


New Albany Planning Commission
July 19, 2021 Minutes

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	Absent
Mr. Matt Shull (Council liaison)	Present

Staff members present: Steven Mayer, Development Services Coordinator; Chris Christian, Planner; Mitch Banchevsky, City Attorney; Jay Herskowitz for Ed Ferris, City Engineer; and Josie Taylor, Clerk.

Moved by Mr. Wallace, seconded by Mr. Schell to approve the June 21, 2021 meeting minutes as amended by Mr. Kirby's notes on the spelling of the Burnips' names. Upon roll call: Mr. Wallace, yea; Mr. Schell, yea; Mr. Kirby, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0 vote.

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

Mr. Christian stated none from staff.

Mr. Kirby swore Mr. Craig Srba to tell the truth and nothing but the truth.

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

Mr. Christian reviewed the process on how to speak on the Zoom meeting if anyone wanted to participate.

FDP-64-2021 Final Development Plan

Final Development Plan for a new Verizon Wireless data center located on the east side of Souder Road(PID: 222-004464-00).

Applicant: Foresite Group, LLC

Mr. Christian presented the staff report.

Mr. Kirby asked if the use directly east of the area was agricultural.

Mr. Christian stated yes.

Mr. Kirby asked if there was any engineering on this application.

Mr. Herskowitz stated all engineering Code requirements had been met.

Mr. Kirby asked to hear from the applicant.

Mr. Christian stated they were all attending virtually via Zoom.com.

Mr. Kirby swore in Mr. Kal Fisher, Mr. Nathan Spence, and Mr. Joe Cortese to tell the truth and nothing but the truth.

Mr. Joe Cortese, attorney for Verizon, discussed the application and the use and need for the data center.

Mr. Nathan Spence, civil engineer with Verizon, discussed the application and the design and use of the site.

Mr. Cortese thanked staff for their assistance with the application.

Mr. Kirby asked staff for the photometric numbers and indicated that the term "near zero" needed a number.

Mr. Mayer stated he believed it had generally been .3 or less foot-candles.

Mr. Kirby stated near zero needed a number with units on it.

Mr. Mayer stated he thought .3 was the standard.

Mr. Kirby asked if prior applications could be checked to see what had been done to ensure consistency. Mr. Kirby asked for an explanation of how dim a foot-candle measure was.

Mr. Mayer stated the general rule had been .3 and that would not include things such as landscaping but perhaps mounding could be included, which might account for some differences. Mr. Mayer stated the goal was to standardize and treat everyone the same.

Mr. Kirby stated that there had been plenty of other applicants that had hit zero (0) on additional lighting at boundaries.

Mr. Spence stated they could meet the zero (0) or near zero (0) requirement at the property line.

Mr. Kirby asked what the external devices were on the west side.

Mr. Spence stated they were all generators, transformers, and switches on the west side with the taller screening wall with air handling units on the east side.

Mr. Kirby asked which way the exhaust pointed on the generators.

Mr. Spence stated he did not know.

Mr. Kirby stated up would be a good direction.

Mr. Spence stated they were working with AEP on this and were thinking through how this affected things.

Mr. Kirby stated they should not be pointed toward neighbors.

Mr. Spence stated they would not be doing that.

Mr. Wallace asked staff what the rights of property owners to place cell phone towers on their properties were and how tall such towers could be.

Mr. Mayer stated that owners of commercially zoned property that was not within a certain distance from residential areas could, by right, put in a tower that was up to 200 feet. Mr. Mayer stated he believed it was still a conditional use to put a tower on any site that was within a certain distance from a residential property. Mr. Mayer stated it was also a permitted use on public land if it was not within a certain distance from neighbors.

Mr. Wallace asked if this location was within 200 feet of a residential property.

Mr. Mayer stated that was correct.

Mr. Wallace asked if they would need to come back as this would then be a conditional use.

Mr. Mayer stated that was correct if they wanted to put in a cell tower.

Mr. Wallace asked if it was a permitted use then they could not just do that.

Mr. Mayer stated that was correct and there were built in screening and shelter requirements regardless of location. Mr. Mayer stated that if it was a conditional use it would have to return to the Planning Commission (hereafter, "PC") for review and approval and neighbors within 200 feet would need to be notified.

Mr. Wallace stated he wanted to understand how the process would work in the case of a cell tower.

Mr. Mayer stated that if there was a future final addition to this building that would require a future final development plan (hereafter, "FDP"), and that would need to be heard by the PC and neighbors would also be notified.

Mr. Schell asked if the space between the buildings was a large parking lot.

Mr. Spence stated the building was the white space in the middle and the concrete was around the sides and provided the pad for all of the equipment.

Mr. Mayer discussed the map on the screen and showed the different areas.

Mr. Schell asked if the undeveloped area could be developed.

Mr. Mayer stated yes and it would then come back to the PC.

Mr. Wallace asked why they had designed the building so that construction began on the northern area first.

Mr. Spence stated construction sequencing and building use and design were the reasons for their construction choices.

Mr. Schell asked if east of this development there was a potential opportunity to connect the stub Galdino Drive road to this property over to Sauder Road.

Mr. Mayer stated there was sufficient space to the north of this location for future road connection.

Mr. Kirby asked for any questions or comments from the public.

Mr. Craig Srba, 6837 East Walnut Street, asked if a cell tower would ever be there.

Mr. Cortese stated he was not aware of any plans now, this was the only data center that was an HQ initiative.

Mr. Srba asked the applicant if they would ever put a cell tower at this location.

Mr. Cortese stated there were no plans he was aware of for a cell tower. Mr. Cortese stated this was purely for a data center and anticipating the needs of the network.

Mr. Srba asked if this data center would be for basically fiber optic connection and data storage, not for cell tower broadcasting.

Mr. Cortese stated no, it was all connected to the wireless network but there was no anticipation of a communication tower.

Mr. Srba asked what would be in the gold and green areas shown on the presentation at the bottom of the screen, near the parking lot.

Mr. Spence indicated the green area was for smaller generator and a switch for the administrative area and the orange was for mobile generators and mobile equipment and they proposed to provide a screening wall for that as well. Mr. Spence stated there would be screening there with the existing mound.

Mr. Srba asked if the equipment there was not operational.

Mr. Spence stated in the orange area he was not sure, but it was temporary in nature, not for permanent equipment.

Mr. Srba asked for further explanation of what would be in the green area.

Mr. Spence stated it was a smaller generator and a switch that would support the administrative space of the building, the southern end of the building, with conference rooms.

Mr. Srba asked to see the aerial photo of the site.

Mr. Christian stated it was up on the screen at this time.

Mr. Srba stated the trees on the applicant's northwestern lot line were adjacent to his parcel and he did not want those trees to be counted for their required screening to buffer the development along the applicant's property line.

Mr. Srba asked for the slide showing the building elevations to be put up on screen.

Mr. Christian indicated the image was visible.

Mr. Srba asked why the west elevation shown on the screen, on the left side, showed a wall that dropped off. Mr. Srba asked if that would be an enclosed section.

Mr. Spence stated it should not be open, all of the area on the western side of the property should be screened. Mr. Spence stated that he believed the images on the slide with elevations was mislabeled. Mr. Spence said that what was shown as the south elevation was actually the western elevation and that the elevation shown as the western elevation was the south elevation. Mr. Spence stated the two areas shown taller were the screening for the generators.

Mr. Srba asked if the image shown as the southern elevation was actually the western elevation.

Mr. Spence stated yes.

Mr. Srba stated his concern was the noise requirements for generators and equipment. Mr. Srba said noise should be projected upward so it did not bounce off anything, but with that taller wall it looked like noise from the generators would come out and then bounce off that wall. Mr. Srba stated he would like all walls or screening for the generators not to have anything they could hit and bounce sound off of.

Mr. Kirby asked the applicant if they would need ground access to the equipment.

Mr. Spence stated yes, and noted there were roll up doors on the building that would house the equipment.

Mr. Kirby asked if the doors would be closed in normal operation and only used for access when needed.

Mr. Spence stated correct.

Mr. Kirby stated there would be walls on four (4) sides of the yard that sandboxed the area.

Mr. Spence stated correct.

Mr. Kirby asked if the lowest of those walls would be taller than the equipment

Mr. Spence stated yes, all the walls would be taller than the equipment they were in front of. Mr. Spence discussed the height of the equipment and the proposed walls that would cover them.

Mr. Kirby stated this was then a sandbox where the inside of the sandbox would not be visible.

Mr. Spence stated yes.

Mr. Srba stated the bottom elevation, the one showing the south elevation which was actually the western elevation, showed two (2) taller and one (1) lower wall sections and asked if there would be any exposed generators or noise producing devices.

Mr. Spence stated no, they would not see any equipment.

Mr. Srba stated he was more concerned about hearing the equipment than seeing it.

Mr. Spence stated it was a condition of approval, staff would review that, and it was the applicant's intent to meet the City's requirements.

Mr. Srba stated that page 3 of the staff report, letter B2, stated the Engage New Albany Strategic Plan envisioned a future public street connection along the north side of this site to connect to Sauder Road and Galdino Drive. Mr. Srba stated it would more direct to connect Galdino Drive to the southern line of the applicants' site.

Mr. Kirby asked if the next lot to the north already touched Walnut.

Mr. Srba stated it did.

Mr. Kirby asked if the Galdino stub road was already looking at the southern part of the applicant's property.

Mr. Srba stated yes.

Mr. Mayer stated that was correct. Mr. Mayer stated the discussion in the Strategic Plan was one vision for this but others were also discussed. Mr. Mayer stated future developments would also affect how this was developed.

Mr. Kirby stated they needed people on the road or they would not have a road.

Mr. Mayer stated the Srba's property and that of their immediate neighbor was in the township and a road connection would be looked at as part of a rezoning in the future, if and when that property was annexed and rezoned.

Mr. Kirby asked why not now.

Mr. Mayer stated flexibility was still needed for future development patterns.

Mr. Kirby asked if this might be the best time to do this.

Mr. Mayer stated this was a transitional area with many potential uses such as residential and the belief was that the connection was not needed at this time.

Mr. Kirby asked if there was an easement built into the northern boundary of this site, on this side of the lot.

Mr. Mayer asked if that was an easement for a future roadway.

Mr. Kirby stated yes.

Mr. Mayer stated he did not believe it did.

Mr. Kirby stated the next property north would get the road.

Mr. Mayer stated that was correct at this point.

Mr. Kirby asked if it would be possible to request an easement they could promise would not be used until the City had right-of-way on both sides of the northern boundary.

Mr. Mayer stated the PC could request it.

Mr. Kirby stated this may be the best time to determine where it would be best to place the road.

Mr. Schell asked if the PC was able to introduce something like that.

Mr. Kirby stated they could ask and were able to put reasonable conditions on the plan.

Mr. Schell asked if that conversation should not have been had earlier on.

Mr. Mayer stated future use of the area would help determine what type of connection may be needed.

Mr. Wallace stated he believed that what the area would be used for was too uncertain at this time to try to obtain a commitment from the current property owners.

Mr. Cortese stated their development would have very little to no traffic.

Mr. Kirby stated he understood that, but the discussion was more about the need for a road in this area.

Mr. Mayer stated that the view of the road connections had considered which roads would help connect the most sites and offer the most development options.

Mr. Banchevsky stated that as this was a FDP, the PC could ask, but it would be unreasonable to make it a condition of approval at this late stage.

Mr. Kirby stated okay.

Mr. Wallace stated they could ask.

Mr. Shull stated he liked the discussion and they should ask for it.

Mr. Kirby asked the applicant if they would be willing to have an easement that might potentially become a right-of-way for about half a road's width on the site's northern border.

Mr. Cortese stated they were willing to cooperate and be a good neighbor and, as long as it did not impact their use and potential expansion, he did not see any reason they would not cooperate.

Mr. Srba asked why they would put the road on the northern border rather than the southern border.

Mr. Kirby stated it would help circulation.

Mr. Srba stated that meant they were not using the stub at Galdino Drive and it would be harder in the future and would impact his property as he would need to provide space for roads.

Mr. Kirby stated that was within his rights.

Mr. Srba asked why it was too late now to get a road extension from Sauder Road to Galdino Drive.

Mr. Kirby stated that the basis on which a FDP was evaluated was whether it followed the preliminary development plan and, if the answer was yes, they could not now add new requirements.

Mr. Srba stated that meant that by the time the public appeared to discuss an application it would be too late.

Mr. Kirby stated that for that road in the southern location, yes.

Mr. Mayer stated it may appear at this time that Galdino Drive was the most direct road but they also needed to consider future development and connectivity to determine which roads may be best to have.

Mr. Srba stated he brought it up because a road to the west to connect to that stub had been mentioned in the staff report.

Mr. Mayer stated the connection had been mentioned as one possibility that might be available.

Mr. Srba stated it might eventually price them out of being able to develop if they had to support a big road system on their property.

Mr. Kirby stated it could make it more developable and all parties on all sides needed to agree before a road could be placed there.

Mr. Srba stated that on page 5 of the staff report, D7, he believed the zoning text regarding mounding along the northern portion of parcel 220-000596 as stated was incorrect. Mr. Srba said that according to ordinance 0-16-2008, on page 3 of the July 15, 2008 City Council meeting minutes, the zoning text had been amended to add a condition of using typical mounding and landscape soundproofing along Mr. Srba's lot line at the time of development. Mr. Srba stated the only mounding that had been installed had been on the south portion, not the east portion of his lot.

Mr. Mayer stated there was a clause in the zoning text for the Srba property. Mr. Mayer stated it did require that an earth mound of six (6) feet in height be installed and be planked with evergreen trees along a portion of the northern boundary of their property. Mr. Mayer stated it also said the installation of the earth mound may deviate from the requirements, if necessary, to preserve the health of existing trees provided the deviation was approved by the Village's landscape architect.

Mr. Srba stated they would not need to remove trees to add a mound. Mr. Srba said that there was nothing within ten (10) feet of his property line when he walked it and there was room for mounding and that was what was approved in the ordinance, and that was what he was asking be enforced.

Mr. Shull asked Mr. Mayer to show where the mounding would be.

Mr. Mayer showed the area on the screen.

Mr. Kirby asked if Mr. Srba's point was that on the applicant side of the property line there were not many trees.

Mr. Srba stated most of the trees were on his property.

Mr. Kirby asked the applicant if they had any knowledge of where trees were on the lot in that area.

Mr. Spence stated he did not believe they had reviewed the number of trees there. Mr. Spence stated he thought they wanted to plant there to meet opacity and staff recommendations there.

Mr. Kirby asked if both adding more trees or mounding would be acceptable.

Mr. Spence stated yes.

Mr. Srba stated he was requesting the following five (5) items be a condition of approval: (1) mounding and 75% opacity plantings required by ordinance 0-16-2008 now be completed by continuing the east end of the existing mound to the north, along the Srba eastern lot line adjacent to subarea 3 and for that to be done at the very beginning of the project as it should have already been in place; (2) that expired plantings on the current mound be replaced to meet the original 75% opacity specifications; (3) the west elevation equipment screening wall be extended to the north elevation wall screening wall at the same height so there was no noise reflection from equipment off a higher building wall and to direct any equipment exhaust pipes and stacks to the south or up, away from residential; (4) before and after construction sound levels be recorded and documented by a certified professional at a variety of times during the day and evening to confirm that the actual sound emissions offsite were not excessive, with results made available to staff and Mr. Srba and, if additional equipment was added or the facility was expanded, this should be repeated; (5) require an east road connection on the southern portion of the applicant's lot that would be centrally located toward Galdino Drive.

Mr. Kirby stated thank you.

Mr. Srba stated he wanted to thank staff for their assistance.

Mr. Cortese stated they would agree to cooperate with all reasonable conditions as long as it would not impact their current use or future development or expansion on this property.

Mr. Wallace stated it was key they agreed to keep cooperating as long as their ability to expand on their own property or interfere with current operations was not impacted.

Mr. Spence asked if an easement for roads would impact their current building setback requirements.

Mr. Kirby stated that if the plan meet the required conditions adding the roads now would not change that.

Mr. Spence stated that as long as their current setbacks would not change as far as their buildable area, that would be fine.

Mr. Cortese stated he thought that succinctly stated the issue, they did not want to give up those rights.

Mr. Kirby stated a road could not change the rights currently there. Mr. Kirby asked what landscape they wanted to see on the line that ran north-south on the Srba property line.

Mr. Mayer stated the zoning text said mounding was the default but it allowed deviation where existing trees existed.

Mr. Kirby asked who decided.

Mr. Wallace asked who determined the deviation.

Mr. Mayer stated it indicated it would be approved by the City landscape architect.

Mr. Srba stated Mayor Ferguson had approved the ordinance based on certain conditions.

Mr. Kirby asked what the existing zoning was in case there had been any changes.

Mr. Wallace stated he thought Mr. Srba was indicating there might be a discrepancy between what City Council approved and what the zoning said.

Mr. Mayer stated staff used zoning text dated July 9, 2008, which he believed was the most recent.

Mr. Kirby stated this was then a zoning issue which should go to City Council to be addressed.

Mr. Banchevsky stated he believed the issue was that there might be a mistake in the current zoning text which had been done in 2008. Mr. Banchevsky stated the ability to challenge Council action went away after a year. Mr. Banchevsky stated he believed the only answer was to request that the property be rezoned.

Mr. Kirby stated the applicant had agreed to do either of two options and were free to fix the mistake.

Mr. Banchevsky stated as long as it was consistent with the zoning text.

Mr. Mayer stated the zoning text said the default along the Srba property was a mound and deviations from that could be approved by the Village's landscape architect if there were existing trees within there.

Mr. Kirby stated the Village landscape architect should check the area for trees and mounding.

Mr. Spence stated they were happy to mound if that was preferred.

Mr. Kirby asked who would maintain the existing mounds.

Mr. Mayer stated it was a Code enforcement issue.

Mr. Kirby stated the applicant would put in and maintain the mound. Mr. Kirby stated all walls should be the same height on what was labeled as the south elevation.

Mr. Cortese indicated Mr. Spence had indicated all walls would be taller than the equipment they were in front of.

Mr. Spence stated they were willing to provide sight and sound screening and work with staff on that.

Mr. Kirby asked if they agreed to record sound before and after.

Mr. Cortese stated no objection.

Mr. Kirby stated the applicant should determine the right wall height to ensure that happened.

Mr. Cortese asked the distance from Mr. Srba's property line to the building.

Mr. Spence stated it was about 100 feet.

Mr. Cortese stated he felt they could work with that.

Mr. Kirby stated the walls could not be shorter and it was up to the applicant to make them fit the requirement on sound.

Mr. Cortese stated okay.

Mr. Srba stated the applicant had agreed to mounding and that was what he preferred.

Mr. Kirby asked if there were any comments from the public on Zoom.com.

Moved by Mr. Kirby to accept the staff reports and related documents into the record for FDP-64-2021, seconded by Mr. Wallace. Upon roll call vote: Mr. Kirby, yea; Mr. Wallace, yea; Mr. Schell, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0 vote.

Moved by Mr. Kirby to approve FDP-64-2021 based on the findings in the staff report, with the conditions listed in the staff report and the following additional conditions:

11. The Applicant and the Village will come to agreeable language for the commitment on the northern property line regarding a potential future road which should not impact the implementation of this FDP, including its future expansion, on this property in terms of setbacks, etc.;
12. Address the mounding, particularly on the Srba's property line;
13. A recording of sound levels before and after and remedial measures might be needed if the walls are not sufficient to block the sound to meet those levels;

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

FPL-66-2021 Final Plat

Final plat for the dedication of public right-of-way for Ganton Parkway East Phase II located on the east side of Beech Road and south of Worthington Road.

Applicant: City of New Albany

Mr. Christian presented the staff report.

Mr. Kirby asked if there was any engineering on this.

Mr. Herskowitz stated there were no comments at this time.

Mr. Kirby asked if any members of the public had any comments. (No response.)

Moved by Mr. Kirby to accept the staff reports and related documents into the record for FPL-66-2021, seconded by Mr. Schell. Upon roll call vote: Mr. Kirby, yea; Mr. Schell, yea; Mr. Wallace, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0 vote.

Moved by Mr. Wallace to approve application FPL-66-2021 based on the findings in the staff report, with the conditions listed in the staff report, subject to staff approval, seconded by Mr. Schell. Upon roll call: Mr. Wallace, yea; Mr. Schell, yea; Mr. Kirby, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 3-0 vote.

Other Business

Mr. Kirby asked if there was any other business.

Mr. Mayer noted that beginning in August all board and commission members and public participants would need to appear in person. The meetings would continue to be streamed so they can be viewed at home, however.

Poll Members for Comment

None.

Mr. Kirby adjourned the meeting at 9:00 p.m.

Submitted by Josie Taylor.

APPENDIX



Planning Commission Staff Report July 21, 2021 Meeting

VERIZON WIRELESS DATA CENTER FINAL DEVELOPMENT PLAN

LOCATION: A portion of property generally located north of New Albany Road East and east of Souder Road (PID: 222-004464-00).
APPLICANT: Foresite Group LLC
REQUEST: Final Development Plan
ZONING: Infill Planned Unit Development (I-PUD): Souder East Research and Information District, subarea 3
STRATEGIC PLAN: Employment Center
APPLICATION: FDP-64-2021

Review based on: Application materials received June 16 and July 9, 2021

Staff report prepared by Chris Christian, Planner

I. REQUEST AND BACKGROUND

The application is for a final development plan for a proposed Verizon Wireless data center generally located north of New Albany Road East and east of Souder Road on a 14.33 acre site.

This site is located within subarea 3 of the Souder East Research and Information I-PUD zoning district which was reviewed and approved by the Planning Commission on July 7, 2008 (ZC-04-2008) and by City Council on July 15, 2008 (O-16-2008).

II. SITE DESCRIPTION & USE

The 14.33 property is currently undeveloped. The zoning text permits uses included in OCD (Office Campus District) zoning district found in city code including administrative, business and professional offices, warehousing as an ancillary use and data centers. The Nationwide data center is located south of the property and Canine Companions to the west. There are residentially zoned and used properties to the north and east of the site.

III. EVALUATION

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

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

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

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

- a. *Ensure that future growth and development occurs in general accordance with the Strategic Plan;*
- b. *Minimize adverse impacts of development on the environment by preserving native vegetation, wetlands and protected animal species to the greatest extent possible*
- c. *Increase and promote the use of pedestrian paths, bicycle routes and other non-vehicular modes of transportation;*
- d. *Result in a desirable environment with more amenities than would be possible through the strict application of the minimum commitment to standards of a standard zoning district;*
- e. *Provide for an efficient use of land, and public resources, resulting in co-location of harmonious uses to share facilities and services and a logical network of utilities and streets, thereby lowering public and private development costs;*
- f. *Foster the safe, efficient and economic use of land, transportation, public facilities and services;*
- g. *Encourage concentrated land use patterns which decrease the length of automobile travel, encourage public transportation, allow trip consolidation and encourage pedestrian circulation between land uses;*
- h. *Enhance the appearance of the land through preservation of natural features, the provision of underground utilities, where possible, and the provision of recreation areas and open space in excess of existing standards;*
- i. *Avoid the inappropriate development of lands and provide for adequate drainage and reduction of flood damage;*

- j. *Ensure a more rational and compatible relationship between residential and non-residential uses for the mutual benefit of all;*
- k. *Provide an environment of stable character compatible with surrounding areas; and*
- l. *Provide for innovations in land development, especially for affordable housing and infill development.*

Engage New Albany Strategic Plan Recommendations

The Engage New Albany Strategic Plan lists the following development standards for the Employment Center future land use category:

- 1. No freeway/pole signs are allowed.
- 2. Heavy landscaping is necessary to buffer these uses from adjacent residential areas.
- 3. Plan office buildings within the context of the areas, not just the site, including building heights within development parcels.
- 4. Sites with multiple buildings should be well organized and clustered if possible.
- 5. All office developments are encouraged to employ shared parking or be designed to accommodate it.
- 6. All office developments should plan for regional stormwater management.
- 7. All associated mechanical operations should be concealed from the public right-of-way and screened architecturally or with landscape in an appealing manner.
- 8. Any periphery security should integrate with the existing landscape and maintain and enhance the character of the road.
- 9. Combined curb cuts and cross-access easements are encouraged.
- 10. The use of materials, colors and textures to break up large scale facades is required.

A. Use, Site and Layout

- 1. The applicant is proposing the first, 53, 726.2 +/- sq. ft. phase of a Verizon Wireless data center on the 14.33 acre site. The proposed use is appropriate for this location in the New Albany Business Park and is permitted in the zoning text. Any additional development will require a new final development plan application to be reviewed and approved by the Planning Commission.
- 2. The Nationwide data center is located south of the property and the Canine Companions site to the west. There are residentially zoned and used properties located to the east and north of the development site.
- 3. C.O. 1165.06(b)(1) and (2) require an 8 foot wide leisure trail to be installed along Souder Road and it is being met as there is an existing 8-foot-wide leisure trail along the site’s frontage.
- 4. Zoning text section IV(E)(7) states that the maximum lot coverage is 70% which includes all proposed pavement and buildings. The applicant states that the current lot coverage will be 26.5% with the first phase of development and 58.6% at full build out, therefore this requirement is met.
- 5. The PUD zoning text requires the following setbacks:

Perimeter Boundary	Required Setback	Proposed Setback
Souder Road	30-foot building and pavement	158+/- pavement [requirement met] 476.4+/- building [requirement met]
Eastern Boundary	50-foot building and pavement	215.2 +/- pavement [requirement met] 325.2 +/- building [requirement met]
Northern Boundary	50-foot building and pavement	50 +/- pavement [requirement met] 98 +/- building [requirement met]
Southern Boundary	15-foot building and pavement	20 +/- pavement [requirement met] 326.4 +/- building [requirement met]

6. The applicant indicates that the onsite stormwater will be conveyed to an onsite stormwater basin at the southwest corner of the site, adjacent to Souder Road.

B. Access, Loading, Parking

1. Zoning text section IV(G)(3) permits a maximum of one full service curb cut on Souder Road within this subarea and any additional curb cuts must be reviewed and approved by the Planning Commission as part of a final development plan application. The applicant proposes one curb cut along Souder Road thereby meeting this requirement however, any future additional curb cuts within this subarea will require Planning Commission approval. There will be a 24-foot-wide drive aisle, providing circulation around the entire building.
2. The Engage New Albany Strategic Plan envisions a future public street connection along the north side of this site to connect into the existing portion of Souder Road and east to connect to the existing Galdino Drive stub in the Upper Clarenton subdivision. This street connection and alignment will be evaluated with future rezoning and development plan submittals.
3. City parking code section 1167.05(d)(18) states that one off street parking space is required for each employee on the main shift. There are typically 10 of employees on the main shift and the applicant is providing 49 parking spaces. Therefore this requirement is being met. The proposed parking spaces will be located in front of the building.
4. According to C.O. 1167.06(a)(3) the applicant is required to provide 3 off street loading spaces and this requirement is being met with 6 provided on site.
5. Per C.O. 1167.03(a) the minimum parking space dimensions required are 9 feet wide and 19 feet long and the applicant is meeting this requirement.
6. Per C.O. 1167.03(a) the minimum maneuvering lane width size is 22 feet for this development type. The applicant proposes to install a 24 foot maneuvering lane around the proposed building and parking areas therefore this requirement is being met.
7. Zoning text section IV(G)(4) states that bicycle parking shall be provided within reasonable distances of all buildings as approved as part of a final development plan application. There are no proposed bicycle parking spaces on the plan and staff recommends that they be added near the front entrance to the site, final location subject to staff approval.

C. Architectural Standards

1. The zoning text states that all building elevations that are visible from public rights-of-way shall receive similar treatment in terms of style, materials and design so such elevations are not of a lesser visual character than any other. Additionally, the text requires a comparable use of materials on all building elevations. All proposed building materials are being used on all elevations of the building, therefore these requirements are being met. The proposed building is designed in a simple, contemporary form and is consistent with other data centers in the immediate area.
2. The zoning text permits the following exterior materials:
 - Traditional materials such as wood, stone, brick and concrete. Contemporary materials such as metal, aluminum, glass, hardiplank are also permitted. The text prohibits the use of mirrored or reflective glass and allows EIFS to be used for accent elements.
 - The building material requirements of the zoning text are being met. The applicant submitted a building material sample board along with proposed building elevations. The plans demonstrate that different colors of brick will be used as the primary building material and EIFS are used as accent elements for the cornice lines as well as above door entryways.
3. Zoning text section IV(F)(1) states that the maximum building height is 45 feet and that architectural elements such as parapets and monitors may exceed this height limitation. The proposed building height is 20 feet therefore this requirement is being met.

4. C.O. 1144.04(m) states that any external mechanical equipment shall be totally screened from all public roads and/or adjacent properties from ground level in a manner that provided 100% opacity screening, including rooftop equipment. There is proposed ground mounted equipment located adjacent to the building and the applicant proposes to install a screen wall around the perimeter of the building at varying heights to provide 100% opacity screening. There are no rooftop mechanical units shown on the submitted plans.
 - a) In more recent employment center zoning texts, the Planning Commission has included additional requirements that such screening shall be provided for sight and sound for mechanical equipment. In preliminary meetings with the applicant, they indicate that the ground mounted equipment will also be enclosed within a container that will buffer the sound generated. Based on the information provided by the applicant and the addition of a ground screen wall, it appears that the typical New Albany Business Park requirements are being met however, staff recommends a condition of approval that the applicant provide the height of the proposed ground mounted and any roof mounted mechanical equipment in relation to the height of the proposed screen walls and that they be 100% screened for sight and sound.
5. DGR Section 6(I)(A)(6) states that all visible elevations of a building must receive similar treatments in style, materials and design so that no visible side is of a lesser character than any other. The applicant is meeting this requirement by using the same materials on all building elevations.
6. DGR Section 6(I)(A)(12) states that buildings shall have active an operable front doors along all public and private streets. The building is designed with an active and operable front door along Souder Road therefore this requirement is being met.
7. C.O. 1171.05(b) states that all trash and garbage container systems must be screened, not be located in front yards and meet the minimum required pavement setbacks. The applicant proposes to install a dumpster enclosure along the eastern boundary of the site at the rear of the building, within the pavement setbacks with the dumpster enclosure using the same brick that is used on the building.

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

1. Per C.O. 1171.05(e), a minimum of one tree per 5,000 feet of ground coverage is required. The plans indicate a total ground coverage of 143,146 sq. ft., therefore 29 trees are required and the 29 are proposed to be installed near the parking lot and around the stormwater basin. The city landscape architect reviewed the proposal and recommends that the proposed tree planting around the stormwater basin be randomized in order to appear more natural and staff recommends that this be a condition of approval.
2. Per C.O. 1171.06(a)(3) a minimum of one deciduous tree is required to be planted for every 10 parking spaces. There are 49 parking spaces shown on the plan, therefore 5 trees are required to be planted within the parking lot and 5 are proposed.
3. Per zoning text section IV(H)(2)(A) one street tree is required to be planted every 30 feet on center along Souder Road and be a minimum of 2.5 to 3 inches in caliper. The property has 347.20 feet of frontage along Souder Road therefore 12 street trees are required to be planted ($347.20/30= 11.57$). The applicant proposes to install 11 street trees and staff recommends a condition of approval that a total of 12 street trees must be planted.
4. Per C.O. 1171.06(a)(2) a minimum of 5% of the overall parking area must be landscaped. The applicant is exceeding this requirement by providing 5.83% landscape area within the parking areas.
5. Per C.O. 1171.06(b) parking lots are required to be screened from primary streets, residential areas and open space by a minimum 3.5-foot-tall evergreen hedge or masonry wall and this requirement is met with a combination of landscape planting and a screen wall.
6. Per C.O. 1171.05(C) requires landscape screening to be installed between commercial and residentially zoned properties, planted no closer than 3 feet to any property line that will

provide 75% opacity screening and be 10 feet tall within 5 years of planting. There are residentially zoned properties along the along the northern and eastern boundaries of this site, therefore this requirement applies. It appears that this requirement is being met along the northern and eastern property lines where residentially zoned and used land abuts this property. There are existing trees and landscaping along the northwestern property line which is also residentially zoned and used and staff recommends that additional planting is added along this property line in order to achieve 75% opacity screening, subject to the review and approval of the city landscape architect.

7. Zoning text IV(H)(3) states that a 6-foot-tall mound shall be installed along the northern border of this subarea along parcel number 220-000596 with evergreen and/or deciduous trees installed at a rate of 12 trees per 100 linear feet. This requirement is met as this was installed along the northern property line when Souder Road was extended.
8. The City Landscape Architect reviewed the proposal and provided the following comments. Staff recommends a condition of approval that the Landscape Architect's comments are addressed, subject to staff approval.
 - New Albany zoning requires screening adjacent to residential properties. The screening must achieve 75% opacity within 5 years of installation. Install random massings of large deciduous shade trees and/or evergreen trees along the northern and eastern property lines to meeting this code requirement. Deciduous trees should be between 2-3 inch caliper at installation with no more than 50% being 2 inch caliper. Evergreen trees should be between 6-8 feet at installation with no more than 50% being 6 feet tall.
 - Install random massing of large deciduous shade trees along and around the proposed retention pond and in front of mobile asset parking area for a more naturalized edge condition.
 - Include more diversity within the tree schedule. For deciduous trees: consider oaks, maples and beeches. For evergreens: consider spruce and pines. There is a preference for native species when possible.

E. Lighting & Signage

1. The applicant did not include any proposed signage as part of the application. Staff recommends a condition of approval that any future signage be subject to staff approval and must be the city sign code requirements.
2. The zoning text contains various requirements related to onsite including but not limited to the following. The applicant did not submit a detailed photometrics plan for this specific site but provided examples from other Verizon data center sites. In order to ensure these requirements are met, staff recommends a condition of approval that a detailed photometric plan be submitted showing zero or near zero candle foot light intensity at the property lines and that all other zoning text requirements related to lighting are met.
 - Zoning text section IV(I)(1) requires all parking lot lights to be cut-off and downcast
 - Zoning text section IV(I)(3) requires all light poles to be no taller than 30 feet and be black or New Albany Green.
 - Per zoning text section IV(I)(7), flood lighting of buildings or landscaping is prohibited, except where required for employee security.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the application and provided the following comments. These comments can also be found in a separate memo attached to this staff report. Staff recommends a condition of approval that the comments of the city engineer are addressed, subject to staff approval.

1. Refer to Exhibit A. Add the notes and signature block depicted on this Exhibit to the cover sheet of the final development plan.

2. We will evaluate storm water management, sanitary sewer collection and roadway construction related details once construction plans become available

V. RECOMMENDATION

Staff recommends approval of the Verizon Wireless data center final development plan as it meets the Employment Center development standards found in the Engage New Albany Strategic Plan. The proposed use is appropriate based on its location in the New Albany Business Park and close proximity to similar uses. The proposed building design is simple and contemporary, matching the design of other data centers in the immediate vicinity. There are residentially zoned and used properties to the north and east of the site and the applicant is providing appropriate screening along those property lines as required by city code.

As the New Albany Business Park has grown, the Planning Commission has included additional requirements in more recent zoning texts to ensure that screening for rooftop and ground mounted mechanical equipment is provided for both sight and sound particularly in areas where adjacent residential properties exist in order to be sensitive in transitioning areas. The applicant is committing to these principles and in addition to providing screen walls, the site has been designed in a way so that existing trees and landscape along property lines can be used to provide additional buffering between dissimilar uses meeting city code requirements. Staff is supportive of the tree preservation and has a condition of approval that additional landscaping be added to the area, if needed, to ensure the screening requirements are met. The city landscape architect will review the landscape plan to ensure the properties lines to the north and east also meet the 75% opacity screening requirements.

V. ACTION

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

Move to approve final development plan application FDP-64-2021, subject to the following conditions:

1. Any additional development will require a new final development plan application to be reviewed and approved by the Planning Commission.
2. All ground mounted and rooftop equipment must be screened 100% for sight and sound.
3. Bicycle parking must be added near the front entrance to the site, final location subject to staff approval.
4. Landscape screening must be added to the northwest property line that achieves 75% opacity screening, subject the review and approval of the city landscape architect.
5. Tree planting around the stormwater basin must be naturalized.
6. A total of 12 street trees must be installed along Souder Road.
7. The city landscape architect comments must be addressed, subject to staff approval.
8. Any future site signage is subject to staff approval.
9. A detailed photometrics plan must be submitted showing zero or near zero candle foot light intensity along all property lines and all other zoning text lighting requirements must be met.
10. The city engineer comments must be addressed, subject to staff approval.

Approximate Site Location



Source: Google Earth


NEW ALBANY
COMMUNITY CONNECTS US
Planning Commission Staff Report
July 19, 2021 Meeting

**GANTON PARKWAY EAST PHASE II
PRELIMINARY AND FINAL PLAT**

LOCATION: Generally located east of Beech Road and south of Worthington Road (portion of PID: 094-107106-00.000).
APPLICANT: City of New Albany
REQUEST: Preliminary and Final Plat
ZONING: Limited General Employment (L-GE)
STRATEGIC PLAN: Mixed Use
APPLICATION: FPL-66-2021

Review based on: Application materials received June 21, 2021.

Staff report completed by Chris Christian, Planner.

III. REQUEST AND BACKGROUND

The application is for a combined preliminary and final plat for dedication of right-of-way for the second and final phase of Ganton Parkway East. On October 16, 2017 the Planning Commission approved a final plat for the first 1,800 foot section of this road (FPL-67-2017). The proposed plat will allow for the construction of a public road that will complete the connection from Beech Road up to Worthington Road as recommended in the Engage New Albany Strategic Plan and will provide access to existing and new development sites in the future.

II. SITE DESCRIPTION & USE

The proposed right-of-way dedication will allow for the extension of an existing portion of Ganton Parkway East up to Worthington Road in Licking County within the New Albany International Business Park. The proposed plat area has served as temporary access for the Facebook site during its initial phase of construction while the main entry drives were under construction. 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.

III. PLAN REVIEW

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 dedicates right-of-way to the City of New Albany for the completion of Ganton Parkway East and matches the alignment of the existing portion of the road.
- The Ganton Parkway East phase 2 dedication extension consists of approximately 1,832 +/- feet of new right-of-way east of Beech Road for a total of 3.28 acres.
- This proposed street dedication location is identified as a connection in the Engage New Albany Strategic Plan and will provide roadway connection to existing and new development sites in the immediate area.

- This plat right-of-way width is designed to accommodate current and future traffic and provide additionally means of access to and from current and future development in this area.
- There are no reserves being platted or lots being created within this new road extension.
- The plat dedicates 78' of right-of-way. There is an existing 30 foot easement on the west side of the right-of-way area to ensure all of the desired street improvements and utilities can be accommodated. Ganton Parkway East is identified as a Business Park road character classification in the Engage New Albany Strategic Plan. The 78 feet of right-of-way plus 30 feet of easement, totaling, 108 feet, is consistent with the 67-115 foot recommendation in the strategic plan.

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IV. ENGINEER’S COMMENTS

The City Engineer has reviewed the referenced plan and has no comments.

V. RECOMMENDATION

Basis for Approval:

The proposed road plat is consistent with the goals and objectives found in the New Albany Strategic Plan for this area. This road will serve as a critical connection within the New Albany Business Park and provide access for existing and new development sites in the future.

VI. ACTION

Suggested Motion for FPL-66-2021 (conditions may be added):

Move to approve FPL-66-2021.

Approximate Site Location:



Source: Google Earth