


New Albany Planning Commission
August 16, 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 7:00 p.m.

Those answering roll call:

| | |
|----------------------------------|---------|
| Mr. Neil Kirby, Chair | Present |
| Mr. David Wallace | Absent |
| Mr. Hans Schell | Present |
| Ms. Andrea Wilttrout | Present |
| Mr. Matt Shull (Council liaison) | Present |

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

Moved by Mr. Schell, seconded by Mr. Kirby to approve the July 19, 2021 meeting minutes. Upon roll call: Mr. Schell, yea; Mr. Kirby, yea; Ms. Wilttrout, abstain. Yea, 2; Nay, 0; Abstain, 1. Motion passed by a 2-0-1 vote.

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

Mr. Christian stated none from staff.

Mr. Kirby swore Mr. Aaron Underhill 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.)

ZC-65-2021 Zoning Change

Rezoning of 27.334+/-acres from Agricultural (AG) to Limited General Employment (L-GE) generally located north of Innovation Campus Way and west of Mink Street for an area to be known as the Innovation East Zoning District (PIDs: 037-112188-00.003 and 037-112188-00.001).

Applicant: MBJ Holdings LLC, c/o Aaron Underhill

Mr. Christian presented the staff report.

Mr. Kirby asked if the slide currently on screen was from the New Albany Strategic Plan.

Mr. Christian stated yes.

Mr. Kirby stated it showed a road running north-to-south, but noted it would not be possible at this time because there was a building west of this parcel.

Mr. Mayer stated the image on the slide was based on modeling conducted in 2019 but it was now believed a connection would be better on Mink Street.

Mr. Kirby asked if there were any Engineering comments on this application.

Mr. Herskowitz stated not at this time.

Mr. Kirby asked for the applicant's comments.

Mr. Aaron Underhill, for the applicant, discussed the application and future development in the area.

Ms. Wiltrout asked why the applicant was only developing part of one parcel.

Mr. Underhill stated there were contractual issues with a current landowner.

Ms. Wiltrout asked if there would be any screening or other protective provisions that would be proposed.

Mr. Underhill stated that depending on the zoning they would need to install mounding and landscaping.

Ms. Wiltrout stated the property owner would then be protected under the proposed text.

Mr. Schell asked if the parcel was in contract or under negotiation.

Mr. Underhill stated it was in contract.

Mr. Schell stated it would not normally be good to do it in pieces.

Mr. Underhill stated it was due to timing issues.

Mr. Kirby asked if the plan was to integrate this as far north as possible, possibly even to Jug Street.

Mr. Underhill stated correct.

Mr. Mayer stated the City also requested phases so that a future rezoning would have a right of way or easement at that time to help with future road planning.

Mr. Kirby stated that depending on whether the property was looked at as a whole or not altered the preferred road access.

Mr. Underhill stated correct.

Mr. Kirby asked if this parcel was not currently involved in a right-of-way dedication to Mink Street.

Mr. Mayer stated this involved a dedication to Mink Street, but no right-of-way commitment for the conceptual road shown in white on a prior slide in the presentation.

Mr. Underhill stated they were giving additional right-of-way to Mink Street.

Mr. Kirby stated that the limitation text, on page 5 in Access and Street Improvements, discussed entrances from Mink Street.

Mr. Underhill stated that was an oversight and they could strike that.

Mr. Kirby stated okay, but noted that paragraph B picked it up again.

Mr. Underhill stated they would not have any entrances on Mink Street.

Mr. Kirby asked if they would then improve Mink Street but did not expect to have curb cuts to Mink Street.

Mr. Underhill stated correct.

Mr. Kirby asked if the City had a plan if Mink Street needed to be improved and there were still residences along the way.

Mr. Mayer stated that historically they had obtained sufficient right-of-way to make improvements. Mr. Mayer stated that in this case they were committing approximately sixty (60) feet of right-of-way and an additional fifty (50) feet of easement for improvements and streetscape.

Mr. Kirby stated that the parcel directly south of this was not under the developers control.

Mr. Mayer stated that was correct and, if and when street improvements would be needed, the City would need to go to that property owner and work with them for additional right-of-way or easements.

Moved by Mr. Kirby to accept the staff reports and related documents into the record for ZC-65-2021, seconded by Ms. Wiltrout. Upon roll call: Mr. Kirby, yea; Ms. Wiltrout, yea; Mr. Schell, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0 vote.

Moved by Ms. Wiltrout to approve ZC-65-2021 based on the findings in the staff report, with the conditions listed in the staff report, seconded by Mr. Schell. Upon roll call: Ms. Wiltrout, yea; Mr. Schell, yea; Mr. Kirby, yea. Yea, 3; Nay, 0; Abstain, 0. Motion passed by a 3-0 vote.

Other Business

Mr. Kirby asked if there was any other business.

Mr. Christian stated no.

Poll Members for Comment

None.

Mr. Kirby adjourned the meeting at 7:20 p.m.

Submitted by Josie Taylor.

APPENDIX



Planning Commission Staff Report August 16, 2021 Meeting

INNOVATION EAST ZONING DISTRICT ZONING AMENDMENT

LOCATION: Generally located north of Innovation Campus Way and west of Mink Street (PIDs: 037-112188-00.003 and 037112188-00.001)
APPLICANT: MBJ Holdings LLC, c/o Aaron Underhill
REQUEST: Zoning Amendment
ZONING: AG Agricultural to L-GE Limited General Employment
STRATEGIC PLAN: Employment Center
APPLICATION: ZC-65-2021

Review based on: Application materials received on July 26 and zoning text dated August 10, 2021.
Staff report completed by Chris Christian, Planner.

I. REQUEST AND BACKGROUND

The applicant requests review and recommendation to rezone 27.334 +/- acres. The applicant proposes to create a new limitation text in the Licking County portion of the New Albany Business Park. This area will be known as the Innovation East Zoning District, and will be zoned Limited General Employment (L-GE). The property is located directly north of the Mink Interchange I-PUD zoning district where the same L-GE uses are permitted to be developed. The proposed limitation text meets the intent of the Strategic Plan's Employment Center land use category by providing compatible general employment uses permitted in the surrounding area.

This new text contains the same list of permitted, conditional, and prohibited General Employment uses as the existing Mink Interchange I-PUD zoning district, located directly south of this site. Personal service and retail product sales and services are only allowed as accessory uses to a permitted use in this zoning district. Other development standards of the text are almost identical to the surrounding L-GE zoning districts within the Licking County Business Park.

II. SITE DESCRIPTION & USE

The overall 27.334 +/- acre site consists of one parcel, a portion of another and is located in Licking County. The site has frontage on Mink Street and is generally located north of Innovation Campus Way and west of Mink Street. An annexation petition was filed with the city on June 22, 2021 and is scheduled for its first reading at New Albany City Council on September 7, 2021, and second reading on September 21, 2021.

C.O. 1111.02 allows a change in zoning to be initiated by motion of Council, or by motion of the Planning Commission. The immediate neighboring zoning districts include the Harrison East L-GE

zoning district to the west, the Mink Interchange I-PUD zoning district to the south and unincorporated residential located to the south, east and north. The site is currently vacant.

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

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 context of the area, 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 corridor.
9. Combined curb cuts and cross-access easements are encouraged.
10. The use of materials, colors, and texture to break up large scale facades is required.

B. Use, Site and Layout

1. The applicant proposes the same development standards from nearby L-GE zoning districts within the Personal Care and Beauty Campus. The immediate neighboring zoning districts include the Harrison East L-GE zoning district to the west, the Mink Interchange I-PUD zoning district to the south unincorporated residential properties located to the south, east and north
2. This district has the same list of permitted, conditional, and prohibited General Employment uses as the neighboring Mink Interchange I-PUD zoning district and the surrounding Personal Care and Beauty Campus. The Personal Care and Beauty Campus is where companies such as Anomatic, Accel, Axium, and Veepak are located.
3. The proposed zoning text is a limitation text. A limitation text can only establish more restrictive requirements than the zoning code.

4. The limitation text allows for general office activities, data centers, warehouse & distribution, manufacturing and production and research & production uses. Personal service and retail product sales and services are only allowed as accessory uses to a permitted use in this zoning district.
5. Conditional uses include car fleet and truck fleet parking, and industrial manufacturing and assembly.
6. Prohibited uses include industrial product sales and services, mini-warehouses, off-premises signs, vehicle services, radio/television broadcast facilities off-premises signs, and sexually oriented business.
7. The text establishes the following setbacks which are consistent with those established in surrounding L-GE zoning districts:

| Perimeter Boundary | Pavement Setback | Building Setback |
|--------------------------------|--|--|
| Mink Street | 50 feet | 100 feet |
| All Other Perimeter Boundaries | 25 feet *50 feet if adjacent to residential | 25 feet *50 feet if adjacent to residential |

Historically, L-GE zoning districts require larger setbacks along boundary lines that abut properties where residential uses are permitted. These additional setback requirements vary between zoning districts and are meant to provide additional space to install the landscape buffering requirements between residential and commercial properties found in city code. There are residentially owned and used properties along the south and north boundaries of this zoning district and the text requires a 50 foot building and pavement setback along these boundaries. Staff is supportive of the proposed setback as it provides adequate space to install the required landscape screening.

8. The text contains the same provision for elimination of setbacks for building and pavement when this zoning district and any adjacent parcel located outside of this zoning district come under common ownership, are zoned to allow compatible non-residential uses, and are combined into a single parcel.
9. Due to the proximity of this site to the State Route 161 interchange and its location adjacent to commercially zoned and used land in the existing Licking County business park to the east, the site appears to be most appropriate for commercial development.

C. Access, Loading, Parking

1. The zoning text states that the number, locations and spacing of curb cuts along public rights-of-way will be determined and approved prior to the issuance of an engineering and building permit.
2. The text requires curb cuts for developments wholly or partially within this Zoning District shall not be permitted along the eastern boundary of this Zoning District on Mink Street. Property within this Zoning District must be combined with adjacent property outside of this Zoning District that has frontage on Innovation Campus Way or another existing or future public street or shared private drive.
3. The text requires 60 feet of right-of-way to be dedicated along Mink Street which is consistent with the Engage New Albany recommendations for this roadway and provides for an additional 50 feet of easements for utilities and streetscape improvements.
4. Parking will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development of the site.
5. The text requires an 8-foot-wide leisure trail to be installed along Mink Street.

D. Architectural Standards

1. The proposed rezoning seeks to implement many of the same or improved standards and limitations set forth in the New Albany Architectural Design Guidelines and Requirements (Chapter 1157).

2. The proposed text maintains a maximum 65 foot building height limitation, consistent with other L-GE zoning texts in the New Albany Business Park.
3. The proposed text contains the same architectural requirements as surrounding business park zoning districts.
4. The City's Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. This zoning text contains specific design requirements for uses not governed by the DGRs, which will ensure the quality design of these buildings.
5. The proposed text contains a requirement for complete, four-sided screening of all roof-mounted equipment for sight and sound. This provision does not apply to solar panels.
6. The proposed text requires all accessory structures, generators, storage tanks, trash receptacles or any other similar improvement to be located behind a building façade that that does not front onto a public road.

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

1. Maximum lot coverage for this subarea is 75%. This matches the surrounding zoning districts.
2. The proposed zoning text contains the same tree preservation language as the neighboring approved Mink Interchange I-PUD zoning text. The text states that standard tree preservation will be in place to preserve and protect trees during all phases of construction.
3. For perimeter boundaries that abut residentially owned and used properties, C.O. 1171.05(C) states that a landscape buffer must be established along property lines to achieve 75% opacity screening and 10 feet in height within 5 years of planting. This requirement is similar to other zoning texts within Licking County where residential uses are adjacent to commercially zoned and used properties. Residential properties exist directly south and north of this site.
4. In order to match the same screening requirements for Licking County Parcel Number 03510749003002 contained in the Mink Interchange Zoning District, the limitation text includes the same mounding and landscaping requirements for this parcel. The text requires a minimum six (6) foot high mound shall be installed along the property line and shall include a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% within 5 years after planting to a total height of 10 feet above ground level unless waived in a writing provided to the City by the owner of said adjacent property.
5. Street trees will be located an average of 1 tree for every 30 feet of road frontage along Mink Street. The trees may be grouped or regularly spaced to create a more natural appearance.
6. Minimum tree sizes and heights for on-site trees match the standards in the surrounding business districts.
7. The text requires the following landscape treatment along Mink Street which is consistent with the requirements of the Mink Interchange I-PUD zoning district:
 - a. Within the required minimum pavement setbacks along Mink Street a minimum of ten (10) deciduous trees shall be installed for every 100 feet of frontage on the public right-of-way. Such trees shall be planted in random locations (i.e., not in rows). No more than 30% of such trees shall be of a single species.
 - b. Where existing healthy and mature trees are found within these pavement setbacks, such trees may be preserved in lieu of installing the trees described in this paragraph, provided that a similar amount of vegetation is being preserved when compared to that which would otherwise be required to be installed.
 - c. A standard New Albany white four-board horse fence may (but shall not be required to) be provided within the public right-of-way.
 - d. Notwithstanding the foregoing and if proposed by the developer, the City's Landscape Architect shall be permitted to approve deviations from the planting requirements that are detailed in the immediately preceding paragraph. Such deviations shall be permitted to provide variations in the landscape treatment of long street frontages, when it is

desirable to create or preserve viewsheds into any portion of the site where architectural or natural features within the site add visual character or aesthetic appeal when viewed from the street, and/or to protect the health of vegetation or the safety of people or property.

- e. Mounding shall be permitted within minimum pavement setback areas from these rights-of-way but not required. When utilized, mounding shall have a minimum height of 3 feet and a maximum height of 12 feet. The slope of mounds shall not exceed 3:1 from the crest of the mound extending toward the private site, and shall not exceed a 6:1 slope from the crest of the mound extending toward the public right-of-way.

F. Lighting & Signage

- 1. *All signage shall conform to the standards set forth in Codified Ordinance Section 1169.*
- 2. *All lighting shall be cut-off type fixtures and down cast to minimize light spilling beyond the boundaries of the site. The maximum height is 30 feet.*
- 3. *The zoning text requires landscape lighting details to be included in the landscape plan which is subject to review and approval by the City Landscape Architect.*

IV. ENGINEER’S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and has no comments.

V. RECOMMENDATION

Basis for Approval:

The proposed rezoning is consistent with the principles of commercial development in the Engage New Albany Strategic Plan and the existing business park in Licking County. The site is located within the Personal Care and Beauty Campus and contains the same development standards as the surrounding zoning districts where L-GE uses are permitted. The landscaping screening requirements found in C.O. 1171.05(c) apply to this property and will provide appropriate screening from nearby residentially owned and used properties in the immediate area, consistent with the landscape screening requirements in surrounding L-GE zoning texts. Additional restrictions and commitments have been provided that are above what the base zoning code would require.

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

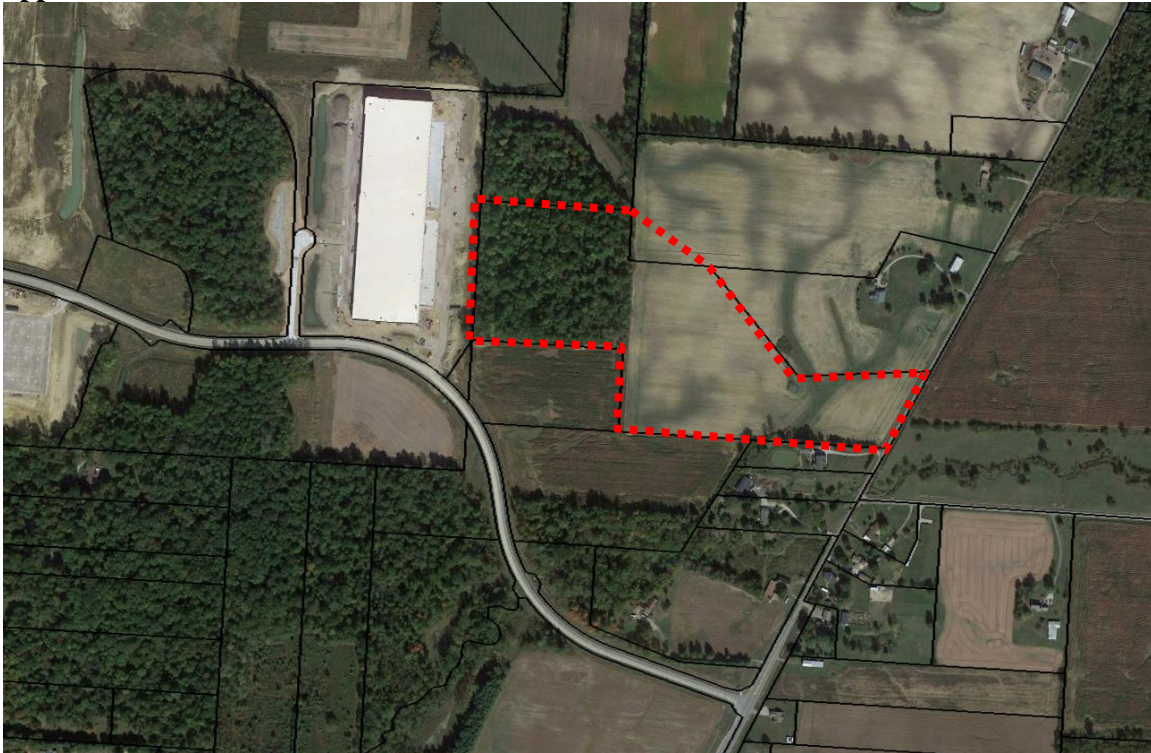
Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

VI. ACTION

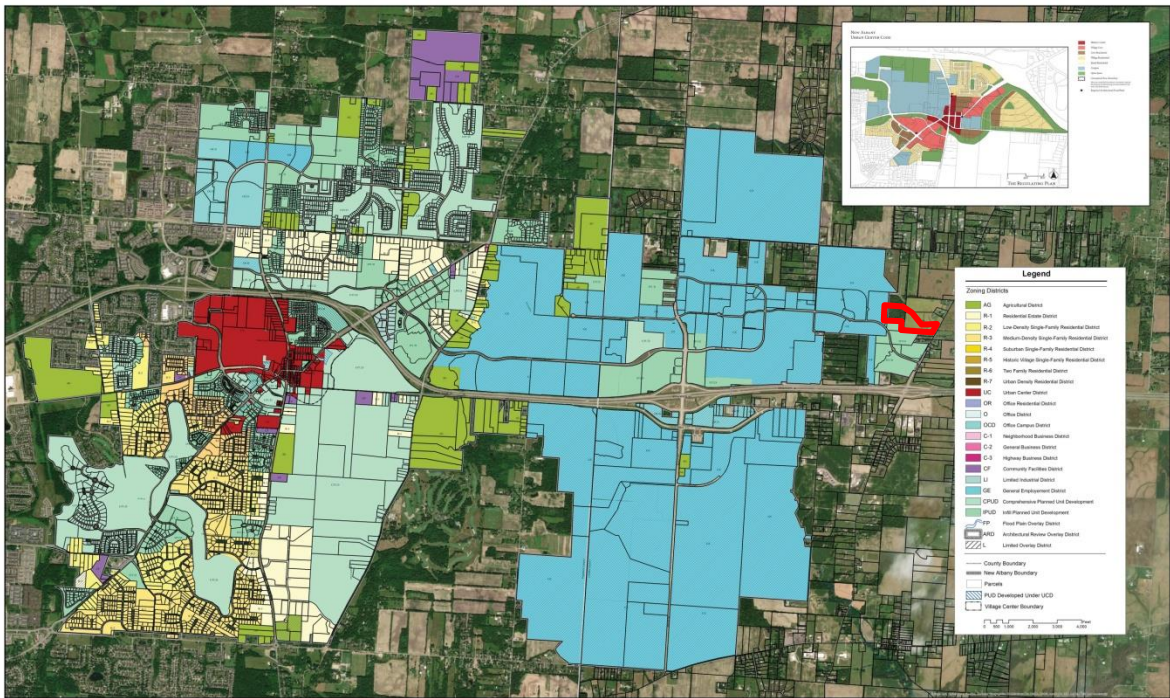
Suggested Motion for ZC-65-2021:

To recommend approval to Council of Zoning Change application ZC-65-2021.

Approximate Site Location:



Zoning Map:



Disclaimer: This map is to be used for reference purposes only and the city of New Albany, Ohio is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided. Please contact the Community Development Department for zoning verification.

NEW ALBANY Official Zoning Map