms. Christine Rogers, 7249 Talanth Place, stated that she has lived there for 14 years. Would like to verify that the proposed street is not part of this rezoning; the one that will connect to New Albany Links Drive.

Mr. Wallace stated that this is a planning document and that is thought for connectivity purposes that it may be a good place.

Ms. Rogers stated that wanted to make sure that wasn't approved tonight. When were the traffic studies done? There is a terrible issue as indicated earlier with Turkey Hill. The traffic in the mornings and between 4pm - 6pm is atrocious. You can't even come into the village or go to Giant Eagle. What is even more concerning is the proposed corner that you are looking to put this rezoning on, the traffic coming left from US 62 onto Walton Parkway is terrible. People coming from Johnstown down to SR 161 are speeding and going against the red lights. It is hard to get in or out of any area. I am not a proponent of this New Albany Links. We have so much traffic cutting through there to get to Johnstown. We have issues with speeders and nothing is being done to help with these situations.

Ms. Wilttrout stated that a comprehensive traffic study will be done in connection with this plan. That is part of this process.

Ms. Rogers asked what happens next. I'm assuming this will be approved, what happens next? How are people notified because 200 feet of the area is not many people being notified?

Ms. Wilttrout stated that there will be another meeting and results of the traffic study should be ready and we will determine at that time what this property will look like, where things are going to go on the property. I'm sure we can work with staff to make sure that you are notified of that meeting.

Mr. Wallace stated that you can always call staff to ask about the agendas.

Ms. Rogers asked if anything is published for the agendas. Can I get the information in advance?

Mr. Spalding stated that the agendas are published online. If you're interested in this issue I would meet with Mr. Mayer before the meeting is over to make sure that he has your contact information. If and when the final plat/development comes to a public hearing they will make sure that you get notice.

Mr. Wallace stated that the applicant stated that they are not in contract with a hotel or anything else. This is just an anticipatory zoning change so that when it does happen its ready for the next step. It could happen in the next month it could be years.

Ms. Rogers stated that a lot has been happening in that corner for a while. Trucks coming in and out.

Mr. Tom Rubey stated that when we come back with the traffic analysis when a development is planned it will be specifically related to that area that is being rezoned. The traffic analysis will not talk about the long-range plan for the future road.

Ms. Rogers asked what time of the day do they conduct traffic studies because what has happened in New Albany proper. I was almost hit crossing from CVS to Pet People. The traffic study at 2am is very different than 4-6pm or 7-8:30am.

Mr. Rubey stated that the city traffic engineer will layout the analysis. They typically do a morning peak, evening peak and a 24-hour stretch. The details when existing counts are done and projections for future traffic is only part of that.

Ms. Rogers stated that she has one more question because when you bring in retail you bring in people that are not normally in New Albany. If you look at the police reports, there has been a lot of drug related and alcohol related stops. I would like to understand what the plan is for New Albany. When moved here for what it was? There are people considering moving out because of what it has become. The little town feel is becoming very corporate and its bringing in more trouble for us.

Mr. Wallace stated that to the extent that you see dangerous conditions or traffic problems, urge you to contact the police department or the mayor. The city has concern about the safety and welfare of all of the citizens.

Ms. Elizabeth Eckels, 8703 Belworth Square, stated that the maximum height was 54 feet and across the street was maximum 60 feet or existing.

Mr. Underhill stated that the tallest building across the street is a hotel. The maximum height is 65 feet although no existing building is that tall.

Ms. Eckels asked if the traffic study was already completed.

Ms. Russell stated that when they come in for the final development plan which is the review of the specific use of the portion of the area is the time when the traffic study will be provided.

Ms. Eckels asked if there are considerations made for the types of businesses and the timing of traffic.

Mr. Underhill stated that will we have a better idea of the first user and understand the market better for the balance of the area which is why this is done at the final development plan stage. We don't want to guess right now with the variety of uses allowed. Everyone is worried about peak times so we will focus on that. We will look at intersections.

Ms. Eckels stated that she used to work at Tween brands and the increased business and volume of kids, parents and teachers in the area. The concept that a gas station would be put here I would envision a great deal of traffic. I would agree that a great amount of traffic wanting to make a left turn in this area and wonder if a traffic circle would work better. During the staff report it was said that most design requirements would need to be met, are there specific ones that don't need to be met and what are they.

Ms. Russell stated that the one major difference is for a hotel use staff agreed that an active and operable front door could be a key card door on the public roadways as long as one door is a public entrance. The key card doors will need to have an awning or special treatment so it doesn't seem like a secondary door.

Ms. Eckels confirmed that the public roadways are Bevelhymer and Walton Parkway.

Ms. Russell stated correct.

Ms. Eckels asked if the city has any restrictions for gas station hours.

Mr. Shockey stated that we will discuss with the final development plan. I don't think there is any restriction in the zoning text. The final development plan meeting will have the use, building design, traffic study, hours of operation; there is a lot of conversation during that meeting. Try to keep in touch with staff.

Mr. Drake stated that since Turkey Hill has went in and we have nothing but trash that we need to clean up every day.

Mr. Mayer stated that he should call the Community Development Department and speak with the code enforcement officer, Pam Hickok.

Mr. Spalding stated that when the Zoning Officer showed up they were more likely to comply.

Mr. Wallace asked if we should include the engineering comments as conditions of approval.

Ms. Russell stated that they are already addressed in the zoning text.

Ms. Wilttrout asked if staff is all right with the lack of cross access.

Ms. Russell stated that the zoning text states that cross access easement perpetually throughout the entire zoning district.

Ms. Wilttrout moved to accept the staff report and related documents into the record, seconded by Mr. Wallace. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wilttrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

Mr. Wallace moved to approve ZC-6-19 based on the findings in the staff report subject to the following condition:

1. The city's planning consultant's comments are all met and satisfied, seconded by Ms. Wilttrout. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wilttrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

FPL-13-2019 Preliminary and Final Plat

Preliminary and Final Plat for Nottingham Trace Phase 2 which includes 43 lots on 9.94 acres.

Applicant: Pulte Homes of Ohio, LLC

FPL-14-2019 Preliminary and Final Plat

Preliminary and Final Plat for Nottingham Trace Phase 3 which includes 35 lots on 9.56 acres

Applicant: Pulte Homes of Ohio, LLC

FPL-15-2019 Preliminary and Final Plat

Preliminary and Final Plat for Nottingham Trace Phase 4 which includes 19 lots on 4.95 acres.

Applicant: Pulte Homes of Ohio, LLC

Mr. Spalding advised the members of the audience that they may leave and are not required to stay for all of the applications.

Mr. Christian presented the staff report for all three applications.

Mr. Ferris presented the engineering report.

Mr. Brian Prenger, EMH&T, stated that he is available for questions.

Ms. Wilttrout asked if he has any comments on the open space markers that staff is requesting.

Mr. Prenger asked what does that typically look like.

Ms. Russell stated that phase 1 is just post delineations between the side or rear yard and open space.

Mr. Prenger stated that he is sure the developer will be fine with that.

Mr. Wallace stated that they like to talk about the conditions with the developer and get their approval before we impose them. If the developer doesn't want them or has an alternative this is where we discuss that. The typical question is does the developer has any problems with any of the conditions.

Mr. Prenger stated that he is 99% sure that they will be all right with them.

Ms. Russell stated that we sent the staff report not only to Mr. Prenger but also the rest of the Pulte team. We did not hear back from them with any issues.

Mr. Wallace stated that on phase 4 final plat the comments of the city engineer were included as a condition. The difference between the phases seem to be making the note regarding the flood protection elevation.

Ms. Russell stated that when staff was reviewing the engineering comments we felt that the comments for phase 4 were related to this process and the comments for the other phases would be part of the engineering submittal process.

Mr. Wallace stated that we will have a condition 3 on phase 4 to address the comments of the city engineer.

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

Mr. Shockey moved to accept the staff report and related documents into the record for FPL-13-2019, seconded by Mr. Wallace. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wiltrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

Ms. Wiltrout moved to approve FPL-13-19 subject to the following conditions:

1. The applicant must submit proof that it has recorded a restriction with the Franklin County, Ohio Recorder requiring that the real property that is subject of the final plat may only be developed and operated in accordance with the Act and the HOPA Exemption, prior to city council approval.
2. Open space markers are installed on site prior to infrastructure acceptance and the final plat is updated to have a note requiring the signs. The note and locations are subject to staff approval.

, seconded by Mr. Wallace. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wiltrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

Mr. Shockey moved to accept the staff report and related documents into the record for FPL-14-2019, seconded by Ms. Wiltrout. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wiltrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

Mr. Wallace moved to approve FPL-14-2019 subject to the following conditions:

1. The applicant must submit proof that it has recorded a restriction with the Franklin County, Ohio Recorder requiring that the real property that is subject of the final plat may only be developed and operated in accordance with the Act and the HOPA Exemption, prior to city council approval.

2. Open space markers are installed on site prior to infrastructure acceptance and the final plat is updated to have a note requiring the signs. The note and locations are subject to staff approval.

, seconded by Ms. Wiltrout. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wiltrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

Ms. Wiltrout moved to accept the staff report and related documents into the record for FPL-15-2019, seconded by Mr. Wallace. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wiltrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

Ms. Wiltrout moved to approve FPL-15-2019 subject to the following conditions and subject to staff approval:

1. The applicant must submit proof that it has recorded a restriction with the Franklin County, Ohio Recorder requiring that the real property that is subject of the final plat may only be developed and operated in accordance with the Act and the HOPA Exemption, prior to city council approval.

2. Open space markers are installed on site prior to infrastructure acceptance and the final plat is updated to have a note requiring the signs. The note and locations are subject to staff approval.

3. Address the comments of the City Engineer, seconded by Mr. Wallace. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wiltrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

CU-17-2019 Conditional Use

Conditional Use for a Model Home to be located at 6939 Hollyhock Drive within the Courtyards at New Albany subdivision (PID: 222-05001).

Applicant: Epcon New Albany, LLC

Ms. Russell presented the staff report.

Mr. Wallace stated that in the staff report it states that the board should confirm where the employees will park. Can you explain the comment.

Ms. Russell stated that the applicant overlooked that comment. Was the purpose to create more parking in the clubhouse space or was it only employees would park in the clubhouse space.

Mr. Underhill is representing Epcon for this application. The intent is that the employees will park here. The sales consultants will operate out of the clubhouse. No modifications to the garage. Parking could occur at the model home and will be encouraged to park over here.

Mr. Wallace asked where the sign will be located.

Mr. Underhill stated that he doesn't know.

Ms. Russell stated that the applicant confirmed that it will be 10 feet out of the right of way but not sure where it will be. Assume that it will be in front of the clubhouse.

Mr. Wallace confirmed that they will need to go to the clubhouse to talk to the sales representative.

Ms. Russell stated that they have always planned on using some office space in the clubhouse.

Mr. Spalding asked how many colors are on the sign.

Ms. Russell stated that four colors are maximum.

Mr. Wallace asked for engineering comments.

Mr. Ferris stated none.

Mr. David Willis, 6700 Central College Road, is also representing his mother, 6770 & 6800 Central College Road. Hoping that the model home will not have a lot of lights at night.

Ms. Russell stated that it only has typical light fixtures.

Mr. Willis stated that they are doing heavy construction right now, the sewer main runs north/south through my property. The manhole is 3 feet higher than the ground so I know they are going to bring it up 3 feet. I don't want to deal with water issues later. We have had massive rains this year already and our yards are much wetter already because the ground has been changing with construction and they haven't even raised the ground yet.

Mr. Wallace asked if they are on well.

Mr. Willis stated yes.

Mr. Wallace stated that we always recommend that you have your well tested to get a base line information and the developer can't change how the well works and pressure.

Mr. Willis stated that I'm losing my grass what will happen when I try to mow my grass.

Mr. Ferris stated that we will look at those elevations and if they are off the contractor will correct it.

Mr. Willis asked how will he know. 3 feet is a lot.

Mr. Ferris stated that it sounds like an error.

Mr. Mayer stated that we can look at it. Sometimes they do rough grading during the process but they are still supposed to handle water quantity and quality on site. That difference may be fixed as construction continues but we will look into it.

Mr. Ferris stated that we will have one of our inspectors contact you.

Mr. Wallace stated that you can protect yourself with a baseline study. Staff will look into the issue you raised about the manhole cover.

Mr. Wiltrout moved to accept the staff report and related documents into the record, seconded by Mr. Wallace. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wiltrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

Mr. Wallace moved to approve CU-17-2019 subject to the following conditions:

1. The condition use permit will become effective at the time the Certificate of Occupancy is granted.
2. The Conditional use permit is permitted for two (2) years and that any extension in time is subject to review and approval by the Planning Commission.
3. The sign is setback to a minimum of 10 feet from the right-of-way in order the meet code requirements.
4. The sign associated with this application is removed at the time that the permit expires, seconded by Ms. Wiltrout. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wiltrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

FPL-19-2019 Preliminary and Final Plat

Preliminary and Final Plat for the 3,000 foot +/- extension of Innovation Campus Way West generally located west of Beech Road.

Applicant: City of New Albany

Ms. Russell presented the staff report.

Mr. Ferris stated no comment.

Mr. Wallace stated no public is present.

Mr. Spalding asked the size of the turning radius.

Mr. Mayer stated that staff feels that a truck could maneuver better with this than a "T" or dead-end. It would also allow for easier vehicular movement.

Mr. Shockey asked what the turning radius is.

Mr. Mayer stated 60 feet.

Mr. Ferris stated that the right of way is 60 feet and the pavement will probably be 50 feet.

Mr. Shockey verified that it adequate for a semi-truck.

Mr. Ferris stated yes.

Mr. Shockey asked how water and sewer are coming.

Mr. Ferris stated that they will be extended along the road.

Mr. Shockey asked who owns the property to the south.

Mr. Mayer stated that he believes that it is owned by Abercrombie.

Mr. Shockey asked if to property to the west is what we heard a few months ago.

Mr. Mayer stated that water and sewer run along the south side of the road either through right of way or utility easements. The church is served through an easement that goes through CCL's property.

Mr. Shockey asked the if the company that came in that went through the rezoning and we heard a lot of neighbor discussion, is their water and sewer coming from Innovation or Central College.

Mr. Mayer stated that it would be from Central College.

Mr. Shockey asked who own the property.

Mr. Mayer used the map to explain the different ownerships and zoning districts.

Mr. Shockey stated that when we are involved with subdivision streets that are greater than 600 feet in length one of the objections is fire safety. If this develops, what happens if this road gets blocked? They always want secondary access for emergency vehicles.

Mr. Mayer stated that when development occurs on this property, depends on the size and scale of development, we anticipate there could be additional roads that connect to Jug Street to provide additional connectivity. In the meantime, staff is working with Abercrombie to provide a connection to the west that could be an alternative.

Mr. Shockey stated that there will be an emergency plan in place.

Mr. Mayer stated yes.

Mr. Wallace asked if you have an idea where the road would connect to the west.

Mr. Mayer stated that it could connect to Evans Road. We are working with Abercrombie now; we don't feel that we need another connection to the south to Smith's Mill Road.

Mr. Wallace asked if there was any concern with the road being close to existing Smith's Mill buildings.

Mr. Mayer stated no, we spoke with them during the rezoning and annexation. We will not be impacting their property or trees. We will create a buffer with the utilities.

Mr. Shockey moved to accept the staff report and related documents into the record, seconded by Ms. Wiltrout. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wiltrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

Ms. Wiltrout moved to approve FPL-19-2019, seconded by Mr. Wallace. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wiltrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

Mr. Wallace moved to table the organizational portion of the meeting, seconded by Ms. Wiltrout. Upon roll call vote: Mr. Wallace, yea; Mr. Shockey, yea; Ms. Wiltrout, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0.

Mr. Mayer stated that we are updating our strategic plan. We will be starting in June with public component. We are putting together a steering committee and we would like to have one Planning Commission member representative. We will have additional focus groups and public meetings. We are creating a robust public engagement.

Mr. Shockey asked if public or non-members allowed to attend.

Mr. Mayer stated that yes, for any community events.

Mr. Wallace stated that it is a public meeting so anyone can come.

Mr. Shockey asked if they meet in a big room.

Mr. Mayer stated that the steering committee is a big group. I will send an email to Mr. Schell and Mr. Kirby so they are aware.

With no further business, Mr. Kirby polled members for comment and hearing none, adjourned the meeting at 8:42 p.m.

Submitted by Pam Hickok

APPENDIX



Planning Commission Staff Report March 18, 2019 Meeting

WALTON-62 COMMERCE ZONING DISTRICT ZONING AMENDMENT

LOCATION: North of and adjacent to U.S. Route 62/Johnstown Road, east of and adjacent to Walton Parkway, and south and adjacent to Bevelhymer Road

REQUEST: Zoning Amendment

ZONING: I-PUD Infill Planned Unit Development and R-1 Residential to I-PUD Infill Planned Unit Development

STRATEGIC PLAN: Neighborhood Retail District and Office Campus

APPLICATION: ZC-6-2019

Review based on: Application materials received January 22, 23, February 11, and March 1 and March 8, 2019
Staff report completed by Jackie Russell, Development Services Coordinator.

I. REQUEST AND BACKGROUND

The applicant requests review for the rezoning of 12.47 +/- acres. The request proposes to create a new zoning district that permits commercial uses, for an area to be known as the "Walton-62 Commerce District," and will be zoned Infill Planned Unit Development (I-PUD). The proposed zoning text meets the Strategic Plan's Retail Commercial and Office Campus district land use category by providing compatible commercial uses.

The text contains the same list of permitted, conditional, and prohibited uses as the existing zoning text for the area provides. Therefore the existing commercial district is being expanded with the same permitted uses. These uses include: restaurants, hotels, gas stations, offices, and other community sized retail. However, the text creates two subareas which limits the location of a hotel to subarea A, and a single gas station within subarea B. Other development standards have been updated to become more aligned with the surrounding zoning districts like the Shoppes at Walton Parkway, and the Canini Trust Corp.

On February 21, 2019 the Rocky Fork Blacklick Accord recommended approval of this application. The board did not have any conditions of their approval.

II. SITE DESCRIPTION & USE

The overall site consists of twelve parcels and is located within Franklin County. The site is generally located to the north of and adjacent to U.S. Route 62/Johnstown Road, east of and adjacent to Walton Parkway, and south and adjacent to Bevelhymer Road. The neighboring uses and zoning districts include I-PUD to the West, South, and North with residential to the west. Some neighboring business include Broadway Bound Dance Studio, Turkey Hill, Dairy Queen, and the former Key Bank. The site is currently comprised of four residential homes, and empty 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 Neighborhood Retail District:

- 1. Retail buildings should have footprints no larger than 80,000 square feet, individual users should be no greater than 60,000 square feet.
- 2. Well organized, common green space should be designed with retail developments.
- 3. Landscaping should be high quality, enhance the site and contribute to the natural, pastoral setting of New Albany. Heavy, but appropriate landscaping is necessary to buffer these uses from any adjacent residential areas.
- 4. Individual uses should be limited in size, acreage, and maximum lot coverage.
- 5. Curb cuts on primary streets should be minimized and well organized connections should be created within and between all retail establishments. Combined curb cuts and cross-access easements between parking areas are preferred between individual buildings
- 6. Parking should be located in the rear of the building
- 7. Sidewalks or leisure trails should be included along primary roadways as well as internal to the developments
- 8. No freeway/pole signs are allowed
- 9. Structures must use high quality building materials and incorporated detailed, four-sided architecture.

10. Drive-thrus are discouraged, if they occur they must be located to the rear of the site.
11. Store windows must be a significant part of all street facades.

B. Use, Site and Layout

1. The proposed zoning text is a planned unit development text. PUD texts allow flexibility in uses and design.
2. Under the I-PUD zoning classification the applicant will need to return to the Planning Commission for review of Final Development Plan review for each site that is developed within the zoning district.
3. The site is located in the 2014 New Albany Strategic Plan within the Neighborhood Retail Development and Office future land use district.
4. Due to the proximity of this site to the State Route 161/Johnstown Road interchange, and its location adjacent to commercially zoned land, the site appears to be most appropriate for commercial development.
5. This text contains the same list of permitted, conditional, and prohibited uses as the existing zoning text. The proposed text permits general office activities, retail stores, personal service, restaurants, drive-thrus, home improvement stores, and garden centers. While the proposed zoning allows for standard large retail uses like home improvement stores or garden centers, the developer establishes a retail square footage cap of 15,000 square feet per a single user to ensure that retail uses are maintain a neighborhood scale.
6. The text limits the location of the permitted hotel use to Subarea A and prohibits the location of a gas station within Subarea A. However, the text allows the gas station to be located anywhere within Subarea B. This is a change from the existing text, since it limited the location of the gas station to the hard corner of Walton Parkway and U.S. 62/Johnstown Road.
7. Conditional uses include self-service car washes and temporary or seasonal outdoor sales lots with a maximum operating time of four months.
8. Prohibited uses include motor vehicle sales establishments, billboards and off-premises signs, armory, adult bookstore, carry out establishments with drive-thrus relating to beer and wine sales, commercial recreational facilities, commercial radio / television station, and funeral parlor.
9. The text proposes to change where the setbacks are measure from (right-of-way line instead of centerline) but there is no net change to setback on the private property. The setback are as follows:
 - U.S. 62/Johnstown Road: minimum 50 foot building and pavement setback from edge of right-of-way.
 - Walton Parkway: minimum pavement and building setback of 65 feet as measured from the centerline of Walton Parkway.
 - Bevelhymer Road: minimum building and pavement setback of 65 feet from the centerline of Bevelhymer Road.
 - The text provides additional setback requirements for gas stations:
 - No less than 75 feet from the northern boundary of Subarea B, or near residential uses. Otherwise, no less than 50 feet away from Subarea B,
 - No less than 50 feet from the right-of-way of any public streets.

- No less than 50 feet from the portion of the eastern boundary of Subarea B where residential uses exist or are permitted. Otherwise no less than 25 feet from such boundary.

C. Access, Loading, Parking

1. The applicant has provided a traffic circulation plan as a part of the rezoning. This plan includes a service road in the front of Subarea A, a private road that goes between Subarea B and Subarea A, as well as four proposed curb-cuts onto public rights-of-way.
2. The proposed zoning text commits to the limiting of the number of curb-cuts to four, however the text does not commit to the proposed locations within the provided circulation plan.
3. The text commits to cross-access easements to be recorded to provide perpetual vehicular and pedestrian cross access and cross utility within this Zoning District prior to the issuance of the first building permit within the district.
4. Staff shared the circulation plan with planning consultants MKSK and asked them to determine if the proposed street network and use satisfies the city's Triangle Plan document.
5. Staff recommends a condition of approval that the city's planning consultants MKSK comments are all met and satisfied. MKSK has the following comments:
 - a. Confirm that the two access points on to Johnstown Road match the existing two curb cuts into Turkey Hill Gas Station across t.
 - b. Although establishing a public road network is required according to the Triangle Plan (see Appendix B), no public roadways are required in the US 62 & Smith's Mill Commercial Area.
 - c. The proposed access road that parallels Johnstown road is redundant to the other proposed access road that runs between Subarea A and Subarea B. All access should be accommodated from the access road that is between Subarea A and Subarea B.
 - i. Since the text commits to cross-access easements to be recorded to provide perpetual vehicular and pedestrian cross access between sites, a separate private drive is not necessary if there are connected drive aisles between private sites. An example of this is at Dairy Queen within the Canini Trust Corp.
 - d. Any access drives within the development area should preserve access to adjoining properties for future connections to future developments.
 - e. The Triangle Plan specifies limiting commercial development to the southern half of the Triangle Area, the intersection of Johnstown Road and Woodcrest Way is half way point. Since the proposed Walton - 62 Commercial District is in the southern half of the Triangle Area commercial use is appropriate.
6. The planning comments can also under separate cover from the consulting planning staff, MKSK. Staff is supportive of the city's planning consultants' comments. These comments allow for the master planning of the area and allows staff and future developers to understand what the future road alignment should be in this area to accommodate development.
7. The text proposes no additional right-of-way to be dedicated along Bevelhymer Road and Walton Parkway. However, the text proposes to dedicate additional right-of-way

along U.S. 62/Johnstown Road. The applicant will provide a maximum of 5 feet of right-of-way to increase the total amount of right-of-way to 15 feet for future accommodation of a right-turn lane. The existing condition provides that the amount of existing right-of-way narrows along U.S. 62/Johnstown Road as it approaches Walton Parkway. The dedication of right-of-way from the applicant would create a consistent right-of-way amount for a future right-turn lane improvement.

8. The City Engineer reviewed the public right-of-way commitments and has indicated that they are appropriate.
9. The zoning text commits to a traffic study being completed at the time of a final development plan. However, the text does indicate that the city can waive the requirement, or require a lesser study like an access study.
10. Parking will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development for each individual site.
11. The applicant commits to bicycle parking to be provided on each parcel at the rate of one space per 2,500 square feet of building area, with a maximum of ten spaces per a parcel. The applicant is proposing a pedestrian network to be established at time of final development plan, as well as a minimum of one connection to a sidewalk and front of a building.

D. Architectural Standards

1. The proposed rezoning implements many of the same or improved standards and limitations set forth in the New Albany Architectural Design Guidelines and Requirements (Chapter 1157). Any variation from the DGRs will require a variance application to be heard by the Planning Commission with a final development plan application.
2. The proposed zoning limits any single retail user space to 15,000 square feet of gross floor area of a building.
3. Additionally the text requires buildings to be designed and seen from 360 degrees with the same level of design on all sides.
4. The proposed maximum height is 35 feet for all buildings except for hotels. Hotels are permitted to be 54 feet tall, measured to the top of the parapet wall. Staff is supportive of the increased height requirement as the site only allows for one hotel and all of the other buildings within the zoning district will be the recommended height found in the Accord's development standards. The height is consistent with other office and hotel buildings in the immediate area.
5. The text requires complete screening of all roof-mounted equipment and appurtenances on all four sides of the each building with materials consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and buffer sound generated by such equipment.
6. The proposed design requirements for the zoning district match the existing design requirements within the existing zoning text.
7. The text states all new utilities shall be installed underground.
8. The proposed text allows for hotels to use keycard access doors or similar, to meet the requirement for active and operable front doors to be provided along all roadways from the design guidelines and requirements, as long as the doors can be easily

accessed from a distance in order to maintain a presence on the street provided there be at least one active and operable door along the public right-of-way.

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

1. Maximum lot coverage for this zoning district is 80%, which is the same requirement as the existing I-PUD text.
2. The proposed text contains the same commitment to preserve trees within the zoning district that exists today.
3. The text requires that the amount of interior landscaping shall be a minimum of eight percent (8%) of the total area of parking lot pavement. The landscaping areas shall include both shrubs and parking lot trees as required by Codified Ordinance 1171.06(a)(3) and be arranged in such a manner so as to visually break up large expanses of pavement.
4. The proposed text commits to install 8 trees per 100 lineal feet in addition to street trees along U.S. 62/Johnstown Road and Walton Parkway. Along Bevelhymer Road the applicant has committed to install 5 trees per 100 lineal feet in addition to street trees. This commitment is consistent with the development across the street.
5. The text requires street trees to be provide along Walton Parkway, U.S. 62/Johnstown Road, and Bevelhymer Road at the spacing distance of thirty feet on center. Additionally, the unnamed road connection to the Canini Trust Corp must have a double row of street trees to maintain the aesthetic found within the Canini Trust Corp.
6. The proposed text maintains the screening requirement found within the northern boundary line of this Zoning District which are not adjacent to the right-of-way for Bevelhymer Road which is a mixture of deciduous shade trees, ornamental trees and evergreen trees and shrubs, and may be planted on an earth mound. Screening will achieve 75% opacity to 8 feet in height within 3 years of installation. Seven trees per 100 lineal feet of perimeter boundary line and 2 deciduous shrubs per tree shall be planted. These trees shall be planted in a hedgerow type manner.

E. Lighting & Signage

1. The applicant is proposing to create a signage master plan which will be reviewed and approved by the Planning Commission as a part of a final development plan.
2. The applicant is proposing that the sign master plan be consistent with the 2013 Trust Corp Signage Recommendation Plan.
3. Street lights must be provided, and shall match the existing street lights in style, color, and specifications.
4. Security lighting, if used, must be motion sensor type.

F. Other Considerations

1. The property owner has submitted a school impact statement which states the proposed I-PUD zoning will result in fewer children in the New Albany Plain Local school district and add value to the land resulting in a financial benefit to the school district.

G. Engineering Comments

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

1. We recommend that the Trust Corps Traffic Study developed in 2006 be updated unless it is determined that the existing study is sufficient.
2. Additional R/W may be required along the development parcel's US 62 frontage at the US 62/Walton Parkway intersection.
3. We recommend that cross access be provided from Subarea A to Subarea B and the signalized intersection at US 62.

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

IV. RECOMMENDATION

Basis for Approval:

The proposed rezoning is generally consistent with the principles of commercial development in the Strategic Plan and the existing commercial uses found within the surrounding areas of the Canini Trust Corp and the Shoppes at Walton Parkway. The I-PUD text provides for flexibility to design and use requirements, but requires applications to return to the Planning Commission for final development plans of each development within the area. Due to the proximity of this site to the State Route 161/Johnstown Road interchange and its location adjacent to commercially zoned land, the site appears to be most appropriate for commercial development.

1. The proposed rezoning will result in a more comprehensive planned redevelopment of the area and will ensure compatibility between uses (1111.06(a)).
2. The proposed 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.

V. ACTION

Suggested Motions for ZC-6-2019:

Move to accept the staff report and all other related documents into the record for application ZC-6-2019.

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

Move to approve application ZC-6-2019 based on the findings in the staff report, with the following conditions:

1. The city's planning consultants comments are all met and satisfied.

Approximate Site Location:



Source: Franklin County Auditor



**Planning Commission Staff Report
March 18, 2019 Meeting**

**NOTTINGHAM TRACE- AGE RESTRICTED COMMUNITY
PHASE 2 FINAL PLAT**

LOCATION: Generally west of State Route 605/ New Albany-Condit Road, south of Walnut Street, east and west of Schleppi Road, and east of the Upper Albany subdivisions (PID: 222-004963)
APPLICANT: Pulte Homes
REQUEST: Final Plat Phase 2
ZONING: I-PUD (Nottingham Trace)
STRATEGIC PLAN: Office District
APPLICATION: FPL-13-2019

Review based on: Application materials received February 12, 2019.

Staff report completed by Chris Christian, Planner.

II. REQUEST AND BACKGROUND

The applicant requests review of a final plat for phase 2 of the Nottingham Trace subdivision located directly west of the first phase of the development and west of the existing portions of Nottingham Loop, Schleppi Road and Eastcross Drive. The plat includes 43 residential lots on 9.943 acres. No reserves are included in this phase of the plat.

This site was rezoned on April 17, 2017. A final development plan was approved to allow 240 age-restricted residential housing on June 19, 2017 by the Planning Commission (ZC-94-16/FDP-31-17). The rezoning was approved by City Council on May 5, 2017 (Ordinance O-01-2017). The final plat for phase 1 of this development was approved by Planning Commission on September 18, 2017 (FPL-49-2017) and by City Council on November 28, 2017 (RES-59-2017).

III. SITE DESCRIPTION & USE

The site is located generally west of State Route 605/ New Albany-Condit Road, south of Walnut Street, east and west of Schleppi Road, and east of the Upper Albany subdivisions. The subdivision is in Franklin County. The site has been committed to be an age-restricted neighborhood. At least 80 percent of the units within the development must have at least one occupant who is 55 years of age or older. The site was rezoned to allow for a maximum of 240 lots. The current plat being reviewed is for 43 residential lots, and known as phase two of the neighborhood.

IV. EVALUATION

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

- The final plat is generally in compliance with the Nottingham Trace final development plan. The plat shows 43 residential lots, which is a phase of the 240 lots allowed per the zoning text.
- Per the zoning text requirements, all lots must have a minimum area of 6,000 square feet and must have a minimum lot width of 50 feet and have frontage on a public street. All lots being platted are meeting these requirements.
- The plat will extend Nottingham Loop create three new public roads: Westcross Drive, Peck Lane, Brinsley Lane and Parkside Drive. These new roads will be built to public standards.
- The minimum front building setback for all lots within the subdivision is 20 feet. The plat accurately reflects this requirement for all lots within this phase.
- Per the zoning text requirements, the right-of-way widths for all internal streets shall be 50 feet. All interior streets as a part of this plat are meeting this requirement.
- Per the zoning text requirements, prior to receiving approval for a final plat, the applicant/developer must provide evidence to the city that it has recorded, with the Office of the Recorder of Franklin County, Ohio a recorded restriction requiring that the real property that is subject of the final plat may only be developed and operated in accordance with the Act and the HOPA Exemption. The applicant has not submitted this material. Staff recommends a condition of approval requiring the applicant submit this documentation, prior to city council review of the plat.
- As part of the final plat, staff recommends that open space markers be installed where lots back onto or side yards abut open spaces and parkland as approved with the final development plan sited in locations subject to staff approval. These markers will help to delineate the edge of public space and avoid additional encroachment into these areas. The design of the markers will be provided by the applicant and must be approved by the city. Staff recommends a condition of approval requiring these markers be installed prior to any infrastructure acceptance by the city and final plat is revised to have a note requiring such signs.

IV. ENGINEER'S COMMENTS

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

1. We will provide additional comments regarding drainage and other utility easements once detailed construction plans become available.

V. RECOMMENDATION

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

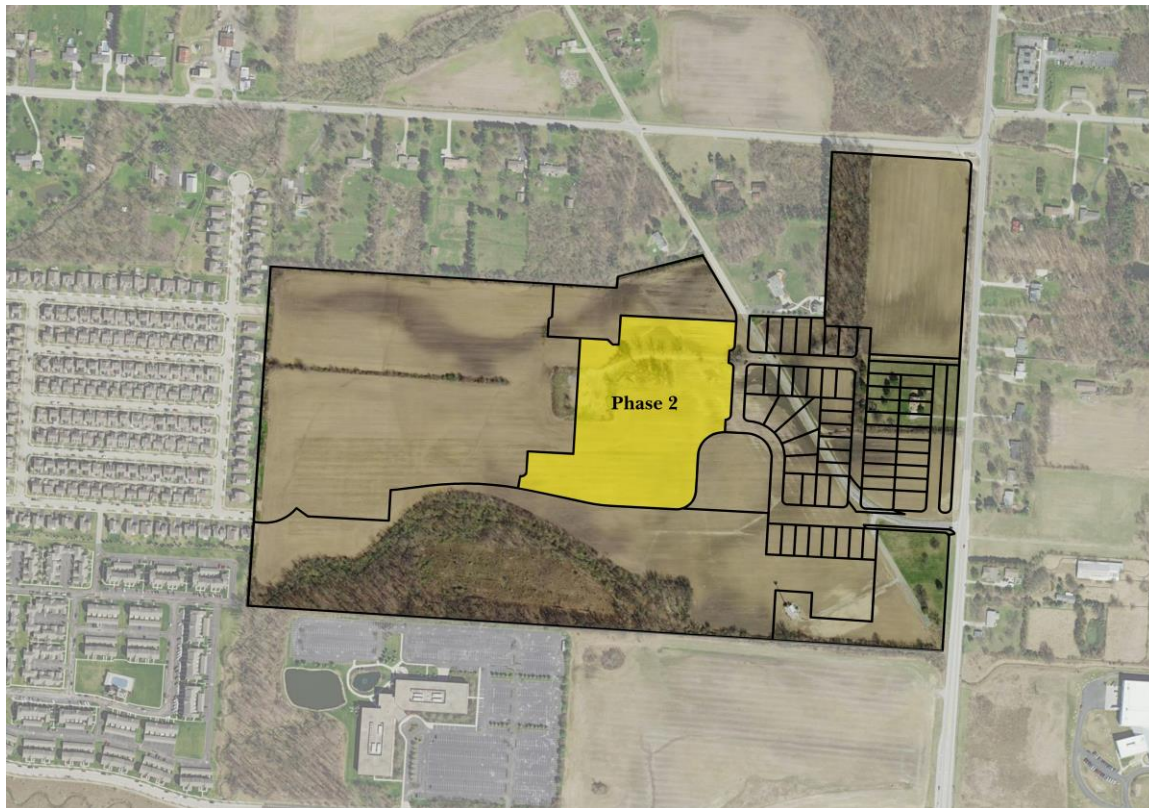
VI. ACTION

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

Move to recommend approval to council of FPL-13-2019 with the following condition, all subject to staff approval:

1. The applicant must submit proof that it has recorded a restriction with the Franklin County, Ohio Recorder requiring that the real property that is subject of the final plat may only be developed and operated in accordance with the Act and the HOPA Exemption, prior to city council approval.
2. Open space markers are installed on site prior to infrastructure acceptance and the final plat is updated to have a note requiring the signs. The note and locations are subject to staff approval

Approximate site location:



Source: Franklin County Auditor



**Planning Commission Staff Report
March 18, 2019 Meeting**

**NOTTINGHAM TRACE- AGE RESTRICTED COMMUNITY
PHASE 3 FINAL PLAT**

LOCATION: Generally west of State Route 605/ New Albany-Condit Road, south of Walnut Street, east and west of Schleppi Road, and east of the Upper Albany subdivisions (PID: 222-004962)

APPLICANT: Pulte Homes

REQUEST: Final Plat Phase 3

ZONING: I-PUD (Nottingham Trace)

STRATEGIC PLAN: Office District

APPLICATION: FPL-14-2019

Review based on: Application materials received February 12, 2019.

Staff report completed by Chris Christian, Planner.

V. REQUEST AND BACKGROUND

The applicant requests review of a final plat for phase 3 of the Nottingham Trace subdivision generally located west of State Route 605, south of the Walnut Street, and north of the existing portions of Callaway Square East and Callaway Square West. The plat includes 35 residential lots and one reserve area on 9.563 acres.

This site was rezoned on April 17, 2017. A final development plan was approved to allow 240 age-restricted residential housing on June 19, 2017 by the Planning Commission (ZC-94-16/FDP-31-17). The rezoning was approved by City Council on May 5, 2017 (Ordinance O-01-2017). The final plat for phase 1 of this development was approved by Planning Commission on September 18, 2017 (FPL-49-2017) and by City Council on November 28, 2017 (RES-59-2017).

VI. SITE DESCRIPTION & USE

The site is located generally west of State Route 605/ New Albany-Condit Road, south of Walnut Street, east and west of Schleppi Road, and east of the Upper Albany subdivisions. The subdivision is in Franklin County. The site has been committed to be an age-restricted neighborhood. At least 80 percent of the units within the development must have at least one occupant who is 55 years of age or older. The site was rezoned to allow for a maximum of 240 lots. The current plat being reviewed is for 35 residential lots, and known as phase three of the neighborhood.

VII. EVALUATION

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

- The final plat is generally in compliance with the Nottingham Trace final development plan. The plat shows 35 residential lots, which is a phase of the 240 lots allowed per the zoning text.
- Per the zoning text requirements, all lots must have a minimum area of 6,000 square feet and must have a minimum lot width of 50 feet and have frontage on a public street. All lots being platted are meeting these requirements.
- The minimum front building setback for all lots within the subdivision is 20 feet. The plat accurately reflects this requirement for all lots within this phase.
- This phase of the plat contains one reserve area, "Reserve F" which is approximately 2.629 acres. This reserve shall be owned by the city and maintained by the homeowners association.
- The plat will extend the existing portions of Callaway Square West and Callaway Square West.
- No additional right-of-way is required along State Route 605 and Walnut Street as a part of this plat. The applicant provided this dedication of right-of-way with the first phased plat for this development.
- Per the zoning text requirements, prior to receiving approval for a final plat, the applicant/developer must provide evidence to the city that it has recorded, with the Office of the Recorder of Franklin County, Ohio a recorded restriction requiring that the real property that is subject of the final plat may only be developed and operated in accordance with the Act and the HOPA Exemption. The applicant has not submitted this material. Staff recommends a condition of approval requiring the applicant submit this documentation, prior to city council review of the plat.
- As part of the final plat, staff recommends that open space markers be installed where lots abut open spaces and parkland as approved with the final development plan sited in locations subject to staff approval. These markers will help to delineate the edge of public space and avoid additional encroachment into these areas. The design of the markers will be provided by the applicant and must be approved by the city. Staff recommends a condition of approval requiring these markers be installed prior to any infrastructure acceptance by the city and final plat is revised to have a note requiring such signs.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1187 and had provided the following comments:

1. We will provide additional comments regarding drainage and other utility easements once detailed construction plans become available.
2. Phasing as shown on the proposed plat does not appear to correspond with the phasing as shown on the approved FDP.

VII. RECOMMENDATION

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

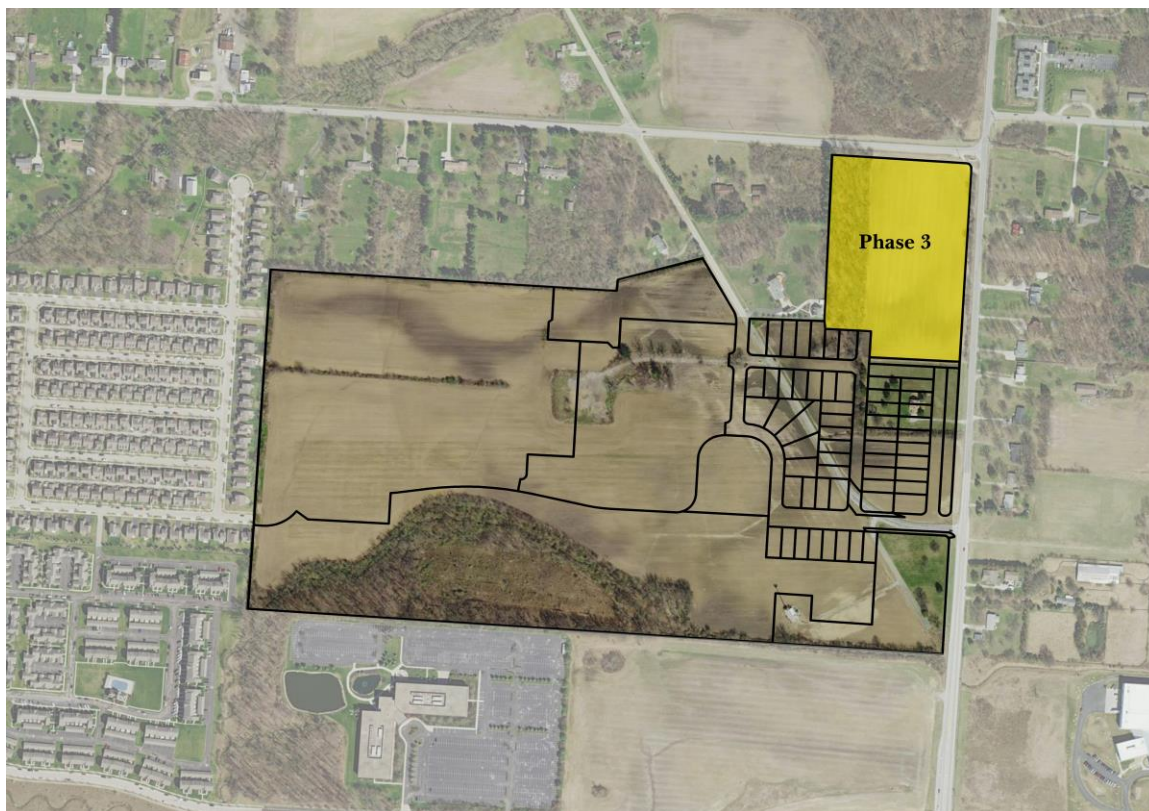
VIII. ACTION

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

Move to recommend approval to council of FPL-14-2019 with the following condition, all subject to staff approval:

3. The applicant must submit proof that it has recorded a restriction with the Franklin County, Ohio Recorder requiring that the real property that is subject of the final plat may only be developed and operated in accordance with the Act and the HOPA Exemption, prior to city council approval.
4. Open space markers are installed on site prior to infrastructure acceptance and the final plat is updated to have a note requiring the signs. The note and locations are subject to staff approval.

Approximate site location:



Source: Franklin County Auditor



**Planning Commission Staff Report
March 18, 2019 Meeting**

**NOTTINGHAM TRACE- AGE RESTRICTED COMMUNITY
PHASE 4 FINAL PLAT**

LOCATION: Generally west of State Route 605/ New Albany-Condit Road, south of Walnut Street, east and west of Schleppi Road, and east of the Upper Albany subdivisions (PID: 222-004443)
APPLICANT: Pulte Homes
REQUEST: Final Plat Phase 4
ZONING: I-PUD (Nottingham Trace)
STRATEGIC PLAN: Office District
APPLICATION: FPL-15-2019

Review based on: Application materials received February 12, 2019.

Staff report completed by Chris Christian, Planner.

VIII. REQUEST AND BACKGROUND

The applicant requests review of a final plat for phase 4 of the Nottingham Trace subdivision generally located east of the Upper Albany Subdivision and west of the second phase of this development. The plat includes 19 residential lots and one reserve consisting of 4.954 acres.

This site was rezoned on April 17, 2017. A final development plan was approved to allow 240 age-restricted residential housing on June 19, 2017 by the Planning Commission (ZC-94-16/FDP-31-17). The rezoning was approved by City Council on May 5, 2017 (Ordinance O-01-2017). The final plat for phase 1 of this development was approved by Planning Commission on September 18, 2017 (FPL-49-2017) and by City Council on November 28, 2017 (RES-59-2017).

IX. SITE DESCRIPTION & USE

The site is located generally west of State Route 605/ New Albany-Condit Road, south of Walnut Street, east and west of Schleppi Road, and east of the Upper Albany subdivisions. The subdivision is in Franklin County. The site has been committed to be an age-restricted neighborhood. At least 80 percent of the units within the development must have at least one occupant who is 55 years of age or older. The site was rezoned to allow for a maximum of 240 lots. The current plat being reviewed is for 35 residential lots, and known as phase four of the neighborhood.

X. EVALUATION

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

- The final plat is generally in compliance with the Nottingham Trace final development plan. The plat shows 19 residential lots, which is a phase of the 240 lots allowed per the zoning text. This is consistent with the zoning text and the approved final development plan.
- This phase of the plat contains one reserve area, "Reserve G" which is approximately 0.206 acres. This reserve shall be owned by the city and maintained by the homeowners association.
- The minimum front building setback for all lots within the subdivision is 20 feet. The plat accurately reflects this requirement for all lots within this phase.
- Per the zoning text requirements, all lots must have a minimum area of 6,000 square feet and must have a minimum lot width of 50 feet and have frontage on a public street. All lots being platted are meeting these requirements.
- The plat will create three new public roads, Winterbreak Avenue North, Linden Lane and Parkside Drive.
- Per the zoning text requirements, prior to receiving approval for a final plat, the applicant/developer must provide evidence to the city that it has recorded, with the Office of the Recorder of Franklin County, Ohio a recorded restriction requiring that the real property that is subject of the final plat may only be developed and operated in accordance with the Act and the HOPA Exemption. The applicant has not submitted this material. Staff recommends a condition of approval requiring the applicant submit this documentation, prior to city council review of the plat.
- As part of the final plat, staff recommends that open space markers be installed where lots abut open spaces and parkland as approved with the final development plan sited in locations subject to staff approval. These markers will help to delineate the edge of public space and avoid additional encroachment into these areas. The design of the markers will be provided by the applicant and must be approved by the city. Staff recommends a condition of approval requiring these markers be installed prior to any infrastructure acceptance by the city and final plat is revised to have a note requiring such signs.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1187 provided the following comments:

1. We will provide additional comments regarding drainage and other utility easements once detailed construction plans become available.
2. Refer to Exhibit A. Provide a Flood Protection Elevation note block for lots 148-153 similar to what was approved with the Phase 1 plat.
3. Refer to Exhibit B. Label the name of the existing subdivision south of Winterbreak Avenue on the Phase 4 plat.
4. Phasing as shown on the proposed plat does not appear to correspond with the phasing as shown on the approved FDP.

Staff recommends that all City Engineer comments are complied with and subject to staff approval.

IX. RECOMMENDATION

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

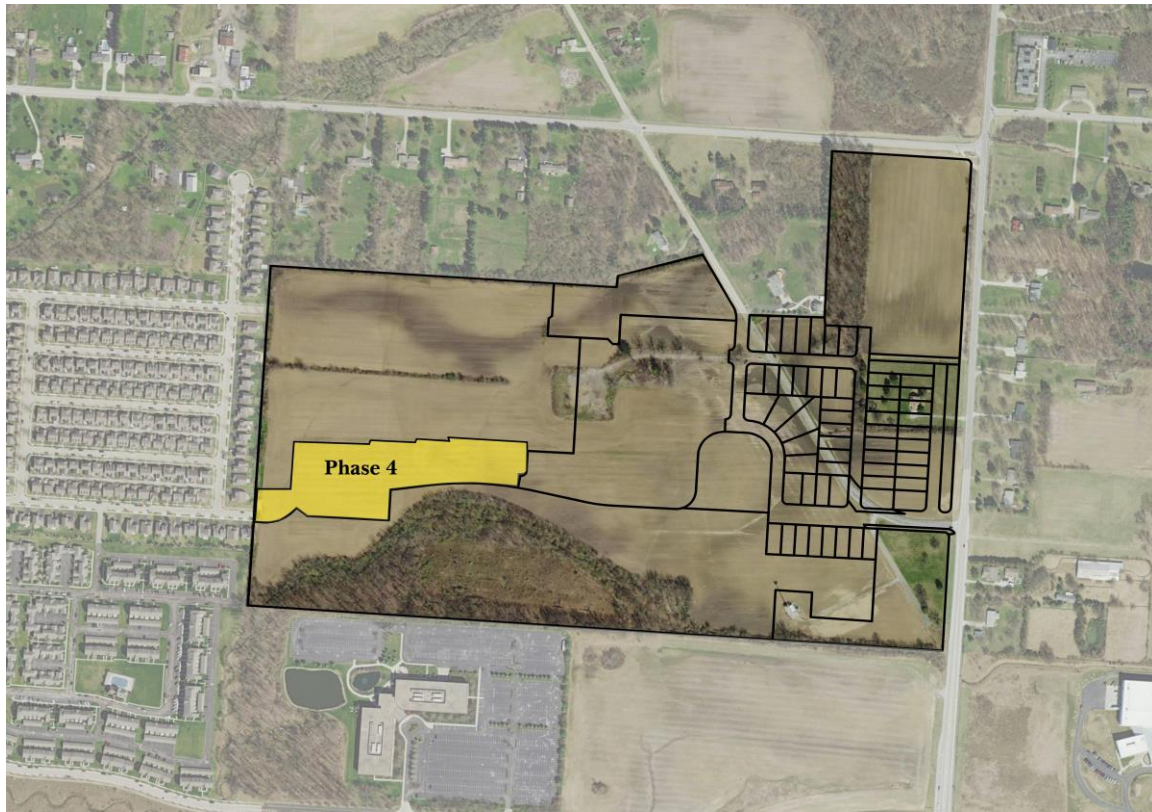
X. ACTION

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

Move to recommend approval to council of FPL-15-2019 with the following condition, all subject to staff approval:

5. The applicant must submit proof that it has recorded a restriction with the Franklin County, Ohio Recorder requiring that the real property that is subject of the final plat may only be developed and operated in accordance with the Act and the HOPA Exemption, prior to city council approval.
6. Open space markers are installed on site prior to infrastructure acceptance and the final plat is updated to have a note requiring the signs. The note and locations are subject to staff approval.
7. Address the comments of the City Engineer.

Approximate site location:



Source: Franklin County Auditor



**Planning Commission Staff Report
March 18, 2019 Meeting**

**COURTYARDS AT NEW ALBANY
EPCON HOMES – MODEL HOME CONDITIONAL USE**

LOCATION: 6939 Hollyhock Drive (222-05001)
APPLICANT: Epcon Communities
REQUEST: Conditional Use for a Residential Model Home
ZONING: I-PUD (Yerke West Zoning District)
STRATEGIC PLAN: Office District
APPLICATION: CU-17-2019

Review based on: Application materials received February 14 and March 7, , 2019.

Staff Report completed by: Jackie Russell, Development Services Coordinator

XI. REQUEST & BACKGROUND

The applicant is seeking conditional use approval for residential model home to be located at 6939 Hollyhock Drive. The home will serve as the model home for Epcon Communities for the homes within this subdivision. The Courtyard at New Albany will have 105 age restricted homes at complete build-out. The Planning Commission reviewed and approved the temporary sales trailer on November 19, 2018. The approval was conditioned that the sales trailer would be removed when the model home becomes open and operable.

This area is zoned I-PUD with permitted uses of single-family detached and attached residences subject to age restriction requirements, public and private parks/open space, one amenities center/clubhouse, and a maximum of one residential model home. The code also allows a temporary sales office to be open and operated until the model home is open for use.

The text requires review and approval of the Planning Commission in accordance with Section 1133.04(d) of the Codified Ordinances of the City of New Albany.

The requested duration of this conditional use is for two years.

XII. LOCATION

The proposed model home is located on lot #16, at the front of the community on the corner of Summersweet Drive and Hollyhock Drive. The subdivision is located generally east of State Route 605/ New Albany-Condit Road, south of TJX data center, west of the Wentworth crossing subdivision, and generally north of Central College. The subdivision is in Franklin County and is an age-restricted neighborhood.

XIII. EVALUATION

General Standards for Conditional Uses (C.O. 1115.03)

The Planning Commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location shall meet all of the following requirements:

- (a) The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.*
- (b) The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
- (c) The use will not be hazardous to existing or future neighboring uses.*
- (d) The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
- (e) The proposed use will not be detrimental to the economic welfare of the community.*
- (f) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*
- (g) Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.*

Residential model homes. Per Code, these are newly constructed homes or temporary structures placed in a newly constructed subdivision and used by a homebuilder or developer to display home styles and lot availability in a subdivision to promote the sale of new housing units. The model home may be staffed and furnished. (C.O. 1165.11)

The criteria and the applicability of this application are detailed below (Section 1165.11(a)):

- 1. Appropriate location within the community.*
 - The proposed model home will be located on Lot 16 at the southwest corner of the subdivision, located on the corner of Summersweet Drive and Hollyhock Drive. Summersweet Drive also intersects with New Albany Condit Road, S.R. 605. The proposed location appears to be appropriate and easily accessible not only by roads, but also by sidewalks and nearby trails. The location of this model home is on one of the subdivision's primary road.
 - The applicant indicated this location was chosen due to the close proximity to the community entryway off New Albany-Condit Road and the Clubhouse parking area.
- 2. It is integrated in the existing community with customary exterior residential lighting.*
 - The home will utilize house light fixtures consistent with the style and architectural features with future homes planned in accordance with city code.
- 3. The use is approved with limited duration.*
 - The applicant has stated that they would like to utilize the conditional use for two (2) years. The proposed duration is consistent with other model homes the community.
- 4. One sign is permitted.*

- Applicant has confirmed they will be installing one ground sign, however they proposed two sign designs (see details below).
5. *Shall not be used as a general real estate brokerage office.*
- The applicant has stated that the model home will not be used as a general real estate brokerage office.

The Planning Commission is also to consider the following (1165.11 (b)):

1. *Hours of operation*

- The applicant has indicated that the model home will operate Monday – Saturday, from 10:00am to 6:00pm and 12:00pm (noon) to 6:00pm on Sunday. These operating hours are generally consistent with the operating hours of other approved model homes.

2. *Number of employees and maximum number of employees at the site at one time.*

- The applicant has stated that there will be a maximum of four EPCON sales consultants staffing the house at any given time.

3. *Provisions for parking for employees and customers*

- Parking will be made available for employee and customers on the street or at the clubhouse across the street. The applicant indicated the lot was chosen due to the proximity of the clubhouse for adjacent parking. Additionally, the home will have a two car driveway where patrons can park. The Planning Commission should confirm with the applicant if they intend on having employees park in the clubhouse parking lot.
- The applicant did not indicate if the garage will be converted and used as an office and welcome center, like other model homes within the community. The Planning Commission should confirm with the applicant if the garage will be modified to accommodate offices, or a welcome center.

4. *Size, lighting, content and location of signage*

C.O. Section 1169.10(e) of the sign code permits one (1) sign not to exceed two feet by three feet in dimension or six square feet in area. No sign shall extend more than four feet above grade. Signage shall not be illuminated nor shall it be nearer than ten feet to any street right-of-way. The applicant is proposing the following sign:

- Dual-post ground sign to read “EPCON Model Home, with hours of operation, a phone number, and email address.”
 - a. Size: 1’ 10.5” x 3” (5.55 square feet) [meets code].
 - b. Height: 3” feet [meets code]
 - c. Location: The applicant did not provide the proposed sign location. Staff recommends a condition of approval the sign is setback to a minimum of 10 feet from the right-of-way in order to meet code requirements.
 - d. The sign will not be illuminated [meets code].

5. *Landscaping and screening*

- The proposed landscaping appears to be consistent with neighboring residences and appropriate for the location.

XIV. RECOMMENDATION

The overall proposal is generally consistent with the code requirements for model home conditional uses. The operational aspects of the proposed model home are consistent with

successfully operating model homes in other New Albany neighborhoods. Although there is no off-street parking being provided, there appears to be sufficient parking since there is a driveway provided at the model home, the model home is located on a corner with on-street parking, as well as parking across the street at the clubhouse. Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

XV. ACTION

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

Move to approve application CU-17-2019 based on the findings in the staff report with the following conditions, subject to staff approval:

- 1) The Conditional Use Permit will become effective at the time the Certificate of Occupancy is granted.
- 2) The Conditional Use Permit is permitted for two (2) years and that any extension in time is subject to review and approval by the Planning Commission.
- 3) The sign is setback to a minimum of 10 feet from the right-of-way in order to meet code requirements.
- 4) The sign associated with this application is removed at the time that the permit expires.

Approximate Site Location:



Source: Final Development Plan



**Planning Commission Staff Report
March 18, 2019 Meeting**

**INNOVATION CAMPUS WAY WEST EXTENSION
PRELIMINARY AND FINAL ROAD PLAT**

LOCATION: Preliminary & final road plat for the Innovation Campus Way West extension generally located west of Beech Road
APPLICANT: City of New Albany
REQUEST: Preliminary and Final Road Plat for Innovation Campus Way West Extension
ZONING: Limited General Employment (L-GE)
STRATEGIC PLAN: Office Campus
APPLICATION: PP/FPL-19-2019

Review based on: Application materials received February 22, 2019.

Staff report completed by Jackie Russell, Development Services Coordinator.

XVI. REQUEST AND BACKGROUND

The application is for a combined preliminary and final plat for dedication of right-of-way for an extension of Innovation Campus Way West. This proposed roadway is consistent with the roadway connections recommended in the 2014 Strategic Plan. This connection is an important roadway to gain additional connections within the New Albany International Business Park. This Innovation Campus Way West dedication will create a new extension of Innovation Campus Way west of Beech Road to allow for future connections within this section of the Business Park.

XVII. SITE DESCRIPTION & USE

The proposed right-of-way dedication will provide additional connections within the New Albany International Business Park. The area is currently undeveloped. The property is zoned L-GE and allows the same uses as the Personal Care and Beauty Park such as office, distribution, and warehousing uses.

XVIII. EVALUATION

Planning Commission's review authority of the preliminary and final plat is found under C.O. Section 1187. Upon review of the final plat the Commission is to make recommendation to City Council. Staff's review is based on city plans and studies, zoning text, zoning regulations.

- This plat will dedicate right-of-way to the City of New Albany for the Innovation Campus Way West extension.

- The Innovation Campus Way West dedication extension consists of approximately 3,000 +/- feet of new right-of-way through a 170+ acre parcel west of Beech Road. This dedication sets up a future connection from the existing Innovation Campus Way West to additional parcels within the business campus.
- Similar to Innovation Campus Way Court, the requirements of 1187.08 will be eliminated since the purpose of the road is intended for commercial and truck use and the design allows for the road to be extended in the future.
- Since this right-of-way does not extend to another public street and due to the length of the road, its termination point is designed as a cul-de-sac to allow for safe of cars and trucks turnaround.
- The roadway will also provide as an additional access to the Abercrombie & Fitch campus, which will further help to distribute traffic and reduce congestion, while giving employees the opportunity of alternative travel paths to the campus.
- There are no reserves being platted or lots being created within this new road extension.
- City Council required the property owner to commit to dedicating the right of way for the extension of Innovation Campus Way West at the time of annexation. This road alignment meets the right-of-way dedication agreement commitments for design and length.
- The zoning text requires no specific amount of right-of-way to be provided, however it does require that the extension be made. This plat satisfies the zoning requirement.
- The plat dedicates 60' of right-of-way and five general utility easements.
- The roadway extension will match the existing street section and include storm sewer, waterline and street lights.
- This proposed street dedication is identified as a future connection in the 2014 New Albany Strategic Plan.

XIX. ENGINEER'S COMMENTS

The city engineer is the design engineer for the plat and road improvement plans and has no comments.

XX. RECOMMENDATION

Basis for Approval: The road plat is consistent with the overall vision for the area and will serve as an important connection within the Village Center.

XXI. ACTION

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

Suggested Motion for PP/FPL-19-2019:

Move to approve Certificate of Appropriateness application PP/FPL-19-2019.

Approximate Site Location:



Source: Google Earth