

New Albany Planning Commission Agenda

Monday, November 15, 2021 7:00pm

Members of the public must attend the meeting in-person to participate and provide comment at New Albany Village Hall at 99 West Main Street. The meeting will be streamed for viewing purposes only via Zoom Webinar. There is no public participation via the Zoom Webinar.

Join this meeting on your computer, tablet or smartphone.

https://us02web.zoom.us/j/89717539281 Or dial in using your phone: 646-558-8656 Access Code/ Webinar ID: 897-1753-9281

Information and directions for logging into this meeting can be found at www.newalbanyohio.org

- I. Call To Order
- II. Roll Call
- **III.** Action of Minutes: October 18, 2021
- IV. Additions or Corrections to Agenda

Swear in All Witnesses/Applicants/Staff whom plan to speak regarding an application on tonight's agenda. "Do you swear to tell the truth and nothing but the truth".

- V. Hearing of Visitors for Items Not on Tonight's Agenda
- VII. Cases:

ZC-105-2021 Zoning Change

Rezoning of 11.751+/- acres from Limited General Employment (L-GE) located at 7270 New Albany-Condit Road for an area to be known as the "Cornerstone Academy Zoning District" (PID: 222-001945).

Applicant: Cornerstone Academy c/o Aaron Underhill, Esq.

- VIII. Other Business
- IX. Poll members for comment
- X. Adjournment



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 7:03 p.m.

Those answering roll call:

Mr. Neil Kirby, Chair
Mr. David Wallace
Present
Mr. Hans Schell
Present
Ms. Andrea Wiltrout
Present
Ms. Sarah Briggs
Present
Mr. Matt Shull (Council liaison)
Present

Staff members present: Steven Mayer, Development Services Coordinator; Chris Christian, Planner; and Josie Taylor, Clerk.

Mr. Shull swore Ms. Briggs in as a member of the Planning Commission.

Moved by Ms. Wiltrout, seconded by Mr. Wallace to approve the September 20, 2021 meeting minutes, as amended per Mr. Kirby's comment regarding the word change from "adaptive" to "active" on additional condition 4 for FDP-83-2021. Upon roll call: Ms. Wiltrout, yea; Mr. Wallace, yea; Mr. Kirby, yea; Mr. Schell, yea; Ms. Briggs, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

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

Mr. Christian stated none from staff.

Mr. Kirby swore all who would be speaking before the Planning Commission (hereafter, "PC") this evening 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.)

FDM-106-2021 Final Development Plan

Modification Final Development Plan Modification to the Oxford subdivision to adjust the planned site orientation of lot 1 at the entry to the subdivision(PID: 222-004696-00). Applicant: Maletz Development LLC, c/o Andrew Maletz

Mr. Christian presented the staff report.

Mr. Kirby asked if the applicant wanted to provide comments.

Mr. Tom Rubey, New Albany Company, reviewed the history of this lot and its development. Mr. Rubey also discussed the design of the home and stated he and Mr. Andrew Maletz, the architect on this project, would be happy to answer any questions.

Mr. Kirby asked if the homes on lots 1 and 20 would look like siblings who shared comment elements but were not identical.

Mr. Rubey stated yes.

Mr. Kirby stated one of the goals was not to back onto US-62. Mr. Kirby asked if there would still be some landscaping between lot 1 and US-62.

Mr. Rubey stated that existed today.

Mr. Kirby stated it was already there.

Mr. Rubey stated it was already there and would be supplemented, but the initial screening was installed when the subdivision went up.

Mr. Kirby asked if the bike path would loop around this lot.

Mr. Rubey stated yes.

Mr. Kirby stated the least architecturally interesting side of the house, the east elevation, faced US-62.

Mr. Rubey stated architecturally they were most concerned with roof forms, the height of roofs, the roof massing, etc. Mr. Rubey stated the mixture of materials, the shutters, and those things were sufficient.

Mr. Schell asked how significant was the landscaping that was there, would it block the house.

Mr. Rubey stated it would still be seen, but it included mature trees and he believed Mr. Maletz was adding landscaping.

Mr. Maletz stated they were adding additional landscaping for screening purposes and were shooting for 50% obscurity on the lot, which is what it had now.

Mr. Schell asked if it would be mostly trees.

Mr. Maletz stated it would be trees, ornamentals, and evergreens.

Mr. Kirby said the additional landscaping should do a good job buffering the lot.

Mr. Rubey stated yes.

Moved by Mr. Kirby to accept the staff reports and related documents into the record for FDM-106-2021, seconded by Ms. Wiltrout. Upon roll call: Mr. Kirby, yea; Ms. Wiltrout, yea; Ms. Briggs, yea; Mr. Schell, yea; Mr. Wallace, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

Moved by Ms. Wiltrout to approve FDM-106-2021 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. Wallace, yea; Ms. Briggs, yea; Mr. Kirby, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

Other Business

Mr. Christian stated the City was redesigning the signs used to indicate a property would be rezoned. Mr. Christian stated the signs would now have a QR code that linked to a part of the website that would show proposed projects and re-zonings.

Ms. Wiltrout asked if the projects on the website would be updated.

Mr. Christian stated they would provide information to help the public find such projects.

Ms. Wiltrout stated it should be easy to find.

Mr. Mayer stated the goal was to make information easier to find.

Mr. Kirby asked if anything could be done about how search engines found things as he had tried to locate zoning maps and had located one from 2017.

Mr. Mayer stated he would speak to the IT Manager and the Chief Communications Officer about this.

Mr. Kirby stated they might want to develop a list of terms likely to be searched on and then use that list to ensure when those searches occurred people would locate the most recent information.

Mr. Mayer stated the City had received notice about a rezoning meeting in December which would occur on December 20th, a holiday week. Mr. Mayer asked PC members to indicate their schedules for that week and if they could attend the meeting.

Poll Members for Comment

None.

Mr. Kirby adjourned the meeting at 7:26 p.m.

Submitted by Josie Taylor.

APPENDIX



Planning Commission Staff Report October 18, 2021 Meeting

OXFORD LOT 1 FINAL DEVELOPMENT PLAN MODIFICATION

LOCATION: NACC Section 29—Oxford—Lot 1 (PID: 222-004696-00).

APPLICANT: Maletz Development LLC, c/o Andrew Maletz

REQUEST: Final Development Plan Modification ZONING: Parcel 226 I-PUD Zoning District

STRATEGIC PLAN: Residential District APPLICATION: FDM-106-2021

Review based on: Application materials received on September 20, 2021.

Staff report completed by Chris Christian, Planner.

I. REQUEST AND BACKGROUND

The applicant requests to modify the final development plan for the Oxford Subdivision located which is regulated by the Parcel 226 I-PUD Zoning Text. The modification proposes to modify the orientation requirements of lot #1.

The original final development plan for this subdivision was approved by Planning Commission on June 16th, 2014. The Final Development Plan requires the houses or architectural features on lots 1 and 20 face each other and share a build-to-line parallel to U.S. 62.

On June 20, 2019, the Planning Commission approved this same exact request for lot 20 (FDM-42-2019). At that time, the proposed floor layout and home design was known for lot 20 and not for lot 1. The Planning Commission determined that it would be more appropriate to evaluate this request for lot 1 once the home was designed for the site, knowing that the applicant would have to return in the future to make the same request that was granted for lot 20.

The applicant is requesting the same final development plan modification that was approved for lot 20 by the Planning Commission—to not require the home on lot 1 to face lot 20 and be parallel to US-62. Instead, the applicant proposes to allow the homes to better relate the homes along Oxford Loop North and the other homes within the subdivision.

II. SITE DESCRIPTION & USE

The subdivision is located north of Morse Road, west of Johnstown Road, south of Temple Beth Shalom, and east of the Rocky Fork Creek in Franklin County. The subdivision has thirty lots, with 19 homes currently built or under construction. The site borders an agricultural parcel and the Rocky Fork Creek to the west and the remainder of the surrounding land is residential.

III. PLAN REVIEW

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): That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;

- (a) That the proposed development is in general conformity with the Strategic Plan/Rocky Fork-Blacklick Accord or portion thereof as it may apply;
- (b) That the proposed development advances the general welfare of the Municipality;
- (c) That the benefits, improved arrangement and design of the proposed development justify the deviation from standard development requirements included in the Zoning Ordinance;
- (d) Various types of land or building proposed in the project;
- (e) 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;
- (f) Traffic and circulation systems within the proposed project as well as its appropriateness to existing facilities in the surrounding area;
- (g) Building heights of all structures with regard to their visual impact on adjacent facilities;
- (h) Front, side and rear yard definitions and uses where they occur at the development periphery;
- (i) Gross commercial building area;
- (j) Area ratios and designation of the land surfaces to which they apply;
- (k) Spaces between buildings and open areas;
- (l) Width of streets in the project;
- (m) Setbacks from streets;
- (n) Off-street parking and loading standards;
- (o) The order in which development will likely proceed in complex, multi-use, multi-phase developments;
- (p) The potential impact of the proposed plan on the student population of the local school district(s);
- (q) The Ohio Environmental Protection Agency's 401 permit, and/or isolated wetland permit (if required);
- (r) 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.

A. Engage New Albany Strategic Plan

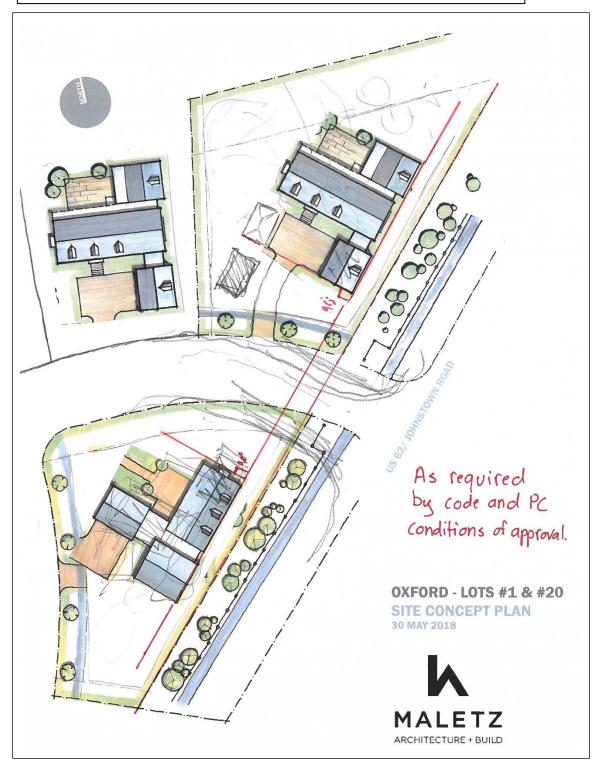
The site is located within the Residential District future land use district. The Engage New Albany Strategic Plan lists the following development standards for the Residential District:

- Organically shaped stormwater management ponds and areas should be incorporated into the overall design as natural features and assets to the community.
- Houses should front onto public open spaces and not back onto public parks or streets.
- All or adequate amounts of open space and parkland is strongly encouraged to be provided onsite.
- A hierarchy of open spaces is encouraged. Each development should have at least one open space located near the center of the development. Typically, neighborhood parks range from a half an acre to 5 acres. Multiple greens may be necessary in large developments to provide centrally located greens.
- Adequate amounts of open space and parkland are encouraged to be provided on site.
- Rear or side loaded garages are encouraged. When a garage faces the street, the front façade of the garage should be set back from the front facade of the house.
- Any proposed residential development outside of the Village Center shall have a base density of 1 dwelling unit per gross acre in order to preserve and protect the community's natural resources and support the overall land conservation goals of the community. A transfer of residential density can be used to achieve a gross density of 1 dwelling unit per acre.
- Private streets are at odds with many of the community's planning principles such as: interconnectivity, a hierarchy of street typologies and a connected community. To achieve these principles, streets within residential developments must be public.

B. Use, Site and Layout

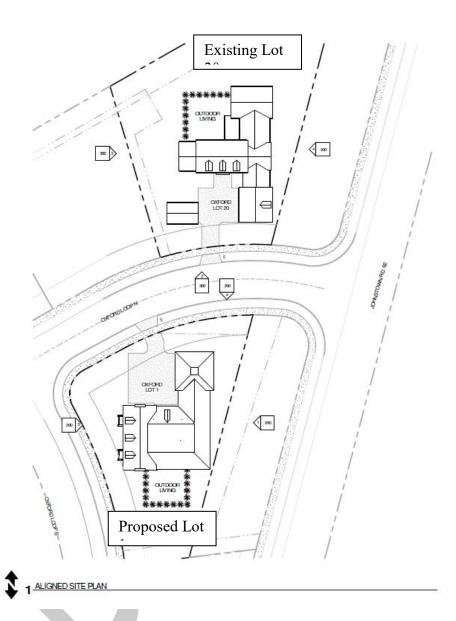
- 1. The final development plan modification proposes to modify the orientation of the home on lot 1 of the Oxford subdivision.
- 2. The approved final development plan for the Oxford subdivision requires that the homes and/or architectural features on lots 1 and 20 face each other and share a build-to-line parallel to US-62.
- 3. On June 20, 2019, the Planning Commission approved this same exact request for lot 20 (FDM-42-2019). At that time, the proposed floor layout and home design was known for lot 20 and not for lot 1. The Planning Commission determined that it would be more appropriate to evaluate a request for lot 1 once the home was designed for the site, knowing that the applicant would have to return in the future to make the same request that was granted for lot 20.
- 4. The intent of this requirement was to create a gateway as you drive into the Oxford subdivision and at the time, it appeared that the most appropriate way to accomplish this was to require the homes to be built up to and parallel to the US-62 right of way as shown in the conceptual rendering submitted with the previous final development plan modification on the next page. This requirement ensured that homes would not back onto US-62 as which is a residential development standard found in the Engage New Albany Strategic Plan.

Conceptual Rendering of Final Development Plan Requirement



- 5. As the subdivision has developed, it has become clearer that while it is still important to maintain a strong gateway into the subdivision along US-62, there are more ways than one to accomplish this gateway other than the requirements of the original final development plan.
- 6. The Planning Commission approved the existing home orientation of lot 20 as shown below. While not being parallel to US-62, the home on lot 20 provides an appropriate gateway into the subdivision as it properly addresses Oxford Loop and the curvature of the internal subdivision road. As proposed, both lots will appropriately address one another, provide an

appropriate gateway into the subdivision and not back onto US-62 all of which accomplish the original intent of the final development plan requirement.



C. Access, Loading, Parking

1. No proposed changes.

D. Architectural Standards

1. No proposed changes.

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

1. No proposed changes.

F. Lighting & Signage

1. No proposed changes.

IV. RECOMMENDATION

Basis for Approval:

Staff recommends approval of the application should the Planning Commission find that the application has sufficient basis for approval. Staff is supportive of the proposed design for lot 1 as it matches the design for lot 20 that was approved by the Planning Commission. This design meets the original intent of the final development plan which was to create a gateway into the Oxford subdivision and not back homes onto public streets which is an important development standard found in the Engage New Albany Strategic Plan. The proposed home orientation allows the home to address the curvature of internal streets rather than having them be built up to the US-62 build-to-line and still accomplish the goals of the requirement. Additionally, there are existing entry features and landscaping along US-62 that aid in establishing a gateway into the subdivision. The home utilizes four-sided architecture that properly addresses US-62 and meets all other code requirements.

VI. ACTION

Suggested Motion for FDM-106-2021:

Move to approve application FDM-106-2021 based on the findings in the staff report (conditions of approval may be added)

Approximate Site Location:



Source: Google Earth



Planning Commission Staff Report November 15, 2021 Meeting

CORNERSTONE ACADEMY ZONING AMENDMENT

LOCATION: 7270 New Albany-Condit Road (PID: 222-001945) APPLICANT: Cornerstone Academy c/o Aaron Underhill, Esq.

REQUEST: Zoning Amendment

ZONING: Limited General Employment (L-GE) to Infill Planned Unit

Development (I-PUD)

STRATEGIC PLAN: Employment Center

APPLICATION: ZC-105-2021

Review based on: Application materials received on September 21, 2021, October 14, 2021, and November 2, 2021.

Staff report completed by Anna van der Zwaag, Planner

I. REQUEST AND BACKGROUND

The applicant requests review and recommendation to City Council to rezone 11.751+/- acres from Limited General Employment (L-GE) to Infill Planned Unit Development (I-PUD) at 7270 New Albany-Condit Road. This application proposes to create a new zoning district to be known as the Cornerstone Academy Zoning District to permit the development and operation of a public charter school facility and related improvements.

The proposed use outlined in the zoning text is limited and will permit the development of primary, intermediate, and secondary schools, with supporting ancillary uses. The site is located in the Engage New Albany 2020 strategic plan Employment Center future land use district.

This application is solely for rezoning the site. A preliminary site plan and architectural renderings were submitted with this application but are subject to final review and approval as part of a final development plan application that will be evaluated by the Planning Commission at a later date.

The Rocky Fork-Blacklick Accord reviewed this application on October 21, 2021 and the motion to approve the application passed by a 9-0 vote.

II. SITE DESCRIPTION & USE

The site is located at 7270 Central College Road and consists of one parcel. The site is currently undeveloped. Neighboring uses and zoning districts include Office Campus District, Limited General Employment, Agriculture, and Infill Planned Unit Development. The site does not directly abut any residential parcels; however, there is a home located in the agricultural zoned property located immediately to the northeast of the site across New Albany-Condit Road. Subarea "B" of the Nottingham Trace subdivision is located on the north side of the property. This subarea is slated for commercial development at a later date. Reserve "C" of the Nottingham Trace subdivision is located diagonally to the northwest of the site and includes 23.7 acres of parkland.

III. PLAN REVIEW

Planning Commission's review authority of the zoning amendment application is found under C.O. Sections 1107.02. 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 underlined text.

A. New Albany Strategic Plan

The Engage New Albany 2020 Strategic Plan lists the following development standards for the Employment Center:

- 1. No freeway/pole signs are allowed.
- 2. Heavy landscaping is necessary to buffer these uses from adjacent residential areas [a landscaping plan can be submitted at a later date].
- 3. Plan office buildings within context of the area, not just the site, including building heights within development parcels.
- 4. All office developments are encouraged to employ shared parking or be designed to accommodate it.
- 5. All office developments should plan for regional stormwater management.
- 6. All associated mechanical operations should be concealed from the public right-of-way and screened architecturally or with landscape in an appealing manner.
- 7. Any periphery security should integrate with the existing landscape and maintain and enhance the character of the road corridor.
- 8. Combined curb cuts and cross-access easements are encouraged.
- 9. The use of materials, colors, and texture to break up large-scale facades is required.
- 10. Maximum building height is 80'.
- 11. Streetscape Roadway Character Classification is Business Park for New Albany Road East and Business Park Transitional for New Albany-Condit Road (see Table 1, below).
- 12. Parking should be located in rear of building and shared parking.

B. Use, Site, and Layout

- 1. The proposed text rezones 11.751+/- acres that is currently zoned as Limited General Employment (L-GE). There is one parcel within the proposed zoning district which is currently undeveloped. Additionally, PUD texts allow for flexibility in design and uses.
- 2. A school impact statement has been submitted. The applicant states that the school will benefit the NAPLSD by providing an alternative school to attend for students who live within the NAPSLD. Therefore, it has potential to reduce the pressure on the district's capacity and have a positive financial impact on the NAPLSD.
- 3. While the school operates as an institutional use rather than an employment center/office use, the school is estimated to generate 81 jobs. As a school, the facility will also likely generate different traffic peaks in the afternoon than the adjacent office uses thereby lessening its impacts on the public streets.
- 4. The zoning text allows primary, intermediate, and secondary schools, along with ancillary uses such as auditoriums, cafeterias, administrative offices, outdoor recreational fields, open space, and playgrounds.
- 5. A stream is located along the northern boundary of this property. As such, the zoning text establishes a Stream Corridor Protection Zone a minimum of 50 feet in width extending southward from the centerline of the stream matching the city codified ordinance requirements.
- 6. The zoning text prohibits permanent sports field netting.
- 7. The applicant is proposing the following setbacks.

Zoning Boundary	Required Setbacks Proposed in the Text	Notes
New Albany-Condit Road/State Route 605 (Eastern Boundary)	125 foot building and pavement from the right-of-way	The New Albany Strategic Plan recommends at least 100' of setbacks beyond the right-of-way. The city's Design Guidelines & Requirements require that a new building's site shall take account of precedent set by adjacent buildings. This setback is consistent with neighboring properties.
New Albany Road East (Southern Boundary)	125 foot building and pavement from the right-of-way	The New Albany Strategic Plan recommends at least a 50' setback beyond the right-of-way. The 125' setback is consistent with the Research and Innovation Campus Design & Landscape Standards, and is also consistent with neighboring properties.
Northern Boundary	25 foot building and pavement setback and 50 foot Stream Corridor Protection Zone	Exceeds C.O. 1153.04 (c) for the General Employment district which requires at least 25 foot rear yard.
Western Boundary (Not adjacent to right-of-way)	25 foot building and pavement setback	Matches C.O. 1153.04 (c) for the General Employment district which requires at least 25 foot side yard.

C. Access, Loading, Parking

- The zoning text states that vehicular access to and from this zoning district shall be permitted from New Albany-Condit Road and New Albany Road East. A Traffic Impact Study (TIS) shall be completed by the developer and submitted for review, approval, and acceptance by the city traffic engineer no later than the time of filing a final development plan application to determine if full access drives or RI/RO only are permitted. The TIS will also determine if and where right and left turn lanes may be required to minimize traffic back-ups.
- 2. The city's parking code section C.O. 1167.05(c)(2) states that public or private schools are required to have a minimum of three parking spaces for each classroom or one for each five seats in the main auditorium, whichever is greater. The text states that a minimum of 205 parking spaces will be provided on the site and that, should an expansion of the building occur in the future, additional parking shall be provided at the minimum rate of 3 parking spaces for each additional classroom or 1 parking space for each 5 seats in a new auditorium, whichever is greater. These zoning text requirements are compatible with the city's codified ordinances. Compliance with parking standards shall be reviewed with the final development plan.
- 3. The text states that a private drive shall be provided in the northern and western portions of the site which generally runs parallel to the northern boundary line and then turns and runs generally parallel to the western boundary. This private drive shall be the primary route used for bus traffic and may also be used by other vehicles. A bus lane shall be provided adjacent to the west side of the building to allow for student drop-off and pick-up while not impacting the flow of other traffic interior to the site. Another private drive shall connect to the first one in a loop configuration running along the south and east of the building.
- 4. The text states that an eight foot wide leisure trail shall be provided along New Albany-Condit Road (leisure trail is already in existence along New Albany Road East). In addition, the applicant is also providing a leisure trail from New Albany-Condit Road along the stream corridor on the north end of the site, providing additional connections to the parkland to the northwest of the property.

5. The text commits to providing a clear and defined route of pedestrian and bicycle ingress and egress between buildings and the public street network and adjacent leisure trail.

D. Architectural Standards

- 1. The text states that Architecture for buildings in this zoning district shall be governed by the requirements of the City's Design Guidelines and Requirements for Institutional and Civic Buildings.
- 2. The text requires a maximum building height of 65 feet for primary structures, and buildings shall be no more than two stories.
- 3. Service areas and loading docks shall be fully screened from the view of public rights-of-way.
- 4. The text states that building designs shall not mix architectural elements or ornamentation from different styles, and all building elevations shall be designed to be compatible with each other.
- 5. The text states that building materials shall be appropriate for contemporary suburban designs and avoid overly reflective surfaces. Permitted materials include brick, brick veneer, stone, stone veneer, concrete, aluminum, metal, glass, stucco, and cementitious fiberboard. Reflective or mirrored glass shall be prohibited. The primary masonry color will be earth tones of light and medium sand and/or gray and other façade materials shall be darker in color to provide design interest and contrast.
- 6. All roof-mounted equipment shall be screened on all four sides.

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

- 1. The text states that a landscaping plan shall be submitted with a final development plan application for review by the Planning Commission. Landscaping in this zoning district shall be installed and maintained in accordance with the landscaping plan that is approved by the Planning Commission.
- 2. The text states that a four-board horse fence shall be installed along New Albany-Condit Road and New Albany Road East.
- 3. The zoning text states that a landscape treatment consisting of an average of 10 trees per 100 lineal feet of road frontage shall be installed and maintained along State Route 605 and New Albany Road East within a distance of 55 feet from the right-of-way. These trees shall consist of a mix of deciduous and evergreen species that are native to Ohio, with the locations, number, and spacing to be reviewed as part of a final development plan.
- 4. The zoning text requires mounding along both New Albany Road E and New Albany-Condit Road. The mounding shall have a slope not to exceed 6:1 on the side facing the public street. The mound shall be a minimum of 3 feet and a maximum of 12 feet in height, and its design shall be reviewed as part of a final development plan. 70% of required trees shall be planted on the street side of the mound, and no trees shall be located within the upper quartile crest of the mound.
- 5. The text states that interior landscaping within paved parking areas shall be a minimum of five percent (5%) of the total area of the parking lot pavement. The landscaped areas shall be arranged in such a manner so as to visually break up large expanses of pavement and provide landscaped walking paths between parking lots and the main buildings. These text requirements are consistent with C.O. 1171.06(a).

E. Lighting & Utilities

- 1. The text states that a lighting plan shall be submitted with a final development plan application for review by the Planning Commission. Lighting in this zoning district shall be installed and maintained in accordance with the lighting plan that is approved by the Planning Commission.
- 2. The text states that all parking lot lighting shall be cut-off type fixtures and down cast. No lighting from this site shall spill onto any adjacent property. Parking lot lighting shall

- be from a controlled source in order to prevent light from spilling beyond the boundaries of the site. All such lighting shall be of the same light source type and style.
- 3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 18 feet in height.
- 4. No permanent colored lights or neon lights shall be used on the exterior of any building. Uplighting of buildings shall be prohibited.
- 5. All security lighting, when used must be a motion-sensor type system.
- 6. Security lighting, when provided, shall be of a motion-sensor type.
- 7. The text states that permanent lighting of sports fields shall be permitted, provided that no light spillage shall be permitted onto adjacent properties or rights-of-way. Specifications for light poles and fixtures shall be presented for review and approval as part of a final development plan. Light poles for lighting sports fields shall not exceed 18 feet in height unless otherwise approved as part of a final development plan based on operational needs for the field(s) and a demonstration by the applicant that the increased height will not materially and negatively impact adjacent properties.
- 8. All new utilities that are installed in this zoning district shall be located underground.

F. Signage

- 1. The text states that final details for all signs shall be submitted with a final development plan application for review by the Planning Commission.
- 2. The text states that one wall sign shall be permitted on the southern-facing elevation of the school building, and one wall sign shall be permitted on one of the eastern-facing elevations of the building. These signs shall identify the school and may include the school's logo.
- 3. The text states that Secondary wall signs shall be permitted to identify uses within the building to promote wayfinding. These signs shall be placed where architecturally appropriate (as determined by the Planning Commission as part of its review of a final development plan). Such signs shall be of a smaller size and installed at a shorter height than other permitted wall signage.
- 4. A ground sign shall be permitted at the vehicular access point into the site along New Albany-Condit Road and at the vehicular access point along New Albany Road East.
- 5. Directional and wayfinding signage shall be permitted internally within this zoning district as permitted by the Codified Ordinances. The applicant shall provide a plan for designs and locations of such signs for review by the Planning Commission as part of a final development plan application.

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 these comments are addressed</u>, <u>subject to staff approval</u>.

- 1. Provide a Traffic Study to evaluate left turns into the site. The study shall determine what roadway striping modifications are required to support the project and how traffic signal operations at the SR 605 intersection may be impacted.
- 2. Show the Stream Corridor Protection Zone and 100 year flood plain limits on the site plan in accordance with this exhibit. Prohibit encroachments of any kind within these areas.
- 3. Refer to Exhibit B. Show, dimension and label the Instrument Numbers of the recorded sanitary sewer easements on the site plan. Limit encroachments within these areas.
- 4. Where not already provided, we recommend that a minimum of 50' of public r/w as measured from roadway centerline be dedicated along all parcel frontages.
- 5. Add the Instrument Number for the existing gas easement that bisects the site and contact gas company representatives to obtain preliminary approval for the project.

- 6. Provide a Traffic Impact Study (TIS) for review and approval. Determine where proposed full access drives may need to be modified to RI/RO only and where right and left turn lanes may be required to minimize traffic back-ups. The TIS should consider peak period trip characteristics for what's currently being proposed and all future expansions.
- 7. Provide 20 MPH school zone signage, flashing beacons, etc. along all frontages and provide associated pavement marking improvements.
- 8. Provide more information regarding internal traffic circulation for busses and parent drop off vehicular traffic.
- 9. Provide more information regarding traffic and parking associated with special events.

V. RECOMMENDATION

Basis for Approval:

Staff are supportive of the proposed rezoning. The primary challenge of the site is the location of the 110' gas easement which runs diagonally from the northeast to southwest corner of the site and bisects the site. No development can occur in this easement, other than access drives which must cross the easement precisely at 90 degrees. This easement along with the large 125' building and pavement setbacks limit the size and type of development that can occur on this site.

The proposed development pattern is consistent with the surrounding built environment. The standards incorporated into Cornerstone's zoning text are compatible not only with the surrounding area, but also with the limitation text that is currently in place for the site (which will be overridden/replaced with the approval of this application). The proposed development utilizes the space available for development and leaves the remainder open for landscaping and green space. The city's landscape architect has reviewed the site and recommends the same streetscape for this site as is established on the other three corners of the New Albany-Condit Road/New Albany Road E intersection. The applicant accomplishes this by committing to provide landscaping improvements including mounding and additional trees. The applicant proposes to use the easement area and open space for soccer fields.

Additionally, staff considered the Engage New Albany 2020 Strategic Plan, which identifies this site within the Northwest Area focus area. The Plan indicated that the Northwest Area needed to be better connected to natural features and amenities. The plan also identifies the New Albany Road E/New Albany-Condit Road intersection as "an important intersection" and recommends that future development at this site be "designed as a walkable, street facing design with landscaped setbacks." In addition to the landscaping commitments previously mentioned, the applicant also committed to installing additional leisure trail along the stream corridor to the north of the site in order to build connections to natural features within the site. Additionally, the zoning text commits to providing additional pedestrian and bicycle access to the site. While the proposed use is institutional and not commercial as identified in Engage New Albany, the proposed zoning text commits to the above described standards that provide compatible landscaping, setbacks and architectural design with surrounding office development and is an appropriate use of the site.

VI. ACTION

Suggested Motion for ZC-105-2021:

Move to recommend approval to Council of the rezoning application ZC-105-2021, subject to the following conditions:

1. The City Engineer's comments are addressed, subject to staff approval.

Approximate site Location:



City of New Albany

99 West Main Street New Albany, Ohio 43054



401.96-229 October 7, 2021 (Revised 10/8/21)

To: Christopher Christian

City Planner

From: Ed Ferris, P.E., P.S., City Engineer

By: Jay M. Herskowitz, P.E., BCEE

Re: Cornerstone I-PUD

Our review comments are as follows:

- 1. Refer to Exhibit A. Show the Stream Corridor Protection Zone and 100 year flood plain limits on the site plan in accordance with this exhibit. Prohibit encroachments of any kind within these areas.
- 2. Refer to Exhibit B. Show, dimension and label the Instrument Numbers of the recorded sanitary sewer easements on the site plan. Limit encroachments within these areas.
- 3. Where not already provided, we recommend that a minimum of 50' of public r/w as measured from roadway centerline be dedicated along all parcel frontages.
- Add the Instrument Number for the existing gas easement that bisects the site and contact gas company representatives to obtain preliminary approval for the project.
- 5. Provide a Traffic Impact Study (TIS) for review and approval. Determine where proposed full access drives may need to be modified to RI/RO only and where right and left turn lanes may be required to minimize traffic back-ups. The TIS should consider peak period trip characteristics for what's currently being proposed and all future expansions.
- 6. Provide 20 MPH school zone signage, flashing beacons, etc. along all frontages and provide associated pavement marking improvements.
- 7. Provide more information regarding internal traffic circulation for busses and parent drop off vehicular traffic.
- 8. Provide more information regarding traffic and parking associated with special events.
- 9. We will provide detailed engineering review comments on all other aspects of site civil construction once detailed construction plans become available.

EPF/JMH

(attachments)

cc: Steve Mayer, Planning Manager Anna van der Zwaag, Planner Dave Samuelson, Traffic Engineer





NOTE "A" - STREAM PRESERVATION ZONE: The Stream Preservation Zone shall forever be restricted from development with buildings and structures and the natural state of said zone shall remain undistarbed. It is also the intent and purpose of the Stream Preservation Zone to restrict and forbid any activity or use which would as a natural consequence of such, impede or make more difficult the accomplishment of the purpose of which the said zone was created.

Additional restrictions include:

- No dumping or burning of refuse.
- 2. No hunting or trapping.
- Natural resources of the zones shall remain undisturbed and no topsoil, sand, gravel, or rock shall be excavated, removed
- Nothing shall be permitted to occur within the Stream Preservation Zone which would contribute to the erosion of the land and no trees shall be cut or removed, except for the removal of such dead diseased, noxious, or decayed trees or vegetation which may be required for conservation or scenic purposes, or for reasons of public safety. Notwithstanding the foregoing, the following improvements and activities shall be permitted within the parks and easements may be reserved in favor of the developer and future property owners for the following:
- (a) Storm water detention or retention ponds and related
- (b) Underground utility lines and underground storm
- One or more paved leisure trails in locations which are approved as part of a final development plan for this
- Planting and maintenance of trees, bushes, and other

NOTTINGHAM TRACE PHASE 1

ZAPPITELLI PROPERTIES, INC.

I.N. 200303180077986

RESERVE "D"

NOTE "B": At the time of platting, the land being platted as Nottingham Trace Phase I is in Zone X (areas determined to be outside of the 0.2% annual chance floodplain), as said Zone is designated and defineated on the FEMA Flood insurance rate map for Franklin County, Ohio, and Incorporated areas map numbers 39049C0206K and 39049C0202, both with effective date of June 17, 2008.

Recorded: 03/02/2018 11:31:26 AM

NOTE "C" - AGRICULTURAL RECOUPMENT: Grantor, being the duly authorized representative of the developer dedicating the property described in this plat, hereby agrees to indemnify the City of New Albany for, and hold it harmless from, any agricultural recoupments assessed or levied in the future against the property dedicated herein, which result from grantor's conversion of the property from agricultural use.

NOTE "D" - ACREAGE BREAKDOWN:

Total acreage:	48.792 Ac.
Acreage in rights-of-way:	4.882 Ac.
Acreage in Reserves	34,040 Ac.
Acreage in remaining lots:	9.870 Ac.

NOTE "E" - ACREAGE BREAKDOWN: Nottingham Trace Phase 1 is out of the following Franklin County Parcel Numbers:

222-004442	0.865 Ac.
222-004443	44.208 Ac.
222-004444	0.409 Ac.
222-004445	0.451 Ac.
222-004446	2.577 Ac.
222-004896	0.100 Ac.
222-004897	0.099 Ac.
222-004898	0,083 Ac.

A Δ=23'02'53* R=363.70'
Arc=146.30' ChBrg=N76'51'49"W Ch=145.32'

® ∆=90'00'00" R=20.00" Arc=31.42 ChBrg=N41'48'27"W Ch=28.28'

- © N03'11'33"E
- D Δ=12'07'57" R=363.70' Arc=77.01* ChBrg=N37*22'58*W
- € 503"11"33"W
- F 535'32'32"E 46,43"

G \$29"13"04"E

- (H) &=52'42'10" R=20.00' Arc=18.40' ChBrg=S50'27'23'E Ch=17.75'
- ① S88'23'13"E

PLAT BOOK 124 PAGE 18

- ② Δ=88'39'06" R=20.00" ChBrg=N47'31'06"E Ch=27.95"
- Δ=90°00′00° R=20.00′ Arc=31.42" ChBrg=N41*48'27"# Ch=28.28'
- (L) A=90'00'00" R=20.00" Are=31.42' ChBrg=N48'11'33"E Ch=28.28'

U.E. = USNty Easement D.E. = Orainage Easemen * = FRA 605-0.96

	LINE TABL	E		LINE TABLE	E
ΝE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
1	N34"45"53"₩	6.39"	L21	S68'37'24'W	31.84
2	N80732"44"W	74.47	L22	\$3733'27'¥	40.53
3	576'27'51"W	38.57*	123	S44'36'58'¥	62.05
4	M70"51"28"W	44.47	124	546'14'49'W	85.29
5	579'01'57"W	43.44"	L25	\$55'16'09'¥	74.20
5	M80'36'11"₩	50.25"	L25	S29'40'12'#	29,25
7	M39'32'38'W	56.60"	127	S63'58'18'W	15.27
8	MS8'34'25'H	29.17	L28	N86'01'50'W	16,39"
9	N42'29'44'H	145.71"	L29	N65'44'05'W	59.05
10	N5238'06"W	60.26	L30	\$66'53'20'W	43.28
11	N3741'02'H	53.01"	L31	536'42'33'W	15,91
12	N51"26"57"W	85.28"	L32	\$71"13"55"W	28.33
13	NS8'22"10"W	138.31"	L33	NB4'56'34'W	29.54
14	N54'36'22"W	83.01"	L34	577'05'33 " #	25.65
15	N5740'44"#	61.53"	L35	SS3'32'57'W	28.49
16	N7422'29'H	54.53"	L36	535'54'35'W	27.97
17	S89"23"33"W	92.95"	L37	\$64'18'11'W	38.44"
18	N76'55'23"W	140.17	L38	552'46'45'W	34.01
19	576'26'33'W	60.76"	L39	562'18'02"W	35.29"
20	S85'54'39'W	30.31"	140	554'22'15'W	35.66"

NOTE "F" - DEPRESSED DRIVEWAYS: Depressed driveways are hereby prohibited on all lots in Nottingham Trace Phase 1. Nothing herein, however, shall prohibit the construction and use of a driveway alongside or to the rear of a residential structure if otherwise permitted by the City of New Albany.

NOTE "G": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about Nottingham Trace Phase 1 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Recorder's Office, Franklin

NOTE "H" - RESERVES "A", "D" AND "E": Reserves "A", "D" and "E", as designated and delineated hereon, shall be owned by the City of New Albany and maintained by an association comprised of the owners of the fee simple titles to the lots in the Nottingham Trace subdivisions for the purpose of

NOTE "I" - RESERVE "B": Reserve "B", as designated and delineated hereon, shall be owned and maintained by an association comprised of the owners of the fee simple titles to the lots in the Notingham Trace subdivisions for the purpose of a private community clubbouse and menity storce.

NOTE "J" - RESERVE "C": Reserve "C", as designated and delineated hereon, shall be owned by the City of New Albany. Said Reserve shall be maintained by an association comprised of Said Reserve shall be maintained by an association comprised of the owners of the fee simple titles to the lots in the Nottingham Trace subdivisions for the purpose of stoom water management/open spoce for a period ending 20 years after the recordation of this plat. After the 20 year period, the association shall maintain the stormwater ponds in perpetuity and the City shall maintain the remaining features of said Reserve. Where this park abuts residential lots, wood bollards shall be placed and maintained along the shared property lines between said lots and said Reserve in order to provide a clear delineation between

NOTE "K": No vehicular access to be in effect until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "L" - VACATION OF PUBLIC STREETS: The parts of Old Schleppi Road and Schleppi Road shown here hatching (see hatch legend), are hereby vacated.

NOTE "M" - REDEDICATION OF PUBLIC STREETS: The parts of Schleppi Road shown hereon by hatching (see hatch legend), are hereby redodicated as part of Callaway Square West Easteross Drive, Nottingham Boulevard and New Albany Condi

NOTE "N" - Lot 58 may be further subdivided in accordance with City of New Albany Codified Ordinances Phase 1187.22, Minor Commercial Subdivisions, and without the requirement to

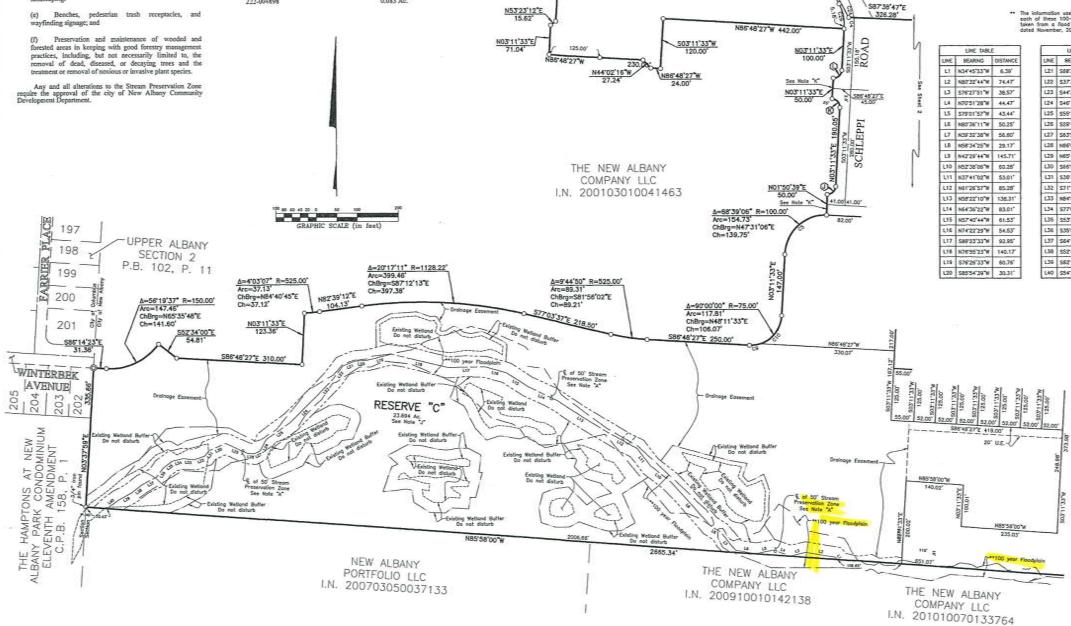
NOTE "O" - The Access Easement located on Lot 58 is to be used to provide vehicular access to Reserve "C", to an existing telecommentations tower and associated equipment located on Lot 58, and to all other portions of Lot 58 whether improved or

NOTE "P" - LOTS 1 THROUGH 8: On each of Lots 1 through 8, both inclusive, no building shall be constructed which has an opening upprotected from flooding in its foundation wall which is fower than the flood protection elevation for that lot given in the following table:

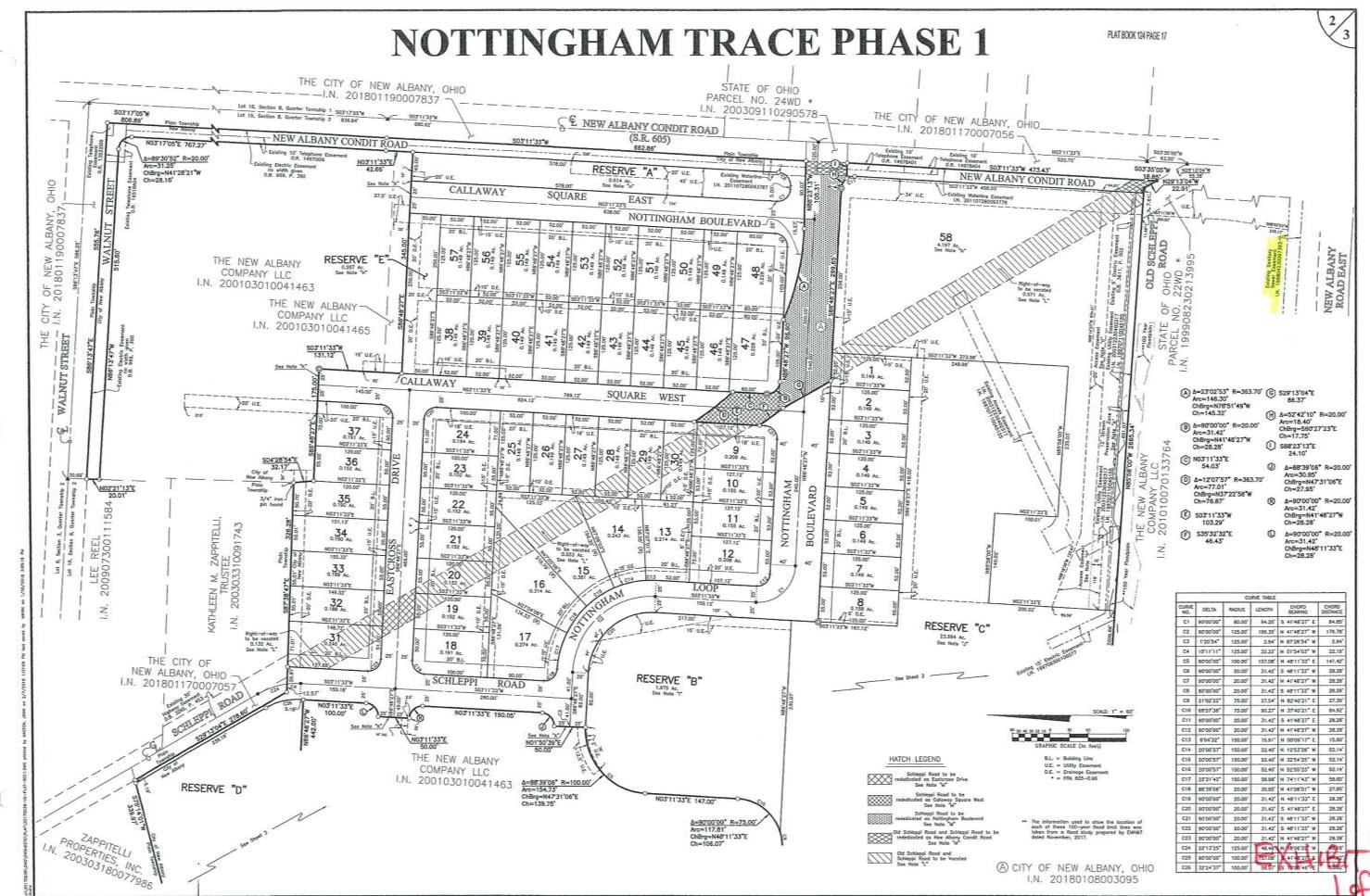
Lot No.	Flood Protection Elevatio USGS 1988 Datum	
1	1026.25	
2	1026.25	
3	1026.25	
4	1026.25	
5	1026.25	
6	1026.25	
7	1026.25	
8	1026.25	

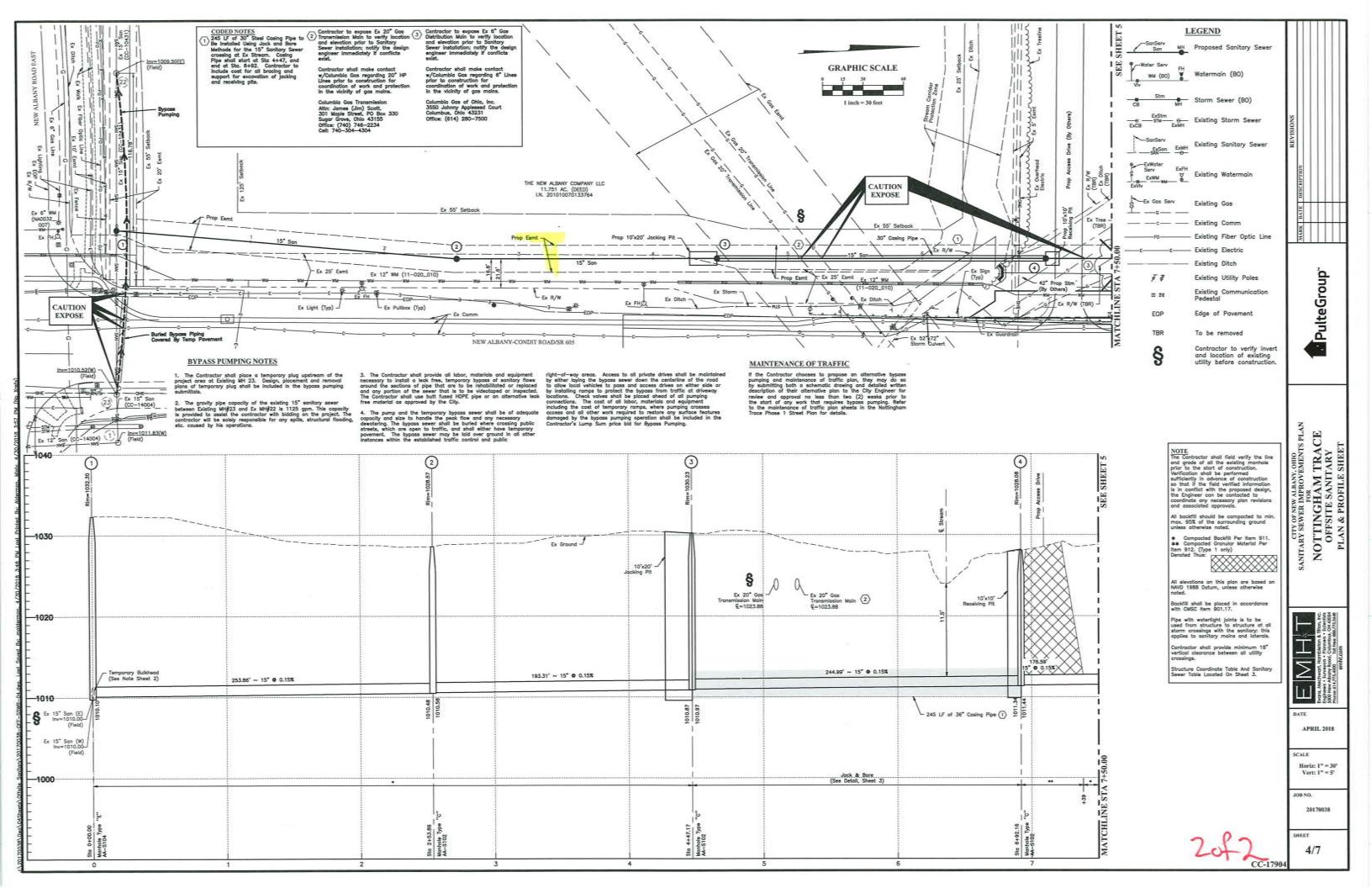
The forgoing flood protection elevation is approximately $2.0\,$ feet above the $100\,$ year flood elevation.

NOTE "O" - Lots 1, 9, 30, 47 and 58, as designated and delineated hereon, are, at the time of platting, partially owned by The New Albany Company LLC and the City of New Albany,









Permit #	
Board _	
Mtg. Date	



Community Development Planning Application

	Site Address 7770 Ala	Alles Con	112000		
		w Albany - Con	ait Road		
	Parcel Numbers 272 – 00	1995			
	Acres 11.751+/-	# of lots created			
6153	Choose Application Type	Circle a	ll Details that Apply		
Ξ	☐☐Appeal ☐☐Certificate of Appropriateness ☐☐Conditional Use				
nati	□XDevelopment Plan □□ Plat	Preliminary Final Final	Comprehensive Amendment		
form	□□Lot Changes □□Minor Commercial Subdivision	Combination Split	Adjustment		
Project Information	□□Vacation □□Variance	Easement	Street		
roj	□□Extension Request XZoning	Amendment (rezoning)	Text Modification		
_		(Colombia	Tok Modification		
	Limited General En	playment Dish	operty from L-GE,		
	ductopment and op	spret District	blic charter school		
	facility and related i	mprovement.			
	7	1 11			
	Property Owner's Name: Address:	Underhill Esq. 1	Underhill + Hodge LLC,		
	City, State, Zip: 6000 Walto Pl Phone number: (614) 335 -	9370	Fax: (6/4) 939-9329		
ets	Email:aaronauh	aufirm.com			
Contacts	Applicant's Name:	armentare Ac	adem		
Ŭ	Address: City, State, Zip:				
	Phone number:		Fax:		
	Email:				
	Gia visita di la constanti				
	Site visits to the property by City of Ne The Owner/Applicant, as signed below.	, hereby authorizes Village of	f New Albany representatives,		
ure	employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is				
Signature	true, correct and complete.	15.7	rr		
Sig	Signature of Owner R	a 2110	De alulai		
	Signature of Owner Signature of Applicant	The Ly Under hill, a	Date: 9/2/21 Date: 9/2/21		
	Dy. Co-	1 Thirty	-11-11-1		

SUPPLEMENTARY STATEMENT

CORNERSTONE ACADEMY

I-PUD ZONING DISTRICT

Cornerstone Academy is pleased to present an application to rezone 11.751+/- acres located to the northwest of the intersection of New Albany-Condit Road and New Albany Road East to facilitate the development, construction, and operation of a public charter school. The school will educate students in grades 8-12 and provide learning opportunities as well as sports, arts, music, computer science, and other programming typical of any other school.

An existing Cornerstone Academy elementary school is located on Walnut Street within a few miles to the west of the site that is being zoned. Providing a new facility in close proximity to the existing school will provide efficiencies for the organization and allow for convenient access to both locations for families with children attending both schools. New Albany has been chosen as the location for the new facility due to its exceptional demographics, demand for this type of school, and its proximity to a relatively large base of potential students in the surrounding area.

The site on which the school is proposed is uniquely situated. It would be the second institutional type of use in the area, just down the street from the Canine Companions for Independence campus. To the north is the Nottingham Trace subdivision, which includes a Cityowned park that is adjacent to the subject property and provides great synergy with the proposed use. Data centers and other employment-generating uses are to the east and south, and undeveloped land is located to the west. Residential areas are within a short distance of the site, such as the Lifestyle Communities, Upper Clarenton, the Courtyards at New Albany, Wentworth Crossing, and the Enclave. This portion of New Albany continues to see a mix of uses operate and being proposed for development.

In addition to providing an institutional amenity for the City, this project will have a clear economic benefit. It is estimated to create 81 jobs with an annual payroll of \$4.4 million. With the City's 2% income tax rate, this yields \$88,000 per year of income tax revenue prior to factoring inflation. Therefore, it will have the same financial impact to the City as a moderately-sized commercial development.

CORNERSTONE ACADEMY I-PUD ZONING DISTRICT

Information concerning specific Code requirements for rezoning submittal by Cornerstone Academy

Per C.O. 1111.03(g), a statement as to how the proposed zoning amendment will impact adjacent and proximate properties.

Response: The Cornerstone Academy Zoning District consists of 11.751+/- acres located at the northwest corner of the intersection of New Albany Road East and New Albany-Condit Road in New Albany. The subject property is in an area that includes a variety of uses, such as the Nottingham Trace neighborhood to the north and its associated City-owned park, the Canine Companions for Independence campus to the northeast, the Pharma Force facility to the east, and existing and future employment generating development to the west. The rezoning of this property to allow a public charter school facility is a good transitional use given the existing surrounding uses.

Per C.O. 1111.03(i), any deed restrictions, easements, covenants and encumbrances to be imposed to control the use, development and maintenance of the area to be rezoned.

<u>Response:</u> Upon the completion of the zoning for this property and prior to selling the property to any third party, the property will be made subject to The New Albany Business Park CCRs and will become part of The New Albany Business Park Association.

Per C.O. 1159.07(b)(2)(F) The schedule of site development, construction of structures and associated facilities. Such schedule shall include the proposed use or reuse of existing features such as topography, streets, easements and natural areas.

<u>Response:</u> Development of the site will occur soon after final zoning and development plan approvals are received. Development is expected to occur over a 12-18 month period.

Per C.O. 1159.07(b)(2)(J) Verification that an application, if required, has been submitted to the Ohio Environmental Protection Agency in compliance with Section 401 of the Clean Water Act in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain a Water Quality Certification Permit from the Ohio Environmental Protection Agency. In the case of an isolated wetland either a general state or individual state isolated wetland permit must be obtained from the Ohio Environmental Protection Agency (Sections 6111.021. - 6111.024 of House Bill 231).

Response: No such application is required.

Per C.O. 1159.07(b)(2)(K) Verification that an application, if required, has been submitted to the U.S. Army Corps of Engineers, in compliance with Section 404 of the Clean Water Act in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain either a nationwide or individual permit from the U.S. Army Corps of Engineers.

Response: No such application is required.



Aaron L. Underhill 8000 Walton Parkway, Suite 260 New Albany, Ohio 43054

P: 614.335.9321 F: 614.335.9329 aaron@uhlawfirm.com

September 21, 2021

Mr. Chris Christian
Deputy Director of Development
City of New Albany
99 W. Main Street
New Albany, Ohio 43054

RE: School Impact of Zoning of 11.751 +/- Acres Located at 7270 New Albany-

Condit Road, in New Albany, Ohio, by Cornerstone Academy

Dear Chris:

Cornerstone Academy is in contract to pursuant, from The New Albany Company LLC, certain real property (the "<u>Property</u>") located at 7270 New Albany Condit Road, New Albany, Ohio 43054. This letter accompanies an application to rezone the Property from L-GE, Limited General Employment to I-PUD, Infill Planned Unit Development, to permit a public charter school facility and related improvements. The purpose of this letter is to analyze the impact of this zoning on the New Albany Plain Local School District.

Today the site is undeveloped. While due to its nature as a school it will be exempt from real estate taxation if this application is approved, this project will benefit the NAPLSD in another way. It will provide an alternative school to attend for students who live within the NAPLSD. Therefore, it has the potential to reduce the number of schoolchildren that attend schools in the district, as it is likely that a number of them will choose instead to attend Cornerstone Academy once it is operating on the site. This will have a positive financial impact on the NAPLSD and positively impact any pressure on the district's capacity in its buildings.

The applicant is pleased to bring forth this application and looks forward to working with the City. Please let me know if you have any questions.

Sincerely,

Aaron L. Underhill

Attorney for the Applicant

L. Mude 1.98

EXHIBIT "A" (Page ___ of ___)

Situated in the State of Ohio, County of Franklin, Village of New Albany, Quarter Township 2, Township 2, Range 16, United States Military District, and being out the residuum of that 209.180 acre tract conveyed to The New Albany Company Limited Partnership of record in Official Record 30262D04 and all of that 6.792 acre tract conveyed to The New Albany Company LLC of record in Instrument Number 200801040001997 and described as follows:

Beginning, for reference, at a P.K nail found at the centerline intersection of New Albany Road East with New Albany - Condit Road (S.R. 605; see Plat Book 91, Page 45) as recorded in Plat Book 86, Page 78;

Thence N 86° 24' 55" W, along said centerline of New Albany Road East, 99.96 feet to a P.K. nail found;

Thence N 03° 35' 05" E, leaving said centerline of New Albany Road East, 50.00 feet to an iron pin set in the north right-of-way line for said New Albany Road East, the True Point of Beginning;

Thence along said north right-of-way line per said Plat Book 86, Page 78, the following courses;

N 86° 24' 55" W, 45.64 feet to an iron pin set at a point of curvature;

with a curve to the left, having a central angle of 26° 45' 29", a radius of 1350.00 feet, and an arc length of 630.47 feet, a chord bearing and chord distance of S 80° 12' 22" W, 624.76 feet to a ¾" iron pipe (EMHT) found at the southwest corner of said 6.792 acre tract, the same being the southeast corner of that 15.735 acre tract conveyed to The New Albany Company LLC of record in Instrument Number 200910010142138;

Thence N 04° 02' 00" E, along the common line to said 6.792 acre and 15.735 acre tracts, 838.62 feet to an iron pin set at a common corner thereof, in the south line of that 4.995 acre tract conveyed to The New Albany Company LLC of record in Instrument Number 200103010041466;

Thence S 85° 58' 00" E, along the common line to said 6.792 acre and 4.995 acre tracts, 656.62 feet to a ¾" iron pipe (EMHT) found the northeast corner of said 6.792 acre tract, the same being the northwest corner of that 0.707 acre tract conveyed to the State of Ohio of record in Instrument Number 199908230213995, in the west right-of-way line for said New Albany – Condit Road;

Thence along the west line of said 0.707 acre tract, the same being said west right-of-way line, the following courses;

S 29° 13' 56" E, 92.76 feet a 3/4" iron pipe (EMHT) found;

S 03° 35' 05" W, 116.47 feet to an iron pin set;

S 16° 19' 37" W, 45.34 feet to an iron pin set;

S 03° 35' 05" W, 400.24 feet to an iron pin set at a point of curvature;

with a curve to the right, having a central angle of 90° 00' 48", a radius of 50.00 feet, and an arc length of 78.55 feet, a chord bearing and chord distance of S 48° 35' 32" W, 70.72 feet to the True Point of Beginning.

Containing 11.751 acres of land, more or less. Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Douglas R. Hock, P.S. 7661 on August 30, 2010 and is based on existing records and an actual field survey performed in August 2010. A drawing of the above description is attached hereto and made a part thereof.

All iron pins set are 3/4" diameter, 30" long iron pipe with plastic cap inscribed "Advanced 7661".

Bearings are based on N 86° 16' 25" W for the south line of that 18.450 acre tract as shown of record in I.N. 200811260171024.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

0-73-F MII OF (222)

DESCRIPTION

A. Hobart

0001-402\survey\11.751Ac_desc.doc

VERIFIED

927.10

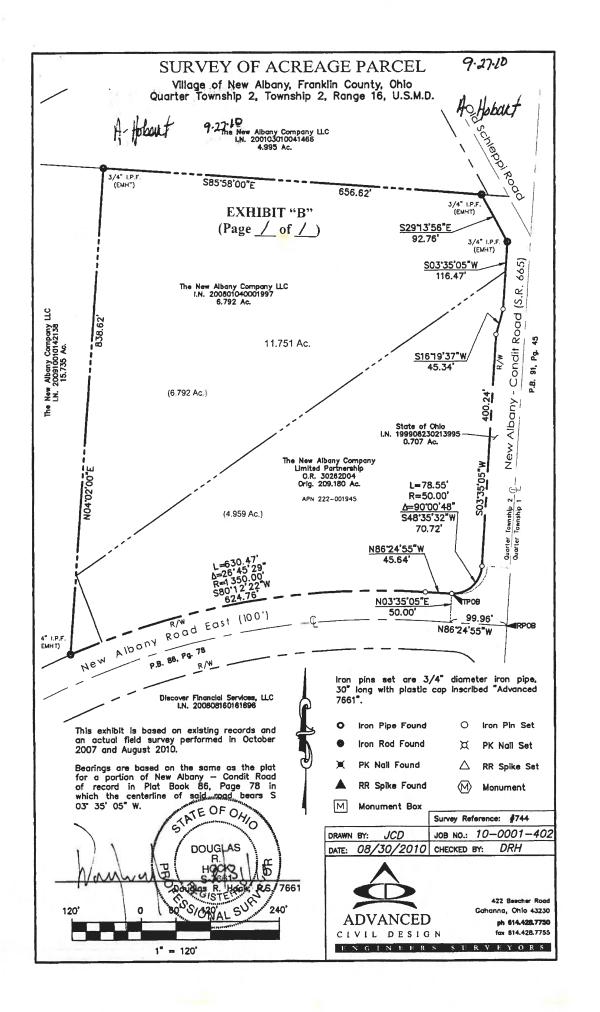
DOUGLAS
R.
HOCK
9-7661

ADVANCED CIVIL DESIGN, INC.

Douglas R. Hock, P.S. 7661

9-27-10

A. Hobourt



CORNERSTONE ACADEMY ZONING DISTRICT

INFILL PLANNED DEVELOPMENT (I-PUD)

DEVELOPMENT STANDARDS TEXT

November 2, 2021

Summary: This I-PUD zoning district consists of 11.751+/- acres located to the northwest of and adjacent to the intersection of New Albany-Condit Road and New Albany Road East. The property is presently undeveloped and is generally bisected from southwest to northeast by a 110-foot wide gas line easement. To the north is the Nottingham Trace residential subdivision, including a 23+ acre park that is to the northwest of and adjacent to the subject site. To the north of and adjacent to this zoning district is a tract of property that is zoned to allow future development of retail and service uses, and to the east across New Albany-Condit Road is the Canine Companions for Independence campus. An undeveloped property is located to the west, and across New Albany Road East to the south and southwest are data centers.

The applicant, Cornerstone Academy, is a tuition-free public charter school. It seeks this rezoning to allow the operation of a middle school and high school facility that will serve as a complement to an elementary school at its main campus on Walnut Street and to replace an undersized facility on Central College Road that currently serves students in grades 8-12. The proposed facility will be a two-story building to be located in the northwestern portion of the subject site. Two outdoor sports fields also are proposed, one being located generally parallel to each of New Albany-Condit Road and New Albany Road East.

- II. <u>Development Standards</u>: Unless otherwise specified in the submitted drawings or in this written text, the provisions of the City of New Albany Codified Ordinances shall apply to this zoning district. In the event of a conflict between this text or the submitted drawings and a specific provision of the Codified Ordinances, this text or the drawings shall govern. When this text or the submitted drawings are silent on a particular matter, the provisions of the Codified Ordinances shall apply. Basic development standards are compiled regarding proposed density, site issues, traffic, circulation, landscape, and architectural standards. These component standards ensure consistency and quality throughout the development.
- III. <u>Permitted Uses</u>: The only permitted use in this zoning districts shall be primary, intermediate, and secondary schools. Supporting ancillary uses typical of that found on a school campus shall be permitted as accessory uses, such as but not necessarily limited to gymnasiums, auditoriums, cafeterias, administrative offices, outdoor recreational fields, open space, and playgrounds.

IV. Setback and Lot Commitments:

A. <u>New Albany-Condit Road</u>: There shall be a minimum pavement and building setback of 125 feet from the right-of-way of New Albany-Condit Road.

- B. New Albany Road East: There shall be a minimum pavement and building setback of 125 feet from the right-of-way of New Albany Road East.
- C. Other Perimeter Boundaries: There shall be a minimum pavement and building setback of 25 feet from all perimeter boundaries of this zoning district that are not adjacent to a public right-of-way.
- D. <u>Interior Setbacks</u>: There shall be a zero setback requirement for pavement and buildings from property lines that are interior to this zoning district (i.e., those property lines which are not perimeter boundary lines).
- E. <u>Maximum Lot Coverage</u>: The maximum lot coverage in this zoning district shall be 60%.
- V. <u>Architectural Standards</u>: Architecture for buildings in this zoning district shall be governed by the requirements of the City's Design Guidelines and Requirements for Institutional and Civic Buildings. In addition, the following architectural requirements shall apply to this site:
- A. <u>Building Height</u>: The maximum building height for primary structures shall not exceed 65 feet. Architectural elements may exceed this height as provided in Section 1165.07 of the Codified Ordinances. Buildings shall be no more than two stories in height.
- B. <u>Service and Loading Areas</u>: Service areas and loading docks shall be fully screened from the view of public rights-of-way.

C. General Requirements:

- 1. Building designs shall not mix architectural elements or ornamentation from different styles. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.
- 2. Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, brick, brick veneer, stone, stone veneer, and concrete shall be permitted, along with contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, and cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. The use of reflective or mirrored glass shall be prohibited. The primary masonry color will be earth tones of light and medium sand and/or gray and other façade materials shall be darker in color to provide design interest and contrast.
- 3. Buildings shall be required to employ a comparable use of materials on all elevations.
- 4. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent with the building's façade and

character. Such screening shall be provided in order to screen the equipment from off-site view and to buffer/attenuate sound generated by such equipment.

VI. Access, Traffic, Site Circulation, and Parking Commitments:

- A. <u>Street Rights-of-Way:</u> Right-of-way shall be dedicated to the City for a distance of 50 feet as measured from the centerline of New Albany-Condit Road and for a distance of 50 feet as measured from the centerline of New Albany Road East.
- B. <u>Access:</u> Vehicular access to and from this zoning district shall be permitted from New Albany-Condit Road and New Albany Road East. A Traffic Impact Study (TIS) shall be completed by the developer and submitted for review, approval, and acceptance by the city traffic engineer no later than the time of filing a final development plan application to determine if full access drives or RI/RO only are permitted. The TIS will also determine if and where right and left turn lanes may be required to minimize traffic back-ups.
- C. <u>Private Drives:</u> A private drive shall be provided in the northern and western portions of the site which generally runs parallel to the northern boundary line and then turns and runs generally parallel to the western boundary. This private drive shall be the primary route used for bus traffic and may also be used by other vehicles. A bus lane shall be provided adjacent to the west side of the building to allow for student drop-off and pick-up while not impacting the flow of other traffic interior to the site. Another private drive shall connect to the first one in a loop configuration running along the south and east of the building.
- D. <u>Parking Spaces:</u> A minimum of 205 parking spaces shall be provided with the initial phase of development. Should an expansion of the building occur in the future, additional parking shall be provided at the minimum rate of 3 parking spaces for each additional classroom or 1 parking space for each 5 seats in a new auditorium, whichever is greater.

VII. Buffering, Landscaping, Open Spaces, and Screening:

- A. <u>Landscaping Plan</u>: A landscaping plan shall be submitted with a final development plan application for review by the Planning Commission. Landscaping in this zoning district shall be installed and maintained in accordance with the landscaping plan that is approved by the Planning Commission.
- B. State Route 605 and New Albany Road East Landscape Treatments: A landscape treatment consisting of an average of 10 trees per 100 lineal feet of road frontage shall be installed and maintained along State Route 605 and New Albany Road East within a distance of 55 feet from the right-of-way. These trees shall consist of a mix of deciduous and evergreen species that are native to Ohio, with the locations, number, and spacing to be reviewed as part of a final development plan. These trees shall be installed on a mound that has a slope not to exceed 6:1 on the side facing the public street. The mound shall be a minimum of 3 feet and a maximum of 12 feet in height, and its design shall be reviewed as part of a final development plan. 70% of required trees shall be planted on the street side of the mound, and no trees shall be located within the upper quartile crest of the mound.

- C. <u>Parking Lot Landscaping</u>: Interior landscaping within paved parking areas shall be a minimum of five percent (5%) of the total area of the parking lot pavement. The landscaped areas shall be arranged in such a manner so as to visually break up large expanses of pavement and provide landscaped walking paths between parking lots and the main buildings.
- D. <u>Leisure Trails:</u> An asphalt leisure trail with a width of 8 feet shall be constructed by the applicant/developer along the zoning district's frontage on New Albany-Condit Road. This leisure trail shall be constructed to connect to an existing leisure trail that is located along the site's frontage on New Albany Road East.
- E. <u>White Horse Fence</u>: A four-board white horse fence shall be installed along the zoning district's frontage on New Albany-Condit Road. The existing four-board white horse fence along New Albany Road East shall remain.
- F. <u>Stream Corridor</u>: A Stream Corridor Protection Zone shall be provide along the stream that generally runs east-west along the northern boundary line of this zoning district. It shall be a minimum of 50 feet in width as measured southward from the centerline of the stream, it being the intent that a similar protection zone shall be provided by the property owners located to the north of the stream. Within the Stream Corridor Protection Zone, no improvements shall be permitted other than landscaping, if approved as part of a final development plan, and an asphalt leisure path running east-west with a location to be approved as part of a final development plan. Such leisure path shall connect to New Albany-Condit Road on the east and shall stub to the existing off-site public park to the northwest of this zoning district.
- G. <u>Connections to Leisure Public Streets:</u> A clear and defined route of pedestrian and bicycle ingress and egress between buildings and the public street network and adjacent leisure trails shall be provided.
- H. <u>Street Trees</u>: Existing street trees along New Albany Road East shall remain and be maintained. Street trees shall be installed on New Albany-Condit Road at the rate of 4 trees per 100 linear feet. Notwithstanding the foregoing, tree spacing on public streets may deviate from this spacing requirement if necessary or appropriate to provide a desirable streetscape, as approved as part of a final development plan. Street trees shall be a minimum of 3 inches in caliper at installation. Trees shall not obstruct sight distance or signage, subject to staff approval. Street tree and signage locations shall be shown on the final development plan for review and approval.
- I. <u>Trash Enclosures</u>: All dumpsters shall be located in the side or rear yard outside of minimum pavement setbacks and shall be enclosed by masonry walls or by fences in order to screen them from off-site view. Such screening shall be at least 6 feet in height.
- J. <u>Screening of Parking</u>: Parking areas shall be screened to a height of 4 feet using landscaping or masonry walls in accordance with relevant provisions of the Codified Ordinances This requirement alternatively may be met by required mounding and landscaping.

K. <u>Permanent sports field netting shall be prohibited</u>. The required perimeter mounding and landscaping around the zoning district shall be used to provide a barrier between sports fields and the public right-of-way.

VIII. Lighting and Utilities:

- A. <u>Lighting Plan:</u> A lighting plan shall be submitted with a final development plan application for review by the Planning Commission. Lighting in this zoning district shall be installed and maintained in accordance with the lighting plan that is approved by the Planning Commission.
- B. <u>Parking Lot Lighting:</u> All parking lot lighting shall be cut-off type fixtures and down cast. No lighting from this site shall spill onto any adjacent property. Parking lot lighting shall be from a controlled source in order to prevent light from spilling beyond the boundaries of the site. All such lighting shall be of the same light source type and style.
- C. <u>Parking Lot Light Poles:</u> All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 18 feet in height.
- D. <u>Prohibited Lighting:</u> No permanent colored lights or neon lights shall be used on the exterior of any building. Uplighting of buildings shall be prohibited.
- F. <u>Underground Utilities:</u> All new utilities that are installed in this zoning district shall be located underground.
- G. <u>Security Lighting:</u> Security lighting, when provided, shall be of a motion-sensor type.
- H. Permanent lighting of sports fields shall be permitted, provided that no light spillage shall be permitted onto adjacent properties or rights-of-way. Specifications for light poles and fixtures shall be presented for review and approval as part of a final development plan. Light poles for lighting sports fields shall not exceed 18 feet in height unless otherwise approved as part of a final development plan based on operational needs for the field(s) and a demonstration by the applicant that the increased height will not materially and negatively impact adjacent properties.

IX. Signage:

A. <u>Signage Plan:</u> Final details for all signs shall be submitted with a final development plan application for review by the Planning Commission. Lighting in this zoning district shall be installed and maintained in accordance with the lighting plan that is approved by the Planning Commission.

B. Wall Signs:

- 1. <u>Primary Wall Signs:</u> One wall sign shall be permitted on the southern-facing elevation of the school building, and one wall sign shall be permitted on one of the eastern-facing elevations of the building. These signs shall identify the school and may include the school's logo.
- 2. <u>Secondary Wall Signs:</u> Secondary wall signs shall be permitted to identify uses within the building to promote wayfinding. These signs shall be placed where architecturally appropriate (as determined by the Planning Commission as part of its review of a final development plan). The number, sizes, locations, and other specifications for signs shall be subject to the review of the Planning Commission as part of a final development plan. Such signs shall be of a smaller size and installed at a shorter height than other permitted wall signage.
- C. <u>Ground Signs</u>: A ground sign shall be permitted at the vehicular access point into the site along New Albany-Condit Road and at the vehicular access point along New Albany Road East.
- D. <u>Directional Signs</u>: Directional and wayfinding signage shall be permitted internally within this zoning district as permitted by the Codified Ordinances. The applicant shall provide a plan for designs and locations of such signs for review by the Planning Commission as part of a final development plan application.

X. Miscellaneous:

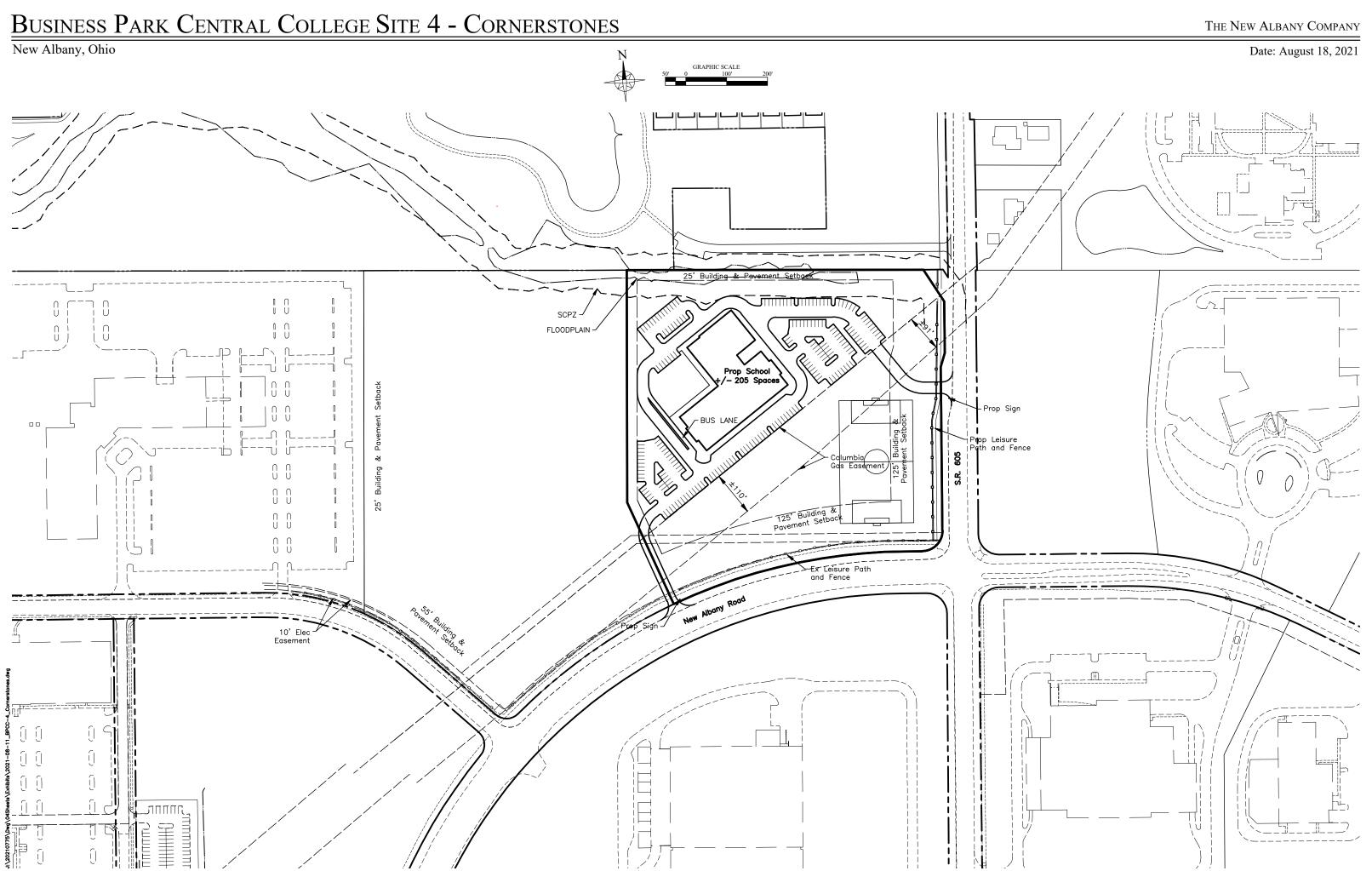
A. <u>Appeals and Variances</u>:

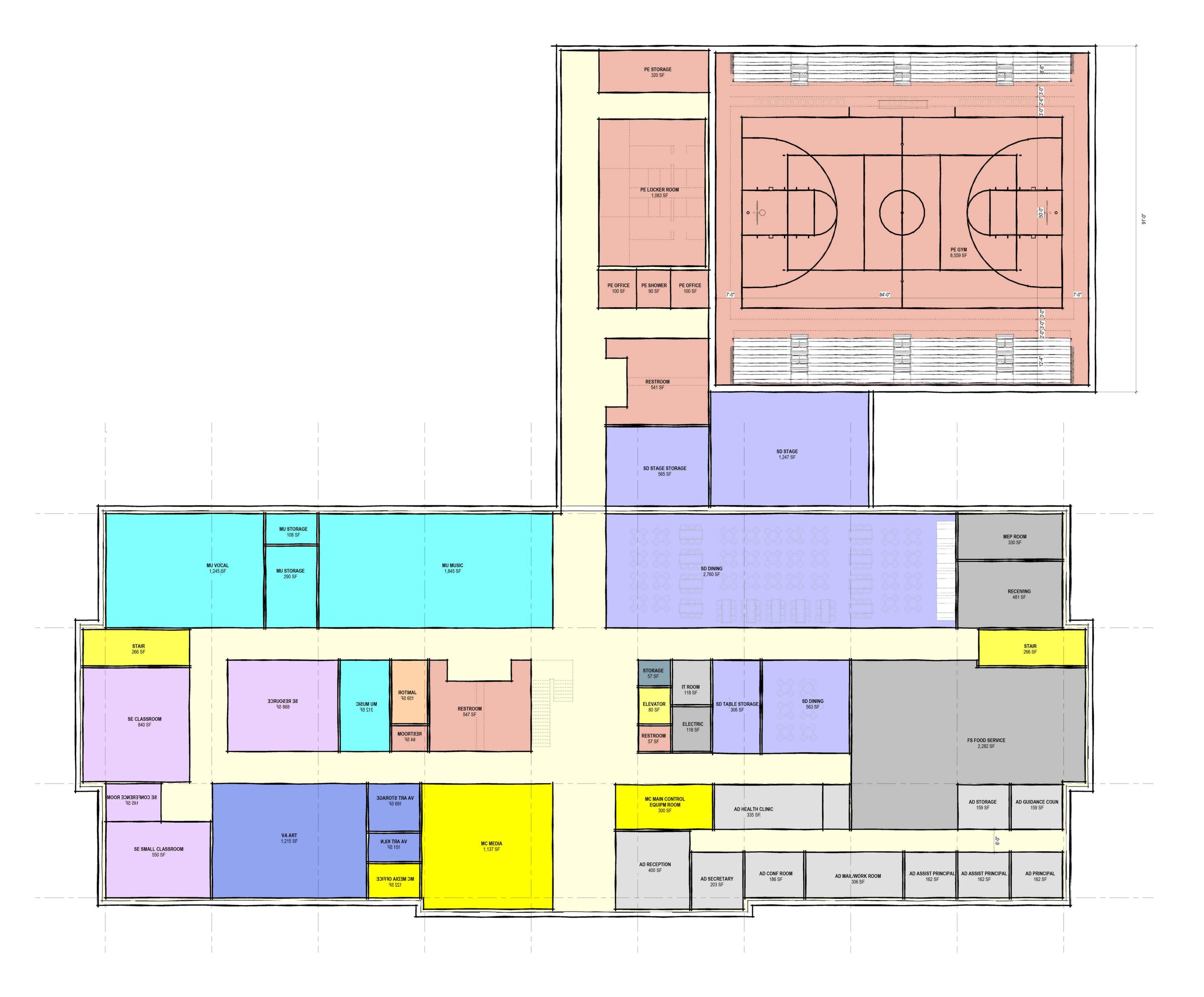
1. Appeals:

- (a) <u>Taking of Appeals</u>: Appeals to the Board of Zoning Appeals concerning interpretation or administration of the text or the underlying zoning ordinance by the Zoning Officer or any other administrative official may be taken by any person aggrieved, including a tenant, or by a governmental officer, department, board, or bureau. Such appeal shall be taken within twenty days after the date of the decision by filing a notice of appeal specifying the grounds thereof with the officer from whom the appeal is taken and the Board of Zoning Appeals.
- (b) <u>Imminent Peril</u>: An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Officer certifies to the Board of Zoning Appeals, after notice of appeal shall have been filed with him, that by reason of facts stated in the application of a stay would, in his opinion, cause imminent peril to life or property. In such case, the proceeding shall not be stayed other than by a restraining order which may, on due cause shown, be granted by the Board of Zoning Appeals, after notice to the Zoning Officer or by judicial proceedings.

B. Variances:

- 1. <u>Nature of Variance</u>: On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of the PUD portion of this text or the Zoning Ordinance unreasonable and, therefore, the procedure for variance from development standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change of the primary use of the land or structure permitted.
- 2. <u>Variance Process</u>: The procedures and requirements of Chapter 1113, Variances of the Codified Ordinances of the City of New Albany shall be followed in cases of appeals. The Planning Commission shall hear requests for variances in this zoning district.
- C. <u>ARB Review:</u> Any final development plan for this zoning district shall be reviewed by the City's Architectural Review Board (ARB) in addition to Planning Commission. The ARB shall not review the rezoning application or preliminary development plan application for this zoning district.



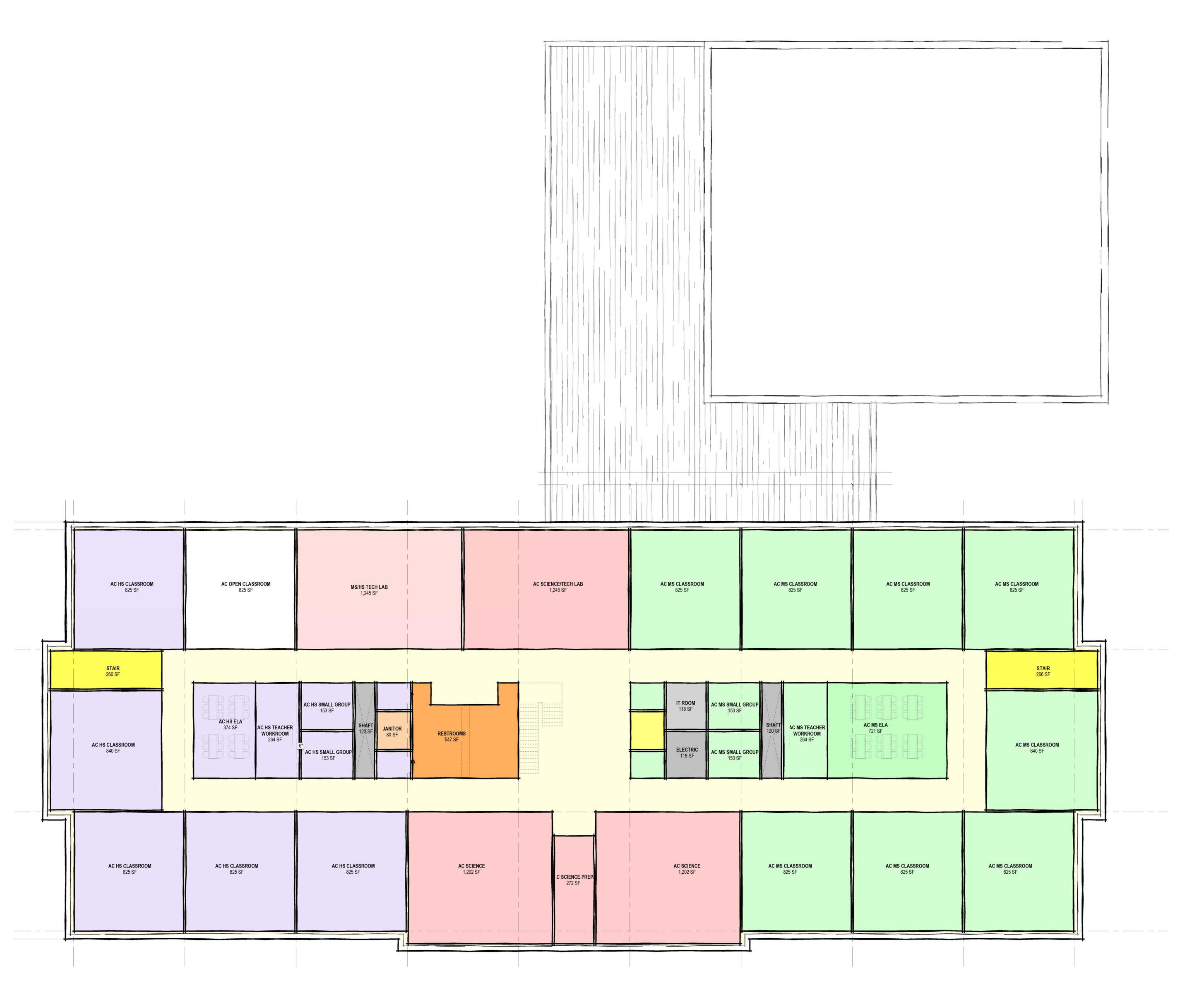


AREA PLAN SCHEDULE (Building Net) Copy 1 AD CONF ROOM AD GUIDANCE COUN AD MAIL/WORK ROOM AD PRINCIPAL AD RECEPTION AD RESTROOM AD SECRETARY CIRCULATION ELECTRIC **ELEVATOR** 2,282 SF 2,315 SF FS FOOD SERVICE MC MAIN CONTROL EQUIPM MC MEDIA MC MEDIA OFFICE MEP ROOM 330 SF **MU STORAGE MU STORAGE** MU VOCAL PE GYM PE LOCKER ROOM 1,083 SF PE OFFICE PE SHOWER PE STORAGE 320 SF RECEIVING RESTROOM RESTROOM SD STAGE SD STAGE STORAGE SD TABLE STORAGE SE CLASSROOM SE CONFERENCE ROOM SE RESOURCE SE SMALL CLASSROOM VA ART STORAGE AC HS CLASSROOM AC HS CLASSROOM AC HS CLASSROOM AC HS CLASSROOM AC HS ELA AC HS RESTROOM 57 SF 105 SF 150 SF 50 SF 240 SF AC HS SMALL GROUP
AC HS SMALL GROUP AC HS STORAGE AC HS TEACHER 810 SF AC MS CLASSROOM 1,200 SF AC MS ELA AC MS RESTROOM AC MS SMALL GROUP AC MS SMALL GROUP AC MS STORAGE AC MS TEACHER WORKROOM 0 SF 1,200 SF 1,200 SF 300 SF 1,000 SF AC OPEN CLASSROOM AC SCIENCE AC SCIENCE AC SCIENCE PREP 272 SF AC SCIENCE/TECH LAB CIRCULATION ELECTRIC 81 SF 118 SF **ELEVATOR** IT ROOM JANITOR MS/HS TECH LAB RESTROOMS 120 SF 266 SF

LEVEL 01 - NET AREA PLAN

1" = 10'-0"

70,636 SF 46,935 SF





AREA PLAN SCHEDULE (Building Net) Copy 1

330 SF

320 SF

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272 SF

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547 SF

120 SF 120 SF 266 SF

70,636 SF 46,935 SF

AD GUIDANCE COUN

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CIRCULATION ELECTRIC **ELEVATOR** FS FOOD SERVICE

MC MAIN CONTROL EQUIPM

MC MEDIA MC MEDIA OFFICE MEP ROOM

> **MU STORAGE MU STORAGE** MU VOCAL

PE LOCKER ROOM

PE OFFICE PE SHOWER PE STORAGE

RECEIVING

RESTROOM RESTROOM RESTROOM

SD STAGE SD STAGE STORAGE SD TABLE STORAGE SE CLASSROOM SE CONFERENCE ROOM SE RESOURCE SE SMALL CLASSROOM

VA ART STORAGE

AC HS CLASSROOM AC HS CLASSROOM AC HS CLASSROOM

AC HS ELA AC HS RESTROOM

AC HS SMALL GROUP AC HS SMALL GROUP AC HS STORAGE

AC HS TEACHER WORKROOM

AC MS CLASSROOM AC MS ELA AC MS RESTROOM AC MS SMALL GROUP AC MS SMALL GROUP AC MS STORAGE AC MS TEACHER WORKROOM

AC OPEN CLASSROOM AC SCIENCE AC SCIENCE AC SCIENCE PREP

AC SCIENCE/TECH LAB CIRCULATION ELECTRIC

ELEVATOR IT ROOM JANITOR MS/HS TECH LAB RESTROOMS





