

Planning Commission met in regular session in the Council Chambers at Village Hall, 99 W. Main Street and was called to order by Planning Commission Chair Mr. Neil Kirby at 7:05 p.m.

Those answering roll call:

Mr. Neil Kirby, Chair	Present
Mr. Brad Shockey	Absent
Mr. David Wallace	Present
Mr. Hans Schell	Present
Ms. Andrea Wiltrout	Present
Mr. Sloan Spalding (council liaison)	Absent

(Mr. Kirby, Ms. Wiltrout, Mr. Wallace, and Mr. Schell present via GoToMeeting.com).

Staff members present: Steven Mayer, Development Services Coordinator (via GoToMeeting.com); Chris Christian, Planner; Mitch Banchefsky, City Attorney (via GoToMeeting.com); Ed Ferris, City Engineer (via GoToMeeting.com;) and Josie Taylor, Clerk (via GoToMeeting.com).

Mr. Kirby asked if there were any additions or corrections to the agenda.

Mr. Christian stated none from staff.

Mr. Kirby swore those present who wished to speak before the Planning Commission to tell the truth.

Mr. Kirby asked if there were any persons wishing to speak on items not on tonight's Agenda. (No response.)

#### ZC-43-2020 Zoning Change

Rezoning of 19.68 acres from Infill Planned Unit Development (I-PUD) to Infill Planned Unit Development (I-PUD) generally located north of State Route 161, south of Smiths Mill Road and west of Kitzmiller Road for an area to be known as the "Motor Enclave Zoning District." (PIDs: 222-004470 & 222-004469).

Applicant: The Motor Enclave New Albany, LLC c/o Aaron Underhill

Mr. Christian presented the staff report.

Mr. Kirby asked for the Engineering report.

Mr. Ferris noted Engineering had one comment, saying they had Exhibit A, 1 of 2, showing the easements and plats for Forrest Drive and Tessora Way. Mr. Ferris said this second access to this site needed to be constructed at the time this development occurs.

Mr. Kirby called for the Applicant.

Mr. Underhill reviewed the project and noted Code would guide the permissible uses. Mr. Underhill stated Mr. Brad Oleshansky with Motor Enclave of New Albany, LLC, Mr. Tom Rubey with The New Albany Company, and Ms. Amy Nagy of EMH&T were also present to answer any questions. Mr. Underhill stated landscaping will be reviewed with the Final Development Plan (FDP).

Mr. Rubey stated that landscaping on the site will be holistic, relate to the buildings and site circulation, and be incorporated into the FDP.

Mr. Underhill noted that storm water management would also be done and some buildings might change a bit, particularly in terms of being moved or changed from their location or orientation that may also impact landscaping.

Mr. Banchefsky asked Mr. Underhill to walk through the provision that provided that if all or part of the nineteen (19) plus (+) acres were not acquired by the Applicant the zoning would not apply to those parcels.

Mr. Underhill stated the intent was to overlay this use and the text on this use over what is present today. Mr. Underhill stated he choose to use something that had been vetted with the office zoning. Mr. Underhill stated that seventeen (17) acres were part of the contract with The New Albany Company, so the expectation is that after that closing development would begin and the office provisions would go away. Mr. Underhill said the Applicant also had an option, north of the community building, which would then leave about two (2) acres left over where a small office building could be located. Mr. Underhill stated that if the Applicant did not close on all, then that piece would be a candidate for office use and the backup zoning would come into play and, further, if no closing occurred then the property was not left with zoning mainly unusable to others.

best to use seventeen (17) acres once closed office provisions go away and option north of community building applicant can also purchase, leaving two (2) acres over, perhaps for an office and if applicant does not close on all then the office comes into play.

Mr. Banchefsky stated okay and asked who owned the approximate two (2) acres.

Mr. Underhill stated The New Albany Company.

Mr. Banchefsky stated okay.

Mr. Kirby asked the Applicant to outline the north and west side sections of the lot subject to the two (2) foot setbacks as the text indicated they would not be where they bordered the wetlands.

Mr. Christian illustrated the area on the presentation.

Mr. Underhill stated the intent was if they had wetlands or buffer zones bleeding onto the site, the buffer or wetlands would govern rather than the two (2) feet setback.

Mr. Kirby asked if this were subject to a lot split would the community building be within two (2) feet of the lot split lot line.

Mr. Underhill stated that if it were split off there would be a zero (0) setback but he did not believe the intent, and he could agree to it in a condition, was for the community building to move more toward the wetlands.

Mr. Kirby stated he was looking at if the option was not exercised and the lot were split, could it be split so the new lot line was only two (2) feet from the community building.

Mr. Underhill stated he saw and did not think a two (2) foot setback would be needed at that point.

Mr. Rubey said he agreed, if that were cut off the idea was not to have a two (2) foot setback from the building.

Mr. Kirby asked if a condition was needed or if they could just be clear on it and also asked what the setback would be.

Mr. Underhill stated it would revert to Code.

Mr. Rubey stated it was twenty (20) or 25 feet per Code but he could not recall.

Mr. Kirby stated they needed to specify the number that would be used in case of a lot split.

Mr. Underhill stated that could be appropriate to have as a condition.

Mr. Kirby asked if there were any problems with the conditions as modified.

Mr. Underhill stated no. Mr. Underhill noted that on condition 4. the goal was to keep the rural character rather to put in a number of trees, although it would be up to the Planning Commission.

Mr. Kirby asked staff for comments on that matter.

Mr. Mayer stated staff was comfortable looking at this with further detail on the FDP.

Mr. Kirby noted that condition 2. should include language that particular sensitivity should be given to the roof.

Mr. Christian indicated the text only allowed rooftop mechanical units on the community building, not the individual garage units, and they were required to be screened.

Mr. Kirby stated thank you.

Mr. Christian stated Code requirements for an office side yard setback was a minimum of fifteen (15) feet pavement setback and 25 foot building setback.

Mr. Rubey stated the roof mechanical units would be placed at the backside of the roof so they were not that visible from the public road and they would use paint or other efforts toward that effect.

Mr. Kirby stated thank you.

Mr. Schell asked for the history of the site, saying it had been zoned office for twenty (20) years, and asking how long it had been on the market and if there had been offers.

Mr. Rubey stated there had been other commitments had been made but there had been environmental issues requiring easements and wetlands preservation. Mr. Rubey stated this use seemed a great fit for the site. Mr. Schell asked if this was the first idea Mr. Rubey had been comfortable with in twenty (20) years.

Mr. Rubey stated yes.

Mr. Wallace asked if the applicant had a draft of the bylaws for the community.

Mr. Underhill stated no.

Mr. Wallace asked for a sample of the rules or bylaws for the community.

Mr. Underhill stated they had not provided those.

Mr. Wallace stated he wanted to know what the enforcement provisions were for the units and was concerned he had not seen those

Mr. Underhill stated they were working on the document and could have it with the FDP and asked Mr. Oleshansky to speak on that issue

Mr. Oleshansky stated he would be glad to send what was done on other project, saying it would be similar although it would be revised to comply with Ohio laws.

Mr. Kirby stated he understood the Applicant would send what he had and that needed to be reviewed to ensure compliance with Ohio law.

Mr. Oleshansky stated correct.

Mr. Wallace asked about the parking indicated in the staff report, noting that it was less than two (2) spaces per garage unit.

Mr. Christian stated that was correct. Mr. Christian stated text required a minimum of one (1) and a maximum of three (3) parking spaces per garage unit, in addition to which they were required to provide 110 spaces and the applicant was showing 144.

Mr. Wallace asked if that was less than 1.5 or two (2) per garage unit.

Mr. Christian stated that was correct, but noted text required between one (1) and three (3) spaces, which was being met.

Mr. Wallace stated he was trying to evaluate the appropriateness of the number of spaces.

Mr. Underhill stated excess parking and loading were covered in sub-section II.F. of the Applicant's materials. Mr. Underhill stated 144 spaces were the minimum, depending on the size of the unit, and there were an additional 110 spaces on site, or 254 minimum outside of the garage units.

Mr. Wallace asked if that was 175 plus (+), 274.

Mr. Underhill stated right, under section II.F. A. and B. there would be between one (1) to three (3) per garage unit, plus 110 additional spaces throughout the zoning district. Mr. Underhill stated 175 in the garages, another one (1) to three (3) in front of those units, and another 110 throughout the community

Mr. Wallace asked for a total number.

Mr. Underhill stated 175 interior, another 175 minimum exterior, plus another 110 for 460.

Mr. Wallace asked if interior meant inside the garage units.

Mr. Underhill stated correct, so exterior would be 175 plus 110 for a total of 285.

Mr. Wallace asked if that was minimum as some units could have two (2) spaces in front of them.

Mr. Underhill stated correct.

Mr. Wallace asked if that was in addition to the 110 or encompassed by the 110.

Mr. Underhill stated in addition.

Mr. Wallace stated the concern here were parties and insufficient parking.

Mr. Underhill stated there were more than one (1) per unit, maybe 1.75 per unit.

Mr. Kirby asked at minimum.

Mr. Oleshansky stated correct. Mr. Oleshansky said it depended on the size of the unit how many spots they had. Mr. Oleshansky added that they do not fill up all the spots in Michigan where there are 230 garages with less parking on the eighty (80) acre site and

Mr. Wallace asked if Code required trails for Kitzmiller Road and Smith's Mill Road and why this was not in the text.

Mr. Mayer stated he would leave it up to the Applicant.

Mr. Wallace stated yes.

Mr. Mayer stated it was up to the applicant.

Mr. Underhill stated they would be happy to add leisure trails or make a contribution.

Mr. Wallace stated thank you. Mr. Wallace stated he understood the screening was only applicable to the community building, and asked if sound screening could be added.

Mr. Underhill stated he would let Mr. Oleshansky speak to that, but he did not think there would be a problem.

Mr. Oleshansky stated the HVAC on the community building was screened and on the west side but he was unclear what was meant by sound.

Mr. Kirby asked if it could also be screened for sound, as issues had previously arisen with generator exhausts pointed toward neighbors which was very audible, and the Planning Commission was requesting the roof units here mitigate noise.

Mr. Oleshansky stated that would not be an issue as long as it was reasonable.

Mr. Wallace asked Mr. Underhill to add that the same as it appeared in the Beauty Campus.

Mr. Underhill stated sure thing.

Mr. Wallace asked about individual units showing upper balconies and asked if the units were two (2) stories.

Mr. Oleshansky stated certain units could have a second floor balcony overlooking the wetlands. Mr. Oleshansky said all units were two (2) stories, some might have a patio on the wetlands or retention pond. Mr. Oleshansky stated some ends of buildings would also have patios. Mr. Oleshansky noted 85% tp ninety percent (90%) of units would not have a patio or anything.

Mr. Wallace stated okay. Mr. Wallace asked if the style of the garage doors on the units would be part of the FDP.

Mr. Christian stated it could be reviewed on the FDP.

Mr. Oleshansky stated the doors were large and they were looking to have them reflect a rural character through trim and paint so they would not look as current drawings showed.

Mr. Kirby noted there were options for a barn door look that were pleasing.

Mr. Christian noted the City architect would also review the FDP.

Moved by Mr. Kirby to accept the staff reports and related documents into the record for ZC-43-2020, including the slides shown by staff which included amendments to two (2) of the conditions in the staff report, seconded by Ms. Wiltrout. Upon roll call vote: Mr. Kirby, yea; Ms. Wiltrout, yea; Mr. Schell, yea; Mr. Wallace, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4 - 0 vote.

Moved by Mr. Kirby to approve ZC-43-2020 with the following revised conditions:

- 1. The installation of the driveway to Forest Drive is required to be constructed as part of this project. Additionally, the Forest Drive stub is required to be finished/properly terminated as part of this development project, and before council's action on this rezoning the parties will confirm their respective obligations to pay for finishing/properly terminating the Forrest Drive based on existing agreements.
- 2. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, and trash containers shall be designed, disguised and located so as to minimize their visibility and visual impact with particular sensitivity given to the rooftops.
- 3. The exemption from C.O. 1171.05(e) must be removed from the text and replaced with a provision that any existing trees within the site's western and northern setback areas may count towards meeting this requirement and it be evaluated as part of the final development plan application.
- 4. Section II(H)(6) of the zoning text must be revised to state that where there are instances where it is impractical or unnecessary to install the additional trees contemplated, the trees must still be planted in another location along Kitzmiller Road.
- 5. The City Engineer's comments are addressed and incorporated into the zoning text as appropriate, subject to staff review.

- 6. The zoning and Code requirements currently on the site, prior to Applicant's potential acquisition of the site, shall be in force if the Applicant does not, in fact, purchase the entire site or should a lot split occur.
- 7. Applicant will add leisure trails on Kitzmiller Road and Smith's Mill Road or provide a fee-inlieu thereof.

8. Sound and sight screening must be added to the zoning text (language from beauty campus). seconded by Ms. Wiltrout. Upon roll call vote: Mr. Kirby, yea; Ms. Wiltrout, yea; Mr. Wallace, yea; Mr. Schell, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4 - 0 vote.

#### **Other Business**

## New Albany Strategic Plan Update

Mr. Mayer updated the Planning Commission on the Engage New Albany Strategic Plan Community Workshop.

Mr. Wallace asked if that would be done at Village Hall or virtually.

Mr. Mayer stated it could be either.

## **Poll Members for Comment**

Mr. Kirby requested comments from members. (No comments).

Mr. Kirby adjourned the meeting at 8:22 p.m.

Submitted by Josie Taylor.

# **APPENDIX**



## Planning Commission Staff Report August 3, 2020 Meeting

## MOTOR ENCLAVE ZONING DISTRICT ZONING AMENDMENT

LOCATION:	Located north of State Route 161, south of Smith's Mill Road and west of Kitzmiller Road (PIDs: 222-004470 & 222-004469)
APPLICANT:	The Motor Enclave New Albany, LLC c/o Aaron Underhill, Esq.
REQUEST:	Zoning Change
ZONING:	Infill Planned Unit Development (I-PUD): Trust Corp Mixed Use Subarea 8g
STRATEGIC PLAN:	Office Campus
APPLICATION:	ZC-43-2020

Review based on materials received on May 18 and July 22, 2020.

Prepared by Chris Christian, Planner

#### I. BACKGROUND

The applicant requests review and recommendation to City Council for a proposed zoning change and preliminary development plan. The application is 19.68 +/- acres and proposes to rezone the property to I-PUD for a zoning area to be known as "The Motor Enclave Zoning District." Once the rezoning application has been approved by City Council, the applicant must return to the Planning Commission with a final development plan application as the proposed rezoning is an Infill-Planned Unit Development (I-PUD).

The 19.68 acres are located within the Trust Corp Mixed Use: subarea 8g (I-PUD) zoning district which was reviewed and approved by the Planning Commission on January 21, 2015 (TM-114-2014). The current zoning text allows for the permitted and conditional uses found in the OCD Office Campus District section 1144 and the permitted uses found in the CF Community Facilities District section 1151. The proposed rezoning continues to permit these uses to be developed if all, some or none of the 19.68 acres are not sold to the applicant. Once the property has been sold to the applicant, the existing zoning text will no longer apply to the property that has been sold.

On June 18, 2020, the Rocky-Fork Blacklick Accord reviewed and approved the rezoning application by a 9-0 vote.

#### **II. SITE DESCRIPTION & USE**

The site is located within the New Albany Business Park north of State Route 161, south of Smith's Mill Road and west of Kitzmiller Road. Some of the surrounding uses include the Mount Carmel New Albany Surgical Hospital north of this site as well as various medical office buildings and the Zarley office and warehouse business park to the west. The site is currently vacant. On this site and in the immediate area, there are existing wetlands that will be protected.

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## III. PLAN REVIEW

Planning Commission's review authority of the zoning amendment application is found under C.O. Sections 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, zoning text, and zoning regulations. Primary concerns and issues have been indicated below, with needed action or recommended action in <u>underlined text</u>.

<u>Per Codified Ordinance Chapter 1159.08</u> 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;
- (1) 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).

## A. New Albany Strategic Plan

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

- 1. The design of office buildings should include four-sided architecture in order to address multiple frontages when present.
- 2. On-street parking is discouraged.
- 3. Parking areas should be screened from view.
- 4. Sidewalks/leisure trails should be placed along both sides of all public road frontage and setback 10 feet from the street.
- 5. Common open spaces or green areas are encouraged and should be framed by buildings to create a "campus like" environment.
- 6. Street trees should be provided at no greater a distance than 40 feet on center.
- 7. No freeway/pole signs are allowed.

- 8. A 200 foot buffer should be provided along State Route 161.
- 9. Sites with multiple buildings should be well organized and clustered if possible.

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

- 1. The proposed text rezones a total of 19.68+/- acres from Infill Planned Unit Development (I-PUD) to Infill Planned Unit Development (I-PUD).
- 2. The applicant also submitted a preliminary development plan with the rezoning application. The preliminary development plan is for 17.18 acres of the overall 19.68 acre rezoning. As described in zoning text section II(C)(2)(1), this remaining 2.5 acres may or may not be purchased by the applicant. If the applicant does purchase the remaining acreage, it will be limited to private, passive recreational amenities including, but not limited to: leisure paths, fire pits, gazebos and pergolas. The text states that no vertical improvements are permitted to be located within 75 feet of Smith's Mill Road. Because the entire 19.68 acres is proposed to be zoned I-PUD, the applicant must return to the Planning Commission for review and approval of a final development plan application.
- 3. The proposed rezoning is designed to tailor to the needs of a specific user, the Motor Enclave. The intended primary use for this zoning district is a "private automobile garage campus." The text permits a maximum of 175 private garage units to be constructed. The text defines this use to mean a single campus that will contain multiple buildings with private garage units that are individually owned under a condominium form of ownership. These private garage units are to be used for the interior parking and storage of privately owned cars as well as some, none or all of the following uses (1) non-commercial maintenance of vehicles, (2) personal leisure and entertainment and (3) professional office space.
- 4. The zoning text also permits a maximum of two private community buildings that may contain some of the following supportive uses intended to enhance the experience of owners and visitors of the site:
  - a. Private individual sales of new or pre-owned luxury vehicles.
  - b. Coffee shops, ice cream (or similar) shops with indoor and/outdoor seating.
  - c. One private club where food and/or beverages (including alcohol) may be served.
  - d. Vehicle storage.
  - e. Custom automobile repairs.
  - f. Automobile detailing, restoration, and/or specialty part sales and installation.
  - g. "Speed shops", which is defined as a retail store that sells and installs aftermarket performance and styling details for vehicles.
  - h. Sales of automobile insurance and other insurance products.
  - i. Rental space for private events.
  - j. Outdoor ancillary, recreational uses.
  - k. Limited events that are open to the general public, no more than 12 times in a calendar year.
- 4. The proposed text prohibits the following uses:
  - a. Traditional self-storage.
  - b. Any use of a private garage unit for the maintenance, repair or storage of vehicles for commercial purposes.
  - c. Residential uses.
  - d. Storage of gasoline, oil, propane tanks (not used for those relating to a barbeque grill or similar equipment), or other types of fuel within or outside any structure.
  - e. Exterior storage of vehicles, equipment, or personal property.
- 5. The applicant is proposing the following modifications to the existing zoning text setbacks.

Street Name	Trust Corp Mixed Use Subarea 8g	Proposed Text
State Route 161	50 foot building and pavement setback from the edge of right- of-way.	Minimum 50 foot pavement and 75 foot building setback measured from the edge of the right-of-way.
Kitzmiller Road	250 foot building and pavement setback from the centerline.	<ul> <li>North of the proposed site access drive:</li> <li>105 foot pavement (from centerline)</li> <li>115 foot building (from centerline)</li> <li>20% of the front façade of the community building may encroach no more than 5 feet into the required minimum setback.</li> <li>South of the proposed site access drive:</li> <li>140 foot pavement (from centerline)</li> <li>150 foot building (from centerline)</li> </ul>
Smith's Mill	50 foot building and pavement setback from the centerline.	The area of the zoning district along Smith's Mill Road is limited to paved walkways and recreational amenities. No vertical structure is permitted to be installed within 75 feet of Smith's Mill Road.
Western Property Line	10 foot building and pavement setback.	2 foot building and pavement setback.
Northern Property line	Not specified.	2 foot building and pavement setback

6. The proposed text states that the maximum lot coverage within this zoning district is 70%. The previous zoning text provided an 80% maximum lot coverage.

# C. Access, Loading, Parking

- 1. The site is proposed to be accessed from two locations, one curb cut along Kitzmiller Road and a private drive off of Forest Drive. Staff recommends a condition of approval requiring the installation of the driveway to Forest Drive be constructed as part of this project. The city's 2014 strategic plan recommends providing multiple connections to sites in order to alleviate congestion by dispersing traffic. Additionally, the section of Forest Drive the driveway connects to is currently stubbed. Staff also recommends a condition of approval requiring the Forest Drive stub is finished/properly terminated as part of this development project and the cost of that construction is paid for by the development. The final design of the driveway and Forest Drive will be reviewed as part of the final development plan application.
- 2. The proposed text states that each private garage unit will have a minimum of one and a maximum of three unstriped parking spaces in front of each unit. A minimum of 110 additional

parking spaces are required to be provided throughout the rest of the site. <u>City parking code</u> <u>section 1167 does not contemplate this type of use, therefore the Planning Commission should</u> <u>evaluate the appropriateness of the number of spaces provided in the text.</u> The preliminary development plan shows 175 garage units with 175 parking spaces and an additional 144 parking spaces which exceeds the minimum requirement of the zoning text.

- 3. The Bike New Albany Plan identifies this section of Kitzmiller Road as a future segment of the VeloLoop which will provide a 5 mile bike track around the city once completed. It appears this project can be accommodated within the proposed right-of-way.
- 4. The proposed text requires five bicycle parking spaces to be provided near community buildings which is not a requirement of the existing text.
- 5. The proposed text is silent on the installation of leisure trail along public rights-of-way therefore city code section 1165.06(b) applies which requires a developer to construct leisure trail along Kitzmiller Road and Smith's Mill Road, but not State Route 161 as recommended by the 2018 Leisure Trail Master Plan.

## **D.** Architectural Standards

- 1. As part of the rezoning application, the applicant submitted conceptual architectural drawings to illustrate the desired barn form of architecture for this site, taking design cues from the adjacent Ralph Fallon building located in the Zarley Industrial Park to the west. The city architect has reviewed and is supportive of the conceptual drawings. Staff is supportive of the barn form of architecture being used in this location as it is sensitive to the existing rural character of Kitzmiller Road. Final building architecture and details must be reviewed and approved by the Planning Commission in the future as part of a final development plan application.
- 2. The proposed text requires buildings on-site be positioned so that operable overhead doors are not oriented towards Kitzmiller Road, but does allow for orientation towards State Route 161. The text also requires building elevations that face public roads be emphasized architectural features which may include cupolas, projecting bays, gable roofs and faux garage doors.
- 3. The proposed maximum building height is 40 feet. The existing zoning text has a maximum building height of 65 feet.
- 4. The proposed text retains the provision that all roof mounted equipment must be fully screened from public rights-of-way. <u>In order to be consistent with other New Albany Business Park</u> zoning texts, staff recommends a condition of approval that a provision is added to the text stating that elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes are screened to minimize their visibility and visual impact for all buildings.
- 5. The proposed text permits the construction of rooftop terraces on the community building as well as balconies on building facades oriented towards open space or wooded areas.
- 6. In order to achieve the desired barn form of architecture, the text permits the following building materials:
  - a. Metal siding
  - b. Metal and metal PVC roofing
  - c. Decorative block for the water table
  - d. Non-reflective glass
  - e. Stone
  - f. Brick
- 7. The text states that the maximum height and width of overhead garage doors is 18 feet. In order to lessen the visual impact of the large doors, the text states that the doors are only permitted to be painted white if the rest of the building is painted white. Additionally, the existing landscaping along State Route 161 will provide some screening from offsite view.

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

- 1. The applicant submitted a conceptual landscape plan for the site to illustrate the zoning text requirements. The final landscape plan will be reviewed and approved by the Planning Commission in the future as part of a final development plan application.
- 2. The text retains the parking lot landscaping requirements of the existing text.
- 3. The proposed text retains the tree preservation commitments within the zoning text and identifies the preservation and wetland areas on the preliminary development plan. Due to the large number of trees that will be preserved on site, the text eliminates the interior tree installation requirements of C.O. 1171.05(e). <u>The Planning Commission should evaluate this proposal</u>. While there are large wetlands and buffers on the site resulting in tree preservation and cluster type of development, staff recommends a condition of approval that this exemption is removed from the text and replaced with a provision that any existing trees within the site's western and northern setback areas may count towards meeting this requirement and it be evaluated as part of the final development plan application. Interior landscaping and landscape buffers along public streets are important design features that set the character of New Albany's business park.
- 4. The text permits the removal of an existing tree stand along Kitzmiller to accommodate the envisioned development however the re-establishment of a tree line is required in order to preserve and enhance the rural character of Kitzmiller Road. Section II(H)(6) of the proposed zoning text states that a minimum of 4 trees per 100 feet must be planted along Kitzmiller Road in order to re-establish the tree line. The text states to allow this requirement may be waived at the time of a final development plan in areas where it is impractical or impossible to plant due to topographical conditions, where it is unnecessary to improve the landscaping aesthetic or where there are existing trees. Staff recommends a condition of approval that this section of the text be revised to state that where there are instances where it is impractical or unnecessary to install the additional trees contemplated in section II(H)(6), the trees must still be planted in another location along Kitzmiller Road. This will ensure the minimum quantity of trees is installed, but given the significant grade changes along Kitzmiller Road, can be relocated to portions of the street frontages where they are most beneficial and additive to the site.

## F. Lighting & Signage

- 1. The proposed text retains lighting requirements of the existing text and adds a requirement that all building lighting must be low scale and complimentary to historic barn lighting. The final photometric and light fixture plans are subject to review and approval of the city architect at the time of a final development plan.
- 2. The proposed texts retains the provision to install ground signs at each vehicular entrance to the site. The text allows a ground sign along Kitzmiller Road to be internally illuminated which is permitted in the city sign code.
- 3. The text retains the prohibition of ground signage along State Route 161.
- 4. The allows for wall signs to be installed on the community building in order to identify uses on the site as well as ownership names near pedestrian access doors of the garage units.

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

The City Engineer, E.P. Ferris reviewed the proposed rezoning application and provided the following comments. <u>Staff recommends a condition of approval that the comments of the city engineer are addressed and incorporated into the zoning text as appropriate, subject to staff approval.</u>

1. Refer to the plat and plans provided with Exhibit A. Add the drainage and utility easement (0.757 acres) to the PDP and provide more details about extending Forest Drive where it is shown to be completed by others. The extension of roadway and other public infrastructure must be completed at this time.

#### V. RECOMMENDATION

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

Staff is supportive of the rezoning application as it is in general conformity with the 2014 New Albany Strategic Plan's recommendations. The proposed uses are appropriate due to the site location within the New Albany Business Park. As proposed, the development of this site is sensitive to the existing wetlands and will maintain the majority of the trees on site. While the existing tree row on Kitzmiller Road may be removed, the text requires the re-establishment of the tree row. In order to preserve these wetland and tree preservation areas, a cluster type development is necessary and encouraged for this type of development in the 2014 New Albany Strategic Plan.

The proposed 115-150 foot building setback along Kitzmiller Road is appropriate as it is consistent with setbacks established by existing residential homes along this section of the road corridor. The desired barn form of architecture is appropriate as it is sensitive to the existing rural character of Kitzmiller Road and is employed for other buildings in the immediate area. The proposed roof top screening and architectural requirements have been found to be successful in other parts of the community. The specific site constraints such as grading and wetland areas necessitate flexibility in design. With staff's recommended conditions of approval the application meets the purpose and intent of the city's codified ordinances, strategic plan, and Design Guidelines and Requirements.

Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval with the conditions of the approval listed below.

#### VI. ACTION Suggested Motion for ZC-43-2020:

Move to recommend approval to Council of the rezoning application ZC-43-2020, subject to the following conditions:

- 1. The installation of the driveway to Forest Drive is required to be constructed as part of this project. Additionally, the Forest Drive stub is required to be finished/properly terminated as part of this development project and the cost of that construction is paid for by the development.
- 2. A provision must be added to the text stating that elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes are screened to minimize their visibility and visual impact for all buildings.
- 3. The exemption from C.O. 1171.05(e) must be removed from the text and replaced with a provision that any existing trees within the site's western and northern setback areas may count towards meeting this requirement and it be evaluated as part of the final development plan application.
- 4. Section II(H)(6) of the zoning text must be revised to state that where there are instances where it is impractical or unnecessary to install the additional trees contemplated, the trees must still be planted in another location along Kitzmiller Road.
- 5. The City Engineer's comments are addressed and incorporated into the zoning text as appropriate, subject to staff review.

#### **Approximate site Location:**



Source: Google Earth