



New Albany Planning Commission Meeting Agenda
Monday, June 17, 2024 at 7:00 p.m.

Members of the public must attend the meeting in-person to participate and provide comments at New Albany Village Hall at 99 West Main Street. The meeting will be streamed for viewing purposes only via the city website at <https://newalbanyohio.org/answers/streaming-meetings/>

I. Call to order

II. Roll call

III. Action on minutes: June 3, 2024

IV. Additions or corrections to the agenda

Administration of oath to all witnesses/applicants/staff who 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

VI. Cases:

FDM-08-2024 Final Development Plan Modification

Modification to the approved final development plan for the New Albany Links subdivision driving range (PID: 222-002263).

Applicant: New Albany Driving Range c/o Christopher Ingram, VORYS Law Firm.

Motion of acceptance of staff reports and related documents into the record for FDM-08-2024.

Motion of approval for application FDM-08-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

FDP-36-2024 Final Development Plan

Final development plan to allow for construction of a 6,929 square foot Donatos multi-tenant building with drive-through on 1.22 acres located generally near the northeast corner of Smith's Mill Road and Beech Road (PID: 093-106512-00).

Applicant: J. Carter Bean Architect LLC c/o Carter Bean

Motion of acceptance of staff reports and related documents into the record for FDP-36-2024.

Motion of approval for application FDP-36-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

FDP-37-2024 Final Development Plan

Final development plan to allow for construction of a 2,806 square foot Wright Patt bank with three drive-throughs on 2.6 acres located generally near the southeast corner of US-62 and Smiths Mill Road (PID: 222-004736).

Applicant: Shremshock Architects and Engineers c/o Brandon Anderson

Motion of acceptance of staff reports and related documents into the record for FDP-37-2024.

Motion of approval for application FDP-37-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

CU-43-2024 Conditional Use

Request for a conditional use permit to operate a drive-through use associated with a Wright Patt bank located generally near the southeast corner of US-62 and Smiths Mill Road (PID: 222-005377).

Applicant: Shremshock Architects and Engineers c/o Brandon Anderson

Motion of acceptance of staff reports and related documents into the record for CU-43-2024.

Motion of approval for application CU-43-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VAR-41-2024 Variances

Variances related to existing digital, directional and monument signs for Moo Moo Car Wash located at 10000 Johnstown Road (PID: 222-05375).

Applicant: Moo Moo New Albany Forest Drive LLC

Motion of acceptance of staff reports and related documents into the record for VAR-41-2024.

Motion of approval for application VAR-41-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

TM-47-2024 Zoning Text Modification

Amendment to the All Saints Episcopal Church Limited Community Facilities (L-CF) zoning text to state that the screening requirements for rooftop and mechanical equipment do not apply to solar panels (PID: 222-001515).

Applicant: All Saints Episcopal Church c/o Hank Fresch

Motion of acceptance of staff reports and related documents into the record for TM-47-2024.

Motion of approval for application TM-47-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VII. Other business

- **Appointment of CRAHC representative**

- **ZC-48-2024 Ganton C-PUD Rezoning Informal Review**

Rezoning consists of 108.1+/- acres of property located to the south and southwest of and adjacent to State Route 161, to the north of and adjacent to East Dublin-Granville Road, generally to the east of Johnstown Road/U.S. Route 62, and to the west of and partially adjacent to Kitzmiller Road.

VIII. Poll members for comment

IX. Adjournment



New Albany Planning Commission
Monday, June 3, 2024 Meeting Minutes - DRAFT

I. Call to order

The New Albany Planning Commission held an informal meeting on Monday June 3, 2024 in the New Albany Village Hall.

II. Roll call

Those answering roll call:

Mr. Kirby	present
Mr. Wallace	present
Mr. Schell	present
Ms. Briggs	absent
Mr. Larsen	present
Council Member Wiltout	absent
Council Member Brisk	present

Having four voting members present, the commission had a quorum to transact business.

Staff members present: Law Director Albrecht, Development Engineer Albright, Planner II Christian, Planning Manager Mayer, Deputy Clerk Madriguera.

III. Action on minutes:

Chair Kirby asked if there were any corrections to the May 6, 2024 meeting minutes.

Chair Kirby noted there was a typo and he also had a question. On page three, in a comment attributed to him that the word “that” should be the word “this.” He further noted that in that same series of comments, Law Director Albrecht indicated he would look into whether the minor residential subdivision could be required to join a community authority or home owners’ association, and asked whether he had done so. Law Director Albrecht and Planner II Christian responded yes they had and in this case, it was not an applicable issue because the community reinvestment agreement has expired.

Commissioner Wallace also noted that in comments attributed to him on page six there was an extra “that.”

Hearing no further corrections, Commissioner Wallace moved for approval of the May 6, 2024 meeting minutes as corrected. Chair Kirby seconded the motion, and asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Wallace yes, Mr. Kirby yes, Mr. Schell yes, Mr. Larsen yes. Having four yes votes, the motion passed and the May 6, 2024 meeting minutes were approved as corrected.

Chair Kirby asked if there were any corrections to the May 20, 2024 meeting minutes.

Commissioner Wallace had the following corrections: on page three in the middle of the page the word versus was misspelled, and the word iphone was misspelled; page five the word report was misspelled; page seven in the comments attributed to Commissioner Wallace the language should be corrected to state, “because what he thought he was hearing...”

Hearing no further corrections, Commissioner Wallace moved for approval of the May 20, 2024 minutes as corrected. Commissioner Larsen seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Wallace yes, Mr. Larsen yes, Mr. Schell yes, Mr. Kirby yes. Having four yes votes, the motion passed and the May 20, 2024 meeting minutes were approved as corrected.

IV. Additions or corrections to the agenda

Chair Kirby asked whether there were any additions or corrections to the agenda.

Planning Manager Mayer answered none from staff.

Chair Kirby administered the oath to all present who planned to speak regarding an application on the agenda. He further advised all present that now would be a good time to silence cell phones.

V. Hearing of visitors for items not on tonight's agenda

Chair Kirby asked whether there were any visitors present who wished to speak on an item not on the agenda.

Chair Kirby introduced the first case and asked to hear from staff.

VI. Cases:

FDP-22-2024 Final Development Plan

Final development plan to allow for construction of a 2,600 square foot Panda Express restaurant with drive-through on 1.332 acres located generally near the southeast corner of US-62 and Smiths Mill Road (PID: 222-005377).

Applicant: Panda Restaurant Group, c/o Josh Hibbits

Planner II Christian presented the three applications, FDP-22-2024, CU-24-2024, and VAR-25-2024 related to the Panda Express in a single presentation.

Commissioner Schell asked for clarification of the flow and circulation around the restaurant.

Planner II Christian responded that he would let the applicant speak to that.

Chair Kirby asked to hear from the applicant.

Applicant Mike McPherson explained this was a one-two drive through configuration. A single entry into the drive through, it would remain a single lane when traffic was light. When the restaurant was busy, they would use two lanes, and during maximum business they would also supplement drive-through service with workers circulating on foot. Mr. McPherson thanked staff and stated that they have no issue with extending the landscaping on drive-through lane, but they were requesting flexibility regarding the turn lane on Woodcrest Way. The curb being pulled back on Woodcrest Way was intentional so that drivers would have extra swing room.

Chair Kirby asked whether that was one of the conditions of approval.

Planner II Christian responded yes and explained that the city's landscape architect had recommended that the curb cut at the drive-through entrance be reduced and the island and greenery be expanded into the driveway.

Chair Kirby noted that it is condition 1C.

Planner II Christian agreed.

Mr. McPherson stated that he would ask for flexibility for us to work with staff on that particular condition. And the final item was that he would request flexibility to work with staff on the door on the front. They are willing to come up with a design that is acceptable to staff.

Chair Kirby noted that this is part B of the variance, and addressed the Johnstown Road elevation, and could be made subject to staff approval.

Mr. McPherson stated that he had read all of the conditions and had no issues other than the requests for flexibility.

Chair Kirby noted that no one from the public was present to address the commission on the application and asked for questions from the commission.

Commissioner Larsen asked whether are there any concerns that parking will decrease with adjustment of the drive aisle.

Mr. McPherson responded no, there was room to pull forward and wait for food if needed and that there could be parking in the front of the restaurant. He further noted that the credit union needs to agree to move the drive.

Commissioner Wallace noted for staff and for the applicant, when the engineer comments are cross-referenced with the staff report on page 8, it is unclear whether they lined up. But it may not be a big deal if the applicant agrees to all of the engineer's comments on page 8.

Mr. McPherson confirmed that he had a copy of the engineer's comments and he had no problem with any of the comments.

Commissioner Wallace clarified that the commission only needed to vote on Variance B, not A, and there are two aspects to B. Thus it seemed that the commission should vote on the two subparts separately.

Chair Kirby noted that B discussed the active and operable front doors. Thus Woodcrest Way gets the variance and the applicant will work with staff on the active and operable door and design features on Johnstown Road. Johnstown Road would be subject to staff approval.

Planning Manager Mayer recommended a motion for approval for both but the Johnstown Road would be subject to staff approval.

Chair Kirby asked for other questions and comments.

Commissioner Wallace stated he had no further questions.

Chair Kirby asked whether the commission needed to specify dependency of the applications. He noted that usually it was the variances but here there was not the normal strong tie.

Planning Manager Mayer responded that normally the commission would take separate votes.

Chair Kirby moved for acceptance of the staff reports and related documents into the record for FDP-22-2024. Commissioner Larsen seconded the motion.

Chair Kirby asked if there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes, Mr. Larsen yes, Mr. Wallace yes, Mr. Schell yes. Having four yes votes, the motion passed and the staff reports and related documents were accepted into the record for FDP-22-2024.

Chair Kirby moved to approve FDP-22-2024 based on the findings in the staff report and subject to the conditions listed in the staff report with the following modifications, subject to staff approval:

- 1C has to be worked with staff
- Condition 6 is expanded to include all engineering comments on page 8.

Commissioner Wallace seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes, Mr. Wallace yes, Mr. Larsen yes, Mr. Schell yes. Having four yes votes, the motion passed and FDP-22-2024 was approved subject to conditions.

CU-24-2024 Conditional Use

Request for a conditional use permit to operate a drive-through use associated with a Panda Express restaurant located generally near the southeast corner of US-62 and Smiths Mill Road (PID: 222-005377).

Applicant: Panda Restaurant Group, c/o Josh Hibbits

Chair Kirby moved to admit the staff reports and related documents into the record for CU-24-2024. Commissioner Schell seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Schell yes, Mr. Wallace yes. Having four yes votes, the motion passed and the staff reports and related documents were admitted into the record for CU-24-2024.

Commissioner Wallace moved for approval of CU-24-2024 based on the findings in the staff report with the single condition listed in the staff report, subject to staff approval. Commissioner Schell seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Wallace yes, Mr. Schell yes, Mr. Kirby yes, Mr. Larsen yes. Having four yes votes, the motion passed and CU-24-2024 was approved with the condition as listed in the staff report.

VAR-25-2024 Variances

Variances to the number of active and operable doors and signage associated with a final development plan application for a Panda Express development generally near the southeast corner of US-62 and Smith’s Mill Road (PID: 222-005377).

Applicant: Panda Restaurant Group, c/o Josh Hibbits

Chair Kirby moved to accept the staff reports and related documents into the record for VAR-25-2024. Commissioner Larsen seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes, Mr. Larsen yes, Mr. Wallace yes, Mr. Schell yes. Having four yes votes, the motion passed and the staff reports and related documents were admitted into the record for VAR-25-2024.

Chair Kirby moved for approval of VAR-25-2024(B), this does not include part (A), noting that the variance applies to Woodcrest Way and may apply to Johnstown Road with a clear sensitivity to the Johnstown Road elevation. Commissioner Schell seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Larsen yes, Mr. Wallace yes. Having four yes votes, the motion passed and VAR-25-2024(B) was approved noting that it applies to Woodcrest Way and may apply to Johnstown Road subject to staff approval with a clear sensitivity to the Johnstown Road elevation.

The commission wished the applicant good luck.

VII. Other business

1. City Code Amendment: Infrastructure Acceptance and C.O. 1187 Subdivision Regulations

Planning Manager Mayer stated that there were no substantive changes since the first presentation. He recapped the presentation from the May 6, 2024 meeting. This was a change to how infrastructure is accepted.

Commissioner Larsen asked about minimum of 150 of street frontage, but could not find it in the text.

Planning Manager Mayer explained that those regulations would be on a lot by lot basis and would be found in the zoning text for that specific parcel.

Chair Kirby added that those regulations are built into the zoning development standards.

Planning Manager Mayer agreed and added that the city was adding a new tool for property owners to split their lots.

Commissioner Wallace made comments about the language. In the definition section, the last clause states that it does not involve new or widening or the extension of a new street. But when the language was separated, it became confusing. Same thing with the definition of subdivision, it suffers from the same lack of clarity. When we get to 1187.23, widening is missing, and asked whether it should be there for consistency.

Planning Manager Mayer responded that those were great comments. The city wanted to include that it does not involve the creation of new streets, however staff would remove the language referring to widening.

Commissioner Wallace further noted that in 1187.03 on approval of preliminary plat, the red lines were slightly in a different color and wondered about the deletion and why it was deleted.

Planner II Christian responded that there was no significance to the difference in colors. Several staff members were working on this project.

Commissioner Wallace said, okay, that he just wanted to be sure it had no significance. Next he noted a couple of references to subdivider and wondered whether subdivider should be included in the definition section.

Planning Manager Mayer staff would certainly take a look at a definition of subdivider, and add a condition.

Commissioner Wallace added that another way to look at it is “A person looking to subdivide...”

Commissioner Schell moved for approval of 1187 subject to Commissioner Wallace’s concern about defining subdivider and the other concerns raised by Commissioner Wallace. Commissioner Wallace seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Schell yes, Mr. Wallace yes, Mr. Larsen yes, Mr. Kirby yes. Having four votes the motion passed subject to the concerns as raised by Commissioner Wallace.

2. Urban Center Code Amendment: Parkland and Open Space Requirements

Planner II Christian delivered the staff report. The word “amenitized” has been replaced with the word programmed.

Planning Manager Mayer added that staff did not view this as a code change but rather a code clarifier to be sure that the intent is clear.

Commissioner Larsen noted that section 1.1.5 specified 1200 feet of open space or parkland wondered whether a minimum size for programming should be included.

Chair Kirby stated that he thought the sizes are on the map and this provided more flexibility.

Planning Manager Mayer agreed that leaving it open provided staff greater flexibility.

Commissioner Wallace stated having looked at this language, should we include language specifying that it should be programmed for the needs of the residents, and wondered whether the city as a whole should be included.

Planning Manager Mayer agreed that such an inclusion made sense.

Commissioner Wallace moved for adoption of the Urban Center Code Amendment with the modification that, “and the city as a whole” should be inserted after the word “residents.” Chair Kirby seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Wallace yes, Mr. Kirby yes, Mr. Schell yes, Mr. Larsen yes. Having four yes votes the amendment was adopted as modified.

VIII. Poll members for comment and Adjournment

Chair Kirby polled the members for comment.

Planner II Christian updated the commission on the US-62 Interchange Program.

Having no further business, Chair Kirby adjourned the June 3, 2024 New Albany Planning Commission meeting at 7:58 p.m.

Submitted by Deputy Clerk Madriguera, Esq.

Appendix

FDP-22-2024

Staff Report

Record of Action

CU-24-2024

Staff Report

Record of Action

VAR-25-2024(B)

Staff Report

Record of Action

Community Development Department Memo Re: Chapter 1187 Subdivision Process and Minor Residential Subdivision Updates.

Community Development Department Memo Re: Urban Center Code Amendment: Village Center and Parkland Open Space Requirements.



**Planning Commission Staff Report
June 3, 2024 Meeting**

**PANDA EXPRESS
FINAL DEVELOPMENT PLAN**

LOCATION: Located generally at the southeast corner of Smith’s Mill Road and Johnstown Road (US-62) (PID: 222-005377)
APPLICANT: Panda Restaurant Group, c/o Josh Hibbits
REQUEST: Final Development Plan
ZONING: Infill Planned Unit Development (I-PUD): Canini Trust Corp, subarea 8a
STRATEGIC PLAN: Retail
APPLICATION: FDP-22-2024

Review based on: Application materials received April 19, 2024 and May 10, 2024

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

The application is for a final development plan for a proposed Panda Express located at the southeast corner of Smith’s Mill Road and Johnstown Road, within the Canini Trust Corp. The development includes a fast food restaurant with two drive-throughs on a 1.36-acre site.

The zoning text allows Office buildings and the permitted uses contained in the Codified Ordinances of the Village of New Albany, OCD Office Campus District, Section 1144.02 and C-2, Commercial District, Section 1147.02, and the conditional uses contained in Section 1147.02, which includes restaurants and banks with drive-through facilities. The applicant has applied for a conditional use to be heard by the Planning Commission at tonight’s meeting under case CU-24-2024 for the drive-through.

The applicant is also applying for two variances related to this final development plan under application VAR-25-2024. Information and evaluation of the variance requests are under a separate staff report.

II. SITE DESCRIPTION & USE

The 1.36-acre site is located at the southeast corner of Smith’s Mill Road and Johnstown Road, within the Canini Trust Corp. Some of the existing surrounding uses include Home2Suites, Turkey Hill gas station, as well as Dunkin’ Donuts which also has a drive-through facility.

III. EVALUATION

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

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

- a. *That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;*
- b. *That the proposed development is in general conformity with the Strategic Plan/Rocky Fork-Blacklick Accord or portion thereof as it may apply;*

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

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

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

Engage New Albany Strategic Plan Recommendations

The Engage New Albany Strategic Plan recommends the following development standards for the Neighborhood Retail future land use category:

1. Parking areas should promote pedestrians by including walkways and landscaping to enhance visual aspects of the development.
2. Combined curb cuts and cross access easements are encouraged.
3. Curb cuts on primary streets should be minimized and well-organized connections should be created within and between all retail establishments.
4. Retail building entrances should connect with the pedestrian network and promote connectivity through the site.
5. Integrate outdoor spaces for food related businesses.

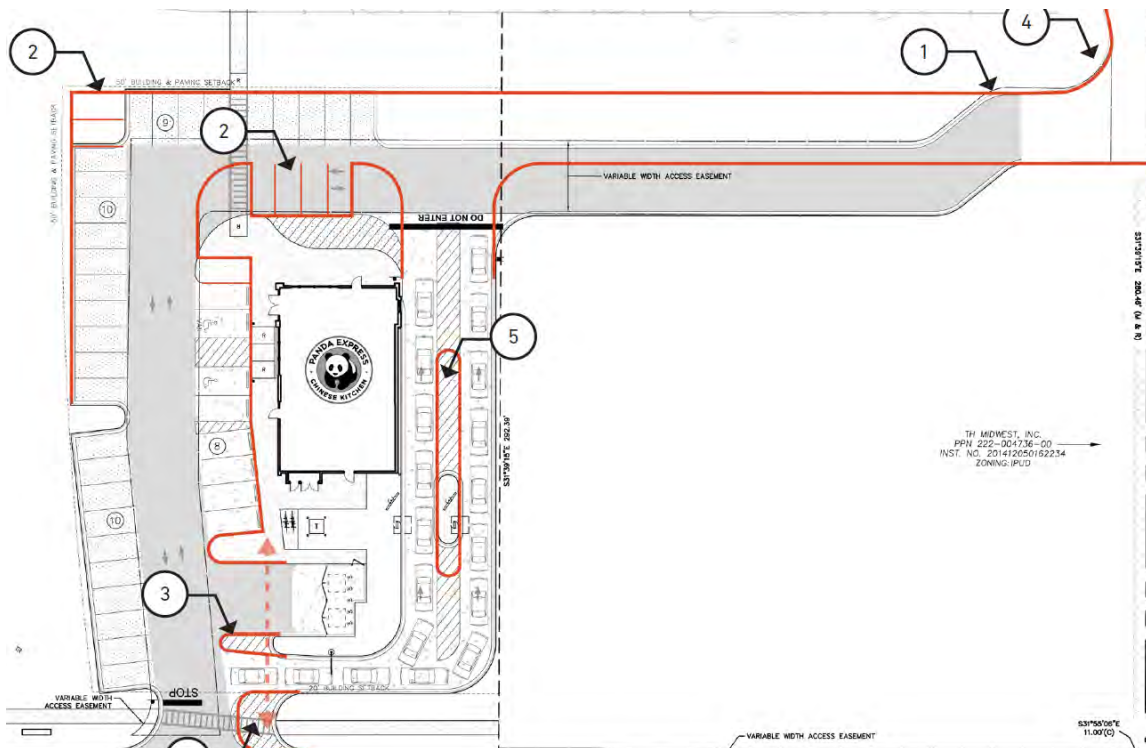
A. Use, Site and Layout

1. The applicant proposes to develop a 2,600 sq. ft. Panda Express restaurant with two drive-through lanes. The existing total site size is 1.36-acres.
2. Drive-throughs associated with restaurant facilities are a conditional use within this zoning district and the applicant has applied for this conditional use to be heard by the Planning Commission at tonight’s meeting under case CU-24-2024.
3. The proposed use is appropriate given the proximity of this site to State Route 161 and the surrounding commercial development surrounding this site. Some of the existing surrounding uses include Home2Suites, Turkey Hill gas station, as well as Dunkin’ Donuts which also has a drive-through facility.
4. The City Landscape Architect evaluated the proposed drive-through and recommends that the applicant extend the drive-through lane median to reduce pavement and extend the landscaping planting zone. Staff recommends this is a conditional of approval.
5. Zoning text section 8a.01(7) requires that the total lot coverage, which includes areas of pavement and building, to not exceed 80%. The plan meets this requirement with a proposed 40.14% lot coverage amount.
6. The zoning text section 8a.01 requires the following setbacks:

Road	Requirement	Proposed
Smith’s Mill Road	50-foot building and pavement setback	50+/- foot pavement [meets code] <u>111+/- building [meets code]</u>
Woodcrest Way	20-foot building pavement setback	20+/- foot pavement [meets code]
Johnstown Road	50-foot building and pavement	50+/- foot pavement [meets code] 110+/- foot building [meets code]
Rear Yard	0-foot building and pavement setback	5-foot pavement [meets code] 107+/- foot building [meets code]

B. Access, Loading, Parking

1. The site is accessed from two proposed curb cuts:
 - a. One full access along Woodcrest Way;
 - b. One existing full access, shared curb cut on Johnstown Road;
 - o The shared drive alignment is skewed. The City Landscape Architect has reviewed the proposed alignment of the shared drive to the north and recommends that the developer realign the access drive adjacent to Johnstown Road to remove the bend/skew to create a consistent transition from the existing drive at the neighboring parcel as depicted below by the “1” circle. Staff recommends this is a condition of approval.



2. The zoning text encourages shared access drives between sites by allowing for zero pavement setbacks and by including a provision stating that where appropriate shared access and joint parking agreements between adjacent parcels may be required by the Village Development Director. Historically, the city staff and Planning Commission have encouraged shared curb cuts and connecting drive aisles between sites. The proposed site does establish a drive aisle for shared access with the property to the east of the site.
 - o The City Landscape Architect, in addition to realigning the shared drive, also recommends that the proposed parking be realigned to follow the building and pavement setback with the shifted access drive, and accommodate minimum parking requirements. Staff recommends this is a condition of approval.
3. The building is surrounded by the parking lot, two drive-through lanes and internal drive aisles. The drive-through appears to be appropriately positioned on the site where it does not interfere with traffic on the rest of the site and will not cause traffic to back up onto public roads.
4. Codified Ordinance 1167.05(d)(4) requires a minimum of one parking space for every 75 square feet of restaurant floor area space. The building is 2,600 square feet in size therefore 35 parking spaces are required and the applicant meets this requirement with 37 proposed spaces.
5. Additionally, the city parking code requires a minimum number of stacking spaces in the drive thru lane must be provided. The required number of drive-through stacking spaces must equal 25% of the total required parking spaces for the drive-through tenant space. Based on this calculation, 9 stacking spaces total must be provided and the applicant exceeds this requirement by providing 19.
6. Per C.O. 1167.03(a), the minimum parking space dimensions required are 9 feet wide and 19 feet long and this requirement is met.
7. Per C.O. 1167.03(a) the minimum maneuvering lane width size is 22 feet for this development type and this requirement is met.
8. A 5-foot-wide concrete sidewalk is not required to be installed along the Woodcrest Way site frontage per the Woodcrest Way Extension plans. However, staff recommends a sidewalk connection from the Smith’s Mill road leisure trail to the site’s proposed curb cut.

C. Architectural Standards

1. The purpose of the New Albany Design Guidelines and Requirements is to help ensure that the New Albany community enjoys the highest possible quality of architectural design.
2. The zoning text contains architectural standards and is regulated by Section 6 of the Design Guidelines and Requirements (Commercial outside the Village Center).
3. The zoning text states that the maximum building height within this zoning district shall not exceed 45 feet. The proposed building height is 22.5 feet; therefore, this requirement is being met.
4. The applicant proposes to use brick for the majority of the building. The proposal also includes stucco and smooth limestone for the trim. The zoning text permits the use of these materials such as brick, pre-cast stone, wood, glass and other synthetic materials are permitted as long as they are used appropriately. The design of the building and use of materials is appropriate and consistent with other buildings in the immediate area.
5. Zoning text section 8a.03(1) states that all visible elevations of a building shall receive similar treatment in style, materials and design so that no visible side is of a lesser visual character than any other. The applicant is accomplishing this requirement by utilizing four-sided architecture.
6. DGR Section 6(I)(A)(12) states that buildings shall have operable and active front doors along all public and private roads. The applicant is not providing an active and operable door along Woodcrest Way (private drive) and Johnstown Road frontages. A variance has been requested related to this under application VAR-25-2024. Information and evaluation of the variance request is under a separate staff report.
7. Zoning text section 8a.05(3) requires that trash receptacles and exterior storage areas be fully screened from public roads. The applicant meets this requirement by providing a dumpster enclosure and landscaping around three sides of the enclosure.
8. C.O. 1171.05(b) also states that all trash and garbage container systems must be screened. The applicant proposes to install a dumpster enclosure thereby meeting this requirement.
9. A roof plan was submitted and demonstrates that all rooftop mechanical equipment will be fully screened from all public roads.
10. Zoning text section 8a.03(3)(b) states that if a flat roof is used, strong cornice lines must be integrated and the applicant is meeting this.

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

2. Parking Lot Landscaping Requirement:
 - Codified Ordinance 1171.06(a)(3) requires one tree per 10 parking spaces. The applicant is providing 37 parking spaces thereby requiring four trees. The plan meets this requirement.
 - Per zoning text 8a.04(4)(a), parking lots shall be screened from rights-of-way with a minimum 36-inch-high evergreen landscape hedge or wall. The landscape plan meets this requirement with the proposed 36-inch-high evergreen landscape hedge.
3. General Site Landscaping Requirement:
 - Codified Ordinance 1171(5)(e) requires parking lots over 20,000 square feet to have a minimum of one tree per 5,000 square feet of ground coverage and a total tree planting equal to 10.5 in tree trunk size for every 2,000 square feet of ground coverage. The applicant states that the parking lot is approximately 23,375 sq. ft and the building is approximately 2,600 sq. ft, requiring 5 trees at 11.5" total caliber (CAL). The applicant proposes to provide 5 trees at 11.5" total CAL, meeting the requirement.
4. Street Tree Landscaping Requirement:
 - The zoning text section 8a.04(2) requires street trees to be planted along Smith's Mill Road and Johnstown Road at a rate of one tree for every 30 feet. There are existing street trees along both of these roadways and the applicant proposes to install additional trees to meet this requirement.
 - The applicant is required to install trees along Woodcrest Way per the approved Woodcrest Way final development plan (FDP-69-2014). The Woodcrest Way final

development plan requires the trees along private drives to be red sunset maple. This requirement is met.

- The Woodcrest Way final development plan requires the site plan and landscape plan to include a 5' wide tree lawn on the outside of the 5' wide sidewalk along Woodcrest Way. The plan meets this requirement.
- 5. US 62/Johnstown Road Buffer Landscaping Requirement:
 - Zoning text section 8a.04(5) requires that there be a minimum of eight (8) deciduous or ornamental trees per 100 lineal feet planted throughout the setback areas along Smith's Mill Road and Forest Drive. The proposed landscape plan shows 15 trees required for Smith's Mill Road and the plan meets this requirement. Additionally, 22 trees are required for Johnstown Road and the plan meets this requirement.
- 6. The zoning text requires a minimum of 8% interior parking lot landscaping on the site. The landscape plan meets this requirement.
- 7. The applicant proposes to use ornamental trees for buffer trees that are required per code. The plan also proposes that the buffer ornamental trees be planted at 2.5" CAL. This requirement is met.
- 8. The City Landscape Architect has reviewed the referenced plan in accordance with the landscaping requirements found in the New Albany Codified Ordinances and zoning text and provides the following comments. Staff recommends a condition of approval that all City Landscape Architect's comments are met at the time of engineering permits, subject to staff approval. The City Landscape Architect's comments are:
 - Update the planting legend and labels to properly reflect proposed plan material. Current plan symbols misrepresent deciduous shrubs along parking lot to be perennial grass.
 - Extend use of evergreen shrub, 36" in height, to screen drive-through.
 - Increase density of perennial grass at drive-through entrance.
 - Remove the use of rock beds along the drive-through and extend plant bed and material along the drive-through lanes to match existing condition present in other sites within New Albany.
 - Remove use of rock beds at edge of pavements and replace with lawn or mulched planting beds where applicable.
 - Include planting in proposed curb extensions.
 - Realign trees along Johnstown Road and Woodcrest Way as marked. Placement to be evenly spaces and aligned along both sections.
 - Replace use of Bald Cypress (*Taxodium Distichum*) along the parking lot with a deciduous shade tree. Recommend use of one of the following: *Liriodendron tulipifera*, *Nyssa sylvatica*, *Platanus x. acerfolia*, *Gymnocladus dioicus*. Tree placement should adhere to tree grouping standards.

E. Lighting & Signage

1. The applicant has submitted a photometric plan that shows the max foot-candles is 19.9:1 just at the rear of the building near the service entrance and the site has zero or near zero foot candles at the property lines.
2. Zoning text section 8a.05(e) and (f) requires all parking lot and private driveway light poles to be cut-off and downcast, not exceed 20 feet in height, painted New Albany Green and the use the same fixture that has been used at Dairy Queen and throughout the Canini Trust Corp. The applicant commits to meeting these requirements.
3. As part of this final development plan application, the applicant has submitted a sign plan for the site.

Wall Signs

Zoning text section 8a.06(3)(i) permits one wall mounted sign per retail tenant on each elevation of the building that fronts or sides on a public or private road. The proposed building faces three public streets or private drives, therefore permitting a maximum of three wall signs on the building. One square foot of sign face is permitted per each lineal

foot of the building, not to exceed 80 square feet in size. The applicant proposes the following wall signs.

Smith's Mill Road Elevation Wall Sign

- a. Area: 36 sq. ft. [meets code]
- b. Lettering Height: 5" tall [meet code, 24-inch maximum required]
- c. Location: one on the Smith's Mill building elevation [meets code]
- d. Lighting: non-illuminated [meets code]
- e. Relief: The signage plan does not indicate the thickness of the wall sign but the sign plan notes that the sign vendor will meet this criterion for final installation.
- f. Color: maximum of 3 colors [meets code]
- g. Materials: metal [meets code]

Johnstown Road Elevation Wall Sign

- a. Area: 34 sq. ft. per sign [meets code]
- b. Lettering Height: 24" tall [meet code, 24-inch maximum required]
- c. Location: on the Johnstown Road building elevation [meets code]
- d. Lighting: non-illumination [meets code]
- e. Relief: 3" [meets code, code minimum of 1-inch relief required]
- f. Color: maximum of 3 colors [meets code]
- g. Materials: metal [meets code]

Drive-Through Elevation Wall Sign

- a. Area: 36 sq. ft. [meets code]
- b. Lettering Height: 5" tall [meet code, 24-inch maximum required]
- c. Location: one on the drive-through elevation [does not meet code and a variance has been submitted under VAR-24-2024]
- d. Lighting: non-illuminated [meets code]
- e. Relief: The signage plan does not indicate the thickness of the wall sign but the sign plan notes that the sign vendor will meet this criterion for final installation.
- f. Color: maximum of 3 colors [meets code]
- g. Materials: metal [meets code]

4. The applicant proposes to install four drive-through menu board signs which is permitted per C.O. 1169.11(c). Two of the signs are 28 sq. ft while the two ordering board signs are 3.28 sq. ft. The maximum size permitted is 32 sq. ft. All four signs meet this requirement. The applicant proposes canopy art to go on the underside of the drive-through order canopies. C.O. 1169.12(b)(4) states that multiple sign types should avoid repeated functionality. Based on this requirement, city staff recommends a condition of approval that these be eliminated to avoid over-signing the site.
5. The applicant proposes to install one 11.5 tall "clearance" bar near the drive-through. The clearance bar does not contain any signage or a company logo.
6. The applicant proposes to install two monument signs on the site. The proposed monument sign along Smith's Mill Road is a multi-tenant sign while the monument sign along Johnstown Road is a single tenant sign. Both signs meet code however, staff recommends a condition of approval that both signs be multi-tenant and the sign fronting Johnstown Road should be relocated to be in the middle of the Panda Express site and the adjacent property.
7. The applicant proposes two directional ground mounted signs on site that will read "Do Not Enter" and "Thank You". They do not contain any product information or a company logo. The zoning text permits entry and exit signs on site but shall be limited to 3' in height and a maximum area of 3 sq. ft. The proposed directional signs are 3' in height but are 6 sq. ft. in size. A variance was not requested for the size of the directional signs. Staff recommends a condition of approval that the signs square footage be revised to meet the text standards.

IV. ENGINEER'S COMMENTS

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

1. Add the signature block shown on this exhibit and accompanying monumentation notes to the cover sheet of the referenced FDP.
2. Add a major flood routing arrow to the legend and show major flood routing in plan view.
3. In accordance with COC/DOSD requirement, revise the main line sanitary sewer diameter to 8 inches. Label this sewer as "Private".
4. Revise the data shown at the existing sanitary sewer connection point on sheet C05 in accordance with Exhibit B.
5. Please add a site distance triangle to sheet C06 at the stop bar and ensure that proposed landscaping features do not impede motorist view.
6. Please have a Professional Surveyor licensed in the state of Ohio stamp and seal the ALTA survey.
7. Obtain Community Development Department approval of the photometrics plan. The Max/Min uniformity ratio of almost 50:1 is much higher than we typically see.
8. Provide a fire truck turning analysis using the template for the 48' Plain Township fire truck.
9. We will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available

V. SUMMARY

The proposal meets many of the goals of the Engage New Albany Strategic Plan such as providing pedestrian access along roadways and into the site, as well as utilizing high quality building materials that are consistent with other buildings in the immediate area. The proposed development is in an appropriate location given the context of the surrounding area and will serve as an amenity for the New Albany Business Park.

V. ACTION

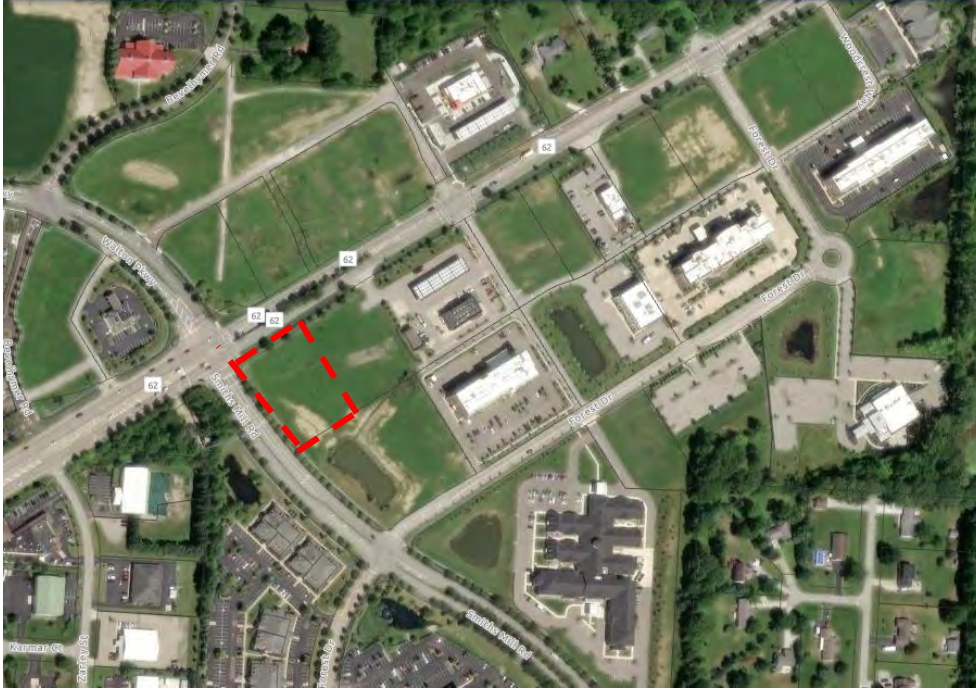
Should the Planning Commission find that the application has sufficient basis for approval, the following motions would be appropriate:

Move to approve final development plan application **FDP-22-2024**, subject to the following conditions:

1. The City Landscape Architect's comments must be addressed, subject to staff approval;
 - a. Realign the access drive adjacent to Johnstown Road to create a consistent transition from the existing drive at the neighboring parcel.
 - b. Realign the proposed parking to following the building and pavement setback with the shifted access drive, and accommodate minimum parking requirements.
 - c. Reevaluate curb alignment at the drive-through entrance and minimum pavement and striping conditions where possible.
 - d. Extend the drive-through lane median to reduce pavement and extent landscaping planting zone.
 - e. Update the planning legend and labels to properly reflect proposed plan material. Current plan symbols misrepresent deciduous shrubs along parking lot to be perennial grass.
 - f. Extend use of evergreen shrub, 36" in height, to screen of drive-through.
 - g. Increase density of perennial grass at drive-through entrance.
 - h. Remove the use of rock beds along the drive-through and extend plant bed and material along the drive-through lanes to match existing condition present in other sites within New Albany.

- i. Remove use of rock beds at edge of pavements and replace with lawn or mulched planting beds where applicable.
 - j. Include planting in proposed curb extensions.
 - k. Realign trees along Johnstown Road and Woodcrest Way as marked. Placement to be evenly spaces and aligned along both sections.
 - l. Replace use of Bald Cypress (*Taxodium Distichum*) along the parking lot with a deciduous shade tree. Recommend use of one of the following: *Liriodendron tulipifera*, *Nyssa sylvatica*, *Platanus x. acerfolia*, *Gymnocladus dioicus*. Tree placement should adhere to tree grouping standards.
2. That a sidewalk connection from the Smith's Mill road leisure trail to the site's proposed curb cut is installed.
 3. That the proposed canopy art on the underside of the drive-through order canopy be eliminated to avoid "over-signing."
 4. That both monument signs be multi-tenant and the sign fronting Johnstown Road should be relocated to be in the middle of the Panda Express site and the adjacent property.
 5. That the proposed directional ground mounted signs that read "Do Not Enter" and "Thank You" be revised to be 3 sq. ft.
 6. The City Engineer's comments must be addressed, subject to staff approval;
 - o Refer to Exhibit A. Revise the referenced FDP to include the signature block provided with Exhibit A and add the Monumentation note block and other note blocks highlighted on this exhibit.
 - o Identify cross access easement requirements with the parcel located to the east.
 - o Refer to Exhibit B. Add this fire truck template to sheet C3.1 and revise the turning radius analysis accordingly.
 - o Add a site distance triangle at the Woodcrest Way curb cut and adjust all landscape features so as not to obstruct motorist view.
 - o We will evaluate storm water management, water distribution, sanitary sewer collection and roadway construction related details once construction plans become available.

Approximate Site Location:



Source: Nearmap

Development Review

project name Panda Express
 prepared for City of New Albany
 date May 16, 2024
 date received April 29, 2024

COMMENTS

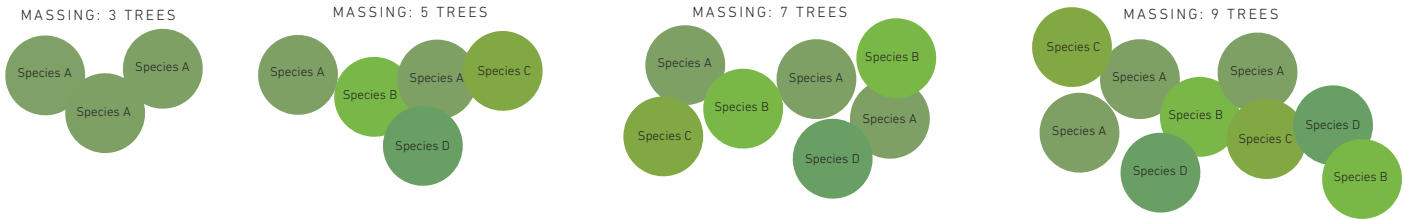
Site Plan

1. Realign the access drive adjacent Johnstown Road to create a consistent transition from the existing drive at the neighboring parcel. See diagram.
2. Realign the proposed parking to follow the building and pavement setback with the shifted access drive, and accommodate minimum parking requirements. See diagram.
3. Reevaluate curb alignment at drive-through entrance. Minimize pavement and striping conditions where possible. See diagram.
4. Consider a safe pedestrian connection into the site from the proposed sidewalk along Woodcrest Way. Recommend considering a future pedestrian connection from the drive at Johnstown Road to connect with the adjacent parcel.
5. Extend the drive-through lane median to reduce pavement and extend landscape planting zone. See diagram.

Planting Plan

6. Update planting legend and labels to properly reflect proposed plant material. Current plan symbols misrepresent deciduous shrubs along parking lot to be perennial grass. Resubmit updated plant list. See diagram.
7. Extend use of evergreen shrub, 36" in height, to screen end of drive-through. See diagram.
8. Increase density of perennial grass at drive-through entrance. See diagram.
9. Remove the use of rock beds along the drive-through. Extend plant bed and material along the drive-through lanes to match existing conditions present in other sites within New Albany.
10. Remove use of rock beds at edge of pavements. Replace with lawn or mulched planting beds where applicable. See diagram.
11. Include planting in proposed curb extensions. See diagram.
12. Realign trees along Johnstown Road and Woodcrest Way as marked. Placement to be evenly spaced and aligned along both sections. See diagram.
13. Replace use of Bald Cypress (*Taxodium Distichum*) along the parking lot with a deciduous shade tree. Recommend use of one of the following... *Liriodendron tulipifera*, *Nyssa sylvatica*, *Platanus x. acerfolia*, *Gymnocladus dioicus*. Tree placement should adhere to tree grouping standards seen below. Resubmit updated plant list. See diagram.

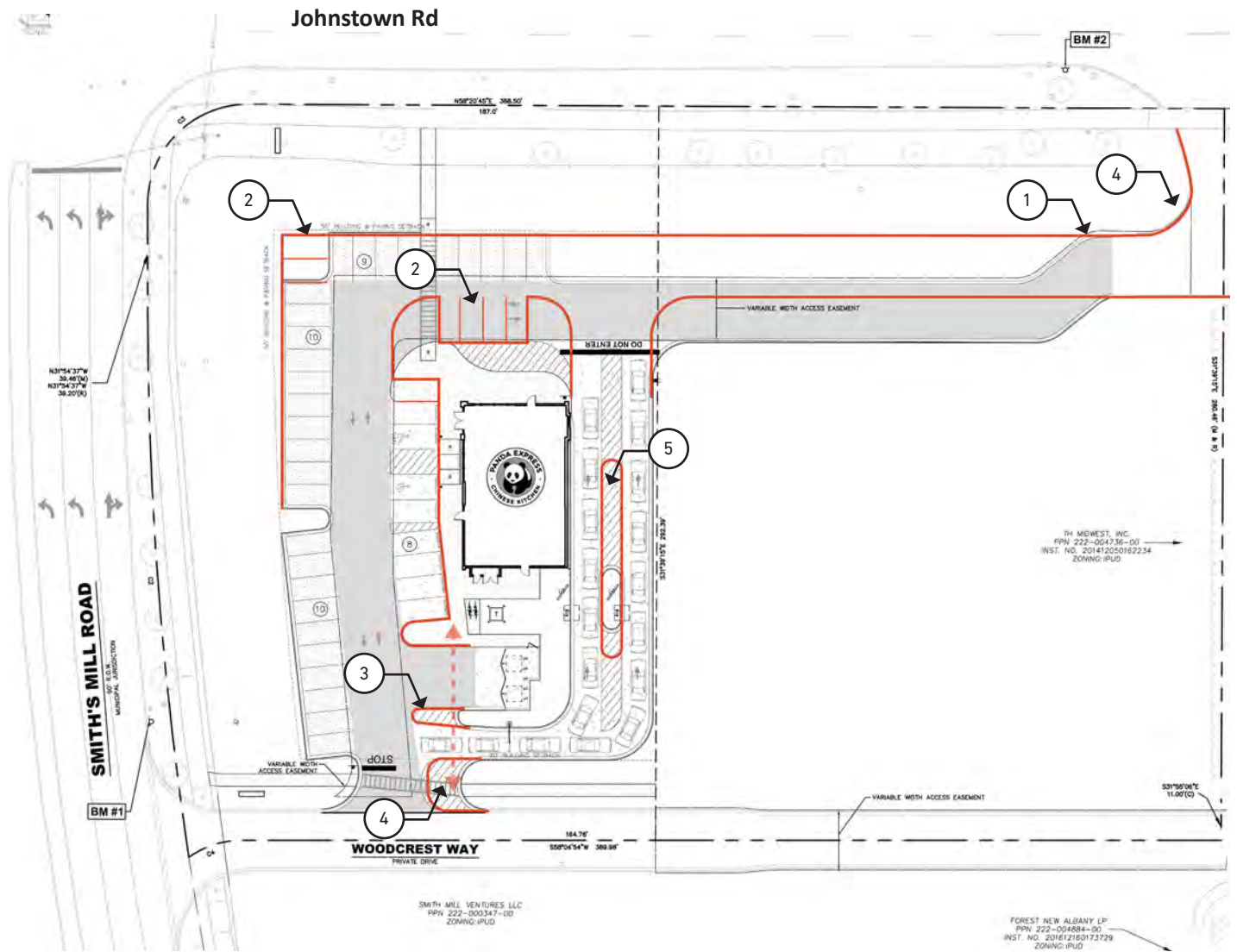
Tree Grouping Standards



*NOTES:
 The provided diagrams are for clarification and design intent purposes only. The diagram should be used to help illustrate the above comments. It is the responsibility of the design consultants to incorporate the above comments as it relates to the site and to adhere to all City requirements and subsequent code. The diagram may not be to scale.

Development Review

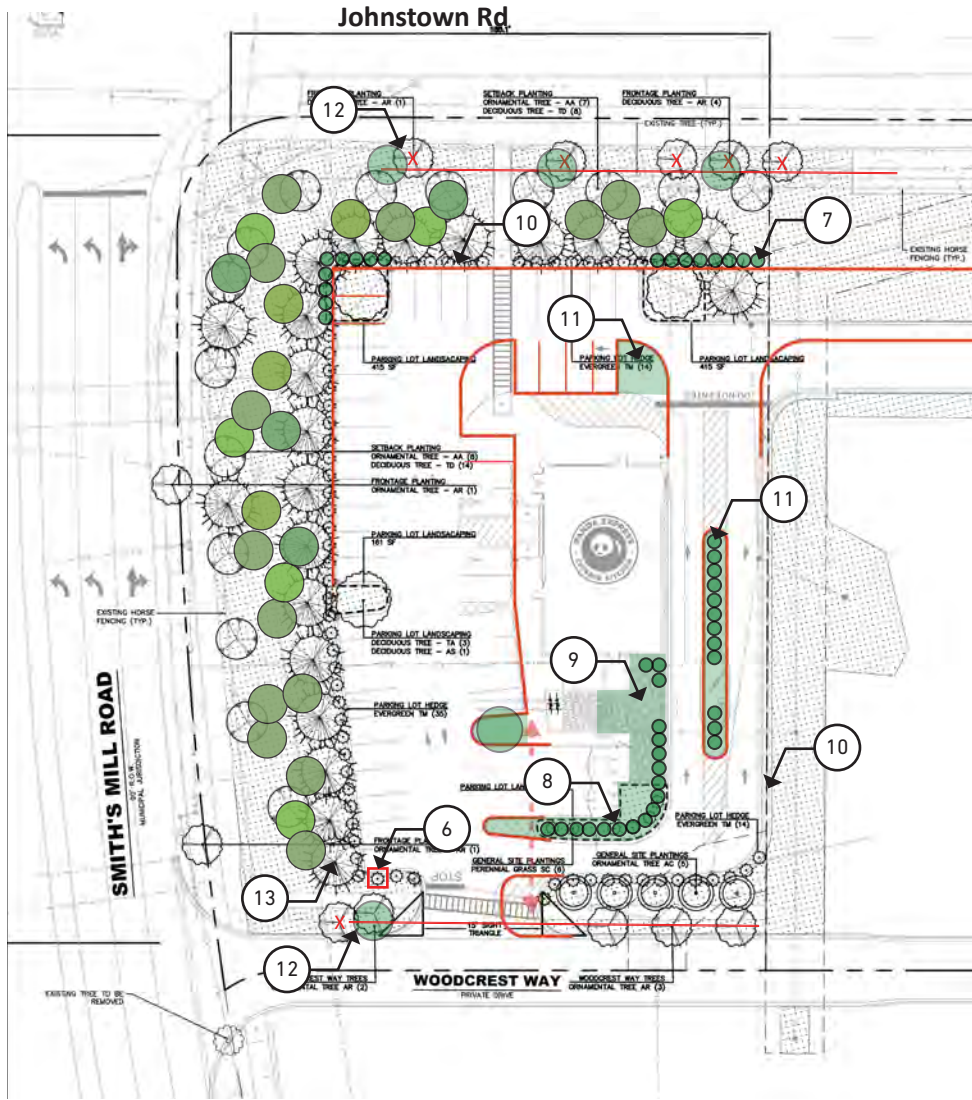
project name Panda Express
prepared for City of New Albany
date May 16, 2024
date received April 29, 2024



Proposed Site Plan

Development Review

project name Panda Express
 prepared for City of New Albany
 date May 15, 2024
 date received April 29, 2024



Proposed Planting Plan

OPEN SPACE

PROVIDED OPEN SPACE	TOTAL SITE AREA	PERCENTAGE OPEN SPACE
38,737.13 SF	64,712.25 SF	59.56%

LANDSCAPE REQUIREMENTS SUMMARY

ITEM	QTY PROVIDED	QTY REQUIRED	FORMULA
STREET TREE REQUIREMENTS			
SMITH'S MILL RD TREES	7 TREES*	7 TREES	1 TREE/30 LF OF FRONTAGE (186 LF)
US-62 TREES	10 TREES*	10 TREES	1 TREE/30 LF OF FRONTAGE (277 LF)
*COUNT INCLUDES EXISTING TREES BETWEEN SIDEWALK AND ROAD			
SETBACK TREE REQUIREMENTS			
SMITH'S MILL RD TREES	15 TREES	15 TREES	8 TREES/100 LF OF FRONTAGE (185 LF)
US-62 TREES	22 TREES	22 TREES	8 TREES/100 LF OF FRONTAGE (277 LF)
GENERAL SITE LANDSCAPING			
TREES**	5 TREES	5 TREES	1 TREE/5,000 SF IMPERVIOUS AREA
**TOTAL TREE PLACING EQUAL TO 11.5 INCHES OF TRUNK SIZE			
PARKING LOT LANDSCAPING			
LANDSCAPED AREA***	1,430 SF	1,012 SF	8 SF / 100 SF PARKING AREA (12,854 SF)
TREES	4 TREES	4 TREES	1 TREE/10 PARKING SPACES
***MINIMUM SIZE OF LANDSCAPED AREA IS 350 SF AND MUST CONTAIN 1 DECIDUOUS CANOPY TREE PER 10 PARKING SPACES			

DECIDUOUS CANOPY TREE SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
AS	6	SUGAR MAPLE	ACER SACCHARUM	5" CAL.	B & B
TA	4	TILIA AMERICANA	AMERICAN LINDEN	5" CAL.	B & B

DECIDUOUS ORNAMENTAL TREE SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
AC	5	AMELANCHIER CANADENSIS	SHADBLOW SERVICEBERRY	2.5" CAL.	B & B
AR	12	ACER RUBRUM 'FRANKSRED'	RED SUNSET MAPLE	2.5" CAL.	B & B
AA	15	AMELANCHIER ARBOREA	COMMON SERVICEBERRY	2.5" CAL.	B & B

EVERGREEN TREE SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
TD	22	TAXODIUM DISTICHUM	BALD CYPRESS	2.5" CAL.	B & B

PERENNIAL GRASS SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
SC	6	SCOPAZCHYRUM SCOPARIUM	LITTLE BLUE STEM	24"	B & B

EVERGREEN SHRUB SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
TM	63	TAXUS X MEDIA 'DENSIFORMIS'	DENSE YEW	36"	CONT*

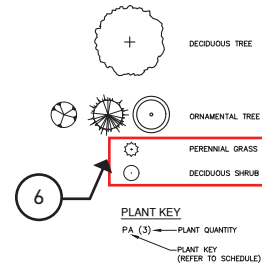
*TO BE TOUCHING ON INSTALLATION

NOTES TO CONTRACTOR

- ALL DISEASED, DAMAGED, OR DEAD PLANTING MATERIALS SHALL BE REMOVED IN ACCORDANCE WITH STANDARDS OF THE CITY OF NEW ALBANY ZONING ORDINANCE.
- ALL PLANTS SHALL CONFORM TO THE CURRENT ISSUE OF THE AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN AND SHALL HAVE PASSED INSPECTIONS REQUIRED UNDER STATE REGULATIONS.
- ALL LANDSCAPED AREAS SHALL BE COVERED BY GRASS OR OTHER LIVING GROUND COVER. GRASS AREAS SHALL BE PLANTED IN SPECIES NORMALLY GROWN AS PERMANENT LAWNS IN THE CITY OF STERLING HEIGHTS.
- PROVIDE SHREDED HARDWOOD MULCH AROUND THE BASE OF ALL TREES.
- ALL TREE STAKING IN PARKING LOT ISLANDS SHALL BE REMOVED IN AREAS OPEN TO BUSINESS.
- SITE IRRIGATION TO BE PROVIDED FOR ALL PROPOSED LANDSCAPE IMPROVEMENT AREAS AND LAWN AREAS. CONTRACTOR TO COORDINATE DESIGN BUILD PLANS FOR IRRIGATION.

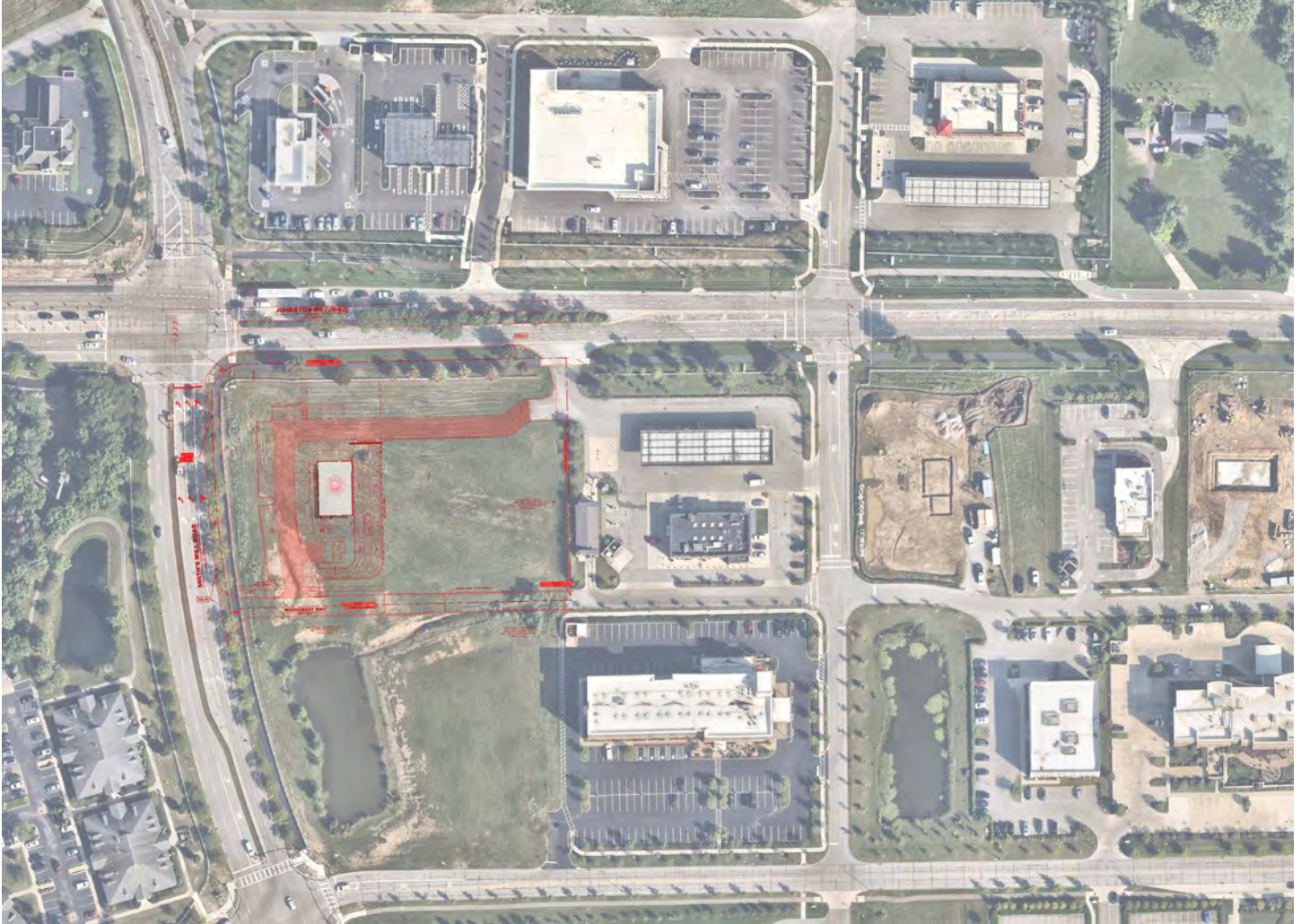
LEGEND

	PROPERTY LINE
	STANITARY SEWER
	STORM SEWER
	WATERMAN
	GAS
	UNDERGROUND ELECTRIC
	UNDERGROUND TELEPHONE
	EXISTING HORSE FENCE
	PROPOSED ROCK GARDEN
	PROPOSED SOG
	PROPOSED SEEDING
	PERENNIAL FLOWERS
	ANNUAL COLOR



Development Review

project name Panda Express
prepared for City of New Albany
date May 15, 2024
date received April 29, 2024



Site Plan Overlay, as Proposed. Attached for reference.

404.682-01
May 13, 2024

To: Christopher Christian
City Planner

From: Matt Ferris, P.E., P.S.
By: Jay M. Herskowitz, P.E., BCEE

Re: Panda Express FDP

We reviewed the revised submittal in accordance with Code Sections 1159.07 (b)(3) FDP. Our review comments are as follows:

1. Refer to Exhibit A (see attached). Add the signature block shown on this exhibit and accompanying monumentation notes to the cover sheer of the referenced FDP.
2. Please refer to sheet C04. Add a major flood routing arrow to the legend and show major flood routing in plan view.
3. Please refer to sheet C05. In accordance with COC/DOSD requirement, revise the main line sanitary sewer diameter to 8 inches. Label this sewer as "Private".
4. Refer to Exhibit B. Revise the data shown at the existing sanitary sewer connection point on sheet C05 in accordance with Exhibit B.
5. Please add a site distance triangle to sheet C06 at the stop bar and ensure that proposed landscaping features do not impede motorist view.
6. Please have a Professional Surveyor licensed in the state of Ohio stamp and seal the ALTA survey.
7. Obtain Community Development Department approval of the photometrics plan. The Max/Min uniformity ratio of almost 50:1 is much higher then we typically see.
8. Provide a fire truck turning analysis using the template for the 48' Plain Township fire truck.
9. We will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available

MEF/JMH

(attachments)

cc: Josh Albright, Development Engineer
Sierra Saumenig, Planner
Dave Samuelson, P.E., Traffic Engineer



Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Panda Restaurant Group,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.



Community Development Department

Decision and Record of Action

Friday, June 07, 2024

The New Albany Planning Commission took the following action on 06/03/2024 .

Final Development Plan

Location: 9880 Johnstown Rd.

Applicant: Panda Restaurant Group,

Application: PLFDP20240022

Request: Final development plan to allow for construction of a 2,600 square foot Panda Express restaurant with drive-through on 1.332 acres located generally near the southeast corner of US-62 and Smiths Mill Road (PID: 222-005377).

Motion: Move to approve with conditions

Commission Vote: Motion Approved with Conditions, 4-0

Result: Final Development Plan, PLFDP20240022 was Approved with Conditions, by a vote of 4-0.

Recorded in the Official Journal this on June 3, 2024.

Condition(s) of Approval:

1. 1. The City Landscape Architect's comments must be addressed, subject to staff approval;
 - a. Realign the access drive adjacent to Johnstown Road to create a consistent transition from the existing drive at the neighboring parcel.
 - b. Realign the proposed parking to following the building and pavement setback with the shifted access drive, and accommodate minimum parking requirements.
 - c. Reevaluate curb alignment at the drive-through entrance and minimum pavement and striping conditions where possible.
 - d. Extend the drive-through lane median to reduce pavement and extent landscaping planting zone.
 - e. Update the planning legend and labels to properly reflect proposed plan material. Current plan symbols misrepresent deciduous shrubs along parking lot to be perennial grass.
 - f. Extend use of evergreen shrub, 36" in height, to screen of drive-through.
 - g. Increase density of perennial grass at drive-through entrance.
 - h. Remove the use of rock beds along the drive-through and extend plant bed and material along the drive-through lanes to match existing condition present in other sites within New Albany.
PC 24 0603 Panda Express FDP-22-2024 9 of 10
 - i. Remove use of rock beds at edge of pavements and replace with lawn or mulched planting beds where applicable.
 - j. Include planting in proposed curb extensions.
 - k. Realign trees along Johnstown Road and Woodcrest Way as marked. Placement to be evenly spaces and aligned along both sections.

1. Replace use of Bald Cypress (*Taxodium Distichum*) along the parking lot with a deciduous shade tree. Recommend use of one of the following: *Liriodendron tulipifera*, *Nyssa sylvatica*, *Platanus x. acerfolia*, *Gymnocladus dioica*. Tree placement should adhere to tree grouping standards.
2. That a sidewalk connection from the Smith's Mill road leisure trail to the site's proposed curb cut is installed.
3. That the proposed canopy art on the underside of the drive-through order canopy be eliminated to avoid "over-signing."
4. That both monument signs be multi-tenant and the sign fronting Johnstown Road should be relocated to be in the middle of the Panda Express site and the adjacent property.
5. That the proposed directional ground mounted signs that read "Do Not Enter" and "Thank You" be revised to be 3 sq. ft.
6. The City Engineer's comments must be addressed, subject to staff approval;
 - o Refer to Exhibit A. Revise the referenced FDP to include the signature block provided with Exhibit A and add the Monumentation note block and other note blocks highlighted on this exhibit.
 - o Identify cross access easement requirements with the parcel located to the east.
 - o Refer to Exhibit B. Add this fire truck template to sheet C3.1 and revise the turning radius analysis accordingly.
 - o Add a site distance triangle at the Woodcrest Way curb cut and adjust all landscape features so as not to obstruct motorist view.
 - o We will evaluate storm water management, water distribution, sanitary sewer collection and roadway construction related details once construction plans become available.
 - o Add the signature block shown on this exhibit and accompanying monumentation notes to the cover sheet of the referenced FDP.
 - o Add a major flood routing arrow to the legend and show major flood routing in plan view.
 - o In accordance with COC/DOSD requirement, revise the main line sanitary sewer diameter to 8 inches. Label this sewer as "Private".
 - o Revise the data shown at the existing sanitary sewer connection point on sheet C05 in accordance with Exhibit B.
 - o Please add a site distance triangle to sheet C06 at the stop bar and ensure that proposed landscaping features do not impede motorist view.
 - o Please have a Professional Surveyor licensed in the state of Ohio stamp and seal the ALTA survey.
 - o Obtain Community Development Department approval of the photometrics plan. The Max/Min uniformity ratio of almost 50:1 is much higher than we typically see.
 - o Provide a fire truck turning analysis using the template for the 48' Plain Township fire truck.
 - o We will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available

Staff Certification:

Chris Christian

Chris Christian
Planner II



**Planning Commission Staff Report
June 3, 2024 Meeting**

**PANDA EXPRESS DRIVE-THRU
CONDITIONAL USE**

LOCATION: Located generally at the southeast corner of Smith’s Mill Road and Johnstown Road (US-62) (PID: 222-005377)
APPLICANT: Panda Restaurant Group, c/o Josh Hibbits
REQUEST: Conditional Use
ZONING: Infill Planned Unit Development (I-PUD): Canini Trust Corp, subarea 8a
STRATEGIC PLAN: Retail
APPLICATION: CU-24-2024

Review based on: Application materials received April 19, 2024 and May 10, 2024

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

The applicant requests approval of a conditional use to allow a two-lane drive-through to be developed as part of a Panda Express restaurant use. The Canini Trust Corp (I-PUD) zoning text allows the C-2 General Business (Commercial) District which permits restaurant uses. Drive-through facilities associated with a permitted use are conditional uses.

This request is in conjunction with a final development plan (FDP-22-2024) and associated variances (VAR-25-2024) for the Panda Express restaurant.

II. SITE DESCRIPTION & USE

The 1.36-acre site is generally located at the southeast corner of Smith’s Mill Road and Johnstown Road (US-62), within the Canini Trust Corp. Some of the existing surrounding uses include Home2Suites, Turkey Hill gas station, as well as Dunkin’ Donuts which also has a drive-through facility.

III. EVALUATION

The general standards for conditional uses are contained in Codified Ordinance Section 1115.03. The Planning Commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location meets all of the following requirements:

- (a) *The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.*

Uses:

- The applicant proposes to develop a 2,600 sq. ft. Panda Express restaurant with a drive-through. The existing total site size is 1.36-acres. Restaurants with drive-through facilities are a conditional use within this zoning district.
- The Engage New Albany Strategic Plan identifies this area as the retail future land use area. The proposed use is appropriate based on its proximity to State Route 161,

the New Albany Business Park and the surrounding uses. The site is located within the Canini Trust Corp which envisions this type of use.

- The building is surrounded by the parking lot, two drive-through lanes and internal drive aisles. The drive-throughs appear to be appropriately positioned in the side yard of the site where it does not interfere with traffic on the rest of the site.
- It does not appear that the proposed use drive-through uses will alter the character of the surrounding area. This area is zoned to allow retail and personal services uses such as restaurants and banks which typically have drive-through facilities. Additionally, the Planning Commission recently approved multiple drive throughs in the area for Popeyes, Wendy's, Dairy Queen, Sheets, and Dunkin Donuts developments which all included a drive-through facility and are located near this proposed development. This subarea of the Canini Trust Corp also contains other car-oriented businesses such as a Turkey Hill gas station and Valvoline oil change service

Architecture:

- The design of the commercial building and use of materials is appropriate and consistent with other buildings in the immediate area. The building is well designed architecturally and meets the majority of code requirements and DGR requirements.
- The drive-through window is appropriately sized, designed, and is located so it doesn't front the primary streets: Smith's Mill Road and Johnstown Road. The drive-through is on the east elevation of the building facing the existing car wash and Turkey Hill gas station, and is appropriately designed by using the same building materials that are used on other elevations of the building.
- The overall height of the building is 22.5 feet which meets the 45-foot maximum height allowed by the zoning text.
- All of the mechanical equipment is located on the roof of the building and will be fully screened from the public rights-of-way as well as private roads.

Parking & Circulation:

- Per Codified Ordinance 1167.05(d)(4) requires a minimum of one parking space for every 75 square feet of restaurant floor area space. The building is 2,600 square feet in size therefore 35 parking spaces are required. The applicant is providing 37 parking spaces.
- Additionally, the city parking code requires a minimum number of stacking spaces in the drive through lane must be provided. The required number of drive-thru stacking spaces must equal 25% of the total required parking spaces for the drive-through tenant space. Based on this calculation, 9 stacking spaces total must be provided and the applicant is exceeding this requirement by providing 19.
- The building is surrounded by the parking lot, two drive-through lanes and internal drive aisles. The drive-through appears to be appropriately positioned on the site where it does not interfere with traffic on the rest of the site and will not cause traffic to back up onto public roads.
- The Trust Corp site has a strong internal roadway network that supports car-oriented developments. The lot is surrounded by public roads on two sides that allows traffic to and from the site to be dispersed. Additionally, the site fronts a private road to the south of the site. The public roads and private road network provide multiple connections to public streets.

Landscaping:

- A landscape plan has been submitted with the final development plan application for this site. The City Landscape Architect's comments can be found in the final development plan staff report.

- (b) *The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
- The proposed use is harmonious with the existing and intended character of the general vicinity and will not change the essential character of the area.
 - The proposed use is appropriate due to its proximity to the State Route 161 interchange and the New Albany Business Park.
 - This site is located within the Canini Trust Corp which envisions this type of use. There are existing restaurants with drive-through facilities that are developed in this zoning district.
- (c) *The use will not be hazardous to existing or future neighboring uses.*
- The use does not appear it will be hazardous to the existing or future neighboring uses. It appears that this an appropriate location for a drive-through facility.
- (d) *The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
- Sewer and water service are available in this location.
 - Woodcrest Way was recently extended the length of the southern property line of this proposed development.
 - The proposed commercial development will produce no new students for the school district.
- (e) *The proposed use will not be detrimental to the economic welfare of the community.*
- The proposed use does not appear to be detrimental to the economic welfare in the city due to the creation of jobs that generate income taxes and provide amenities for the business park.
- (f) *The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*
- It does not appear the site will involve operations that will be detrimental to adjacent uses. This area of the city is auto-oriented and is in close proximity to the State Route 161. US-62 is currently heavily traveled therefore it is reasonable to assume that this development will be frequently visited and serve as an important asset to those in the surrounding area.
- (g) *Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.*
- The site is proposed to be accessed via two new curb cuts; one along Woodcrest Way and one proposed shared curb cut with the adjacent property.
 - The building is surrounded by the parking lot and internal drive aisle. The proposed drive-through lanes appear to be properly designed on the site so that the drive through traffic does not interfere with the traffic circulation on the rest of the site.

III. SUMMARY

The overall proposal is consistent with the code requirements for conditional uses. The proposed use is appropriate for the site based on the current zoning and the Engage New Albany Strategic Plan land use recommendations. Retail has historically been approached in a thoughtful and prescribed way that promotes a planned amount of land being dedicated to this use. Due to the close proximity of this site to State Route 161 and this portion of the business park, the drive-through is appropriate in this location.

The proposed use will not change the character of the US-62 corridor as there are existing restaurants with drive-through facilities within the Canini Trust Corp site and the other drive-through developments located along the street.

The drive-through lanes are in appropriate locations given their orientation and the travel pattern appears to be appropriately designed so it will not interfere with traffic circulation on the rest of the site.

Overall, the proposed development meets many of the Engage New Albany Strategic Plan development standards; the drive-through still allows the site to include walkways and landscaping to enhance visual aspects of the development and building entrances that connect with a pedestrian network and promote connectivity.

ACTION

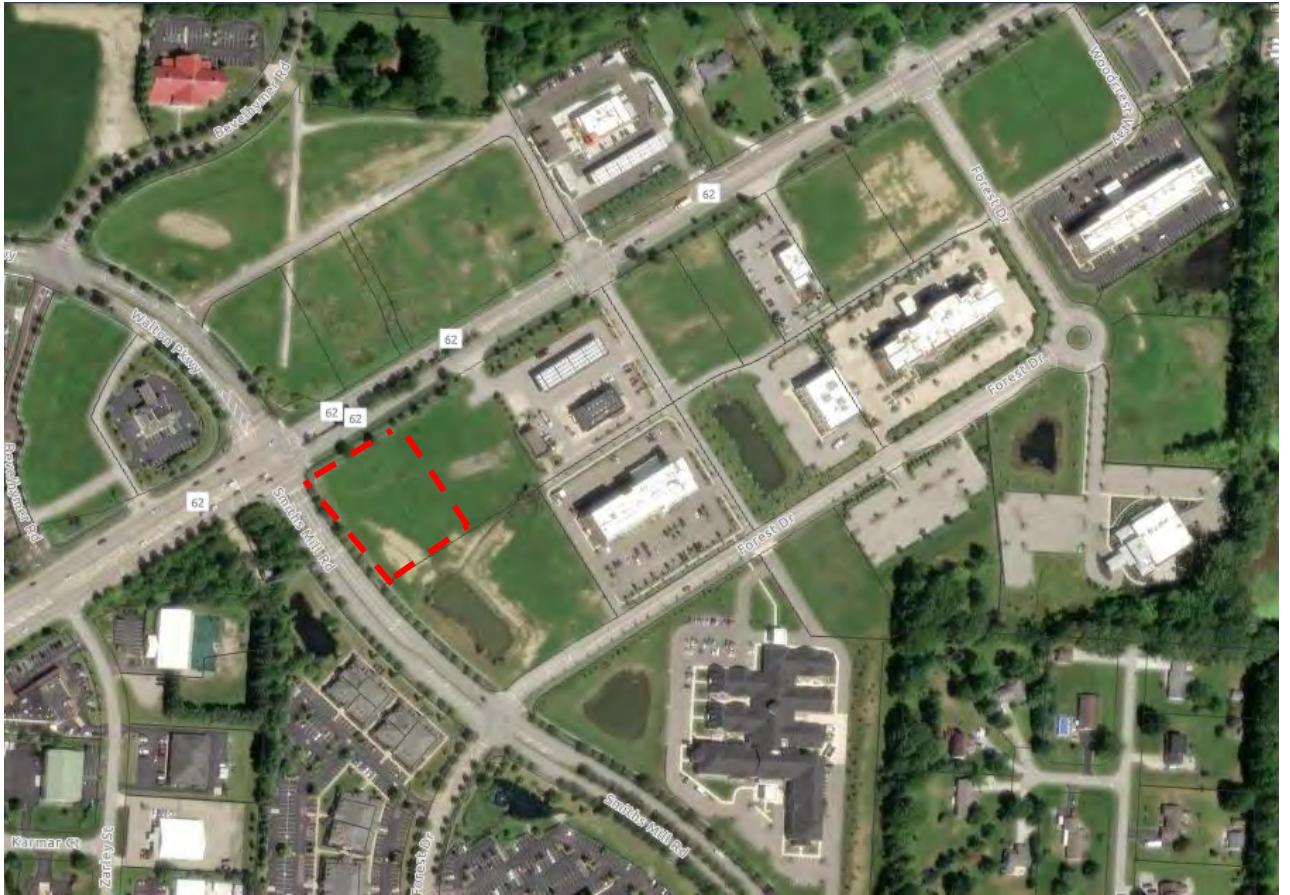
The Commission shall approve, approve with supplementary conditions, or disapprove the application as presented. If the application is approved with supplementary conditions, the Planning Commission shall direct staff to issue a zoning permit listing the specific conditions listed by the Planning Commission for approval.

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

Move to approve application CU-24-2024 with the following conditions:

1. The conditional use permit will become void if or a different kind of business, other than a restaurant, occupies this tenant space.

Approximate Site Location:



Source: Nearmap



Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Panda Restaurant Group,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.



Community Development Department

Decision and Record of Action

Friday, June 07, 2024

The New Albany Planning Commission took the following action on 06/03/2024 .

Conditional Use

Location: 9880 Johnstown Rd.

Applicant: Panda Restaurant Group,

Application: PLCU20240024

Request: Request for a conditional use permit to operate a drive-through use associated with a Panda Express restaurant located generally near the southeast corner of US-62 and Smiths Mill Road (PID: 222-005377).

Motion: Move to approve with conditions

Commission Vote: Motion Approved with Conditions, 4-0

Result: Conditional Use, PLCU20240024 was Approved with Conditions, by a vote of 4-0.

Recorded in the Official Journal this June 7, 2024

Condition(s) of Approval:

1. The conditional use permit will become void if or a different kind of business, other than a restaurant, occupies this tenant space.

Staff Certification:

Chris Christian

Chris Christian
Planner II



**Planning Commission Staff Report
June 3, 2024 Meeting**

**PANDA EXPRESS
VARIANCES**

LOCATION: Located generally at the southeast corner of Smith’s Mill Road and Johnstown Road (US-62) (PID: 222-005377)

APPLICANT: Panda Restaurant Group, c/o Josh Hibbits

REQUEST: (A) Variance to Canini PUD zoning text section 8a.06(3)(i) to allow a wall sign to be installed on the drive through elevation of the building where the zoning text does not allow a sign to be installed.
(B) Variance to C.O. 1157.01(Design Guidelines and Requirements Section 6(A)(12)) to eliminate the requirement for active and operable front doors on the Johnstown Road and Woodcrest Way building elevations.

ZONING: Infill Planned Unit Development (I-PUD): Canini Trust Corp, subarea 8a

STRATEGIC PLAN: Retail

APPLICATION: VAR-25-2024

Review based on: Application materials received April 19, 2024 and May 10, 2024

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

This application is for two variances related to a final development plan for a proposed Panda Express restaurant building with a drive-through located at the northeast corner of Smith’s Mill Road and Johnstown Road, within the Canini Trust Corp.

The applicant requests the following variances:

- (A) Variance to Canini PUD zoning text section 8a.06(3)(i) to allow a wall sign to be installed on the drive-through elevation of the building where the zoning text does not allow a sign to be installed.
- (B) Variance to C.O. 1157.01(Design Guidelines and Requirements Section 6(A)(12)) to eliminate the requirement for active and operable front doors on the Johnstown Road and Woodcrest Way building elevations.

II. SITE DESCRIPTION & USE

The 1.36-acre site is generally located at the southeast corner of Smith’s Mill Road and Johnstown Road (US-62), within the Canini Trust Corp. Some of the existing surrounding uses include Home2Suites, Turkey Hill gas station, as well as Dunkin’ Donuts.

The zoning text allows office buildings and the permitted uses contained in the Codified Ordinances of the Village of New Albany, OCD Office Campus District, Section 1144.02 and C-2, Commercial District, Section 1147.02, and the conditional uses contained in Section 1147.02, which includes restaurants and banks with drive-through facilities. The applicant has applied for a conditional use to be heard by the Planning Commission at tonight’s meeting under case CU-24-2024.

III. EVALUATION

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. The property owners within 200 feet of the property in question have been notified.

Criteria

The standard for granting of an area variance is set forth in the case of *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the “practical difficulties” standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

1. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
2. *Whether the variance is substantial.*
3. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*
4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.*

Plus, the following criteria as established in the zoning code (*Section 1113.06*):

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

III. ASSESSMENT

Considerations and Basis for Decision

(A) Variance to Canini PUD zoning text section 8a.06(3)(i) to allow a wall sign to be installed on the drive-through elevation of the building where the zoning text does not allow a sign to be installed.

The following should be considered in the commission's decision:

1. Canini PUD zoning text section 8a.06(3)(i) states wall mounted signage is limited to one wall mounted sign, no larger than 80 square feet (allowed 1 square foot of signage for linear foot of building frontage up to 80 feet), for each elevation that fronts a public or private street.
2. The applicant proposes to install three wall signs. Two wall signs are located on the Johnstown Road and Smith's Mill Road frontages, meeting the zoning text location requirements. The third wall sign is on the drive-through elevation of the building which does not front on a public or private street therefore, a variance is required.
3. The variance request does not appear to be substantial. The property has three road frontages and thus, three wall signs would meet the development text which the applicant is proposing. No wall sign is proposed on the Woodcrest Way elevation which is the rear of the building. Additionally, all three wall signs meet size requirements and appear to be appropriately scaled in relation to the size of the building.
4. The Planning Commission has approved similar variance requests to allow for a wall signs to be located not adjacent to a public or private street. The PC approved variances for Marriott Courtyard on August 20, 2012 (VAR-05-12) and Dairy Queen on May 18, 2015 (VAR-34-2015).
5. The variance request meets the spirit and intent of the zoning text. As mentioned, three wall signs are permitted for this property and the building is not "over-signed" with the proposed wall sign on the drive-through side.
6. It does not appear that the essential character of the neighborhood would be altered if the variance request is granted. The wall sign on the drive-through side is the same sign as on the Smith's Mill Road and would be located above the drive-through window. Any property within the Canini PUD that fronts on three streets would be permitted three wall signs which the applicant is requesting. Due to the Woodcrest Way frontage being the rear of the building, a wall sign here would not be appropriate.
7. Granting the variance will not adversely affect the health, safety or general welfare of persons living in the immediate vicinity.
8. Granting the variance will not adversely affect the delivery of government services.

(B) Variance to C.O. 1157.01(Design Guidelines and Requirements Section 6(A)(12)) to eliminate the requirement for active and operable front doors on the Johnstown Road and Woodcrest Way building elevations.

The following should be considered in the Commission's decision:

1. The applicant requests a variance to eliminate the requirement that buildings have operable and active front doors along all public and private roads. The building has three frontages: Smith's Mill Road (public street), Johnstown Road (public street), and Woodcrest Way (private road).
 - a. The commercial building has active doors on the Smith's Mill Road frontage but not on the Johnstown Road or Woodcrest Way frontages (only one of the three elevations meet the requirement).
2. As required by the zoning text, the building is designed with the same caliber of finish on all sides of the building using the same building materials.
3. The variance appears to preserve the "spirit and intent" of the zoning requirement for the Woodcrest Way frontage. Nearby developments including the Turkey Hill gas station and Dairy Queen also have service doors on the Woodcrest Way frontage and thus, the proposal is consistent with the surrounding area. However, the variance for a non-

operable door on the Johnstown Road frontage does not preserve the “spirit and intent” of the zoning requirement. The intent of this requirement is to ensure that buildings maintain a presence on the street and not contain blank or “empty” building elevations so there is architectural vibrancy and interest on all sides of a building. The applicant could retain the existing service door on the Johnstown Road frontage and also add an additional operable door to the elevation.

4. While there are not active and operable doors along the Johnstown Road and private road (Woodcrest Way) elevations, the applicant is providing strong architectural features and materials so the building adequately addresses each road architecturally. However, the Johnstown Road frontage is the front of the building and an operable door is necessary to adequately address Johnstown Road architecturally.
5. It does not appear that the essential character of the neighborhood will be altered if the variance request is granted for the Woodcrest Way frontage. Similar variances were granted for Turkey Hill, Sheetz and the other New Albany Duke and Duchess location on Johnstown Road.
6. It does appear that the essential character of the neighborhood will be alternated if the variance request is granted for the Johnstown Road frontage as other businesses have active and operable doors fronting the street.
7. It does not appear that the variances would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

II. SUMMARY

The variance request to allow a wall sign on the drive-through elevation whereas the zoning text states that a wall sign is permitted on building elevations that front or sides on public or private streets, is not substantial. The proposed Panda Express could have up to three wall signs so the wall sign along the drive-through elevation does not “over-sign” the building.

Due to the auto-oriented nature of this zoning district, providing active and operable front doors on every elevation does not appear to be necessary since there is a hierarchy of streets. The applicant is still providing a high-quality designed building. Therefore, the design and non-active doors along Woodcrest Way appear to be appropriate.

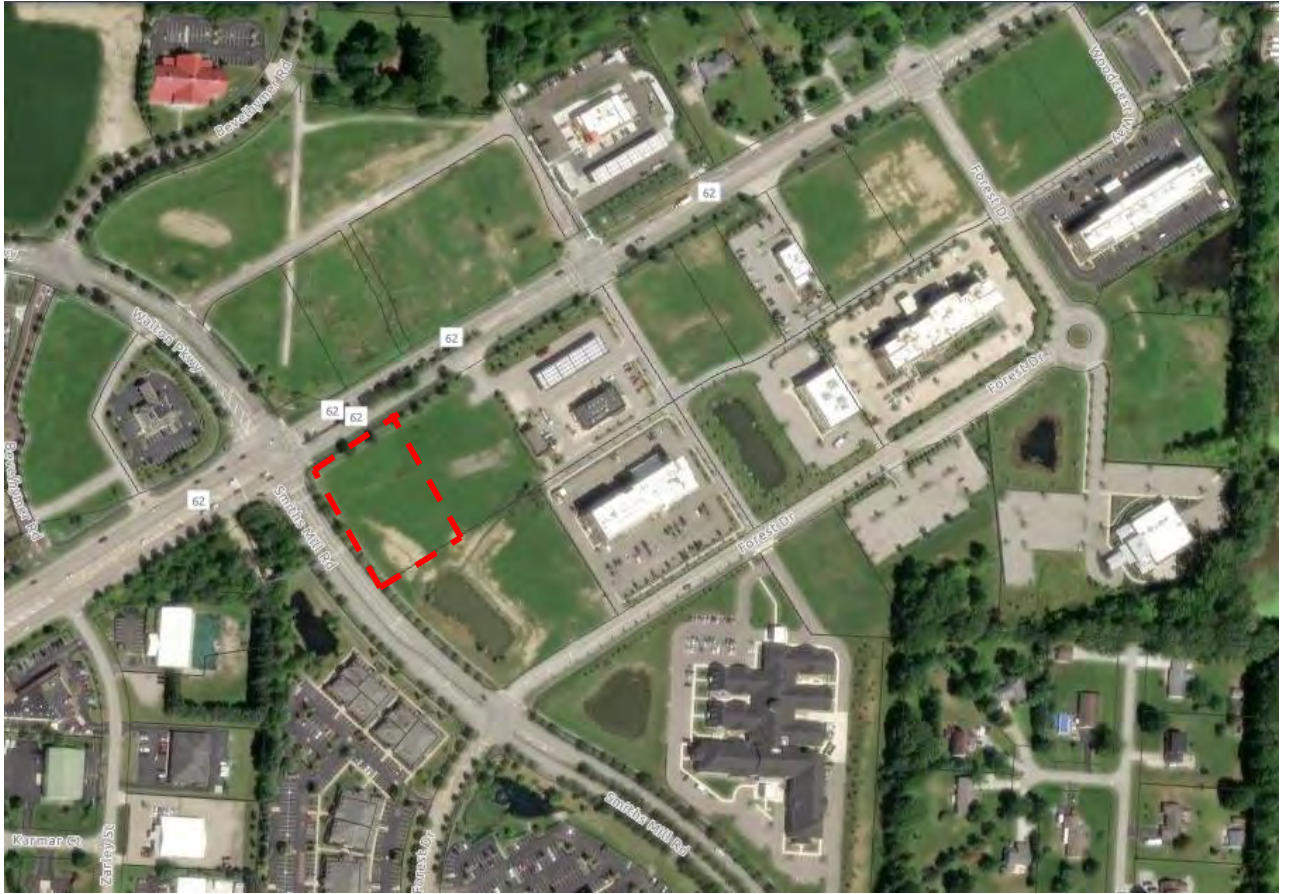
However, the applicant should provide an active and operable door along the Johnstown Road and Smith’s Mill Road street frontages as those since the property is located on a prominent corner and those are both the primary streets that the restaurant fronts. Not having an operable and active front along both Johnstown Road and Smith’s Mill Road does appear to be substantial as it will alter the surrounding area and cause inconsistency among the street frontage. Having businesses and homes front onto streets by providing operable and active doorways is a design hallmark of the city of New Albany. All of the other businesses along Smith’s Mill Road and Johnstown Road have an operable active front door that fronts those streets.

V. ACTION

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

Move to approve application VAR-25-2024 (conditions may be added)

Approximate Site Location:



Source: Nearmap



Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Panda Restaurant Group,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.



Community Development Department

Decision and Record of Action

Friday, June 07, 2024

The New Albany Planning Commission took the following action on 05/20/2024 .

Variance

Location: 9880 Johnstown Rd.

Applicant: Panda Restaurant Group,

Application: PLVARI20240025

Request: Variances to the number of active and operable doors and signage associated with a final development plan application for a Panda Express development generally near the southeast corner of US-62 and Smiths Mill Road (PID: 222-005377).

Motion: Move to approve with conditions

Commission Vote: Motion Approved with Conditions, 4-0

Result: Variance, PLVARI20240025 was Approved with Conditions, by a vote of 4-0.

Recorded in the Official Journal this June 07, 2024

Condition(s) of Approval:

1. The architecture on the US-62 building elevation must be revised to sufficiently address the road, or an active and operable front door must be added to the elevation, subject to staff approval.

Staff Certification:

Chris Christian

Chris Christian
Planner II



To: Planning Commission
From: Community Development Department
Re: Chapter 1187 Subdivision Process and Minor Residential Subdivision Updates
Regulations
Date: May 20, 2024

The city staff proposes two updates to chapter 1187 of the codified ordinance (Subdivision Regulations). The updates include:

1. Adding minor residential subdivisions
2. Updating the process and procedures for subdivision to reflect current practices

During the May 20th Planning Commission meeting, staff asks the board to review and make a formal recommendation to the city council to adopt these code changes. Proposed changes are indicated in red within the code section and an unmarked version is also attached. Please feel free to contact city staff if you have any questions.

Minor Residential Subdivision:

At the direction of the city council, the city staff researched and are proposing adding minor residential subdivisions within the city. The city code defines a subdivision as the division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of the transfer of ownership provided. The result is splitting smaller parcels is considered a subdivision which requires all of the same requirements as traditional subdivisions.

The update is necessary because the city subdivision regulations are overly burdensome to property owners who want to split their property into just a couple of lots. Chapter 1187 has a one-size-fits-all regulation so all “subdivisions” are treated the same. This means that a two-lot subdivision has the same requirements as a 200-lot subdivision for example. Since subdivisions have to be platted, it requires the hiring of an engineer which is costly. Additionally, subdivisions require parkland and open space dedication. Smaller subdivisions can’t provide parkland and open space that is meaningful to the overall community.

The city subdivision chapter already contains minor commercial subdivisions. The city staff has modeled the minor residential subdivisions after that code section. With the adoption of this proposed minor residential subdivision property owners will no longer be required to plat or provide the typical infrastructure requirements if less than five lots are being created and there no new public streets being created.

After a lot is split, the city code still requires street trees and leisure trail/sidewalks be constructed at the time of development. Those items are reviewed for compliance at the time of a building permit submittal.

Process and Procedure Updates:

The majority of this update is to ensure the required process and procedures for subdivisions reflect current city practices. Recently it has come to the city staff's attention that strict interpretation of the subdivision regulations results in a change in the approval process. This code update is necessary to ensure the city remains competitive in the commercial and residential markets.

The process and procedures contained in the city subdivision chapter haven't been updated or amended since their adoption in 1991. The city staff, technology, and construction methods have changed substantially since 1991 and accordingly, this proposal includes updates that reflect current best practices and technology. Examples of these changes include:

- Submittal requirements for engineering plans;
- The type of deposits required for pre and post construction;
- Clarifying the definition of a subdivision;
- Clarifying time frame requirements; and
- Optimizing acceptance practices.

The city staff proposes one change to the current overall development process. Currently, the city council is required to review and accept public infrastructure constructed by the developer via ordinance after it has been fully inspected and approved by the city staff in the field. The city staff proposes that infrastructure no longer requires a public hearing and the infrastructure can be accepted by the city engineer after it has been fully inspected and approved. The city staff commits to providing the city council with annual updates on the infrastructure installed and accepted within the city.

1187.01 DEFINITIONS.

The following words and phrases when used in this chapter shall have the meaning here described.

- (a) "Easement" means a grant by property owner(s) to another party or parties for a specific use of a described portion of property.
- (b) "Improvements" means street pavements, with or without curbs and/or gutters, sidewalks, water mains, sanitary and storm sewers, stormwater management facilities, erosion and sedimentation measures, grading and shaping, street lights, landscaping, screening and buffering and other related matters normally associated with the development of land into development sites.
- (c) "Lot" means a division of land and described on a recorded subdivision plat or recorded deed by metes and bounds description.
- (d) "Minor commercial subdivision" means a commercially zoned parcel, with an approved Final Development Plan or equivalent plan, with public road frontage, which does not involve the opening, widening or extension of a public street and does not involve more than five (5) lots after the original tract has been completely subdivided.
- (e) "Minor residential subdivision" means the division of any parcel of land into five (5) or fewer parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of residential use and does not involve new, widening or the extension of any public street.
- (e) "Plat" means a map of a subdivision described by accurate distances and bearings.
- (f) "Right-of-way" means the width between property lines of a street, roadway, easement.
- (g) "Subdivision" means the division of any parcel of land into more than five (5) parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of residential, commercial or industrial uses. This definition does not include:
- The sale, exchange or boundary adjustment of existing properties where such action does not create additional building sites; and
 - The division or partition of land into parcels, sites, or lots more than five (5) where such action does not involve new, the extension of public streets; and means the division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of the transfer of ownership provided, however, that the division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access, or the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempt. The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except for private streets serving industrial structures, the division or allocation of land as open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.
 - The division or allocation of land as open spaces for common use by owners; or the division or allocation of land for the extension and maintenance of public sewer, water, storm drainage or other public facilities.
 - Minor commercial and residential subdivisions.

(Ord. 77-91. Passed 10-15-91; Ord. 08-2007. Passed 2-20-07; Ord. 31-2007. Passed 8-21-07.)

1187.02 REQUIRED IMPROVEMENTS.

The subdivider or developer of land shall provide and pay the entire cost of improvements to such land as follows:

- (a) Street improvements shall consist of grading the right-of-way for full width; construction of curbs or curbed gutters and pavement; construction of draining structures and appurtenances. Two (2) roof drain openings shall be provided in curb for each lot, or shall be machine cored by the builder.
- (b) Sanitary sewers, including mains, manholes, services and all appurtenances.
- (c) Water distribution system, including mains, services, valves, fire hydrants and all appurtenances.
- (d) Concrete sidewalks on both sides of street, except where Leisure Trails are required in accordance with the Village's Strategic Plan or as recommended by the Parks and Trails Advisory Board. Sidewalks shall be linked to external trails or sidewalks. Where special circumstances exist for sidewalk construction a fee in-lieu may be considered according to the procedure in Section 1187.18.
- (e) Leisure Trails in accordance with the Village's Strategic Plan or as recommended by the Parks and Trails Advisory Board. Trails shall be linked to external trails or sidewalks. Where special circumstances exist for trail construction a fee in-lieu may be considered according to the procedure in Section 1187.18.
- (f) Storm sewers, including manholes, inlets or catch basins, and all appurtenances, stormwater management features and facilities.
- (g) Landscaping, screening and buffering features, if required by these regulations or the Zoning Code.
- (h) Street lighting above public right-of-way which meets minimum illumination specifications approved by the Municipal Engineer. Light standards shall be approved by the Municipality.
- (i) Erosion and sedimentation control measures and practices.

All phases of the improvement shall be approved by the Municipal Engineer and shall be constructed in accordance with Municipal specifications and standards as approved by the Municipal Engineer.

(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07.)

1187.03 ~~APPLICATION PLAN, PRELIMINARY PLAT PROCESS~~

~~a) Preliminary Plat: A preliminary plat may be submitted to the Planning Commission for review, subject to the regulations of this chapter. Approval of a preliminary plat application shall not be required prior to the approval of a final plat application. shall be~~

~~b) Preliminary Plat Contents~~

~~The subdivider shall submit an application to the City Manager's designee a minimum of 30 days prior to the meeting of the Planning Commission which the subdivider desires their application to be heard. If the City Manager's designee finds that the application is not complete and does not meet requirements of this section, they shall notify the applicant in writing of the deficiencies. The applicant may make the necessary additions and/or revisions. No hearing shall be held or action of approval taken by the Planning Commission until a complete application meeting all requirements of this section has been filed with and accepted by the City Manager's designee.~~

~~A subdivider or developer may submit a sketch, prepared by a registered engineer or surveyor, of the proposed subdivision to the Planning Commissioner for informed comments and suggestions. The preliminary plat shall contain the following:~~

-
- (1) Scale - Minimum of one inch equals one hundred (100) feet.
 - (2) The proposed name of the subdivision.
 - (3) Key map showing location within the Municipality.
 - (4) Names and addresses of owners, developers and the surveyor who developed the plat.
 - (5) Date of submission.
 - (6) North point.
 - (7) Signature block for applicant and applicant's engineer and surveyor.

The following existing conditions shall be shown:

- (8) Boundary lines and approximate acreage included.
- (9) Locations, widths and names of all existing or prior platted streets or alleys, railroad and utility rights-of-way, parks and public open spaces, community ownership association, permanent buildings and structures, all section and corporation lines within or adjacent to the tract.
- (10) Existing sewers, water mains, culverts and other underground facilities within the tract, indicating pipe size, elevations and grades (if readily available) and locations (if known or available).
- (11) Existing easements on subject acreage and easements within fifty (50) feet on adjacent subdivided plat. Proposed developer utility and proposed public utility easements are not expected to be shown.
- (12) Names of adjacent subdivisions and owners of adjoining parcels of unsubdivided land with deed book and page number or official record volume.
- (13) Boundary lines of adjacent tracts of unsubdivided and subdivided land, within one hundred (100) feet of boundary line.
- (14) Existing zoning or deed restrictions (if known) for subject and surrounding acreage.
- (15) Existing contours, with intervals of five (5) feet where the slope is greater than ten percent (10%) and two (2) feet where the slope is less than ten percent (10%).
- (16) Drainage channels, wooded areas, water courses and other significant physical features.
- (17) All elevations shall be based on sea level datum as determined by the U.S. Coast and Geodetic survey or the U.S. Geological Survey.
- (18) FEMA floodplain areas.

The following proposed conditions shall be shown:

- (19) Layout of streets and right-of-way widths.
- (20) Layout, numbers and dimensions of lots. Lots shall be numbered sequentially for each plat from one, or continue from the last number used on previous section in multiple phase developments.
- (21) Parcels of land intended to be dedicated or temporarily reserved for public use, and proposed method of maintenance and control of same.
- (22) Building setback lines shown graphically with dimensions or standards indicated in current Zoning Ordinance.
- (23) Names of new streets shall not duplicate names of any existing dedicated streets within the northeastern quadrant of Franklin County and/or its incorporated areas.

(24) New streets, which are extensions of or in alignment with existing streets, shall bear the names of the existing streets of which they are extensions, or with which they are in alignment.

(25) All new streets shall be named and shall be subject to the approval of the Planning Commission.

In addition to the aforementioned requirements, the developer shall submit a written statement which shall include:

(26) The impact, if any, of the proposed development on area drainage and other lands at lower elevations in the vicinity.

(27) Potential impact of this development on area traffic loads and fire protection capability.

(28) Potential impact of this development on the local school district(s).

(29) 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).

(30) 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.

c) Approval of Preliminary Plat

1) The Planning Commission review of a preliminary plat application shall be based on the requirements of this chapter.

2) After action by the Planning Commission on an application for preliminary plat approval, the City Manager's designee shall record the action taken. Copies of action taken shall be forwarded to the applicant.

~~The approval of a preliminary plat shall be effective for a period of twelve (12) months, or for such other time as approved by the Planning Commission.~~

3) No construction work on the proposed subdivision, including grading, shall be commenced until approval is received of a final plat. The subdivider shall not transfer any lot, parcel or tract therefrom before the final plat has been recorded.

~~1)~~

~~(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07.)~~

1187.04 PRELIMINARY PLAT.

~~The subdivider shall submit an application with a total of thirteen (13) copies of the preliminary plat to the Village Administrator's designee a minimum of fifteen (15) working days prior to the meeting of the Planning Commission at which the subdivider desires his application to be heard.~~

~~The Village Administrator's designee shall, within five (5) working days, review the application and plat for completeness and compliance with the requirements in this section. If he finds the application is complete and meets the requirements, he shall, at least five (5) working days prior to the meeting at which the plat will be heard, forward copies to the Municipal Engineer, Planner and Administrator for review and comment, and to all members of the Planning Commission. He shall also place one copy on file in the zoning office.~~

If the Village Administrator's designee finds that the application is not complete and does not meet requirements of this section, he shall notify the applicant in writing of the deficiencies. The applicant may make the necessary additions and/or revisions. No hearing shall be held or action of approval taken by the Planning Commission until a complete application meeting all requirements of this section has been filed with and accepted by the Village Administrator's designee.

(a) ~~The preliminary plat shall contain the following:~~

- ~~(1) Scale – Minimum of one inch equals one hundred (100) feet.~~
- ~~(2) The proposed name of the subdivision.~~
- ~~(3) Key map showing location within the Municipality.~~
- ~~(4) Names and addresses of owners, developers and the surveyor who developed the plat.~~
- ~~(5) Date of submission.~~
- ~~(6) North point.~~
- ~~(7) Signature block for applicant and applicant's engineer and surveyor.~~

(b) ~~The following existing conditions shall be shown:~~

- ~~(1) Boundary lines and approximate acreage included.~~
- ~~(2) Locations, widths and names of all existing or prior platted streets or alleys, railroad and utility rights-of-way, parks and public open spaces, community ownership association, permanent buildings and structures, all section and corporation lines within or adjacent to the tract.~~
- ~~(3) Existing sewers, water mains, culverts and other underground facilities within the tract, indicating pipe size, elevations and grades (if readily available) and locations (if known or available).~~
- ~~(4) Existing easements on subject acreage and easements within fifty (50) feet on adjacent subdivided plat. Proposed developer utility and proposed public utility easements are not expected to be shown.~~
- ~~(5) Names of adjacent subdivisions and owners of adjoining parcels of unsubdivided land with deed book and page number or official record volume.~~
- ~~(6) Boundary lines of adjacent tracts of unsubdivided and subdivided land, within one hundred (100) feet of boundary line.~~
- ~~(7) Existing zoning or deed restrictions (if known) for subject and surrounding acreage.~~
- ~~(8) Existing contours, with intervals of five (5) feet where the slope is greater than ten percent (10%) and two (2) feet where the slope is less than ten percent (10%).~~
- ~~(9) Drainage channels, wooded areas, water courses and other significant physical features.~~
- ~~(10) All elevations shall be based on sea level datum as determined by the U.S. Coast and Geodetic survey or the U.S. Geological Survey.~~
- ~~(11) FEMA floodplain areas.~~

(c) ~~The following proposed conditions shall be shown:~~

- ~~(1) Layout of streets and right-of-way widths.~~
- ~~(2) Layout, numbers and dimensions of lots. Lots shall be numbered sequentially for each plat from one, or continue from the last number used on previous section in multiple phase developments.~~
- ~~(3) Parcels of land intended to be dedicated or temporarily reserved for public use, and proposed method of maintenance and control of same.~~

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- ~~(4) Building setback lines shown graphically with dimensions or standards indicated in current Zoning Ordinance.~~
 - ~~(5) Names of new streets shall not duplicate names of any existing dedicated streets within the northeastern quadrant of Franklin County and/or its incorporated areas.~~
 - ~~(6) New streets, which are extensions of or in alignment with existing streets, shall bear the names of the existing streets of which they are extensions, or with which they are in alignment.~~
 - ~~(7) All new streets shall be named and shall be subject to the approval of the Planning Commission.~~
 - ~~(d) In addition to the aforementioned requirements, the developer shall submit a written statement which shall include:
 - ~~(1) The impact, if any, of the proposed development on area drainage and other lands at lower elevations in the vicinity.~~
 - ~~(2) Potential impact of this development on area traffic loads and fire protection capability.~~
 - ~~(3) Potential impact of this development on the local school district(s).~~
 - ~~(4) 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).~~
 - ~~(5) 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.~~~~

~~(Ord. 28-2004. Passed 6-15-04; Ord. 31-2007. Passed 8-21-07.)~~

1187.045 APPROVAL OF PRELIMINARY PLAT.FINAL PLAT PROCESS

After action by the Planning Commission on an application for preliminary plat approval, the Clerk of the Commission shall record the action taken as follows:

- ~~(a) If the application was approved, three (3) copies of the approved preliminary plat shall be stamped "Approved by Planning Commission in an official meeting held (date) with the following additional provisions: (list or attach the specific provisions or contingencies, if none so note)" and shall be signed by the Chairman or Clerk attesting to action taken.~~
- ~~(b) If application is disapproved, three (3) copies of the disapproved preliminary plat shall be stamped "Disapproved by the Planning Commission in an official meeting held (date) for the following reasons: (list or attach the specific reasons for denial)" and shall sign same attesting to action taken.~~

~~Two (2) copies of the signed preliminary plat shall be forwarded to the applicant and one copy retained in the permanent files in the zoning office.~~

~~The approval of a preliminary plat shall be effective for a period of twelve (12) months, or for such other time as approved by the Planning Commission.~~

- ~~(a)(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07.)~~

a) Final Plat: A final plat shall be submitted to the Planning Commission for review of subdivisions as defined in C.O. 1187.01(g).

b) Final Plat Contents

The subdivider shall submit an application to the City Manager's designee a minimum of 30 days prior to the meeting of the Planning Commission which the subdivider desires their application to be heard. If the City Manager's designee finds that the application is not complete and does not meet requirements of this section, they shall notify the applicant in writing of the deficiencies. The applicant may make the necessary additions and/or revisions. No hearing shall be held or action of approval taken by the Planning Commission until a complete application meeting all requirements of this section has been filed with and accepted by the City Manager's designee.

1187.06 FINAL PLAT.

~~The owner shall submit an application with a total of thirteen (13) copies of the final plat to the Village Administrator's designee at least fifteen (15) working days prior to the meeting of the Planning Commission at which the subdivider desires his application to be heard.~~

~~The Village Administrator's designee shall review the application and plat for completeness and compliance with the requirements in this section. If he finds the application is complete and meets the requirements, he shall forward copies to the Municipal Engineer, Planner and Administrator for review and comment, and to all members of the Planning Commission at least five (5) working days prior to the meeting at which the plat will be heard. He shall also place one copy on file in the zoning office.~~

~~If the Village Administrator's designee finds that the application is not complete and does not meet requirements of this section, he shall notify the applicant, who shall be allowed to make the necessary revisions. No hearing shall be held or action of approval taken by the Planning Commission until a complete application meeting all requirements of this section has been filed with and accepted by the Village Administrator's designee.~~

~~Action will be taken by the Commission and Council within thirty (30) days after acceptance of the final plat by the Village Administrator's designee. See Section 1187.07 for approval of the final plat. If not recorded in twelve (12) months, such approval of Council and the Commission shall become null and void.~~

~~(a) — The final plat shall contain the followingsubmitted shall contain the following:~~

- (1) Boundary of plat, based on an accurate distances and bearings.
- (2) Where the subdivision does not abut to an existing subdivision, the true angle and distance to the nearest street intersection, accurately described on the plat.
- (3) Municipal, Township, County or Section lines accurately tied to the lines of the subdivision by distances and angles.
- (4) Radii, arcs and chords, points of curvature and tangency. Central angles for all curvilinear streets and radius for all rounded corners.
- (5) All lot numbers and lines with accurate dimensions in decimals of a foot and bearings in degrees, minutes and seconds.
- (6) One inch iron pins, thirty (30) inches long, with plastic caps identifying the surveyor shall be placed at such locations that the subdivisions can be readily resurveyed. As a minimum, all extreme corners shall be monumented.
- (7) Accurate location, width of right-of-way and name of all streets or other public ways.
- (8) All proposed developer easements, such as water, sanitary and storm sewers shall be shown. All proposed public utility easements shall be shown if they are available.

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- (9) Minimum building setback lines along all streets and other public ways.
 - (10) Accurate outlines and delineation of all drainage easements, one hundred (100) year floodway routing, flood hazard areas and other watercourses contained within or contiguous to the plat boundaries.
 - (11) Accurate outlines of any areas to be dedicated or reserved for public use, with purposes indicated thereon, and of any areas to be reserved by deed covenant, for the common use of all property owners.
 - (12) Other information deemed necessary by the Municipal Engineer or the Planning Commission in order to fully describe any special conditions or circumstances affecting the proposed plat.
 - (13) If more than one sheet is required for the plat, an index map, at a smaller scale, showing all of the lots on one contiguous drawing shall be shown on the first sheet.

~~(b)~~—The final plat submittal shall also contain:

- ~~(141)~~ A certification by a registered surveyor that the plat represents a survey made by him and that the monuments shown exist as located, or will be set one foot below proposed grade prior to beginning of construction, and that all dimensional and geodetic details are correct. The plat shall be prepared in accordance with the minimum plat requirements as established by the Franklin County Engineer's Office.
- ~~(152)~~ A notarized certification by the owner/owners of the adoption of the plat and the dedication by them to public use of the streets and other public areas shown on the plat. No property should extend to center of rights-of-way.
- ~~(163)~~ Proper form for the approval of the Planning Commission, with space for signature of the Chairperson.
- ~~(174)~~ Space for approval by signature of the Mayor, Municipal Engineer, Council representative to Planning Commission and Finance Director. The signature of the Engineer shall be withheld until all easements are shown.
- ~~(185)~~ Proper form for approval and acceptance by the Council, showing resolution number.
- ~~(196)~~ Within ten (10) working days after the review comments have been transmitted to the developer, and the tracing (final plat drawing) has been revised to reflect the review comments, it shall be submitted to the Municipal Engineer for the permanent filing.

Any additions or changes to the plat shall be made in the Engineer's office unless otherwise authorized by the Engineer.

- ~~(207)~~ Space for transfer by the County Auditor and recording by the County Recorder. A statement as to the expiration date of the municipal approval shall be placed just ahead of the space provided for the County Auditor's signature.
 - ~~(218)~~ Application fees specified by separate ordinance.
 - ~~(229)~~ Copies of any and all proposed deed covenants, deeds of right-of-way and deeds of easement.
- ~~(c)~~—In addition to the aforementioned requirements, the developer shall submit a written statement which shall include:
- ~~(231)~~ Evidence that the Ohio Environmental Protection Agency has considered the applicant's application and granted such permit or determined that such permit is not applicable. If a permit was granted, four (4) copies shall be supplied by the owner to the Village Administrator's designee for distribution.
 - ~~(242)~~ Evidence that the U.S. Army Corps of Engineers has considered the applicant's application and granted such permit or determined that such permit is not applicable. If a permit was granted, four (4) copies shall be supplied by the owner to the Village Administrator's designee for distribution. After the tracing

(final plat drawing) has been revised to reflect the review comments, eight (8) copies showing all approvals, shall be supplied by the owner to the Finance Director for distribution.

c) Approval of Final Plat

- ~~1) After the tracing (final plat drawing) has been revised to reflect the review comments, four (4) copies showing all approvals, shall be supplied by the owner to the Village Administrator's designee for distribution.~~
- 1) The Planning Commission review of a final plat application shall be based on the requirements of this chapter and provide a recommended action to ~~Ccity C~~ouncil, who shall take final action on such application.
- 2) After action by City Council on an application for final plat approval, the action shall be documented by the Clerk of Council. The final plat may be recorded with the County Recorder's office provided compliance is made with other provisions of this chapter, only after full approval by the City Engineer. The City Manager may only add or revise easements after City Council has approved a final plat.
- 3) The approval of a final plat shall be effective for a period of twelve (12) months, or for such other time as approved by City Council.
- 4) The subdivider shall not transfer any lot, parcel or tract therefrom before the final plat has been recorded. No construction work on the proposed subdivision, including grading, shall be commenced until approval is received of a final plat and an engineering permit has been approved, in accordance with C.O. 909.

~~The subdivider shall not transfer any lot, parcel or tract therefrom before the final plat has been recorded. No construction work on the proposed subdivision, including grading, shall be commenced until approval is received of the final plat and provided compliance is made with the other provisions of this chapter. Only easements may be added or revised on the final plat after approval, and only after approval by the Municipal Engineer.~~

~~All construction work and materials used in connection with public improvements in the area platted will conform to requirements of the Municipal Engineer and Municipal specifications and be inspected by the Engineer.~~

~~After all easements have been placed on the plat, and the plat has been approved and received Council acceptance, it shall be recorded by the Municipal Engineer.~~

~~The developer shall furnish two (2) checks, one for the County Auditor and one for the County Recorder. (Ord. 28-2004. Passed 6-15-04; Ord. 31-2007. Passed 8-21-07.)~~

1187.07 IMPROVEMENT GUARANTEES.

- (a) The subdivider or developer shall, prior to construction, deposit with the Finance Director a sum of money as prescribed by Chapter 909 to defray the cost of inspection and the engineering services provided and any expense incurred by the Municipality due to the installation of the improvements and review of the plat and plans. The subdivider and developer shall hold the Municipality free and harmless from any and all claims for damages of every nature arising or growing out of the construction of such improvements, and shall defend, at his/her own cost and expense, each and every suit or action brought against said Municipality by reason thereof, until the improvement has been accepted by the Municipality.
- (b) The City Engineer, shall accept infrastructure within the subdivision after its construction and the appropriate bonds have been provided, as prescribed by Chapter 909.

Before the approval of the final plat, the subdivider or developer shall sign a developer's agreement and provide a two-year letter of credit (LC) acceptable to the Municipality guaranteeing the completion of all

improvements, including but not limited to streets, curbs, sidewalks, storm sewer mains and lines, sanitary sewer mains and lines, water main and lines, prior to the recording of the plat of the subject subdivision, or at such time as may be agreed to by Council. The LC shall be in an amount equal to the estimated cost of constructing the street, street-related and storm water control improvements and as approved by the Municipal Engineer. A maintenance bond in the amount of ten percent (10%) of the preliminary estimated or final construction costs shall be provided for a maintenance period of two (2) years, beginning with the date of acceptance of the subdivision and all its appurtenances by Council. A certified check in the amount of two and one-half percent (2.5%) of the initial inspection fee shall also be provided to the Village at the date of acceptance of the subdivision. This check will be applied toward the two-year maintenance inspection by the Village. An additional and separate maintenance bond in the amount of ten percent (10%) of said construction cost shall also be provided to address settlement related to the installation of storm sewer or sanitary sewer mains and lines in the front yard. This maintenance bond shall be provided for a maintenance period of five (5) years, beginning with the date of acceptance of the subdivision and all its appurtenances by Council. The Finance Director shall retain custody of the maintenance bond during that time period.

- ~~(b) The Engineer shall inspect the improvements prior to the expiration of the bond period. Upon his notification that there are no deficiencies, or that all deficiencies have been corrected to his satisfaction, the bond shall be released and the developer's guarantee shall be considered satisfied so long as all fees owed to the Municipality by the owner or developer are paid.~~
- ~~(c) The subdivider or developer shall, prior to construction, deposit with the Finance Director a sum of money as prescribed by Chapter 909 to defray the cost of inspection and the engineering services provided and any expense incurred by the Municipality due to the installation of the improvements and review of the plat and plans. The subdivider and developer shall hold the Municipality free and harmless from any and all claims for damages of every nature arising or growing out of the construction of such improvements, and shall defend, at his/her own cost and expense, each and every suit or action brought against said Municipality by reason thereof, until the improvement has been accepted by the Municipality.~~
- ~~(d) The subdivider or developer shall furnish to the Municipality at the time of commencing construction, proof of possession of liability insurance of not less than one million dollars (\$1,000,000.00) and property damage insurance of not less than three hundred thousand dollars (\$300,000.00).~~
- ~~(e) If any violation of, or non-compliance with, any of the provisions and stipulations of this chapter occurs, the Engineer or the Village Administrator's designee shall notify the Law Director of any violation. Before a stop work order is issued, the Law Director shall notify the developer of the violation. The developer has five (5) working days to correct any violations.~~

(Ord. 28-2004. Passed 6-15-04; Ord. 31-2007. Passed 8-21-07; Ord. 36-2008. Passed 10-21-08.)

1187.22 MINOR COMMERCIAL SUBDIVISIONS.

- (a) Notwithstanding anything to the contrary, approval without a plat of a minor commercial subdivision may be granted by the Community Development Director or designee if the proposed minor subdivision of a parcel of land meets all of the following conditions:
 - (1) A final development plan according to Chapter 1159 or an equivalent plan has been approved by ~~the Planning Commission~~ a city board or commission;
 - (2) The proposed subdivision is located along an existing public road, has frontage along a public street and involves no opening, widening or extension of any street;
 - (3) No more than five (5) lots are created after the original parcel has been completely subdivided;
 - (4) The proposed subdivision is not contrary to other subdivision, zoning, and other applicable regulations; and

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- (5) The property has been surveyed and a survey drawing, legal description of the property and other information as may be pertinent or required for appropriate action are submitted with the application.
 - (b) If approval is given under these provisions, the Community Development Director or designee shall, within ten (10) working days after submission, approve such proposed minor subdivision and, upon presentation of a conveyance for said parcel, shall stamp "Approved by New Albany; No Plat Required", and the authorized representative of the Commission shall sign the conveyance.

~~(c) — For the purpose of this section, "original parcel" means the parcel existing as of the effective date of this section of the Subdivision Regulations (February 20, 2007).~~

(Ord. 08-2007. Passed 2-20-07; Ord. 31-2007. Passed 8-21-07.)

1187.23 MINOR RESIDENTIAL SUBDIVISIONS.

- (a) Notwithstanding anything to the contrary, approval without a plat of a minor residential subdivision may be granted by the Community Development Director or designee if the proposed minor subdivision of a parcel of land meets all of the following conditions:
 - (1) The proposed subdivision is located along an existing public road, has frontage along a public street and involves no extension of any street;
 - (2) No more than five (5) lots are created after the original parcel has been completely subdivided;
 - (3) The proposed subdivision is not contrary to other subdivision, zoning, and other applicable regulations; and
 - (4) The property has been surveyed and a survey drawing, legal description of the property and other information as may be pertinent or required for appropriate action are submitted with the application.
- (b) If approval is given under these provisions, the Community Development Director or designee shall, within ten (10) working days after submission, approve such proposed minor subdivision and, upon presentation of a conveyance for said parcel, shall stamp "Approved by New Albany; No Plat Required", and the authorized representative of the Commission shall sign the conveyance.

1187.01 DEFINITIONS.

The following words and phrases when used in this chapter shall have the meaning here described.

- (a) "Easement" means a grant by property owner(s) to another party or parties for a specific use of a described portion of property.
- (b) "Improvements" means street pavements, with or without curbs and/or gutters, sidewalks, water mains, sanitary and storm sewers, stormwater management facilities, erosion and sedimentation measures, grading and shaping, street lights, landscaping, screening and buffering and other related matters normally associated with the development of land into development sites.
- (c) "Lot" means a division of land and described on a recorded subdivision plat or recorded deed by metes and bounds description.
- (d) "Minor commercial subdivision" means a commercially zoned parcel, with an approved Final Development Plan or equivalent plan, with public road frontage, which does not involve the opening, widening or extension of a public street and does not involve more than five (5) lots after the original tract has been completely subdivided.
- (e) "Minor residential subdivision" means the division of any parcel of land into five (5) or fewer parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of residential use and does not involve new, widening or the extension of any public street.
- (e) "Plat" means a map of a subdivision described by accurate distances and bearings.
- (f) "Right-of-way" means the width between property lines of a street, roadway, easement.
- (g) "Subdivision" means the division of any parcel of land into more than five (5) parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of residential, commercial or industrial uses. This definition does not include:
 - The sale, exchange or boundary adjustment of existing properties where such action does not create additional building sites; and
 - The division or partition of land into parcels, sites, or lots more than five (5) where such action does not involve new, the extension of public streets; and
 - The division or allocation of land as open spaces for common use by owners; or the division or allocation of land for the extension and maintenance of public sewer, water, storm drainage or other public facilities.
 - Minor commercial and residential subdivisions.

(Ord. 77-91. Passed 10-15-91; Ord. 08-2007. Passed 2-20-07; Ord. 31-2007. Passed 8-21-07.)

1187.02 REQUIRED IMPROVEMENTS.

The subdivider or developer of land shall provide and pay the entire cost of improvements to such land as follows:

- (a) Street improvements shall consist of grading the right- of-way for full width; construction of curbs or curbed gutters and pavement; construction of draining structures and appurtenances. Two (2) roof drain openings shall be provided in curb for each lot, or shall be machine cored by the builder.
- (b) Sanitary sewers, including mains, manholes, services and all appurtenances.

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- (c) Water distribution system, including mains, services, valves, fire hydrants and all appurtenances.
 - (d) Concrete sidewalks on both sides of street, except where Leisure Trails are required in accordance with the Village's Strategic Plan or as recommended by the Parks and Trails Advisory Board. Sidewalks shall be linked to external trails or sidewalks. Where special circumstances exist for sidewalk construction a fee in-lieu may be considered according to the procedure in Section 1187.18.
 - (e) Leisure Trails in accordance with the Village's Strategic Plan or as recommended by the Parks and Trails Advisory Board. Trails shall be linked to external trails or sidewalks. Where special circumstances exist for trail construction a fee in-lieu may be considered according to the procedure in Section 1187.18.
 - (f) Storm sewers, including manholes, inlets or catch basins, and all appurtenances, stormwater management features and facilities.
 - (g) Landscaping, screening and buffering features, if required by these regulations or the Zoning Code.
 - (h) Street lighting above public right-of-way which meets minimum illumination specifications approved by the Municipal Engineer. Light standards shall be approved by the Municipality.
 - (i) Erosion and sedimentation control measures and practices.

All phases of the improvement shall be approved by the Municipal Engineer and shall be constructed in accordance with Municipal specifications and standards as approved by the Municipal Engineer.

(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07.)

1187.03 PRELIMINARY PLAT PROCESS

a) Preliminary Plat: A preliminary plat may be submitted to the Planning Commission for review, subject to the regulations of this chapter. Approval of a preliminary plat application shall not be required prior to the approval of a final plat application.

b) Preliminary Plat Contents

The subdivider shall submit an application to the City Manager's designee a minimum of 30 days prior to the meeting of the Planning Commission which the subdivider desires their application to be heard. If the City Manager's designee finds that the application is not complete and does not meet requirements of this section, they shall notify the applicant in writing of the deficiencies. The applicant may make the necessary additions and/or revisions. No hearing shall be held or action of approval taken by the Planning Commission until a complete application meeting all requirements of this section has been filed with and accepted by the City Manager's designee.

The preliminary plat shall contain the following:

- (1) Scale - Minimum of one inch equals one hundred (100) feet.
- (2) The proposed name of the subdivision.
- (3) Key map showing location within the Municipality.
- (4) Names and addresses of owners, developers and the surveyor who developed the plat.
- (5) Date of submission.
- (6) North point.
- (7) Signature block for applicant and applicant's engineer and surveyor.

The following existing conditions shall be shown:

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- (8) Boundary lines and approximate acreage included.
 - (9) Locations, widths and names of all existing or prior platted streets or alleys, railroad and utility rights-of-way, parks and public open spaces, community ownership association, permanent buildings and structures, all section and corporation lines within or adjacent to the tract.
 - (10) Existing sewers, water mains, culverts and other underground facilities within the tract, indicating pipe size, elevations and grades (if readily available) and locations (if known or available).
 - (11) Existing easements on subject acreage and easements within fifty (50) feet on adjacent subdivided plat. Proposed developer utility and proposed public utility easements are not expected to be shown.
 - (12) Names of adjacent subdivisions and owners of adjoining parcels of unsubdivided land with deed book and page number or official record volume.
 - (13) Boundary lines of adjacent tracts of unsubdivided and subdivided land, within one hundred (100) feet of boundary line.
 - (14) Existing zoning or deed restrictions (if known) for subject and surrounding acreage.
 - (15) Existing contours, with intervals of five (5) feet where the slope is greater than ten percent (10%) and two (2) feet where the slope is less than ten percent (10%).
 - (16) Drainage channels, wooded areas, water courses and other significant physical features.
 - (17) All elevations shall be based on sea level datum as determined by the U.S. Coast and Geodetic survey or the U.S. Geological Survey.
 - (18) FEMA floodplain areas.

The following proposed conditions shall be shown:

- (19) Layout of streets and right-of-way widths.
- (20) Layout, numbers and dimensions of lots. Lots shall be numbered sequentially for each plat from one, or continue from the last number used on previous section in multiple phase developments.
- (21) Parcels of land intended to be dedicated or temporarily reserved for public use, and proposed method of maintenance and control of same.
- (22) Building setback lines shown graphically with dimensions or standards indicated in current Zoning Ordinance.
- (23) Names of new streets shall not duplicate names of any existing dedicated streets within the northeastern quadrant of Franklin County and/or its incorporated areas.
- (24) New streets, which are extensions of or in alignment with existing streets, shall bear the names of the existing streets of which they are extensions, or with which they are in alignment.
- (25) All new streets shall be named and shall be subject to the approval of the Planning Commission.

In addition to the aforementioned requirements, the developer shall submit a written statement which shall include:

- (26) The impact, if any, of the proposed development on area drainage and other lands at lower elevations in the vicinity.
- (27) Potential impact of this development on area traffic loads and fire protection capability.
- (28) Potential impact of this development on the local school district(s).

-
- (29) 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).
 - (30) 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.

c) Approval of Preliminary Plat

- 1) The Planning Commission review of a preliminary plat application shall be based on the requirements of this chapter.
- 2) After action by the Planning Commission on an application for preliminary plat approval, the City Manager's designee shall record the action taken. Copies of action taken shall be forwarded to the applicant.
- 3) No construction work on the proposed subdivision, including grading, shall be commenced until approval is received of a final plat. The subdivider shall not transfer any lot, parcel or tract therefrom before the final plat has been recorded.

1187.04 FINAL PLAT PROCESS

- a) Final Plat: A final plat shall be submitted to the Planning Commission for review of subdivisions as defined in C.O. 1187.01(g).

b) Final Plat Contents

The subdivider shall submit an application to the City Manager's designee a minimum of 30 days prior to the meeting of the Planning Commission which the subdivider desires their application to be heard. If the City Manager's designee finds that the application is not complete and does not meet requirements of this section, they shall notify the applicant in writing of the deficiencies. The applicant may make the necessary additions and/or revisions. No hearing shall be held or action of approval taken by the Planning Commission until a complete application meeting all requirements of this section has been filed with and accepted by the City Manager's designee.

The final plat shall contain the following:

- (1) Boundary of plat, based on an accurate distances and bearings.
- (2) Where the subdivision does not abut to an existing subdivision, the true angle and distance to the nearest street intersection, accurately described on the plat.
- (3) Municipal, Township, County or Section lines accurately tied to the lines of the subdivision by distances and angles.
- (4) Radii, arcs and chords, points of curvature and tangency. Central angles for all curvilinear streets and radius for all rounded corners.
- (5) All lot numbers and lines with accurate dimensions in decimals of a foot and bearings in degrees, minutes and seconds.

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- (6) One inch iron pins, thirty (30) inches long, with plastic caps identifying the surveyor shall be placed at such locations that the subdivisions can be readily resurveyed. As a minimum, all extreme corners shall be monumented.
 - (7) Accurate location, width of right-of-way and name of all streets or other public ways.
 - (8) All proposed developer easements, such as water, sanitary and storm sewers shall be shown. All proposed public utility easements shall be shown if they are available.
 - (9) Minimum building setback lines along all streets and other public ways.
 - (10) Accurate outlines and delineation of all drainage easements, one hundred (100) year floodway routing, flood hazard areas and other watercourses contained within or contiguous to the plat boundaries.
 - (11) Accurate outlines of any areas to be dedicated or reserved for public use, with purposes indicated thereon, and of any areas to be reserved by deed covenant, for the common use of all property owners.
 - (12) Other information deemed necessary by the Municipal Engineer or the Planning Commission in order to fully describe any special conditions or circumstances affecting the proposed plat.
 - (13) If more than one sheet is required for the plat, an index map, at a smaller scale, showing all of the lots on one contiguous drawing shall be shown on the first sheet.

The final plat submittal shall also contain:

- (14) A certification by a registered surveyor that the plat represents a survey made by him and that the monuments shown exist as located, or will be set one foot below proposed grade prior to beginning of construction, and that all dimensional and geodetic details are correct. The plat shall be prepared in accordance with the minimum plat requirements as established by the Franklin County Engineer's Office.
- (15) A notarized certification by the owner/owners of the adoption of the plat and the dedication by them to public use of the streets and other public areas shown on the plat. No property should extend to center of rights-of-way.
- (16) Proper form for the approval of the Planning Commission, with space for signature of the Chairperson.
- (17) Space for approval by signature of the Mayor, Municipal Engineer, Council representative to Planning Commission and Finance Director. The signature of the Engineer shall be withheld until all easements are shown.
- (18) Proper form for approval and acceptance by the Council, showing resolution number.
- (19) Within ten (10) working days after the review comments have been transmitted to the developer, and the tracing (final plat drawing) has been revised to reflect the review comments, it shall be submitted to the Municipal Engineer for the permanent filing.

Any additions or changes to the plat shall be made in the Engineer's office unless otherwise authorized by the Engineer.
- (20) Space for transfer by the County Auditor and recording by the County Recorder. A statement as to the expiration date of the municipal approval shall be placed just ahead of the space provided for the County Auditor's signature.
- (21) Application fees specified by separate ordinance.
- (22) Copies of any and all proposed deed covenants, deeds of right-of-way and deeds of easement.

In addition to the aforementioned requirements, the developer shall submit a written statement which shall include:

- (23) Evidence that the Ohio Environmental Protection Agency has considered the applicant's application and granted such permit or determined that such permit is not applicable. If a permit was granted, four (4) copies shall be supplied by the owner to the Village Administrator's designee for distribution.
- (24) Evidence that the U.S. Army Corps of Engineers has considered the applicant's application and granted such permit or determined that such permit is not applicable. If a permit was granted, four (4) copies shall be supplied by the owner to the Village Administrator's designee for distribution. After the tracing (final plat drawing) has been revised to reflect the review comments, eight (8) copies showing all approvals, shall be supplied by the owner to the Finance Director for distribution.

c) Approval of Final Plat

- 1) The Planning Commission review of a final plat application shall be based on the requirements of this chapter and provide a recommended action to City Council, who shall take final action on such application.
- 2) After action by City Council on an application for final plat approval, the action shall be documented by the Clerk of Council. The final plat may be recorded with the County Recorder's office provided compliance is made with other provisions of this chapter, only after full approval by the City Engineer. The City Manager may only add or revise easements after City Council has approved a final plat.
- 3) The approval of a final plat shall be effective for a period of twelve (12) months, or for such other time as approved by City Council.
- 4) The subdivider shall not transfer any lot, parcel or tract therefrom before the final plat has been recorded. No construction work on the proposed subdivision, including grading, shall be commenced until approval is received of a final plat and an engineering permit has been approved, in accordance with C.O. 909.

1187.07 IMPROVEMENT GUARANTEES.

- (a) The subdivider or developer shall, prior to construction, deposit with the Finance Director a sum of money as prescribed by Chapter 909 to defray the cost of inspection and the engineering services provided and any expense incurred by the Municipality due to the installation of the improvements and review of the plat and plans. The subdivider and developer shall hold the Municipality free and harmless from any and all claims for damages of every nature arising or growing out of the construction of such improvements, and shall defend, at his/her own cost and expense, each and every suit or action brought against said Municipality by reason thereof, until the improvement has been accepted by the Municipality.
- (b) The City Engineer shall accept infrastructure within the subdivision after its construction and the appropriate bonds have been provided, as prescribed by Chapter 909.

(Ord. 28-2004. Passed 6-15-04; Ord. 31-2007. Passed 8-21-07; Ord. 36-2008. Passed 10-21-08.)

1187.22 MINOR COMMERCIAL SUBDIVISIONS.

- (a) Notwithstanding anything to the contrary, approval without a plat of a minor commercial subdivision may be granted by the Community Development Director or designee if the proposed minor subdivision of a parcel of land meets all of the following conditions:
 - (1) A final development plan according to Chapter 1159 or an equivalent plan has been approved by a city board or commission;

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- (2) The proposed subdivision is located along an existing public road, has frontage along a public street and involves no opening, widening or extension of any street;
 - (3) No more than five (5) lots are created after the original parcel has been completely subdivided;
 - (4) The proposed subdivision is not contrary to other subdivision, zoning, and other applicable regulations; and
 - (5) The property has been surveyed and a survey drawing, legal description of the property and other information as may be pertinent or required for appropriate action are submitted with the application.
- (b) If approval is given under these provisions, the Community Development Director or designee shall, within ten (10) working days after submission, approve such proposed minor subdivision and, upon presentation of a conveyance for said parcel, shall stamp "Approved by New Albany; No Plat Required", and the authorized representative of the Commission shall sign the conveyance.

(Ord. 08-2007. Passed 2-20-07; Ord. 31-2007. Passed 8-21-07.)

1187.23 MINOR RESIDENTIAL SUBDIVISIONS.

- (a) Notwithstanding anything to the contrary, approval without a plat of a minor residential subdivision may be granted by the Community Development Director or designee if the proposed minor subdivision of a parcel of land meets all of the following conditions:
- (1) The proposed subdivision is located along an existing public road, has frontage along a public street and involves no extension of any street;
 - (2) No more than five (5) lots are created after the original parcel has been completely subdivided;
 - (3) The proposed subdivision is not contrary to other subdivision, zoning, and other applicable regulations; and
 - (4) The property has been surveyed and a survey drawing, legal description of the property and other information as may be pertinent or required for appropriate action are submitted with the application.
- (b) If approval is given under these provisions, the Community Development Director or designee shall, within ten (10) working days after submission, approve such proposed minor subdivision and, upon presentation of a conveyance for said parcel, shall stamp "Approved by New Albany; No Plat Required", and the authorized representative of the Commission shall sign the conveyance.



TO: Planning Commission

FROM: Community Development Department

DATE: April 8, 2024

RE: Urban Center Code Amendment: Village Center Parkland and Open Space Requirements

Introduction

Attached are the proposed Urban Center Code amendments to expressly exempt properties in the Village Center from meeting the parkland and open space development standards (as described in C.O. 1165.10(1)).

It has been widely recognized that the Village Center should be developed in a style that promotes a traditional town center form. The success of the Village Center is directly linked to the success of the urban design decisions for future development projects. The goal and intent of the Urban Center Code (UCC) is to remove suburban design elements in the Village Center to accomplish the desired traditional urban form.

There is a discrepancy between the zoning sub-districts found in the UCC and the city code parkland and open space development standards for new residential development. Adherence to both the UCC zoning designations and the city code development standards for parkland and open space dedication compromises the ability to create the desired urban form in the Village Center.

This memo provides an overview of existing parkland and open space regulations and how they should be modified to achieve the future development pattern as envisioned in the Engage New Albany strategic plan for properties in the Village Center.

Parkland and Open Space Regulations

Types of Regulations

Construction within the city is controlled through two types of regulations: zoning districts and development standards. A zoning district is an area delineated on a zoning map for which uniform use rules are specified. A development standard is a regulation pertaining to the modification of land. Development standards examples include setbacks, lot coverage, building heights, landscaping, and parking regulations.

Traditional Zoning Outside Village Center

There are two types of zoning districts in the city of New Albany. The first is a traditional, Euclidian (use-based) type of zoning for land outside of the Village Center. Parkland and open space is not an established zoning district. For these Euclidian zoning districts, parkland and open space are provided through separate development standards found in chapter 1165 of the city

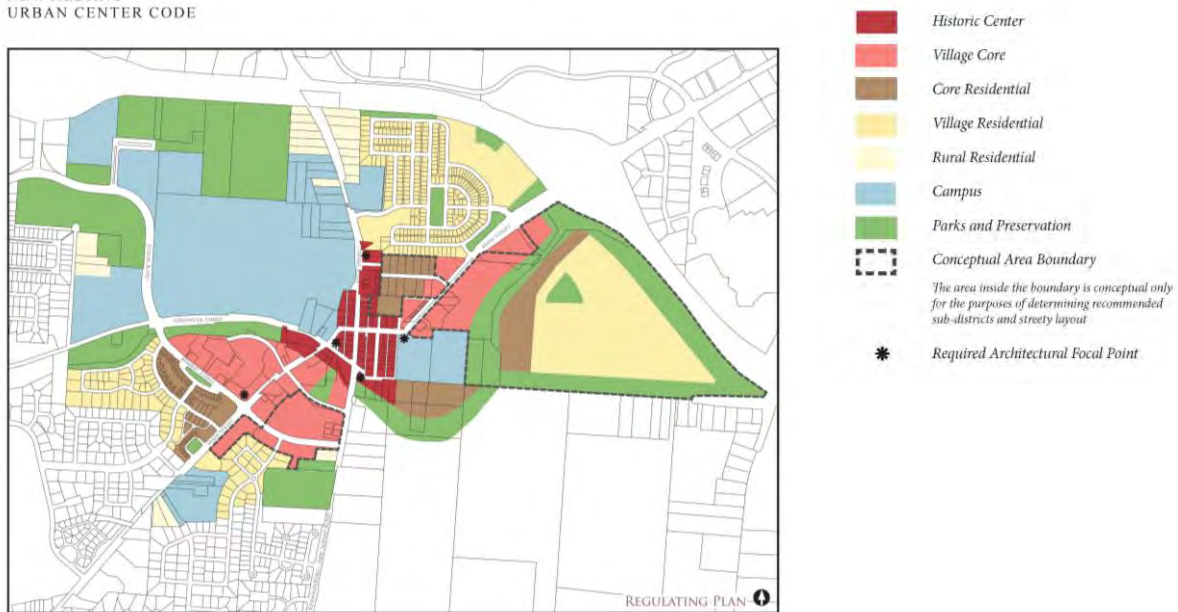
codified ordinances (C.O.). These standards are included in the table below and apply to all new residential developments in the city.

Development Type/Zoning	Parkland Dedication	Open Space Requirement
Residential “subdivisions” as defined in C.O. 1187.01(g)	2,400 sq. ft. per dwelling unit	In residential developments of two (2) acres or more, a minimum of twenty percent (20%) of the gross developed land area shall be common open space.

Urban Center Code Zoning Within the Village Center

The second type of zoning district in the city of New Albany is a form-based code, named the Urban Center Code (UCC), that is established only for land within the Village Center. The entire Village Center is zoned with different zoning districts from the UCC as shown in the graphic below. One of the UCC zoning districts is the Parks and Preservation (PP) District. The UCC only permits the development of government and recreational facilities, parks, and playgrounds within this district. The Parks and Preservation (PP) zoning district designates parkland and open space for the entire Village Center rather than relying on the development standards found in C.O. 1165.

NEW ALBANY
URBAN CENTER CODE



The Parks and Preservation (PP) zoning district serves the same purpose as C.O. 1165. However, the UCC does not expressly exempt the Village Center from the parkland and open space development standards found in C.O. 1165. Strict interpretation of city code results in requiring two parkland and open space regulations being applied within the Village Center (the first is the existing PP zoning district and the second is the development standard found in C.O. 1165). Adherence to both sets of regulations compromises the ability to create the desired urban form in the Village Center. The code needs to be updated so that a single parkland and open space regulation applies in the Village Center.

The city staff researched and determined that this code change is consistent with best practices.

Parkland and Open Space Best Practices

New Albany city code section 1165.10(a) states that the land required to be dedicated as part of new development shall be suitable for municipally owned and operated parks, recreation facilities, and open space. Every year, the city includes a breakdown of existing municipal land use categories as percentages in the city's annual report. Today, there are 1,132 acres of open space, parkland, and preserved areas in the city which is 9.54% of the total city area. Within the Village Center, there are 94 acres which is 13.4% of the total Village Center area. Private parks and open spaces, such as golf courses, are included in this calculation.

As noted in the Engage New Albany Strategic Plan, parks and open space are intrinsic to the character of New Albany and these spaces take many different forms, serving different purposes throughout the community. These spaces consist of formal greens, city parks, rural corridor setbacks, environmentally sensitive lands, and others. Existing green spaces in the city complement the development pattern in which they are located, including the Village Center. In a 2023 report, the National Recreation and Park Association (NRPA) states that the organization does not provide standards as every community is unique with its own set of desires and needs.

In a memo published by the American Planning Association, David Barth states that there are no national standards for the optimal number of parks and other recreational facilities provided in a community (Barth, 2016). The article identifies and describes the most common park and recreation Level of Service (LOS) metrics, including acres per capita. Barth recommends that communities only include lands that could have otherwise been developed, are publicly accessible, and are able to be used for recreation in their acreage LOS metric. However, the author recognizes that there is no standard answer for what lands should and should not be included in this metric (Barth, 2016).

If the existing land use numbers are applied to an acreage LOS metric, there are approximately 96 acres of parkland, open space, and preserved areas per 1,000 residents in the entire city. Within the Village Center, there are approximately 85 acres of the same type of space per 1,000 residents. Surveying 1,000 park and recreation agencies, the NRPA reports that the median parkland acreage provided in cities with a population of less than 20,000 people is 13 with an upper quartile of 21.1 acres (National Recreation and Park Association, 2023).

Conclusion

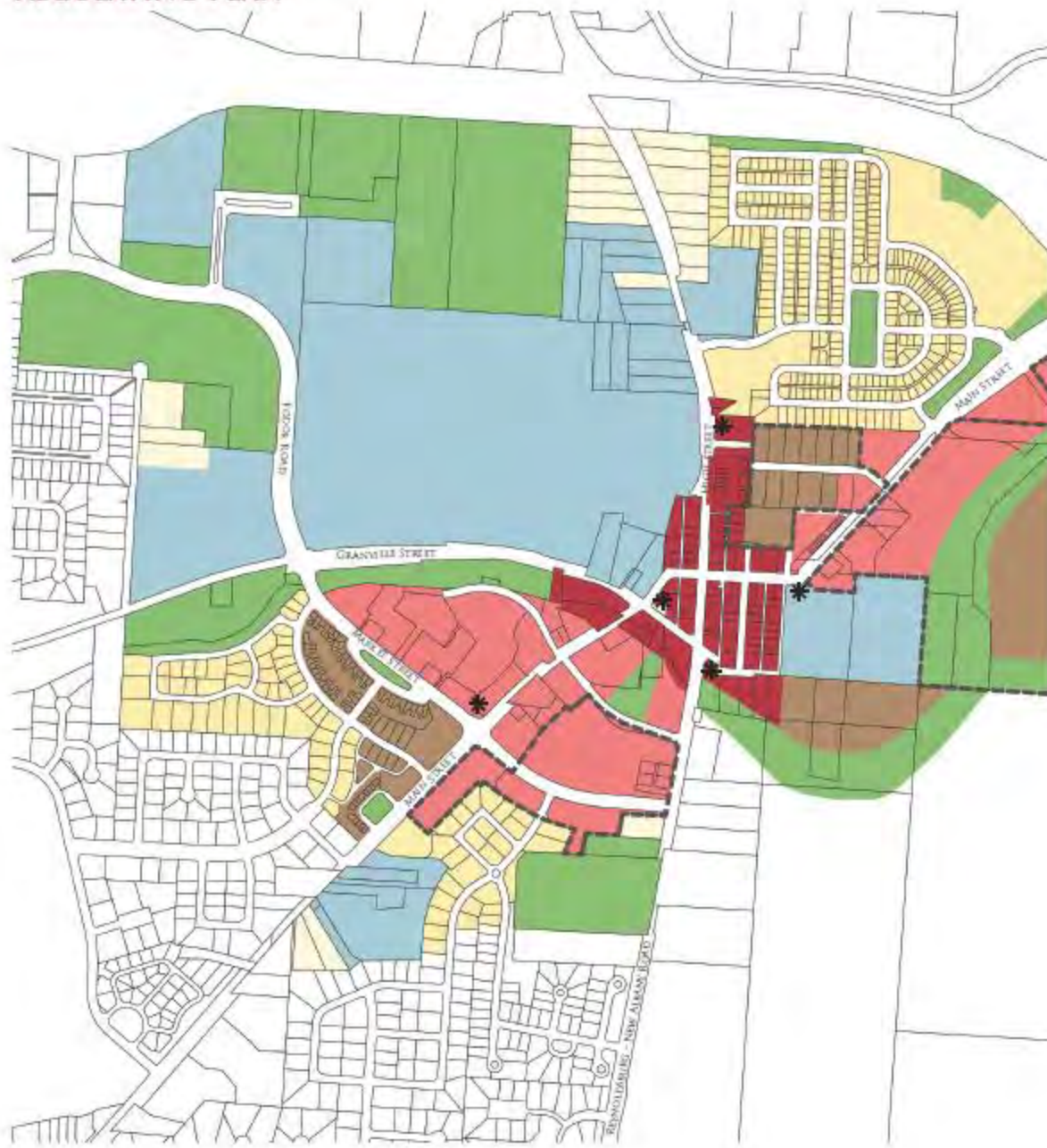
Parkland, open space, and preserved areas within the Village Center have historically been provided in a manner generally consistent with the regulating plan of the UCC. The intent of the UCC is to provide an appropriate arrangement of development that creates a vibrant, mixed-use district including a certain balance of greenspace and developed ground. This has resulted in an abundance of green spaces in the Village Center including key amenities such as Swickward Woods, Rose Run Park and the New Albany Wetland and Nature Preserve. Development in the Village Center is complimented by these greenspaces and when considered together, accomplishes the vision of the UCC.

To preserve the intent of the UCC and continue to promote cohesive development in the Village Center, the UCC should be modified so that properties in the Village Center are not required to meet the parkland and open space development standards (as described in C.O. 1165.10(1)).

Recommended Code Changes

The UCC should be updated to expressly exempt properties in the Village Center from meeting the parkland and open space development standards (as described in C.O. 1165.10(1)). The proposed modifications to the Urban Center Code are attached to this memo.

REGULATING PLAN





Street Standards Plan
 Refer to the *Street Standards Plan* for required and recommended street, alley, and building envelope standards.

1.1 Regulating Plan

- 1.1.1 The Regulating Plan divides the Urban Center District into sub-districts. These sub-districts identify areas of common building form based upon existing conditions and recommended future conditions from the Village Center Strategic Plan.
- 1.1.2 The sub-districts allocate the location of building forms, building frontages, and other development considerations to create the desired urban design standards for each.
- 1.1.3 The conceptual area boundary indicates a required arrangement of sub-districts and conceptual street layout for areas where the existing condition does not match the desired future building form or street layout. Modifications to sub-district boundaries can be made through the amendment process (Chapter 1111). Acceptable circumstances for modifications to the Regulating Plan would include the following:
 - a. modifications to the street standards plan
 - b. protection of natural features not previously identified
 - c. revisions to the Village Center Strategic Plan
- 1.1.4 Multiple locations within the Urban Center District have been identified as important visual termini. The locations should be seen as opportunities to highlight architectural interest through building orientation, unique massing, or frontage treatments. Refer to Section 3.3 for additional guidelines for required architectural focal points.
- 1.1.5 Some form of open space or parkland shall be provided within 1,200 linear feet of all new residential buildings. These spaces shall be programmed to meet the needs of residents in the surrounding area.

- Historic Center*
- Village Core*
- Core Residential*
- Village Residential*
- Rural Residential*
- Campus*
- Parks and Preservation*
- Conceptual Area Boundary*
- Required Architectural Focal Point*

the desired placement in a sub-district.

- 2.2.3 New building typologies shall be project specific and cannot be used for other development applications.

2.3 Wide Buildings

- 2.3.1 Buildings with lot widths that are longer than 300 feet should be sensitive to adjacent building patterns.
- 2.3.2 If a wide building is across from an existing set of buildings with significantly narrow lot widths, the wide building must mitigate the facade length by creating the appearance of smaller lot widths.
- 2.3.3 Wide buildings may implement vertical architectural elements to the building facade, changes in material, color, breaks in plane to the facade, or a varied roof line.

2.4 Reference Regulations

- 2.4.1 Unless otherwise specified in this document, the development standards of Part Eleven of the Codified Ordinances of New Albany shall apply.
- 2.4.2 Decks are permitted and shall be regulated by Codified Ordinance Chapter 1165.
- 2.4.3 Open-sided structures are permitted and shall be regulated by Codified Ordinance Chapter 1165.
- 2.4.4 Swimming pools shall be regulated by Codified Ordinance Chapter 1173.
- 2.4.5 Fencing and hedges shall be regulated by Codified Ordinance Chapter 1175.
- 2.4.6 Satellite antennas shall be regulated by Codified Ordinance Chapter 1177.
- 2.4.7 Wireless Telecommunication Facilities shall be regulated by Codified Ordinance Chapter 1179.
- 2.4.8 Properties located within the Regulating Plan boundary are not required to meet the Parkland and Open Space Dedication Requirements in Codified Ordinance Chapter 1165.



**Planning Commission Staff Report
June 17, 2024 Meeting**

**NEW ALBANY LINKS DRIVING RANGE
FINAL DEVELOPMENT PLAN MODIFICATION**

LOCATION: 7100 New Albany Links Drive (PID: 222-002263)
REQUEST: Final Development Plan Modification
ZONING: Comprehensive Planned Unit Development (C-PUD)
STRATEGIC PLAN: Parks & Green Space
APPLICATION: FDM-08-2024
APPLICANT: New Albany Links Golf Club c/o Lucas Bowersock

Review based on: Application materials received April 19, 2024.

Staff report completed by Sierra Cratic-Smith, Planner

I. REQUEST AND BACKGROUND

The applicant has not submitted additional information to city staff before the publishing of this staff report. The applicant has communicated to the city staff they need additional time to receive new data. Therefore the city staff has directed the applicant to bring any new material to the June 17, 2024 Planning Commission hearing. The city staff has included the same evaluation in this report and material from the May 20th Planning Commission in the meeting packets.

The applicant requests a review and approval for the alterations made to the New Albany Links Driving Range final development plan. The owner has changed the site landscaping approved in 2009 by removing trees from the north and south property lines. Since the existing conditions do not match the approved 2009 final development plan, and the property requests changes to the landscaping, a final development plan modification is required.

Previously the Planning Commission first heard the final development plan modification on February 21, 2024. The application was tabled on February 21 and April 15, 2024 to allow the applicant to meet with their neighbor to the south, address their concerns and try to come to a compromise. The applicant updated the final development plan with additional information after discussions with neighboring property owners and presented it to the Planning Commission on May 20, 2024. The Planning Commission tabled the application for one month on May 20, 2024 until the regular June meeting date to allow the applicant to gather additional facts and work with their neighbors on an acceptable barrier between the properties.

LAW DIRECTOR'S COMMENTS

An issue has been identified regarding the factors that the Planning Commission must consider during their review of the Final Development Plan Modification application for New Albany Links. It is the law director's opinion that the correct procedure to follow relates to the specific provisions set forth in Codified Ordinance Section 1159.09, entitled "Procedure for Approval of Comprehensive Planned Unit Development (C-PUD)", and that the Planning Commission should consider and evaluate the application upon the criteria

found in Codified Ordinance Section 1159.08, entitled “Basis of Plan Approval,” when coming to a final decision.

This opinion is based on the fact that Codified Ordinance 1150.08 states that it is to be used for the basis for approval of a Comprehensive Plan in a C-PUD and the Preliminary Development Plan in an I-PUD. Previously included Codified Ordinance 1111.06 deals with the initiation of zoning amendments, and is not applicable to the situation at hand.

II. SITE DESCRIPTION & USE

The final development plan area includes just the portion of the existing golf course site that contains the driving range. It is located within the New Albany Links subdivision. The property has been developed with a driving range and is located east of the golf club on about 10 acres.

The site is located west along US State Route 62 (Johnstown Road). There is a church on the south side and a residential home on the north side of the driving range.

III. PLAN REVIEW

The Planning Commission’s review authority of the zoning amendment application is found under C.O. Chapters 1107.02. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to city council. The 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 1159.08 the basis for approval of a final development plan in an C-PUD shall be:

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

A. Engage New Albany Strategic Plan

The 2020 Engage New Albany strategic plan designates the area as the Parks & Green Space future land use category. The strategic plan lists the following development standards for the Parks & Green Space land use category:

1. Protect and improve the existing network of parks, natural open spaces, and stream corridors.
2. Provide for a high quality and diversified park system to meet the recreational needs and enhance the quality of life for all residents.
3. Engage with partners to create a regional park, open space, and trail system that benefits New Albany residents and businesses.
4. Create a continuous network of linear parks, paths, walks, and trails, and thereby enabling the public to travel by non-motorized modes throughout the New Albany community.
5. Create year-round recreational opportunities.

B. Use, Site and Layout

1. The site is located within the Engage New Albany strategic plan's park and green space future land use district.
2. The driving range currently has an existing cart parking area with 5 range targets. The site also has two fences, one along the east that is parallel to US State Route 62 (Johnstown Road). The second is a taller section of net at the southwest corner of the property. There is also a 30-foot no-mow area along the southern border of the property.
3. The New Albany Links C-PUD zoning texts states that the driving range's design shall be based on the National Golf Foundation standards.
 - a) The city staff researched the National Golf Foundation website but could not find any development standards. The National Golf Foundation is a membership organization and marketing services provider in golf. Its website states it does track any information on golf courses that are part of an HOA.

C. Access, Loading, Parking

1. There are no changes to the access, loading or parking of the site.

D. Architectural Standards

1. There are no changes to the architecture or buildings on the site.

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

1. In early November, a neighbor reported to the city staff that golf balls were appearing in the side and rear of their property. During a code enforcement inspection, city staff found that the landscape on the property had been removed. Because there were significant changes to the approved final development plans from 2009, it needs to be re-evaluated by the Planning Commission.
2. In July 2009, the planning commission tabled the original final development plan for the golf course and driving range due to concerns of golf ball control. Neighbors spoke of concerns for golf ball retention in the gaps of the landscape along the north, south, and east property lines.
3. In August 2009, the applicant returned to meet the above concerns by adding additional landscape along the north and south property line. In addition, a net does span the east property line along Johnstown Road (US-62). The applicant and city staff noted there was significant buffering because of the existing landscape and trees along both the north and south property line. It was approved during the meeting because the commission found the amount of landscape buffer would be sufficient for golf ball control.
4. There are significant changes to the site and landscape (See Figures 1 & 2) from 2009. Most of the landscape along the southern and eastern property lines was removed. To prevent golf balls from leaving the property, the applicant is proposing the following:

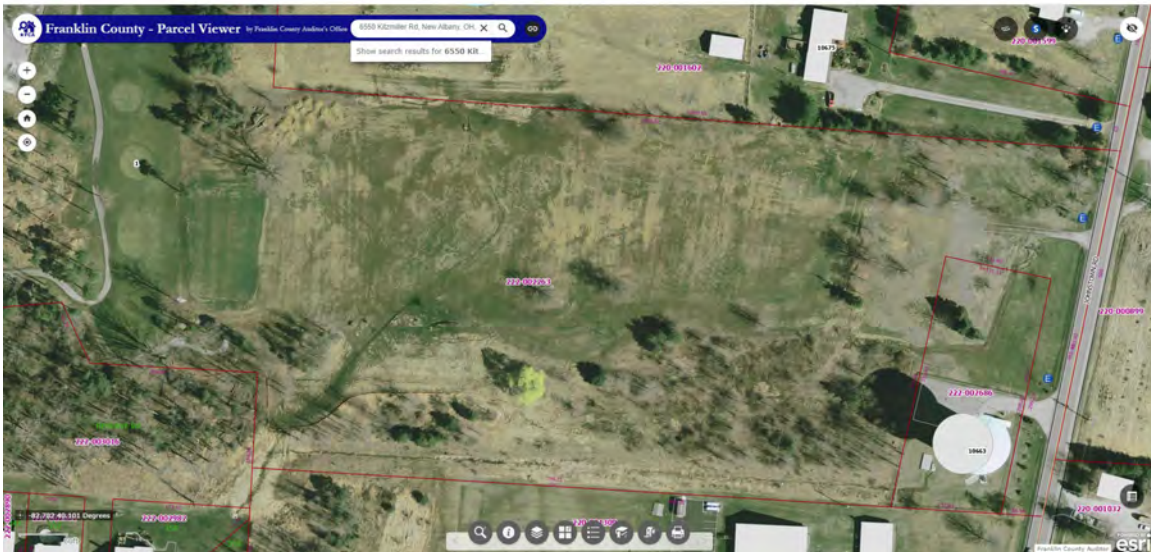
- a. Continue to limit golf ball use on the driving range to limited flight range balls. The city staff recommends this be a condition of approval (condition #1).
- b. A 200-foot-long, 50-foot-high net is installed along the 800 +/-foot-long southern property line. The city staff approved the net in January 2023. The applicant proposed mounding and landscaping along the southern property line (see table below for a comparison of past and current site improvements).
 - i. The applicant states in their narrative that they will plant fifty (50) 10' and 12' trees of Red Maple, London Plane Tree, and Eastern White Pines species on six ft (6') mounding. These species were intentionally selected for their ability to provide buffering from errant shots.
 - ii. The city staff recommends a condition of approval requiring the owner must maintain and replace the landscaping if found dead or dying (condition #4).
- c. Centering the range targets so they are equally spaced between the north and south property lines. The city staff recommends this be a condition of approval (condition #2).
- d. A defined fairway to landing green for better targeting.
- e. The addition of a large main target colored green at approximately 150 yards to deter the golfers from aiming at the net.
- f. The addition of aiming blocks to position golfers to hit the middle of the range(s).
- g. The addition of liability signs to warn golfers that errant shots shall be penalized.
- h. Establish a communication protocol from Church to Club concerning the Church's schedule of upcoming events so that the Club can manage the range as may be appropriate.

Property line	2009 Approval Requirements	February 2024 Proposal	May 2024 Proposal
Northern Property line (860 feet in length)	<ul style="list-style-type: none"> Utilize existing trees and landscaping as a barrier. Add staggered deciduous trees within two gaps along tree line. Add black netting to existing horse rail fence (approx. 860 feet in length). 	<ul style="list-style-type: none"> Utilize existing trees and landscaping as a barrier. 	<ul style="list-style-type: none"> Utilize existing trees and landscaping as a barrier.
Southern Property line (800 feet in length to water tower)	<ul style="list-style-type: none"> Utilize existing trees and landscaping as a barrier. Add staggered deciduous trees within one gap of the tree line. 30-foot-wide no-mow zone along property line. 	<ul style="list-style-type: none"> 30-foot-wide no-mow zone along property line. 200 ft long, 50 ft tall black net. 2 mounds (one on each side of the netting). One being 72 feet in length with a max height of 5 feet. The second is 95 feet in length with a max height of 6 feet. Both have evergreen trees on top. 	<ul style="list-style-type: none"> 30-foot-wide no-mow zone along property line. 200 ft long, 50 ft tall black net. The addition of 50 trees. 3 mounds (one immediately on each side of the netting, with a third further east). <ul style="list-style-type: none"> First mound west of the net being 72 feet in length with a max height of 5 feet. Second mound east of the net being 95 feet in length with a max height of 6 feet. Both have evergreen trees on top. Third mound on the southern property line being 273 feet in length with a max height of 6 feet and evergreen trees on top. Define a new fairway to landing green for better targeting. Utilize aiming blocks to position golfers to hit down the middle of the range.
Eastern Property line (465 feet in length)	<ul style="list-style-type: none"> Utilize existing trees and landscaping as a barrier. Add black four rail fence with black netting. <u>(The city staff recommends this be a condition of approval (Condition #3))</u> 	<ul style="list-style-type: none"> No landscaping or trees along the fence line. Fence (plans don't indicate if there is netting) 	<ul style="list-style-type: none"> No landscaping or trees along the fence line. Fence <u>(plans don't indicate if there is netting)</u>

The images below show the existing conditions when the final development plan was approved in 2009 (Figure 2) and current 2023/2024 conditions (Figure 1).



August 2023 (Figure 1)



2009 (Figure 2)

F. Lighting & Signage

1. The application proposes to add liability signs to warn golfers that errant shots shall be penalized. The size is not indicated on the narrative.

IV. ENGINEER'S COMMENTS

There are no comments from engineering.

IV. SUMMARY

The final development plan modification is required because there is a change in the landscaping and the site conditions that the Planning Commission reviewed and approved in 2009. The Planning Commission originally approved this development because they found there was enough existing vegetation when supplemented with additional trees to provide an acceptable buffer to keep golf balls from leaving the property. To ensure golf balls didn't hit vehicles on the US 62, they required a fence with netting. Since then there have been significant changes to the landscaping which necessitates the Planning Commission's review of the new site plan that includes landscaping and buffers.

Since the landscaping buffer has substantially been removed, the applicant proposes alternate means of keeping golf balls on the range through a combination of changes. These modifications include ways to encourage golfers to focus on the centered targets through different colored targets, aim assistant blocks, and the centralization of the targets. In addition, new landscaping and mounding have been provided to prevent errant shots from encroaching on neighboring properties. Also, according to the applicant, the use of limited flight golf balls will reduce the number of golf balls leaving the property. Furthermore, the applicant commits to establishing a communication protocol so the golf course is made aware of church special events and can manage the range as may be appropriate.

V. ACTION

Suggested Motion for FDM-08-2024:

Should the Planning Commission find that the application has sufficient basis for approval, the following motion would be appropriate (conditions may be added).

Move to approve application FDM-008-2024 based on the findings in the staff report subject to the following conditions:

1. The owner uses limited-flight golf balls.
2. The range targets are located so they are generally centered between the north and south property lines.
3. The owner must add black four rail fence with black netting to the entire eastern property line to ensure golf balls don't land on city property or public streets.
4. The owner must maintain and replace the landscaping if found dead or dying.

Approximate Site Location:



Source: Near Map



Community Development Planning Application

Project Information	Site Address <u>7100 New Albany Links Dr</u>																																																												
	Parcel Numbers _____																																																												
	Acres _____ # of lots created _____																																																												
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Choose Application Type</th> <th colspan="4" style="text-align: center;">Circle all Details that Apply</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Appeal</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Certificate of Appropriateness</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Conditional Use</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Development Plan</td> <td>Preliminary</td> <td><u>Final</u></td> <td>Comprehensive</td> <td>Amendment</td> </tr> <tr> <td><input type="checkbox"/> Plat</td> <td>Preliminary</td> <td>Final</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Lot Changes</td> <td>Combination</td> <td>Split</td> <td>Adjustment</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Minor Commercial Subdivision</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Vacation</td> <td>Easement</td> <td></td> <td>Street</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Variance</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Extension Request</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Zoning</td> <td>Amendment (rezoning)</td> <td></td> <td>Text Modification</td> <td></td> </tr> </tbody> </table>	Choose Application Type	Circle all Details that Apply				<input type="checkbox"/> Appeal					<input type="checkbox"/> Certificate of Appropriateness					<input type="checkbox"/> Conditional Use					<input checked="" type="checkbox"/> Development Plan	Preliminary	<u>Final</u>	Comprehensive	Amendment	<input type="checkbox"/> Plat	Preliminary	Final			<input type="checkbox"/> Lot Changes	Combination	Split	Adjustment		<input type="checkbox"/> Minor Commercial Subdivision					<input type="checkbox"/> Vacation	Easement		Street		<input type="checkbox"/> Variance					<input type="checkbox"/> Extension Request					<input type="checkbox"/> Zoning	Amendment (rezoning)		Text Modification	
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<input type="checkbox"/> Zoning	Amendment (rezoning)		Text Modification																																																										
	Description of Request: <u>Updated Development Plan for Driving Range</u>																																																												
Contacts	Property Owner's Name: <u>New Albany Links Golf Club</u>																																																												
	Address: <u>7100 New Albany Links Dr</u>																																																												
	City, State, Zip: <u>New Albany, OH 43054</u>																																																												
	Phone number: <u>614 855 8532</u> Fax: _____																																																												
	Email: <u>bowersoc@kempersports.com</u>																																																												
	Applicant's Name: _____																																																												
	Address: <u>SAME</u>																																																												
	City, State, Zip: _____																																																												
	Phone number: _____ Fax: _____																																																												
	Email: _____																																																												
Signature	<p>Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, 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 true, correct and complete.</p>																																																												
	<p>Signature of Owner _____ Date: _____</p> <p>Signature of Applicant <u>[Signature]</u> Date: <u>6-11-24</u></p>																																																												

Narrative Statement on New Albany Links Golf Club Driving Range:

1/30/2024

Since KSM Columbus II assumed ownership of New Albany Links Golf Club on October 7th, 2022, a series of strategic updates have been implemented at our driving range to enhance both golfer experience and ensure the safety of our surrounding community.

One of the significant changes involved obtaining permitting from the city of New Albany to install a 200-foot-long, 50-foot-high net. This substantial net acts as a barrier, intercepting golf balls in flight and preventing them from venturing beyond our property lines. The net serves as a proactive measure to address concerns related to errant shots and reinforces our commitment to the safety of neighboring areas.

Additionally, we repositioned our range targets, moving them closer to the north side property line. This adjustment not only accommodates the installation of the protective net but also encourages golfers to focus their shots within the designated range area, reducing the likelihood of balls straying outside our confines.

To further guide golfers towards the intended target areas, we implemented a thoughtful landscaping strategy. A fairway cut has been meticulously mowed around the targets, enhancing visibility and providing a visual marker for players. Beyond these designated target zones, we've allowed the grass to grow longer, subtly signaling to golfers the boundaries of the intended hitting areas.

In June of 2023, we took another significant step by introducing limit flight golf balls. This new type of ball is designed to reduce its flight distance by 15% compared to the previous range balls. By incorporating these specialized golf balls into our range, we aim to keep the trajectory of shots more controlled, minimizing the risk of golf balls leaving our property and addressing any concerns related to distance.

It's important to note that, while these improvements were implemented under the current ownership, I cannot provide insights into any work carried out by the previous ownership group.

Overall, these changes reflect our ongoing commitment to the safety and enjoyment of both our golfers and the surrounding community, ensuring that the New Albany Links driving range remains a responsible and enjoyable destination for golf enthusiasts.

The Club intends to implement the following enhancements to its driving range:

1. Continue to limit golf ball use on the driving range to limited flight range balls.
2. In addition to the range targets, the Club will construct a main target green at approximately 150 yards.
3. Define a new fairway to landing green for better targeting.
4. Utilize aiming blocks to position golfers to hit down the middle of the range.
5. Plant fifty (50) 10' and 12' trees of Red Maple, London Plane Tree, and Eastern White Pines species on six ft (6') mounding. These species were intentionally selected for their ability to provide buffering from errant shots.
6. Signage will be added to the range area warning golfers of their personal liability for errant shots. Exemplar sign:



7. Establish a communication protocol from Church to Club concerning the Church's schedule of upcoming events so that the Club can manage the range as may be appropriate.

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NEW ALBANY LINKS SECTION 9
 P.B. 101, PG. 35

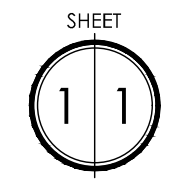
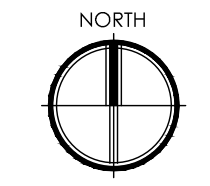
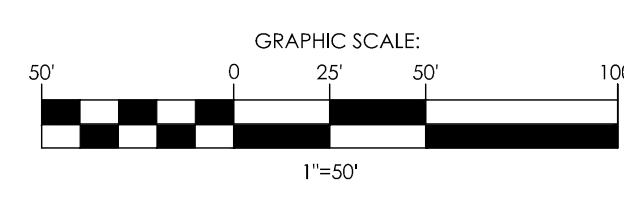
NEW ALBANY LINKS
SHORT GAME PRACTICE AREA
 LOCATED IN:
 SECTIONS 9 & 10, TOWNSHIP 2, RANGE 16
 UNITED STATES MILITARY LANDS
 CITY OF NEW ALBANY, COUNTY OF FRANKLIN, STATE OF OHIO

FINAL
DEVELOPMENT
PLAN UPDATE

PREPARED FOR:
New Albany Links Golf
Course Co. Ltd.
 7100 New Albany Links Dr
 New Albany, OH 43054

PREPARED BY:

EMHT
 Evans, Mechwart, Hambleton & Titon, Inc.
 Engineers • Surveyors • Planners • Scientists
 5800 New Albany Road, Columbus, OH 43054
 Phone: 614.775.4500 Fax: 614.775.3648
 emht.com

DATE:	JUNE 11, 2009
REVISED:	NOVEMBER 18, 2009
REVISED:	OCTOBER 15, 2021
REVISED:	JANUARY 11, 2024
REVISED:	MARCH 14, 2024
REVISED:	APRIL 9, 2024
REVISED:	APRIL 15, 2024





**Planning Commission Staff Report
June 17, 2024 Meeting**

**DONATOS MULTI-TENANT BUILDING
FINAL DEVELOPMENT PLAN**

LOCATION: Generally located at the intersection of Beech Road and Smith’s Mill Road (PID: 093-016512)
APPLICANT: J. Carter Bean Architect, LLC c/o Carter Bean
REQUEST: Final Development Plan
ZONING: Beech Crossing I-PUD
STRATEGIC PLAN: Retail
APPLICATION: FDP-36-2024

Review based on: Application materials received May 17, 2024

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

The application is for a final development plan for a proposed three tenant commercial building located at the southwest corner of Smith’s Mill Road and Beech Crossing. The development includes a proposed Donatos with a drive-through in one of the spaces. The other two spaces do not have users at this time however, they can be developed with any permitted use specified in the development text.

The property in question is zoned I-PUD and is located within the Beech Crossing Zoning District. The proposed use (Donatos multi-tenant building with drive-through) is permitted as a carry-out food and beverage establishment with a drive-through facility.

This site is located within the Beech Crossing zoning district which was reviewed and approved by the Planning Commission on January 22, 2020 (ZC-102-2019).

II. SITE DESCRIPTION & USE

The site is generally located north of State Route 161, south of Smith’s Mill Road and west of Beech Road. The site is 1.22 acres and is currently undeveloped. This is the fifth proposed development for this zoning district. The Planning Commission approved a final development plan application for Duke and Duchess on October 20, 2020, an application for Holiday Inn Express on February 19, 2020, and a Taco Bell on August 21, 2023.

III. EVALUATION

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

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

- a. *That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;*
- b. *That the proposed development is in general conformity with the Strategic Plan/Rocky Fork-Blacklick Accord or portion thereof as it may apply;*

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

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

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

Engage New Albany Strategic Plan Recommendations

The Engage New Albany strategic plan recommends the following development standards for the Retail future land use category:

1. Parking areas should promote pedestrians by including walkways and landscaping to enhance visual aspects of the development.
2. Combined curb cuts and cross access easements are encouraged.
3. Curb cuts on primary streets should be minimized and well-organized connections should be created within and between all retail establishments.
4. Combined curb cuts and cross-access easements between parking areas are preferred between individual buildings.
5. Retail building entrances should connect with the pedestrian network and promote connectivity through the site.
6. Integrate outdoor spaces for food related businesses.

A. Use, Site and Layout

1. The applicant proposes to develop a 6,929 sq. ft. multi-tenant building with a Donatos restaurant and drive-through. The proposed Donatos utilizes 2,087 sq. ft. of the building and the drive-through would be on the eastern elevation of the proposed building.
2. The proposed building also includes patio space in the front for outdoor eating. Staff recommends a condition that allows staff to review changes or modifications to the patio space that would not include changing the size or location that future tenants may request (condition 2).
3. The existing total site size is 1.22-acres. The proposed development is in an appropriate location given its proximity to the New Albany Business Park and State Route 161.
4. The Beech Crossing, I-PUD zoning text places a limitation on total acreage that can be utilized for retail uses in the Beech Road / Smith's Mill Road area. The intent is to limit retail development to a maximum of 92 acres in this general area. Once 92 acres have been developed with retail uses found in the C-3 and GE zoning districts, the remainder of the land from all of these subareas can only allow non-retail General Employment (GE) zoning district uses listed in their respective zoning texts. This 1.22-acre development is subject to this overall 92-acre retail limitation.
5. The development site is accessed by a private road which was reviewed and approved by the Planning Commission on October 21, 2019 (FDP-72-2019). This private road, Beech Crossing, was constructed by another private developer and each property is to include street trees and a sidewalk along the road. The applicant has proposed a 5' sidewalk and street trees.
6. According to zoning text section C(1), the applicant is required to install leisure trail along Smith's Mill Road. The site plan meets this standard by providing an 8' wide leisure trail within the front yard of the lot along Smith's Mill Road.
 - o The City Landscape Architect has reviewed the plans and recommends that the applicant modify the trail alignment along Smith's Mill Road to align with the adjacent site. Staff recommends this as a condition of approval (condition 1a).
7. Per zoning text section C(4,) the applicant is required to connect the building into the existing pedestrian circulation system. The applicant is meeting this requirement by providing a direct connection into the proposed leisure trail along Smith's Mill Road and the proposed sidewalk along the outparcel access road, Beech Crossing.
8. The zoning text requires that the total lot coverage, which includes all areas of pavement and building, to not exceed 80% of the total area. The proposed development is at 67% lot coverage thereby meeting this requirement.
9. The PUD zoning text requires the following setbacks from these perimeter boundaries:
 - a. Smith's Mill Road:
 - i. Required minimum: 75-foot building and 55-foot pavement
 - ii. Proposed: 55+/- foot pavement and 116+/- foot building setback
[requirement met]
 - b. Internal Parcel Boundaries (eastern property line):

- i. Required minimum: 10-foot building and pavement setback
- ii. Proposed (eastern property line): 10-foot pavement and 68.52-foot building setback [requirement met]
- c. Outparcel Access Road (western and southern properties lines) (Beech Crossing):
 - i. Required minimum: 15-foot building and pavement setback
 - ii. Proposed southern property line: 15+/- foot pavement and 46.42+/- foot building setback [requirement met]
 - iii. Proposed western property line: 15+/- foot pavement and 65.20+/- foot building setback [requirement met]

B. Access, Loading, Parking

1. The site is proposed to be accessed from two curb cuts along Beech Crossing.
 - a. The applicant proposes one right-in right-out access point on the west side of the property and one full access point on the south side of the property.
 - o The City Engineer has evaluated the proposed right-in right-out access and has no concerns.
 - b. Per Beech Crossing zoning text requirement II.B.1(c) states that as part of a final development plan approval, two vehicular access points along the Outparcel Access Road/Beech Crossing may be permitted for any outparcel with side and rear boundary lines that are contiguous to the Outparcel Access Road, subject to approval of the City Engineer and if supported by a traffic analysis provided by the applicant. The City Engineer may waive the obligation for this traffic analysis. The city's traffic engineer has reviewed the request for a second access point. They are supportive of allowing the second full access point and have waived the obligation of the traffic analysis.
2. Codified Ordinance 1167.05(d)(11) requires a minimum of one parking space for every 200 square feet of gross floor area for retail shopping centers. The building is 6,929 square feet in size therefore 35 parking spaces are required. The applicant is providing 35 parking spaces.
3. Additionally, the city parking code requires a minimum number of stacking spaces in the drive-through lane must be provided. The required number of drive-through stacking spaces must equal 25% of the total required parking spaces for the drive-through tenant space. Based on this calculation, 7 stacking spaces must be provided and the applicant is meeting this requirement by providing 9.
4. Per C.O. 1167.03(a), the minimum parking space dimensions required are 9 feet wide and 19 feet long. The applicant is meeting this requirement.
5. Per C.O. 1167.03(a), the minimum maneuvering lane width size is 22 feet for this development type. The applicant is meeting this requirement.

C. Architectural Standards

1. The purpose of the New Albany Design Guidelines and Requirements is to help ensure that the New Albany community enjoys the highest possible quality of architectural design. The zoning text contains architectural standards and the site also falls under the Section 6 of the Design Guidelines and Requirements: Commercial Outside Village Center.
2. The zoning text states that buildings with this use shall be a minimum of one story and a maximum of two stories in height and this requirement is being met as the multi-tenant building is a one-story building.
3. The primary building material for the restaurant is brick, which is a permitted building material in the zoning text.
4. Zoning text section E.4(b) states that all rooftop mechanical units must be screened to limit off site visibility and sound. The applicant meets this requirement through the use of a parapet wall on all four sides of the building.

5. DGR Section 6(I)(A)(4) states that the number, location, spacing and shapes of window openings shall be carefully considered, particularly for buildings in retail use and shall impart a sense of human scale. The applicant meets this requirement.
6. DGR Section 6(I)(A)(6) states that all visible elevations of a building must receive similar treatments in style, materials and design so that no visible side is of a lesser character than any other. The applicant is meeting this requirement by using the same materials on all building elevations.
7. DGR Section 6(I)(A)(12) states that buildings shall have active and operable front doors along all public and private streets. The restaurant fronts onto Smith's Mill Road and to the north and Beech Crossing to the east. The building is designed with active and operable front doors along Smith's Mill Road and one door along Beech Crossing on the east façade of the proposed building. On the south façade of the building facing Beech Crossing, the Donatos space lacks an active and operable door but the other two spaces have active and operable doors on this side.
8. C.O. 1171.05(b) states that all trash and garbage container systems must be screened, not be located in front yards, and meet the minimum required pavement setbacks. All of these requirements are met as the applicant proposes to install a dumpster enclosure in the rear of the lot. It meets the minimum pavement setback and is completely screened with a dumpster enclosure and landscaping.

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

1. Per Beech Crossing zoning text requirements G(a) and G(3)(a), a four-board horse fence is required to be installed along Smith's Mill Road. This requirement is met.
2. Per zoning text requirement (G)(3)(b)(i), a minimum of 6 trees per 100 lineal feet must be installed within the required setback area along Smith's Mill. The applicant is meeting this requirement by providing 13 trees along their 218+/- feet of frontage along Smith's Mill Road.
3. Per zoning text requirement G(3)(c), a minimum 3.5-foot-tall landscape buffer must be provided to screen parking areas along all public rights of way. The proposed landscape plan shows that a 3.5-foot-tall landscape buffer installed along the parking areas that are along public rights of way, therefore this requirement is being met.
 - o The City Landscape Architect has reviewed the plans and has recommends that the applicant add evergreen shrubs (36" in height) to screen utilities near the proposed dumpsters. Staff recommends this as a condition of approval (condition 1b).
4. Per zoning text requirement G(3)(d), a landscape buffer is required to be installed within the required setback of any interior side parcel line and shall consist of a ten-foot landscape buffer with grass and landscaping and deciduous trees planted at a rate of 4 trees for every 100 feet of side property line and deciduous shrubs must be planted under the trees. The applicant is required and proposes to install these 12 trees and shrubs along the eastside within the 10-foot setback. Therefore, this requirement is being met.
5. Per zoning text requirement G(7), a minimum of one tree for every 10 parking space is required and at least 5 percent of the vehicular use area shall be landscaped. The applicant is providing 35 parking spaces, and exceeding this requirement by providing 5 trees. 8% of the total parking area is landscaped. This requirement is being met.
6. Per zoning text requirement G(8), a master landscape plan was completed as part of the first final development plan. The applicant is providing trees along Smith's Mill road in a landscape buffer however, the types are trees and location are not consistent with the master landscape plan. Staff recommends a condition of approval that the proposed trees should be consistent with what is shown on the master landscape plan (condition 3).
7. General Site Landscaping Requirement:
 - o Codified Ordinance 1171(5)(e) requires parking lots over 20,000 square feet to have a minimum of one tree per 5,000 square feet of ground coverage and a total tree planting equal to 10.5 in tree trunk size for every 2,000 square feet of ground coverage. The applicant states that the internal ground coverage is 35,789 sq. ft. requiring 7 trees at 14" total caliber (CAL). The

applicant proposes to provide 7 trees at 30” total CAL, meeting the requirement.

E. Lighting & Signage

1. Section II(H)(1) of the zoning text requires all parking lot light poles to be downcast and use cut-off type fixtures in order to minimize light spilling beyond the boundaries of the site. Site lighting proposed of the site matches the existing Duke and Duchess site with the development and meets the requirements. In addition, a detailed photometric plan was submitted showing that there will be no light spillage from this site.
2. Section II(H)(3) states that all parking lot poles within the entire zoning district shall be black or New Albany Green, be constructed of metal and not exceed 30 feet in height. The applicant is proposing to use the same black metal poles that are installed at the existing Duke and Duchess site within the development and they do not exceed 18 feet in height.
3. As part of this final development plan application, the applicant has submitted a sign plan for the site.
4. The applicant proposes to install six wall signs which is one for each tenant space, three are on the front elevation (Smith’s Mill Road) and three are on the rear elevation (Beech Crossing).
5. The applicant proposes to install one monument sign at the northwest corner of the site along Smith’s Mill Road to be consistent with the existing Taco Bell monument sign on the northeast corner of Smith’s Mill Road.
6. The city staff recommends a condition of approval that the final copy of these proposed signs and future signage is subject to staff approval (condition 4).

Wall Signs

Zoning text section I(1) permits one wall mounted sign per retail tenant on each elevation of the building that fronts or sides on a public or private road. The proposed building faces two public streets or private drives. Therefore, two wall signs are permitted for each tenant. Additionally, C.O. 1169.15(d) permits a wall sign on each building frontage either on a public or private road, with 1 square foot in area per linear square foot of building frontage, not to exceed 50 square feet.

Smith’s Mill and Beech Crossing Elevation Wall Signs (six identical sign designs and sizes):

- a. Lettering Height: 24 inches [meets code]
- b. Area: 46.67 square feet [meets code]
- c. Location: northern elevation facing Smith’s Mill Road and southern elevation facing Beech Crossing
- d. Lighting: external lighting [meets code]
- e. Relief: 2.5 inch [meets code]
- f. Colors: white, black, red (total of 3 colors) [meets code]
 - i. The two unoccupied spaces would have the same requirement and are limited to the usage of 4 colors.
- g. Material: aluminum [meets code]

The proposed wall sign reads “Donatos Pizza.”

- DGR Section 6(II)(A)(8) states that signage for this building type shall be as simple and unobtrusive as possible and shall avoid overly bright or jarring colors. The applicant is proposing six wall signs that are appropriately scaled for the building and are appropriate for this area given the desired development type.

Ground Mounted Signs

The applicant proposes to install one monument sign at the northwest corner of the site along Smith's Mill Road. Monument signage along Smith's Mill Road is intended to match the existing sign plan for the retail within the neighbor Canini Trust Corp development along US-62. The proposed sign meets those standards as proposed. The signs feature three tenant spaces.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the application and provided the following comments. These comments can also be found in a separate memo attached to this staff report. Staff recommends a condition of approval that the comments of the city engineer are addressed, subject to staff approval (condition 5).

1. Remove the "Preliminary Not for Construction" note block from all sheets when resubmitting the plans.
2. Revise the Site Data Table by adding a line indicating "Parking Required".
3. Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
4. Show the recorded instrument number on the plans for all existing easements shown on the FDP.
5. Show the location of the stop bar/signs on the landscape plan at both curb cuts and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.
6. Provide a fire truck turning analysis using the template for the 48' Plain Township fire truck.
7. Engineering staff will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available.

V. SUMMARY

The proposal meets many of the goals of the Engage New Albany Strategic Plan such as providing pedestrian access along roadways and into the site, as well as utilizing high quality building materials that are consistent with other buildings in the immediate area. The proposed development is in an appropriate location given the context of the surrounding area and serves as an amenity for the New Albany Business Park. Additionally, the applicant proposes a multi-tenant building that generally meets the requirements set forth in the zoning ordinance, development text, and landscape master plan and as a result, no variances are required.

V. ACTION

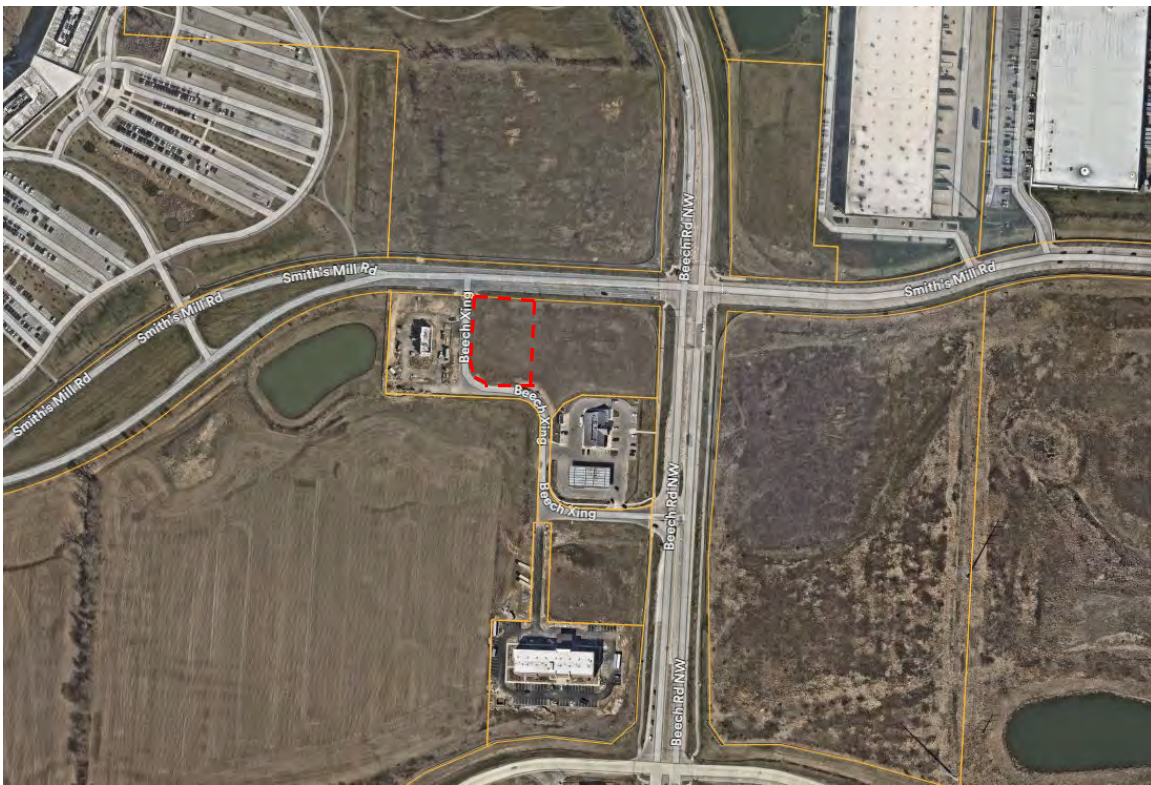
Should the Planning Commission find that the application has sufficient basis for approval, the following motions would be appropriate:

Move to approve final development plan application FDP-36-2024, subject to the following conditions:

1. The city's landscape architect comment shall be addressed as part of permitted, subject to staff approval:
 - a. That the applicant modifies the proposed leisure trail along Smith's Mill Road to align with the adjacent site.
 - b. Provide evergreen shrubs that are 36" in height to screen utilities.
2. That staff can review changes or modifications to the proposed patio that would not include changing the size or location.
3. That the applicant revises the landscape plans to be consistent with the approved master landscape plan.
4. The final copy of the proposed signs and future signage is subject to staff approval.
5. The city engineer comments must be addressed, subject to staff approval.
 - o Remove the "Preliminary Not for Construction" note block from all sheets when resubmitting the plans.

- Revise the Site Data Table by adding a line indicating “Parking Required”.
- Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
- Show the recorded instrument number on the plans for all existing easements shown on the FDP.
- Show the location of the stop bar/signs on the landscape plan at both curb cuts and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.
- Provide a fire truck turning analysis using the template for the 48’ Plain Township fire truck.
- Engineering staff will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available.

Approximate Site Location



Source: NearMap

Development Review

project name Donatos Center
prepared for City of New Albany
date June 05, 2024
date received May 24, 2024

COMMENTS

Site Plan

1. Reevaluate leisure trail alignment along Smith's Mill Road. Proposed condition to align with adjacent site. See diagram.

Planting Plan

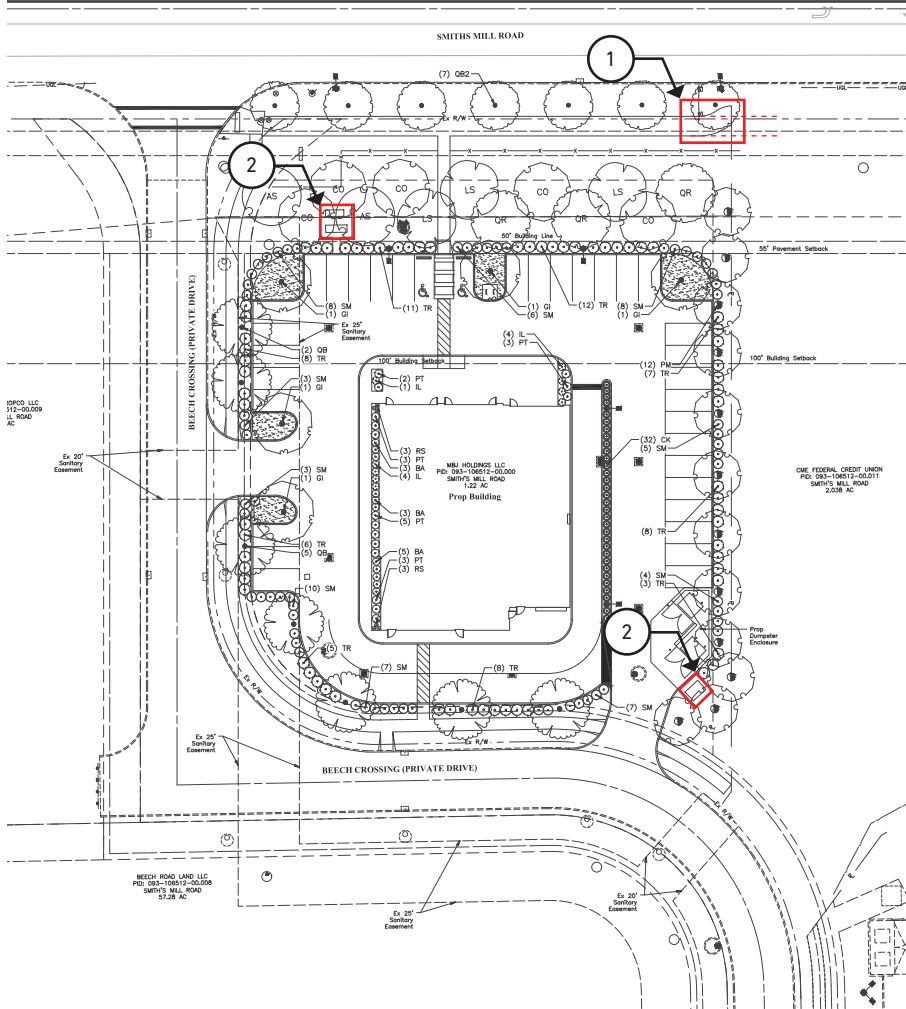
2. Provide evergreen shrubs (36" in ht.) to screen utilities, as marked. See diagram.

*NOTES:

The provided diagram is for clarification and design intent purposes only. The diagram should be used to help illustrate the above comments. It is the responsibility of the design consultants to incorporate the above comments as it relates to the site and to adhere to all City requirements and subsequent code. The diagram may not be to scale.

Development Review

project name Donatos Center
 prepared for City of New Albany
 date June 05, 2024
 date received May 24, 2024



SITE AND PARKING PLANTINGS PLANT SCHEDULE						
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
TREES						
	PM	12	Platanus x acerifolia 'Morton Circle'	Exclamation London Plane Tree	2" Cal.	B&B
PARKING LOT TREES						
	GI	5	Gleditsia triacanthos 'Skyline'	Skyline Honeylocust	2.5" Cal.	B&B
COVERAGE TREES						
	OB	7	Quercus bicolor	Swamp White Oak	3" Cal.	B&B
SHRUBS						
	SM	61	Syringa meyeri 'Palibin'	Dwarf Korean Lilac	36" HL*	Cont.
	TR	68	Tous x media 'Runyan'	Runyan Yew	36" HL*	Cont.
GRASSES						
	CK	32	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	#2	Cont.
PERENNIALS						
	BA	11	Baptisia australis	Blue False Indigo	#2	Cont.
	RS	6	Rubbeckia fulgida 'Goldsturm'	Goldsturm Coneflower	#2	Cont.
SHRUBS-SUN						
	IL	9	Itea virginica 'Little Henry'	Little Henry Dwarf Sweetgale	18" HL	Cont., 36" o.
	PT	16	Physocarpus opulifolius 'SMPTW'	Tiny Wine Ninebark	24" HL	Cont.
SMITH'S MILL ROAD FRONTAGE PLANT SCHEDULE						
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
SETBACK TREES						
	AS	2	Acer saccharum	Sugar Maple	3" Cal.	B&B
	CO	5	Celtis occidentalis	Common Hackberry	2" Cal.	B&B
	LS	3	Liquidambar styraciflua	American Sweet Gum	2" Cal.	B&B
	OR	3	Quercus rubrum	Red Oak	3" Cal.	B&B
STREET TREES PLANT SCHEDULE						
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
STREET TREES						
	OB2	7	Quercus bicolor	Swamp White Oak	3" Cal.	B&B
LANDSCAPE CALCULATIONS						
Treatment Along Smith Mill Road			6 Trees per 100 LF of Frontage		1171.06 - Parking Lot Landscaping:	
218 LF. of frontage /100 x 6 tree =			13 Trees Required		1171.06(a)(2): 8% of the parking area shall be landscaped:	
13 Trees Provided			13 Trees Provided		±6,138 S.F. parking area x .08 =	
Treatment Along East Property Line			4 Trees per 100 LF of Frontage		±491 S.F. landscape area required	
285 LF. of frontage /100 x 4 tree =			12 Trees Required		±1,240 S.F. landscape area provided	
12 Trees Provided			12 Trees Provided		1171.06(a)(3): 1 deciduous canopy tree for every 10 parking spaces:	
1171.05(e) - Landscape Screening-Minimum Trees:			±35,789 S.F. Total Ground Coverage		±35,789 / 5000 = 7 Trees	
(2) Between twenty thousand (20,000) and fifty thousand (50,000) square feet: A minimum of one tree for every five thousand (5,000) square feet of ground coverage and a total tree planting equal to ten (10) inches plus one-half inch in tree trunk size for every ten thousand (2,000) square feet over twenty thousand (20,000) feet in ground coverage.			±35,789 - 20,000 = ±15,789		±15,789 / 2000 x .25" = 3.95" x 10" = 13.95"	
7 Trees and 14" Required			7 Trees and 30" Provided		APPROVALS:	
7 Trees and 30" Provided			7 Trees and 30" Provided		Planning Commission Chair	
GRAPHIC SCALE			1 inch = 30 feet		View Chair or Designer	
PRELIMINARY			NOT TO BE USED FOR CONSTRUCTION		Professional Engineer	
PLAN SET DATE			May 17, 2024		Professional Surveyor	

Proposed Landscape Plan

404.685-01
June 5, 2024
(Revised)

To: Sierra Saumenig
City Planner

From: Matt Ferris, P.E., P.S.
By: Jay M. Herskowitz, P.E., BCEE

Re: Donato's Multi Tenant Bld. FDP

We reviewed the referenced submittal in accordance with Code Sections 1159.07 (b)(3) FDP.
Our review comments are as follows:

1. Please remove the "Preliminary Not for Construction" note block from all sheets when resubmitting the plans.
2. Revise the Site Data Table by adding a line indicating "Parking Required".
3. Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
4. Please show the recorded instrument number on the plans for all existing easements shown on the FDP.
5. Show the location of the stop bar/signs on the landscape plan at both curb cuts and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.
6. Provide a fire truck turning analysis using the template for the 48' Plain Township fire truck.
7. We will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available.

MEF/JMH

cc: Josh Albright, Development Engineer

Permit # _____
 Board _____
 Mtg. Date _____



Community Development Planning Application

Project Information	Site Address <u>T.B.D. Smiths Mill Road, New Albany, Ohio 43056</u> Parcel Numbers <u>093-106512-00</u> Acres <u>1.228</u> # of lots created _____																																																											
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Choose Application Type</th> <th colspan="4" style="text-align: center;">Circle all Details that Apply</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Appeal</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Certificate of Appropriateness</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Conditional Use</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Development Plan</td> <td>Preliminary</td> <td style="border: 1px solid black; border-radius: 50%; text-align: center;">Final</td> <td>Comprehensive</td> <td>Amendment</td> </tr> <tr> <td><input type="checkbox"/> Plat</td> <td>Preliminary</td> <td>Final</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Lot Changes</td> <td>Combination</td> <td>Split</td> <td>Adjustment</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Minor Commercial Subdivision</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Vacation</td> <td>Easement</td> <td></td> <td>Street</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Variance</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Extension Request</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Zoning</td> <td>Amendment (rezoning)</td> <td></td> <td>Text Modification</td> <td></td> </tr> </tbody> </table>	Choose Application Type	Circle all Details that Apply				<input type="checkbox"/> Appeal					<input type="checkbox"/> Certificate of Appropriateness					<input type="checkbox"/> Conditional Use					<input checked="" type="checkbox"/> Development Plan	Preliminary	Final	Comprehensive	Amendment	<input type="checkbox"/> Plat	Preliminary	Final			<input type="checkbox"/> Lot Changes	Combination	Split	Adjustment		<input type="checkbox"/> Minor Commercial Subdivision					<input type="checkbox"/> Vacation	Easement		Street		<input type="checkbox"/> Variance					<input type="checkbox"/> Extension Request					<input type="checkbox"/> Zoning	Amendment (rezoning)		Text Modification
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Signature	Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, 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 true, correct and complete.																																																											
	<table style="width: 100%;"> <tr> <td style="width: 60%;">Signature of Owner</td> <td style="width: 20%;"><u></u></td> <td style="width: 20%;">Date: <u>5-14-24</u></td> </tr> <tr> <td>Signature of Applicant</td> <td><u></u></td> <td>Date: <u>5/14/24</u></td> </tr> </table>	Signature of Owner	<u></u>	Date: <u>5-14-24</u>	Signature of Applicant	<u></u>	Date: <u>5/14/24</u>																																																					
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THE NEW ALBANY COMPANY

May 14, 2024

Mr. Steve Mayer
City of New Albany
Community Development Partner
99 W. Main Street
New Albany, Ohio 43054

Re: New Construction of Multi-Tenant Commercial Building
Parcel: 93-106512-00
Smith's Mill Road, New Albany, Ohio 43056
Final Development Plan Application

Mr. Mayer,

This letter will serve to confirm that MBJ Holdings LLC, an affiliate of The New Albany Company, has entered into a contract to sell Parcel 93-106512-00, a +/-1.22 acre site located south of Smith's Mill Road for the development of a 6,925 square foot, one-story, mixed-use building to accommodate retail and/or restaurant tenants. Site improvements will include vehicular access, parking, landscape, and hardscape. Grote Family Shiloh, LLC will be acquiring the property from MBJ Holdings LLC.

Pursuant to the terms of the contract, J. Carter Bean Architects, as the architect for Grote Family Shiloh, LLC, is authorized to submit a Final Development Plan Application to the City of New Albany Planning Commission pertaining to the land under contract and the proposed development thereon.

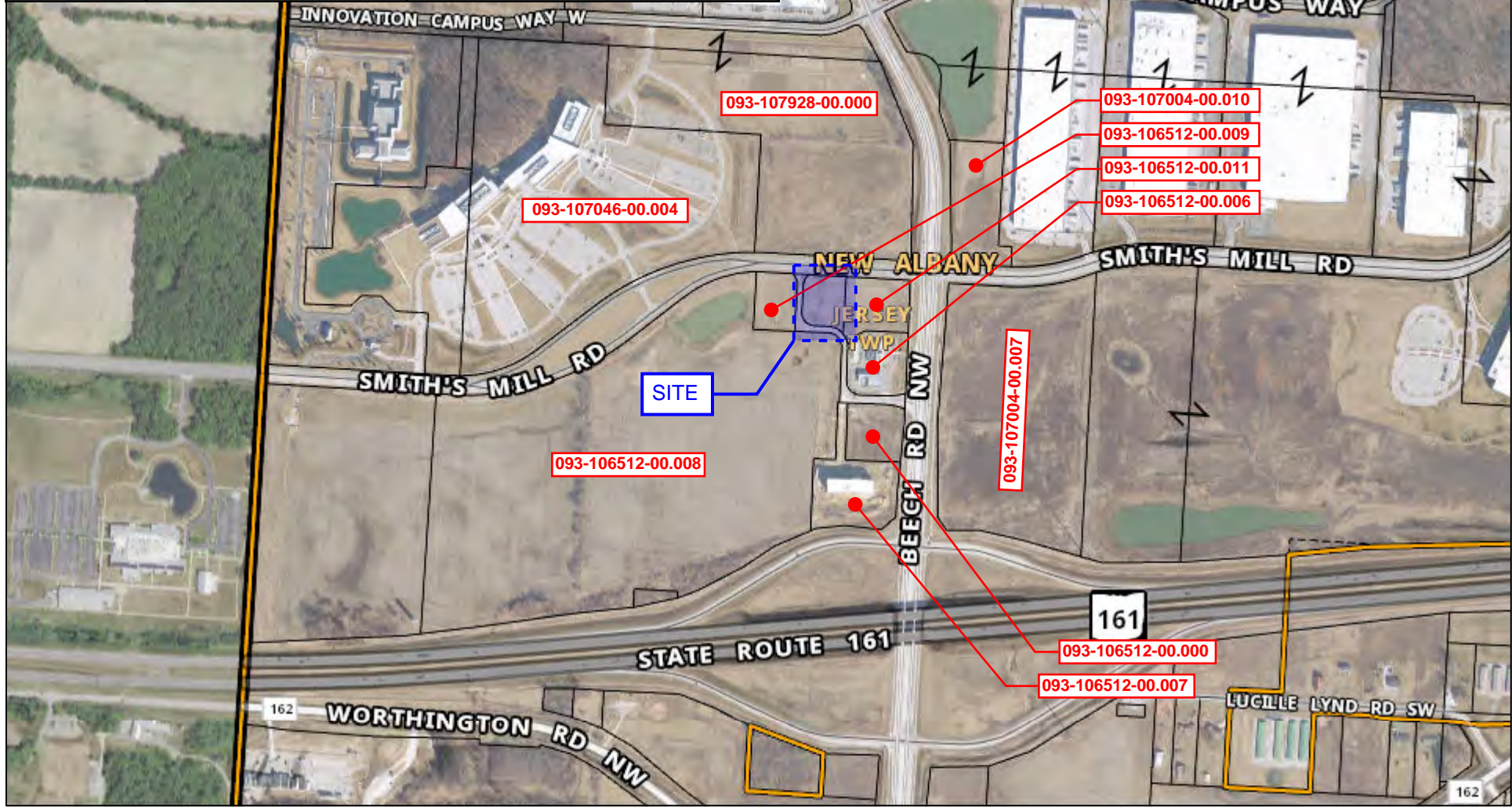
Thank you for your consideration and please don't hesitate to contact me with any questions.

Sincerely,

Dick Roggenkamp
Director of Real Estate

ParcelNo	Owner	Address
093-107928-00.000	AEP OHIO TRANSMISSION COMPANY INC	1 Riverside Plaza, Columbus, Ohio 43215
093-106512-00.008	BEECH ROAD LAND LLC	41 S. High St., Ste. 2800, Columbus, Ohio 43215
093-106512-00.007	STONE HOSPITALITY LLC	2140 S. Edwin C Moses Blvd., Dayton, Ohio 45417
093-106512-00.000	MBJ HOLDINGS LLC	41 S. High St., Ste. 1300, Columbus, Ohio 43215
093-106512-00.011	CME FEDERAL CREDIT UNION	365 S. Fourth St., Columbus, Ohio 43215
093-107046-00.004	AEP OHIO TRANSMISSION COMPANY INC	1 Riverside Plaza, Columbus, Ohio 43215
093-106512-00.006	NEW ALBANY DUCHESS LLC	1935 James Pkwy., Heath, Ohio 43056
093-107004-00.010	SKY CAPITAL LLC	3933 Howard Hughes Pkwy., Las Vegas, Nevada 89169
093-107004-00.007	DISTRIBUTION LAND COMPANY LLC	4400 Easton Commons Way, Ste. 125, Columbus, Ohio 43219
093-106512-00.009	MRG OHIO PROPCO LLC	3366 Riverside Dr., Ste. 103, Columbus, Ohio 43221

Property Map



May 15, 2024

Owner Name & Acres		County Road		Driveway		Jurisdictional Townships
Centerline Labels		Township Road		Interstates		Historical Townships Line
		Other Road Type		Municipal Corporations		County Boundary

Licking County Auditor GIS

LICKING COUNTY TAX MAP

May 17, 2024

Mr. Christopher Christian
Community Development Department
99 West Main Street
P.O. Box 188
New Albany, Ohio 43054

Re: Donatos Retail Center
Smiths Mill Road at Beech Crossing
New Albany, Ohio 43054

Dear Mr. Christian:

The following is our architectural justification explaining the significant architectural features of the proposed building at this new development.

Now that the Smiths Mill development has been significantly built out, it is apparent that common architectural characteristics are carrying over to the Smiths Mill Road / Beech Road area. These common elements have established a pattern of form and materiality throughout. Our proposal for this site is one that, we feel, holds true to that established architectural pattern.

The building is primarily brick on all four sides, with fiber cement accents. The two selected brick colors are consistent with multiple buildings in this area. The two colors have been applied to add visual interest and hierarchy to the massing. Furthermore, various brick details have been included to provide relief and texture.

Through the use of generous storefront areas, the north, east and west facades have excellent transparency into the future front-of-house portions of the tenant spaces. The south façade, which faces Beech Crossing, is effectively the back of the building, where utility and back-of-house activities will be located.

Additionally, projecting canvas awnings have been included on each side of the building to provide dimensionality.

Given the nature and use of this multi-tenant building, it will be necessary to have flexibility to place roof-mounted equipment for, both, HVAC and kitchen exhaust. Therefore, we are proposing a flat-roof building with strong cornice lines. The parapets surrounding the flat roof have been designed with appropriate height to screen all future roof-mounted equipment from surrounding view, at grade.

We feel that the proposed design will, not only, provide the Owner with multi-tenant flexibility and functionality, but also complement other structures in this area.

Sincerely,



Carter Bean

1.221 ACRES

Situated in the State of Ohio, County of Licking, City of New Albany, located in Half Section 15, Quarter Township 3, Township 2, Range 15, United States Military District, being part of that 49.534 acre tract conveyed to MJB Holdings, LLC by deed of record in Instrument Number 201010060020026, (all references refer to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, at a magnetic nail set at the centerline intersection Beech Road (width varies) with Smiths Mill Road (width varies), of record in Instrument Number 200505130014263;

Thence North $86^{\circ} 38' 10''$ West, with the centerline of said Smiths Mill Road, a distance of 414.73 feet to a point;

Thence South $03^{\circ} 21' 50''$ West, across the right-of-way of said Smiths Mill Road, a distance of 45.00 feet to an iron pin set in the southerly right-of-way line thereof, the northerly line of said 49.534 acre tract, being the TRUE POINT OF BEGINNING;

Thence across said 49.534 acre tract, the following courses and distances:

South $03^{\circ} 21' 50''$ West, a distance of 274.79 feet to an iron pin set;

South $39^{\circ} 42' 07''$ West, a distance of 7.91 feet to an iron pin set at a point on the arc of a curve;

With the arc of a curve to the left, having a central angle of $43^{\circ} 37' 48''$, a radius of 102.00 feet, an arc length of 77.67 feet, a chord bearing of North $65^{\circ} 53' 46''$ West and chord distance of 75.81 feet to an iron pin set at a point of tangency;

North $87^{\circ} 42' 39''$ West, a distance of 67.67 feet to an iron pin set at a point of curvature;

With the arc of a curve to the right, having a central angle of $91^{\circ} 04' 29''$, a radius of 67.00 feet, an arc length of 106.50 feet, a chord bearing of North $42^{\circ} 10' 25''$ West and chord distance of 95.64 feet to an iron pin set at a point of tangency;

North $03^{\circ} 21' 50''$ East, a distance of 133.59 feet to an iron pin set at a point of curvature;
and

With the arc of a curve to the right, having a central angle of $55^{\circ} 10' 28''$, a radius of 67.00 feet, an arc length of 64.52 feet, a chord bearing of North $30^{\circ} 57' 04''$ East and chord distance of 62.06 feet to an iron pin set in the southerly right-of-way line of said Smiths Mill Road, said northerly line;

Thence South $86^{\circ} 38' 10''$ East, with said southerly right-of-way line, the northerly line of said 49.534 acre tract, a distance of 182.76 feet to the TRUE POINT OF BEGINNING, containing 1.221 acres, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected Franklin County Engineering Department monuments Frank 80 and Frank 180. The portion of

1.221 ACRES

-2-

the centerline of Beech Road, having a bearing of North 03°25'04" East, is designated the "basis of bearing" for this survey.

This description was prepared using documents of record, prior plats of survey and observed evidence located by an actual field survey.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King
Heather L. King
Professional Surveyor No. 8307

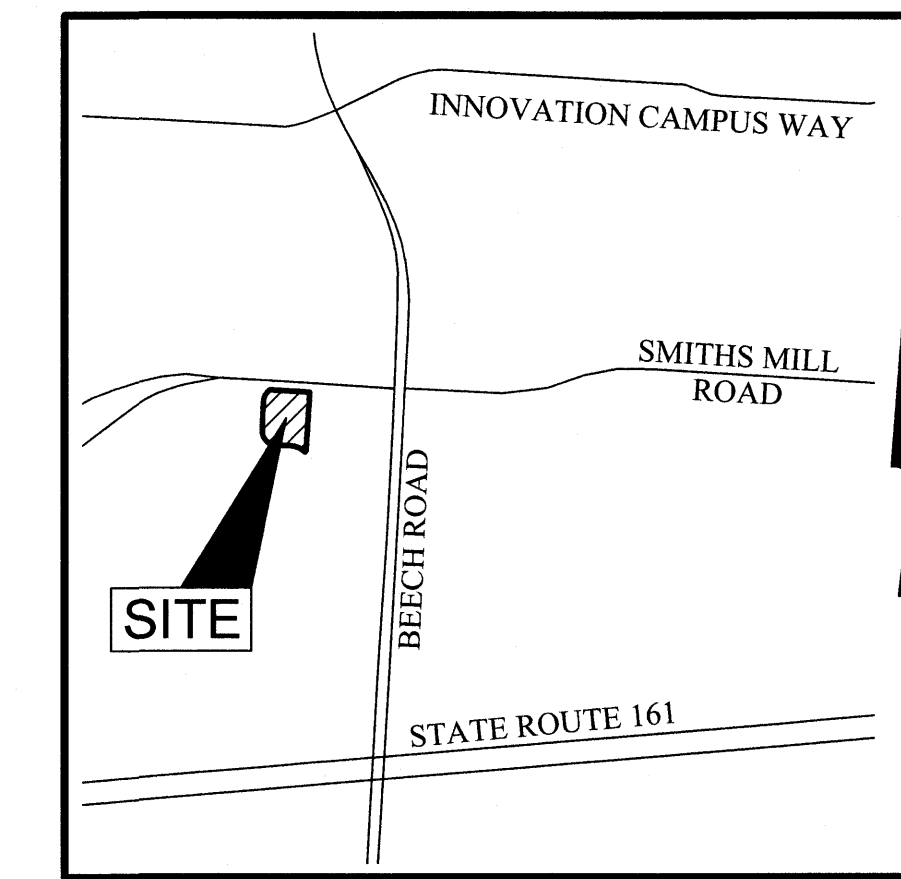
1/11/23
Date

HLK: td
1_221 ac 20221026-VS-BNDY-01ze

PRE-APPROVAL LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY:	<i>DM</i>
DATE:	01-11-23

ALTA/NSPS LAND TITLE SURVEY

HALF SECTION 15, QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 15 UNITED STATES MILITARY DISTRICT CITY OF NEW ALBANY, COUNTY OF LICKING, STATE OF OHIO



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

DESCRIPTION FROM TITLE COMMITMENT:

PARCEL I:

Situated in the State of Ohio, County of Licking, City of New Albany, located in Half Section 15, Quarter Township 3, Township 2, Range 15, United States Military District, being part of that 49.534 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201010060020026, (all references refer to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, at a magnetic nail set at the centerline intersection Beech Road (width varies) with Smiths Mill Road (width varies), of record in Instrument Number 200505130014623;

Thence North 86° 38' 10" West, with the centerline of said Smiths Mill Road, a distance of 414.73 feet to a point;

Thence South 03° 21' 50" West, across the right-of-way of said Smiths Mill Road, a distance of 45.00 feet to an iron pin set in the southerly right-of-way line thereof, the northerly line of said 49.534 acre tract, being the TRUE POINT OF BEGINNING;

Thence across said 49.534 acre tract, the following courses and distances:

South 03° 21' 50" West, a distance of 274.79 feet to an iron pin set;

South 39° 42' 07" West, a distance of 7.91 feet to an iron pin set at a point of curvature;

With the arc of a curve to the left, having a central angle of 43° 37' 48", a radius of 102.00 feet, an arc length of 77.67 feet, a chord bearing of North 65° 53' 46" West and chord distance of 75.81 feet to an iron pin set at a point of tangency;

North 87° 42' 39" West, a distance of 67.67 feet to an iron pin set at a point of curvature;

With the arc of a curve to the right, having a central angle of 91° 04' 29", a radius of 67.00 feet, an arc length of 106.50 feet, a chord bearing of North 42° 10' 25" West and chord distance of 95.64 feet to an iron pin set at a point of tangency;

North 03° 21' 50" East, a distance of 133.59 feet to an iron pin set at a point of curvature; and

With the arc of a curve to the right, having a central angle of 55° 10' 28", a radius of 67.00 feet, an arc length of 64.52 feet, a chord bearing of North 30° 57' 04" East and chord distance of 62.06 feet to an iron pin set in the southerly right-of-way line of said Smiths Mill Road, said northerly line;

Thence South 86° 38' 10" East, with said southerly right-of-way line, the northerly line of said 49.534 acre tract, a distance of 182.76 feet to the TRUE POINT OF BEGINNING, containing 1.221 acres, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected Franklin County Engineering Department monuments Frank 80 and Frank 180. The portion of the centerline of Beech Road, having a bearing of North 03°25'04" East, is designated the "basis of bearing" for this survey.

This description was prepared using documents of record, prior plats of survey and observed evidence located by an actual field survey.

PARCEL II:

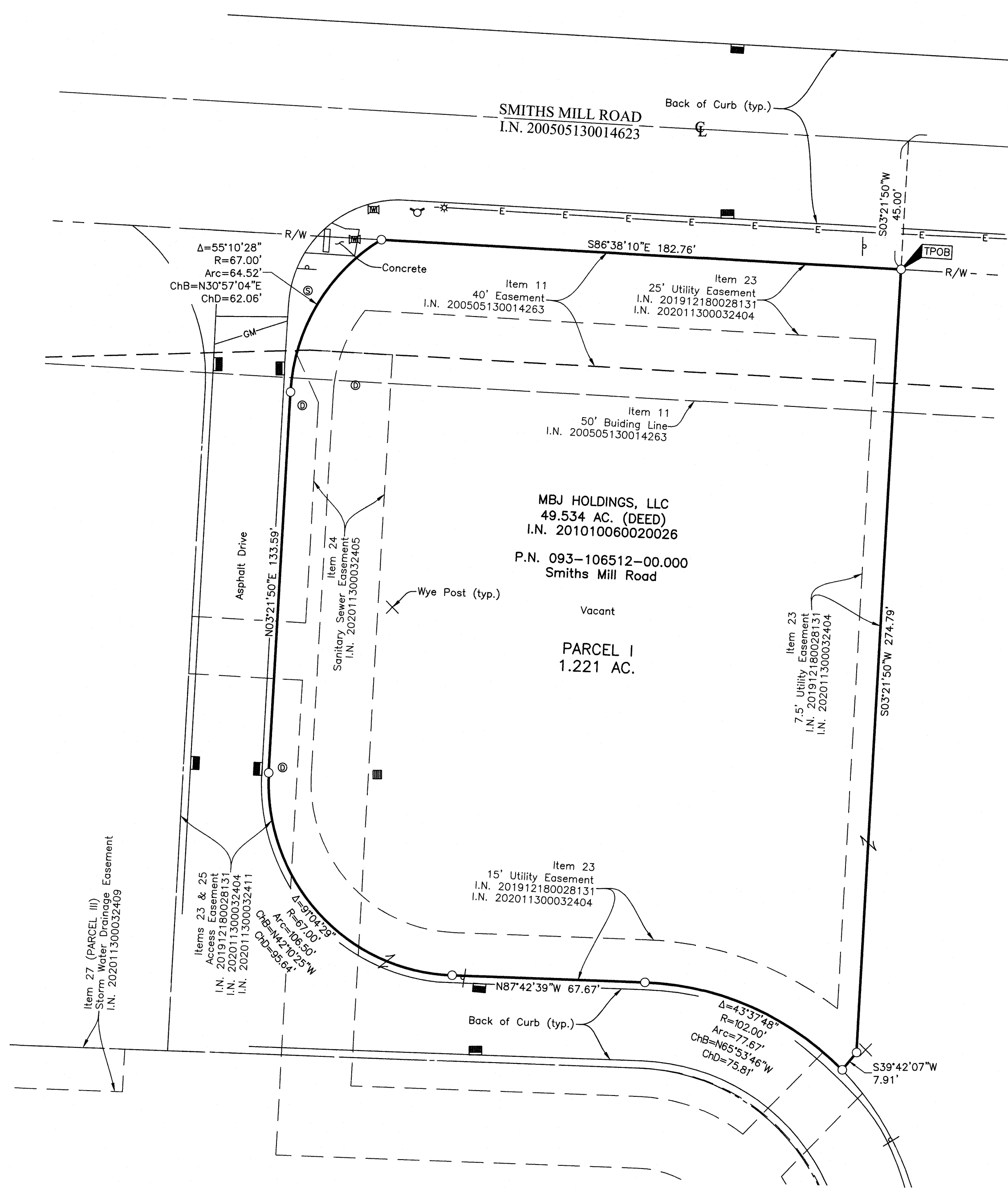
Together with the rights of access as contained in the Access Easement Agreement of record in Instrument 202003240006755.

PARCEL III:

Together with the rights of drainage as contained in the Storm Water Drainage Easement of record in Instrument 202011300032409.

PARCEL IV:

Together with the rights of access as contained in the Construction Access Easement of record in Instrument 202011300032413.



BOARD OF COMMISSIONERS OF LICKING COUNTY, OHIO
PARCEL NO. 7-WDV4
I.N. 200510280034302

BOARD OF COMMISSIONERS OF LICKING COUNTY, OHIO
PARCEL NO. 7-WDV5
6.681 AC. (DEED)
I.N. 200510280034302

SMITHS MILL ROAD
I.N. 201108120014948

Schedule B Items from Title Commitment No. 8327 issued by Stewart Title Guaranty Company with an effective date of October 13, 2022 at 8:00 A.M.

- Items 1-9 NOT SURVEY RELATED ITEMS.
- Item 10 Easement & Right of Way granted to Licking Rural Electrification, Inc., as more fully set forth in the document recorded as Instrument 200402060004403. THE SUBJECT TRACT IS LOCATED IN THE AREA DESCRIBED. EASEMENT CANNOT BE DEPICTED FROM THE DOCUMENT OF RECORD.
- Item 11 All matters shown on the plat of record as Instrument 200505130014263. THE EASEMENT AND SETBACK LINE ARE LOCATED ON THE SUBJECT TRACT (PARCEL I AND III) AS SHOWN HEREON.
- Item 12 Easement & Right of Way granted to Licking Rural Electrification, Inc., as more fully set forth in the document recorded as Instrument 201903180004909. THE ELECTRIC EASEMENTS ARE NOT LOCATED ON THE SUBJECT TRACT.
- Item 13 Reservations, restrictions, covenants, limitations, easements, assessments, and/or other conditions of record in Instrument 20112190024776. THE SUBJECT TRACT (ALL PARCELS) IS LOCATED IN THE AREA DESCRIBED AS "RESTRICTED AREA", NO EASEMENTS GRANTED THEREIN.
- Item 14 Declaration of Covenants, Restrictions and Agreements for The New Albany East Community Authority of record in Instrument 201401070000343, as amended by the Second Amendment of record in Instrument 201507230015501, as amended by the Third Amendment of record in Instrument 201705190010466, as amended by the Fourth Amendment of record in Instrument 201708090016777, as amended by the Fifth Amendment of record in Instrument 201811090023836. THE SUBJECT TRACT IS LOCATED IN THE AREA DESCRIBED. NO EASEMENTS GRANTED THEREIN. PARCELS I, II AND IV ARE LOCATED IN THE AREA DESCRIBED "PROPERTY AREA G" AND PARCEL III IS LOCATED IN THE AREA DESCRIBED AS "PROPERTY AREA F" AND "PROPERTY AREA G".
- Item 15 Declaration of Covenants, Conditions, Restrictions and Easements for The New Albany Business Park East of record in Instrument 201409080017225. THE SUBJECT TRACT (ALL PARCELS) IS LOCATED IN THE AREA DESCRIBED AS "EXPANSION PROPERTIES".
- Item 16 Terms and conditions of the Memorandum of Right of First Offer of record in Instrument 201510160022402. THE SUBJECT TRACT (ALL PARCELS) IS LOCATED IN THE AREA DESCRIBED. NO EASEMENTS GRANTED THEREIN.
- Item 17 Easement granted to Sinclair Refining Co., as more fully set forth in the document recorded as Deed Book 353 page 468, as assigned to the Ohio River Pipe Line Company of record in Deed Book 663 page 69, as amended by Instrument 200906160013038. THE GAS EASEMENT IS NOT LOCATED ON THE SUBJECT TRACT.
- Item 18 Perpetual Easement for Highway Purposes granted to the State of Ohio, as more fully set forth in the document recorded as Deed Book 616 page 496. THE HIGHWAY EASEMENT IS NOT LOCATED ON THE SUBJECT TRACT.

- Item 19 Easement granted to Columbus and Southern Ohio Electric Company, as more fully set forth in the document recorded as Deed Book 714 page 606. THE 3' POWER EASEMENTS ARE NOT LOCATED ON THE SUBJECT TRACT.
- Item 20 Easement for Highway Purposes granted to the State of Ohio, as more fully set forth in the document recorded as Deed Book 602 page 572. THE HIGHWAY EASEMENT IS NOT LOCATED ON THE SUBJECT TRACT.
- Item 21 Easement granted to Columbus and Southern Ohio Electric Company, as more fully set forth in the document recorded as Deed Book 604 page 33. THE 5' POWER EASEMENT IS NOT LOCATED ON THE SUBJECT TRACT.
- Item 22 Easement granted to Sinclair Refining Co., as more fully set forth in the document recorded as Deed Book 354 page 33, as assigned in Deed Book 663 page 69. THE GAS EASEMENT IS NOT LOCATED ON THE SUBJECT TRACT BY THE PARTIAL RELEASE OF RECORD IN INSTRUMENT NUMBER 200906160013038.
- Item 23 Declaration of Covenants, Conditions, Restrictions and Easements for Beech Crossing Owners' Association, filed December 18, 2019, of record in Instrument 201912180028131. As amended by the First Amendment in Instrument 202011300032404. THE ACCESS EASEMENT IS NOT LOCATED ON THE SUBJECT TRACT AS SHOWN HEREON FOR REFERENCE. THE UTILITY EASEMENTS ARE LOCATED ON THE SUBJECT TRACT (PARCEL I) AS SHOWN HEREON.
- Item 24 Sanitary Sewer Easement granted to the City of New Albany, Ohio, as more fully set forth in the document recorded as Instrument 202011300032405. THE SANITARY SEWER EASEMENT IS LOCATED ON THE SUBJECT TRACT (PARCELS I AND IV) AS SHOWN HEREON.
- Item 25 Access Easement Agreement by and between MBJ Holdings, LLC and Beech Road Land, LLC, including terms and conditions thereof as recorded in Instrument 20201300032411. THE ACCESS EASEMENT IS NOT LOCATED ON THE SUBJECT TRACT AS SHOWN HEREON FOR REFERENCE.
- Item 26 Subject to the terms and conditions of the easement contained in the Access Easement Agreement, as more fully set forth in the document recorded as Instrument 202003240006755. THE ACCESS EASEMENT IS LOCATED ON THE SUBJECT TRACT (PARCEL II).
- Item 27 Subject to the terms and conditions of the easement contained in the Storm Water Drainage, as more fully set forth in the document recorded as Instrument 202011300032409. THE STORM WATER DRAINAGE EASEMENT IS LOCATED ON THE SUBJECT TRACT (PARCEL III) AS SHOWN HEREON.
- Item 28 Subject to the terms and conditions of the easement contained in the Construction Access Easement, as more fully set forth in the document recorded as Instrument 202011300032413. THE TEMPORARY CONSTRUCTION ACCESS EASEMENT EXPIRED BY ITS OWN TERMS ON MARCH 31, 2022.
- Item 29-32 NOT SURVEY RELATED ITEMS.

BASIS OF BEARINGS:
The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected Franklin County Engineering Department monuments Frank 80 and Frank 180. The portion of the centerline of Beech Road, having a bearing of North 03°25'04" East, is designated the "basis of bearing" for this survey.

FEMA NOTE:
According to the Federal Emergency Management Agency's Flood Insurance Rate Map No. 3904960209K (dated September 23, 2019), the subject tract shown hereon lies within Zone X (areas determined to be outside of the 0.2% annual chance floodplain). Any floodplain lines shown are georeferenced and are not based on actual field elevations.

UTILITY STATEMENT:
A Utility Marking request was submitted to OHIO811 on October 26, 2022. The utilities shown hereon have been located from field survey information. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the utilities shown are in the exact location indicated, although s/he does certify that they are located as accurately as possible.

SURVEY NOTE:
This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

TABLE A OPTIONAL ITEM NOTES:

- 7(a) No buildings were observed on the subject tract at the time the fieldwork was conducted.
- 9. No parking striping was observed on the subject tract at the time the fieldwork was conducted.

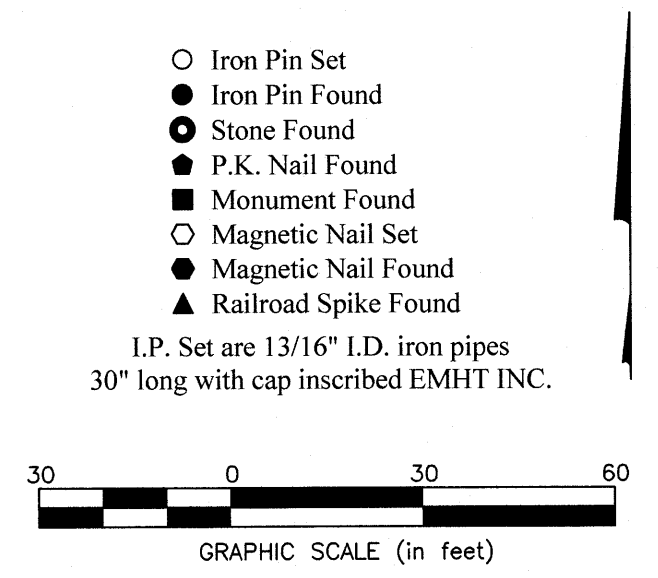
CERTIFICATION: Commitment No. 8327

To: MBJ Holdings, LLC, CA Property Acquisition LLC, Stewart Title Guaranty Company, and RET Solutions, LLC:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys", jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, 9 and 13 of Table A thereof. The fieldwork was completed on November 3, 2022.

STATE OF OHIO
HEATHER L. KING
S-8307
REGISTERED PROFESSIONAL SURVEYOR

Heather King 11/4/22
Date
Heather L. King
Professional Surveyor No. 8307
hking@emht.com



LINE LEGEND

—GM— Gas Line
—E—E— Underground Electric

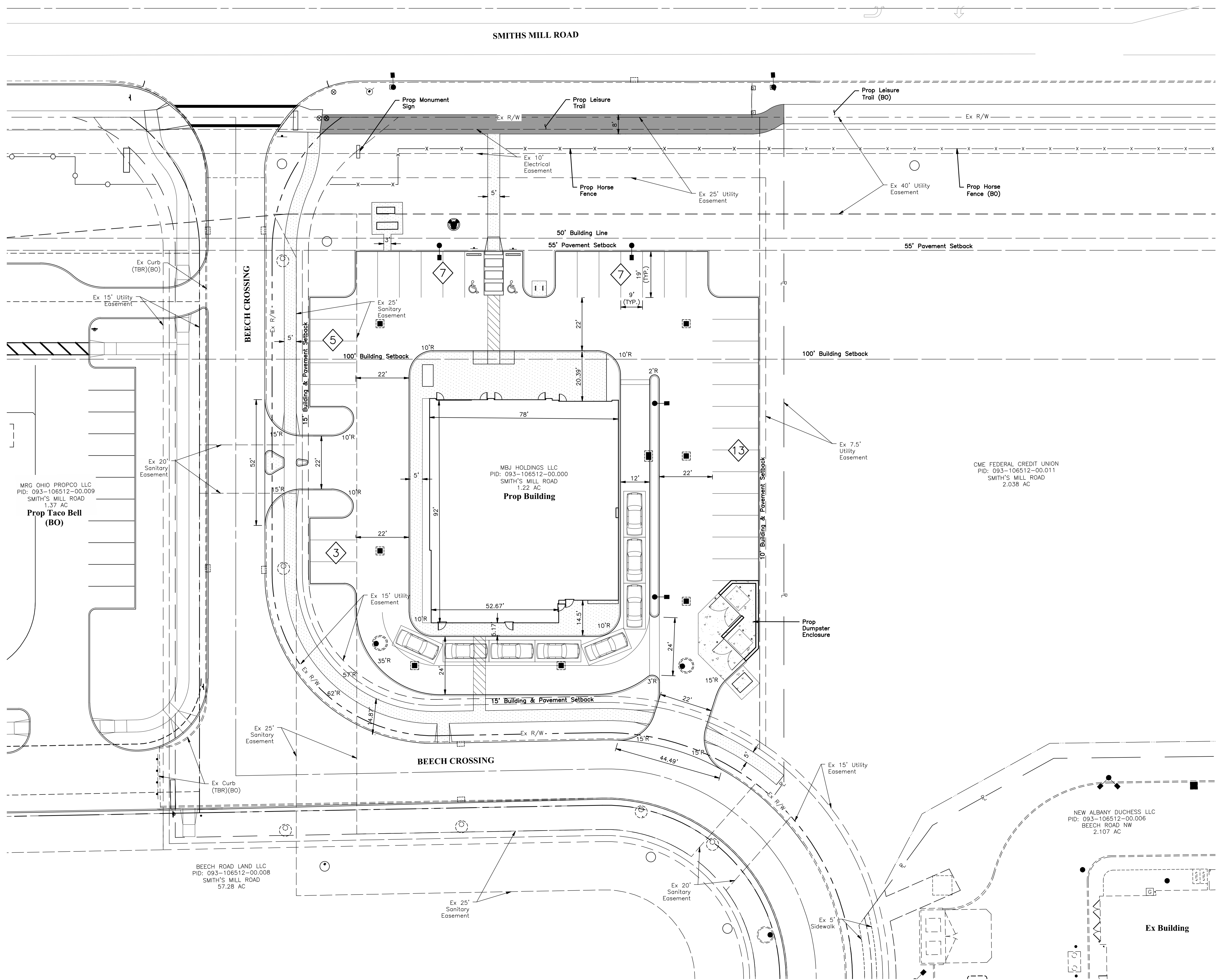
SYMBOL LEGEND

— Sign	■ Curb & Gutter Inlet
⊙ Sanitary Sewer Manhole	⊙ Fire Hydrant
⊙ Catch Basin	⊙ Water Valve
⊙ Storm Sewer Manhole	⊙ Light Pole

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43254
Phone: 614.775.4500 Toll Free: 888.775.3448
emht.com

Date: November 4, 2022
Scale: 1" = 30'
Job No: 2022-1027
Sheet: 1 of 1

REVISIONS		
MARK	DATE	DESCRIPTION

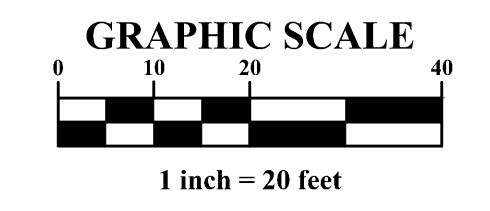


LEGEND

- Concrete Pavement
- Concrete Sidewalk
- Asphalt Sidewalk
- Sign
- Site Light Pole (see Mep Plan)
- Parking Count
- BO By Others
- TBR To Be Removed

PRELIMINARY
 NOT TO BE USED FOR
 CONSTRUCTION

PLAN SET DATE
 May 31, 2024



PROJECT DESCRIPTION
 The Restaurant Development Includes The Construction Of A 6,929 Square Feet Single Story Building With A Drive-Thru.

STORMWATER MANAGEMENT
 The Storm Water For This Project Will Be Controlled By A Regional Basin West Of The Site.

MONUMENTATION
 Monumentation In Compliance With C.O. 1159.07 (3) Will Be Set Prior To Completion Of Construction.

SITE DATE TABLE

Total Site Area	1.22 Ac.
Proposed Building	6,929 S.F.
Parking Provided	35 Spaces
Handicap Parking Required	2 Spaces
Handicap Parking Provided	2 Spaces
Drive-Thru Stacking Spaces Required	2,087 s.f./75 = 27.83 x 0.25 = 7 Stacking Spaces
Drive-Thru Stacking Spaces Provided	8 Stacking Spaces
Lot Coverage	
Pavement/Walk Building	28,860 S.F.
Total Coverage	6,929 S.F. 35,789 S.F.
Site Area (1.22 Ac.)	53,143 S.F.
Percent Coverage	67%
Maximum Lot Coverage	80%
Total Parking Area	6,138 S.F.
Interior Landscape Area	1,245 S.F.
Required	20%
Interior Landscape Area	20%
Required	8%

- NOTES**
- All Radii Are 5' Unless Otherwise Noted.
 - All Curb To Be 6" Extruded Unless Otherwise Noted.
 - All Dimensions Given Are Measured To The Face Of Curb.
 - All Radius Dimensions Given Are Measured Along The Face Of Curb.

APPROVALS:

 Planning Commission Chair

 Vice Chair or Designee

 Professional Engineer

 Professional Surveyor

REVISIONS

MARK	DATE	DESCRIPTION

DONATOS

CITY OF NEW ALBANY, LICKING COUNTY, OHIO
 FINAL DEVELOPMENT PLAN
SMITH'S MILL RD DONATOS
 SITE PLAN

EMHT
 ENGINEERS, ARCHITECTS, SURVEYORS & PLANNERS, INC.
 5500 New Albany Road, Columbus, OH 43054
 Phone: 614.775.4500 Fax: 614.775.4500
 emht.com

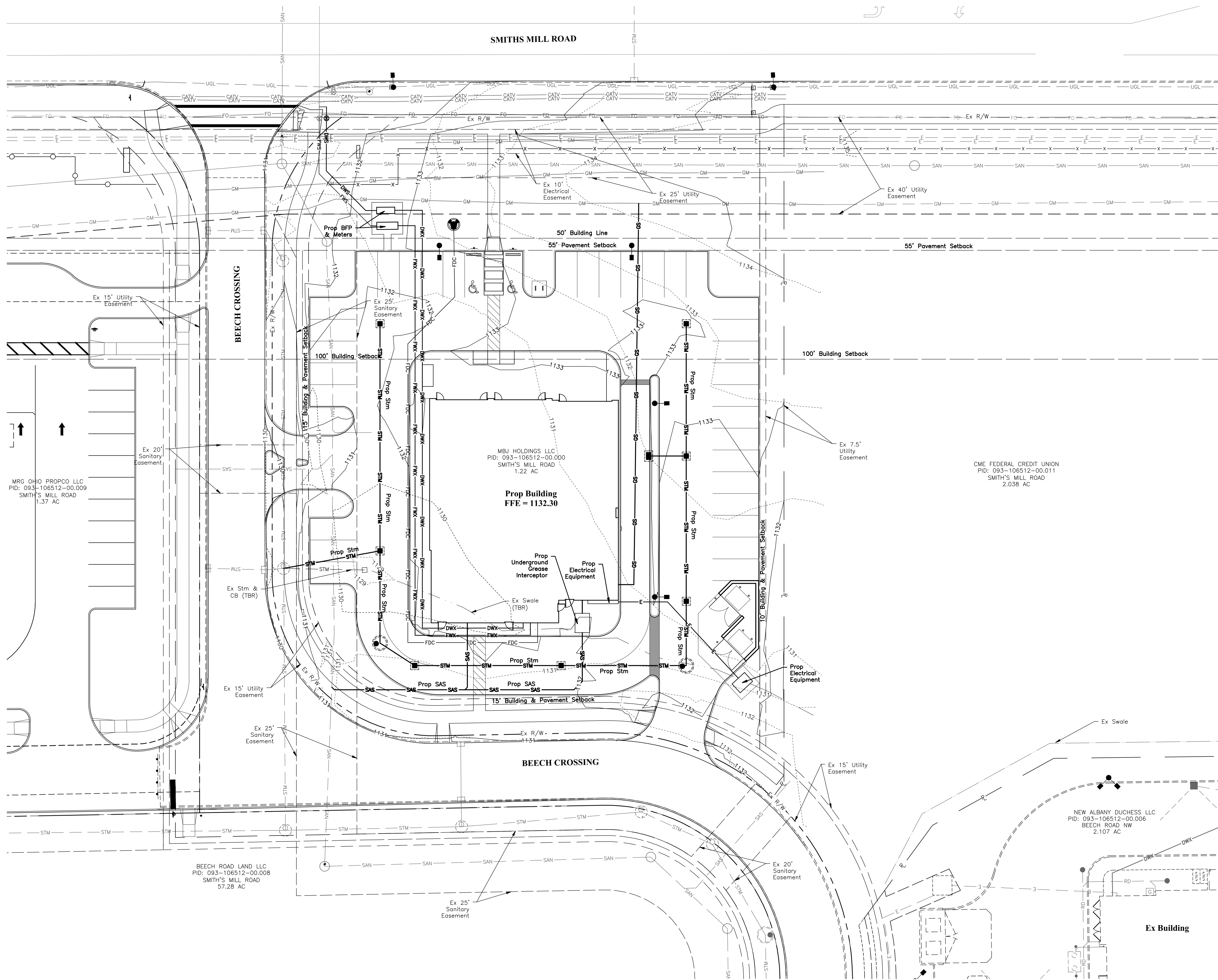
DATE
 May 31, 2024

SCALE
 1" = 20'

JOB NO.
 2024-0243

SHEET
 1/3

I:\2024\0243\Drawings\Sheets\DP\20240243 - Site Plan.dwg - Last Saved By: mlesler_5/30/2024 3:41 PM - Last Printed By: Kesler, Madison_5/30/2024 3:45 PM (No Xrefs)



- EXISTING**
- 1170-1171 Contours
 - STM Storm Sewer
 - SAN SAN
 - SAS Sanitary Sewer
 - WM Water Main
 - OHE Overhead Electric Line
 - E Underground Electric Line
 - FO Telecomm Duct Bank
 - CATV Communications Duct Bank
 - GM Gas Main
 - GS Gas Service
 - UGL Lighting Conduit
 - Fire Hydrant
 - Water Valve
 - Light Pole
 - Manhole
 - Catch Basin
 - Curb Inlet
- PROPOSED**
- 1170-1171 Contours
 - STM Storm Sewer
 - SAS Sanitary Service
 - GS Gas Service
 - FWS Fire Water Service
 - DWS Domestic Water Service
 - FWX Private Fire Water Service
 - DWX Private Domestic Water Service
 - FDC Fire Department Connection
 - Catch Basin
 - Manhole
 - Cleanout
 - Curb & Gutter Inlet
 - Site Light Pole
 - Fire Hydrant
 - Water Valve
 - Fire Department Connection

MARK	DATE	DESCRIPTION

DONATOS

CITY OF NEW ALBANY, LICKING COUNTY, OHIO
 FINAL DEVELOPMENT PLAN
 FOR
SMITH'S MILL RD DONATOS
 GRADING & UTILITY PLAN

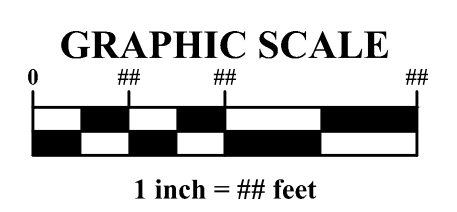


DATE
 May 31, 2024

SCALE
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JOB NO.
 2024-0243

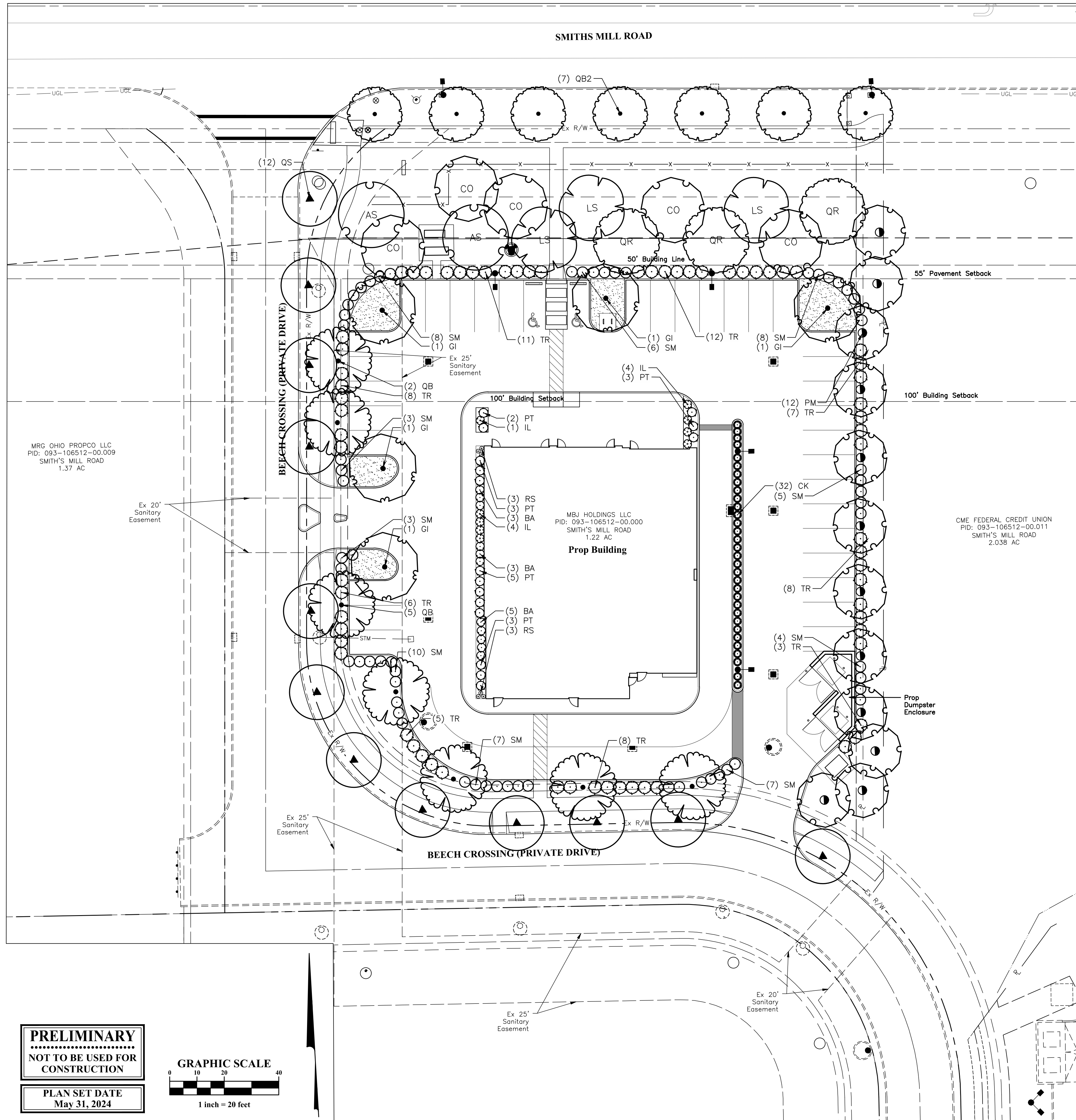
SHEET
 2/3



PRELIMINARY
 NOT TO BE USED FOR
 CONSTRUCTION

PLAN SET DATE
 May 31, 2024

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SITE AND PARKING PLANTINGS PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
TREES						
	PM	12	Platanus x acerifolia 'Morton Circle'	Exclamation! London Plane Tree	2" Cal.	B&B
PARKING LOT TREES						
	GI	5	Gleditsia triacanthos "Skyline"	Skyline Honeylocust	2.5" Cal.	B&B
COVERAGE TREES						
	QB	7	Quercus bicolor	Swamp White Oak	3" Cal.	B&B
SHRUBS						
	SM	61	Syringa meyeri 'Palibin'	Dwarf Korean Lilac	36" Ht.*	Cont.
	TR	68	Taxus x media 'Runyan'	Runyan Yew	36" Ht.*	Cont.
GRASSES						
	CK	32	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	#2	Cont.
PERENNIALS						
	BA	11	Baptisia australis	Blue False Indigo	#2	Cont.
	RS	6	Rudbeckia fulgida 'Goldsturm'	Goldsturm Coneflower	#2	Cont.
SHRUBS-SUN						
	IL	9	Itea virginica 'Little Henry'	Little Henry Dwarf Sweetspire	18" Ht.	Cont., 36" o.
	PT	16	Physocarpus opulifolius 'SMPOTW'	Tiny Wine Ninebark	24" Ht.	Cont.

SMITH'S MILL ROAD FRONTAGE PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
SETBACK TREES						
	AS	2	Acer saccharum	Sugar Maple	3" Cal.	B&B
	CO	5	Celtis occidentalis	Common Hackberry	2" Cal.	B&B
	LS	3	Liquidambar styraciflua	American Sweet Gum	2" Cal.	B&B
	QR	3	Quercus rubrum	Red Oak	3" Cal.	B&B

STREET TREES PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
	QB2	7	Quercus bicolor	Swamp White Oak	3" Cal.	B&B
	QS	12	Quercus shumardii	Shumard Red Oak	3" Cal.	B&B

LANDSCAPE CALCULATIONS

Treatment Along Smith Mill Road
6 Trees per 100 LF of Frontage

1171.06 - Parking Lot Landscaping:
1171.06(a)(2): 8% of the parking area shall be landscaped:
±6,138 S.F. parking area x .08 = ±491 S.F. landscape area required
±1,245 S.F. landscape area provided

218 L.F. of frontage / 100 x 6 tree = 13 Trees Required
13 Trees Provided

1171.06(a)(3): 1 deciduous canopy tree for every 10 parking spaces:
35 Total Parking Spaces / 10 = 4 Trees Required
5 Trees Provided

Treatment Along East Property Line
4 Trees per 100 LF of Frontage

283 L.F. of frontage / 100 x 4 tree = 12 Trees Required
12 Trees Provided

1171.05(e) - Landscape Screening—Minimum Trees:
(2) Between twenty thousand (20,000) and fifty thousand (50,000) square feet: A minimum of one tree for every five thousand (5,000) square feet of ground coverage and a total tree planting equal to ten (10) inches plus one-half inch in tree trunk size for every two thousand (2,000) square feet over twenty thousand (20,000) feet in ground coverage.
Street trees are provided along Smith's Mill Road at a rate of 1 tree per 30' of frontage.

APPROVALS:

_____ Planning Commission Chair

_____ Vice Chair or Designee

_____ Professional Engineer

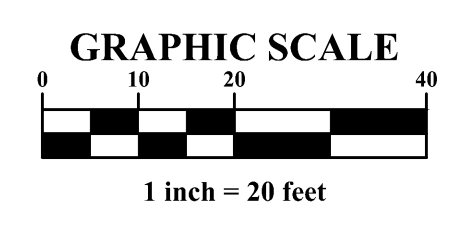
_____ Professional Surveyor

±35,789 S.F. Total Ground Coverage
±35,789 / 5000 = 7 Trees

±35,789 - 20,000 = ±15,789
±15,789 / 2000 x .5" = 3.95" + 10" = 13.95"

7 Trees and 14" Required
7 Trees and 30" Provided

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION
PLAN SET DATE
May 31, 2024



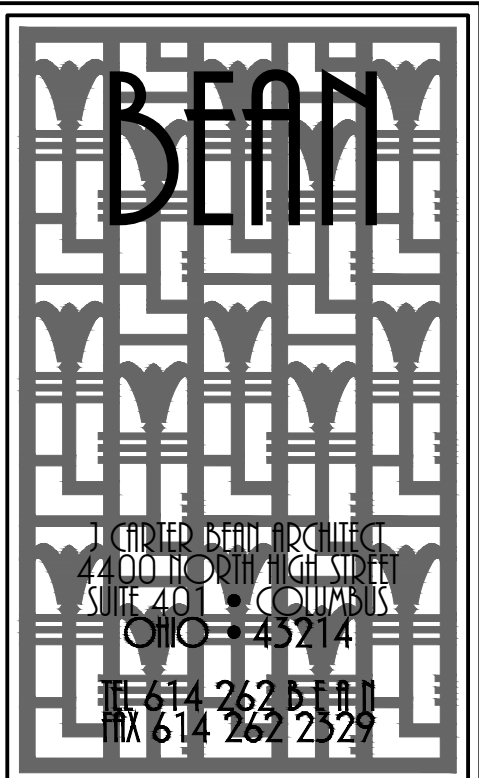
MARK	DATE	DESCRIPTION

DONATOS

CITY OF NEW ALBANY, LICKING COUNTY, OHIO
FINAL DEVELOPMENT PLAN
FOR
SMITH'S MILL RD DONATOS
LANDSCAPE PLAN

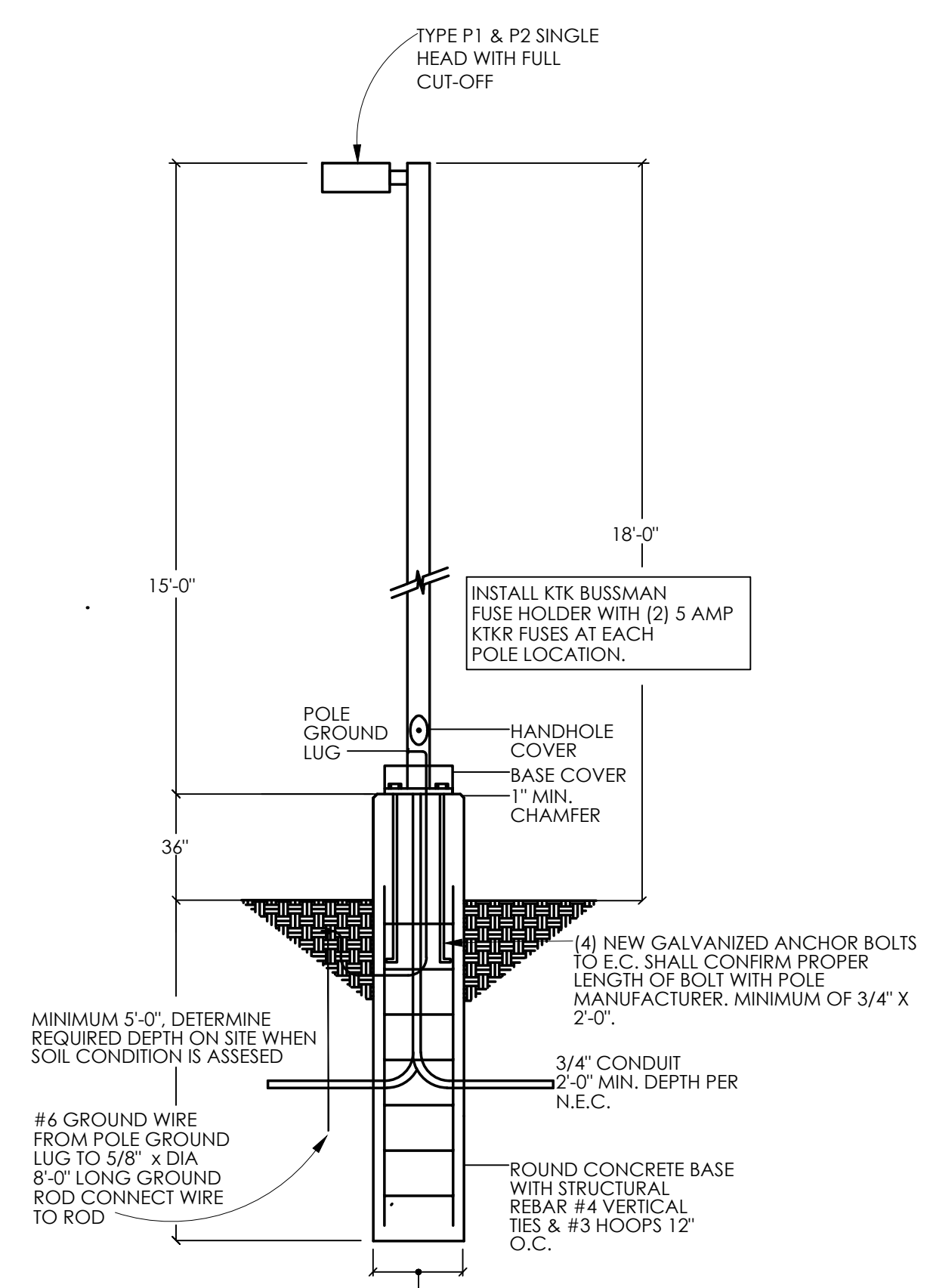


DATE	SCALE	JOB NO.	SHEET
May 31, 2024	1" = 20'	2024-0243	3/3

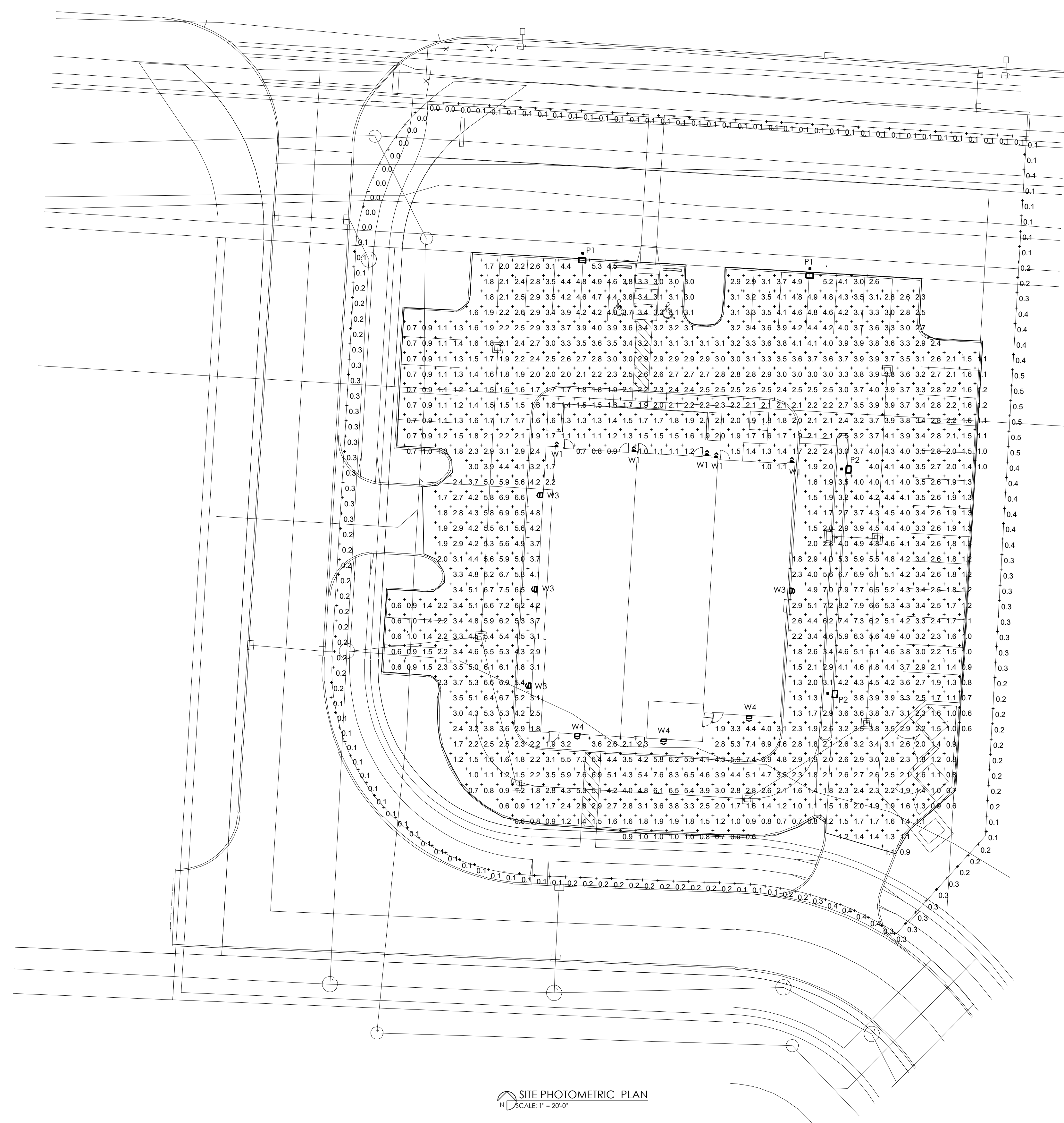


Symbol	Label	Image	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage	File
P1			2	Lithonia Lighting	CS61 LED P4 40K 80CR T84	D-Series Slim 7 Area Luminaire P4 Performance Package 4000K CCT 80 CRI Type II Matte BLACK COLOR	1	10967	1	137	10967
P2			2	Lithonia Lighting	CS61 LED P5 40K 80CR T84	D-Series Slim 7 Area Luminaire P5 Performance Package 4000K CCT 80 CRI Type II Matte BLACK COLOR	1	10966	1	90.12	10966
W1			5	Progress Lighting	P582DS-108	OUTDOOR DECORATIVE WALL SCONCE BLACK COLOR	1	475	1	8.05	P582DS
W3			4	Lithonia Lighting	ARC2 LED P4 40K	ARC2 LED WITH P4 PERFORMANCE PACKAGE 4000K BLACK COLOR	1	6615	1	51.069	ARC2
W4			3	Lithonia Lighting	ARC2 LED P4 40K	ARC2 LED WITH P4 PERFORMANCE PACKAGE 4000K BLACK COLOR	1	4124	1	28.432	ARC2

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Parking Area	+	2.9 fc	8.3 fc	0.6 fc	13.8:1	4.8:1
Property Line	+	0.2 fc	0.5 fc	0.0 fc	N/A	N/A



A POLE BASE DETAIL FOR P1 AND P2 POLES
SCALE: N.T.S.



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J. CARTER BEAM ARCHITECT
AND MAY NOT BE REPRODUCED OR ALTERED
WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT

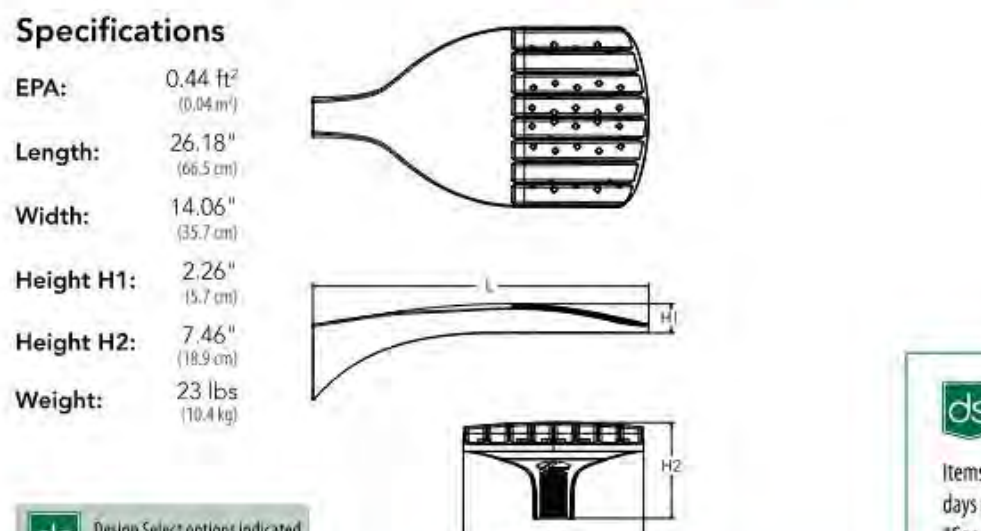
DONATOS CENTER
SMITHS MILL ROAD AT BEECH ROAD
NEW ALBANY, OHIO 43054
FOR
GROTE FAMILY SHOLOH, LLC
935 TAYLOR STATION ROAD, GAHANNA, OHIO 43230

DRAWING STATUS		DATE
STATUS		
FIN. DEV. PLAN		MAY 17, 2024

DRAWING TITLE
SITE PHOTOMETRIC PLAN

DRAWING NUMBER
SE-1.0

D-Series Size 0 LED Area Luminaire



Specifications

EPA: 0.44 ft² (0.44 m²)

Length: 26.18" (663 mm)

Width: 14.06" (357 mm)

Height H1: 2.26" (58 mm)

Height H2: 7.46" (189 mm)

Weight: 23 lbs (10.4 kg)

Introduction

The modern styling of the D-Series features a highly refined aesthetic that blends seamlessly with its environment. The D-Series offers the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire.

The photometric performance results in spaces with excellent uniformity, greater pole spacing and lower power density. D-Series outstanding photometry aids in reducing the number of poles required in area lighting applications, with typical energy savings of 70% and expected service life of over 100,000 hours.

Ordering Information

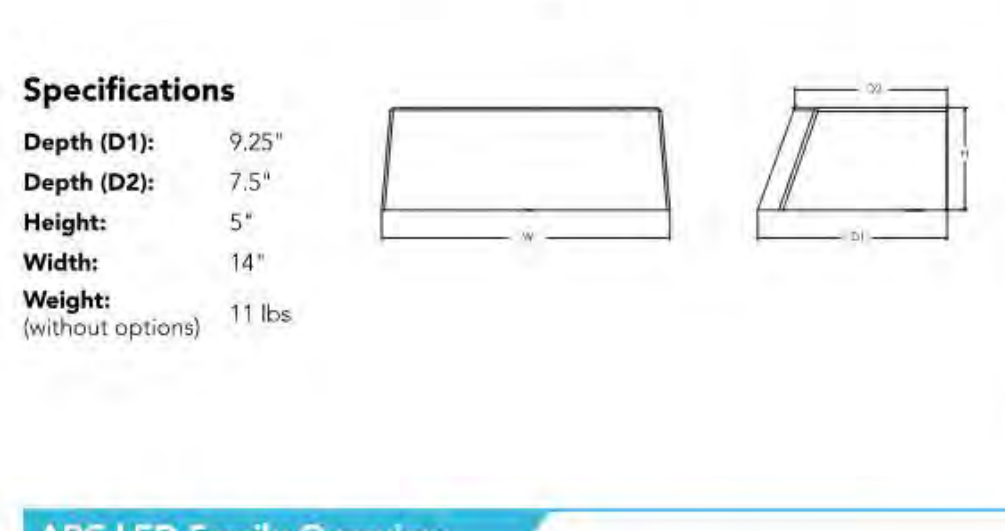
EXAMPLE: DSX0 LED P6 40K 70CRI T3M MVOLT SPA NLTAIR2 PIRHN DDBXD

Series	LEDs	Color Temperature	Color Rendering Index	Photometric	Voltage	Mounting
DSX0 LED	Forward optics (this section 70CRI only)	30K 3000K	70CRI	AFR Automotive force row	MVOLT (120V-277V)	Shipped included
	Rotated optics (this section 80CRI only, extended lead times apply)	50K 5000K	80CRI	TTS Type II short	XVOLT (277V-480V)	Shipped separately

Accessories

External Glare Shield (EGSR), House Side Shield (HS), etc.

ARC2 LED Architectural Wall Luminaire



Specifications

Depth (D1): 9.25"

Depth (D2): 7.5"

Height: 5"

Width: 14"

Weight: 11 lbs (without options)

Ordering Information

EXAMPLE: ARC2 LED P2 40K MVOLT PE DDBXD

Series	Package	Color Temperature	Voltage	Options	Finish
ARC2 LED	P1 1,500 Lumens	30K 3000K	MVOLT	E4WH Emergency battery backup, EEC compliant (4W, 0°C max)	D6BK Dark bronze

PROGRESS LIGHTING W1



Specifications

Depth (D1): 9.25"

Depth (D2): 7.5"

Height: 5"

Width: 14"

Weight: 11 lbs (without options)

Ordering Information

EXAMPLE: ARC2 LED P2 40K MVOLT PE DDBXD

Series	Package	Color Temperature	Voltage	Options	Finish
ARC2 LED	P1 1,500 Lumens	30K 3000K	MVOLT	E4WH Emergency battery backup, EEC compliant (4W, 0°C max)	D6BK Dark bronze

PROGRESS LIGHTING W2



Specifications

Depth (D1): 9.25"

Depth (D2): 7.5"

Height: 5"

Width: 14"

Weight: 11 lbs (without options)

Ordering Information

EXAMPLE: ARC2 LED P2 40K MVOLT PE DDBXD

Series	Package	Color Temperature	Voltage	Options	Finish
ARC2 LED	P1 1,500 Lumens	30K 3000K	MVOLT	E4WH Emergency battery backup, EEC compliant (4W, 0°C max)	D6BK Dark bronze

Ordering Information

EXAMPLE: DSX0 LED P6 40K 70CRI T3M MVOLT SPA NLTAIR2 PIRHN DDBXD

Accessories

External Glare Shield (EGSR), House Side Shield (HS), etc.

Shield Accessories

External Glare Shield (EGSR), House Side Shield (HS)

Drilling

Handhole Orientation, Tenon Mounting Slipfitter

Performance Data

W3 & W4

Lumen Output

Performance Package	System Watts	120V	208V	240V	277V	347V
P1	11W	0.090	0.055	0.049	0.046	0.045

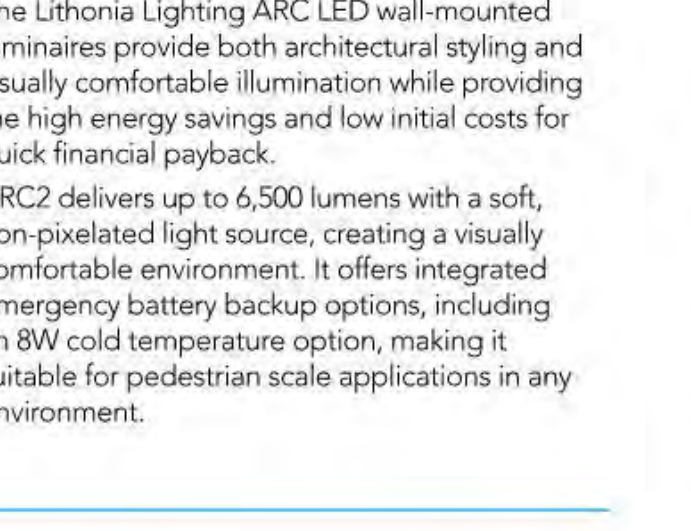
Electrical Load

W3 & W4

Lumen Output in Emergency Mode (4000K, 80 CRI)

Performance Package	System Watts	120V	208V	240V	277V	347V
P1	11W	0.090	0.055	0.049	0.046	0.045

ARC2 LED Architectural Wall Luminaire



Specifications

Depth (D1): 9.25"

Depth (D2): 7.5"

Height: 5"

Width: 14"

Weight: 11 lbs (without options)

Ordering Information

EXAMPLE: ARC2 LED P2 40K MVOLT PE DDBXD

Series	Package	Color Temperature	Voltage	Options	Finish
ARC2 LED	P1 1,500 Lumens	30K 3000K	MVOLT	E4WH Emergency battery backup, EEC compliant (4W, 0°C max)	D6BK Dark bronze

Performance Data

W2

Lumen Output

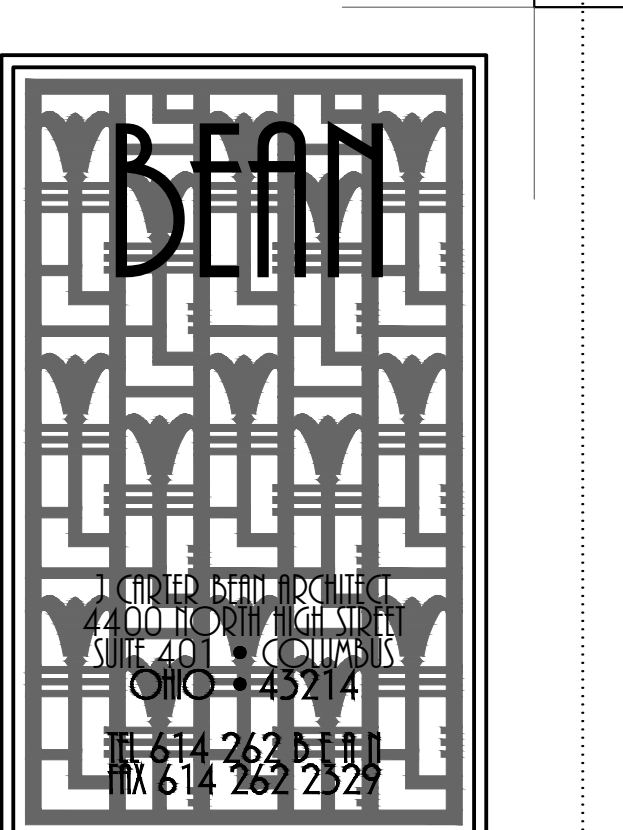
Performance Package	System Watts	120V	208V	240V	277V	347V
P1	11W	0.090	0.055	0.049	0.046	0.045

Electrical Load

W2

Lumen Output in Emergency Mode (4000K, 80 CRI)

Performance Package	System Watts	120V	208V	240V	277V	347V
P1	11W	0.090	0.055	0.049	0.046	0.045



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Grote Family Siloh, LLC
935 TAYLOR STATION ROAD, GAHANNA, OHIO 43230

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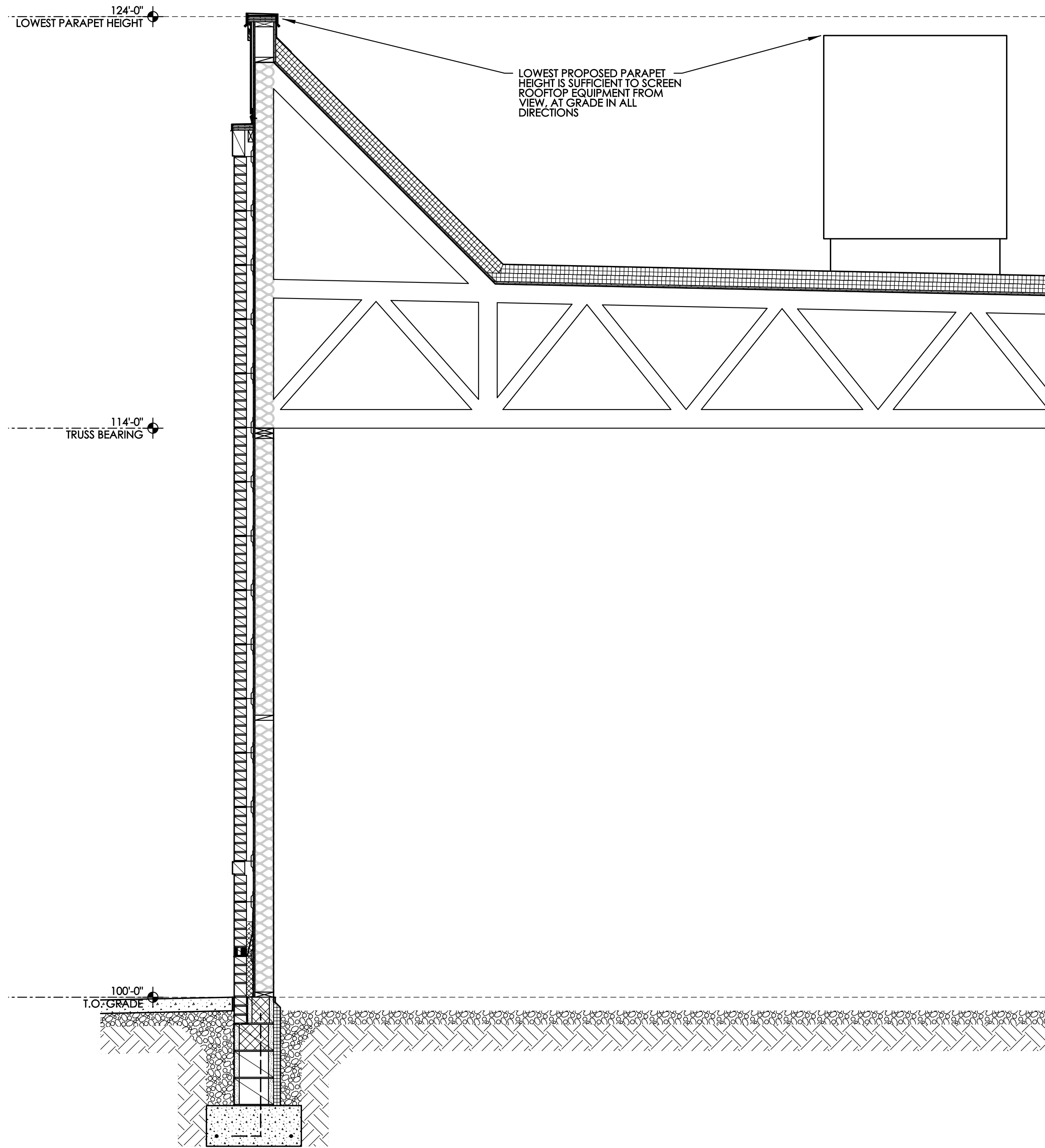
Order Specification:

PROJECT: HEVI LITE, INC. 9714 Variel Ave, Chatsworth, CA 91311

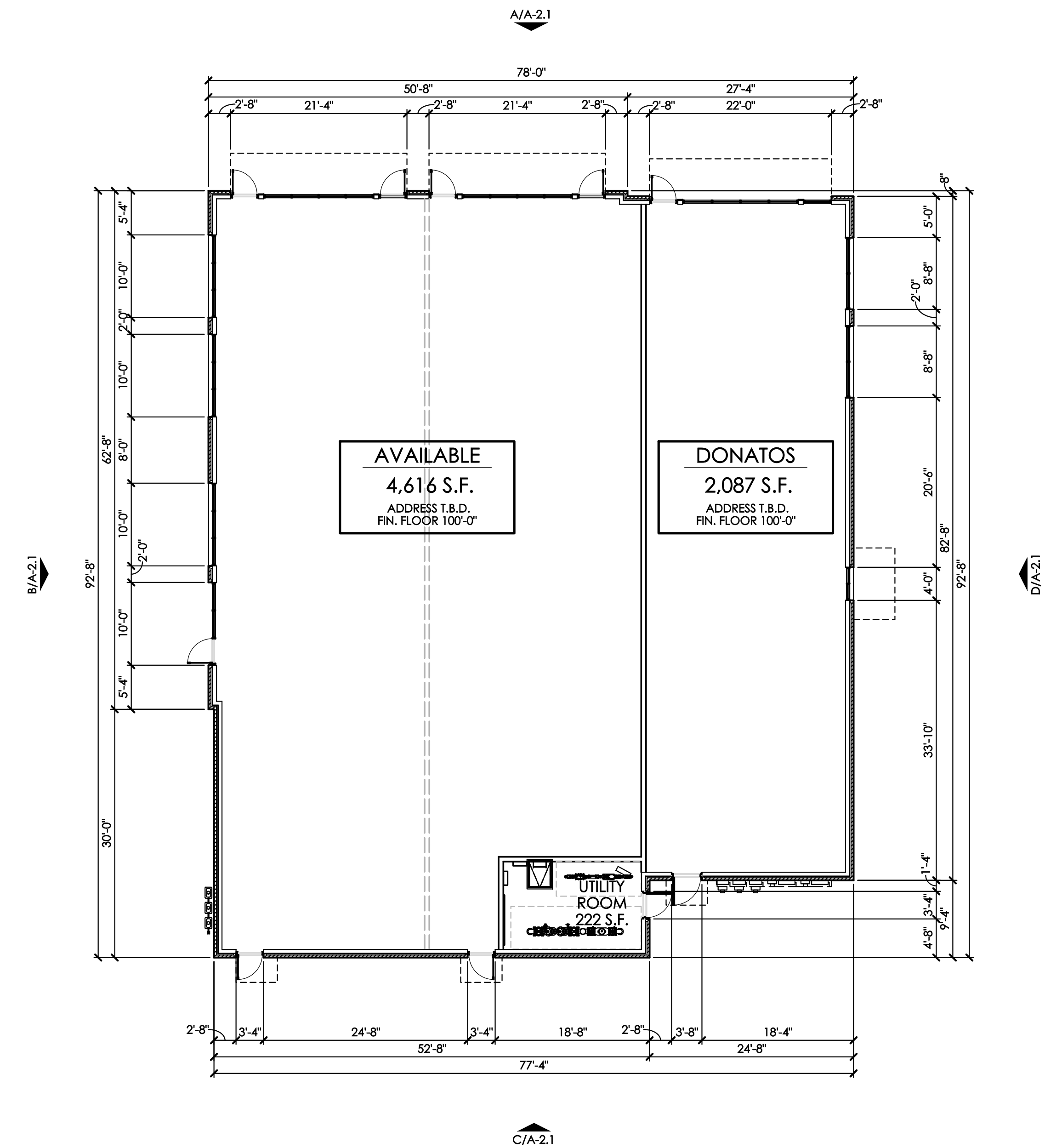
APPROVED: (818) 341-8091 - Fax (818) 998-1986

NOTE: CATALOG NUMBER: HL-711-LED

TYPE: SE-2.0

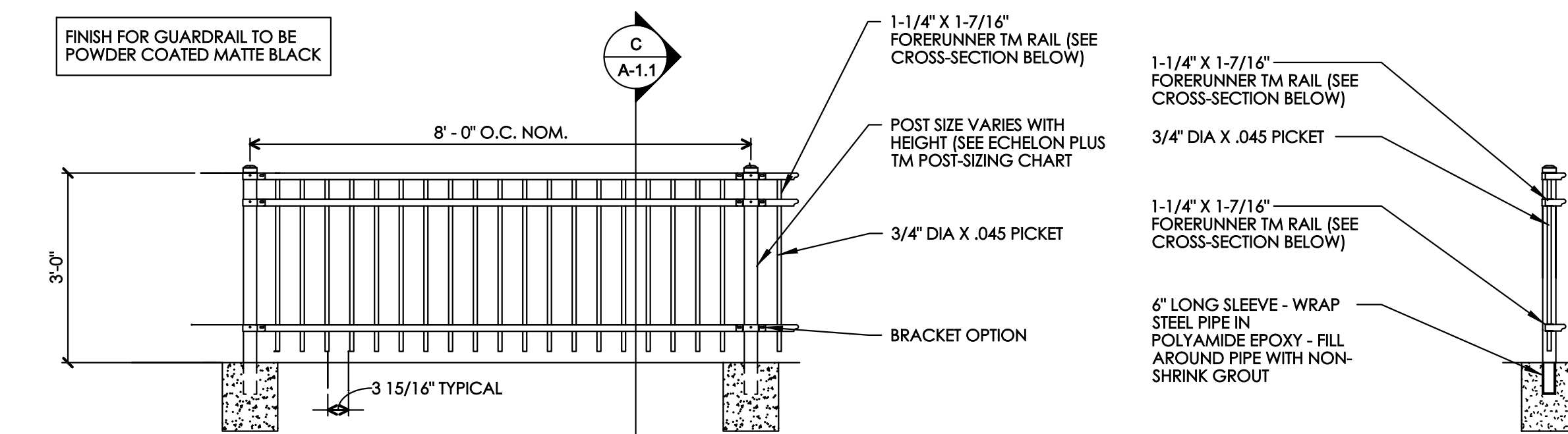


(B) TYPICAL SECTION
SCALE: 1/2" = 1'-0"



(A) FLOOR PLAN
SCALE: 3/32" = 1'-0"

BUILDING GROSS AREA: 6,925 S.F.



(C) TYPICAL PATIO RAILING ELEVATION & SECTION
SCALE: 1/2" = 1'-0"

BEAN

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935 TAYLOR STATION ROAD, GAHANNA, OHIO 43230

DRAWING STATUS	
STATUS	DATE
FIN. DEV. PLAN	MAY 17, 2024
	MAY 31, 2024

DRAWING TITLE
**FLOOR PLAN
AND TYPICAL
WALL SECTION**

DRAWING NUMBER

A-1.1

BEAN #000000.00



(A) NORTH ELEVATION (SMITHS MILL ROAD)

SCALE: 3/32" = 1'-0"



(B) WEST ELEVATION (BEECH CROSSING)

SCALE: 3/32" = 1'-0"



(C) SOUTH ELEVATION (BEECH CROSSING)

SCALE: 3/32" = 1'-0"

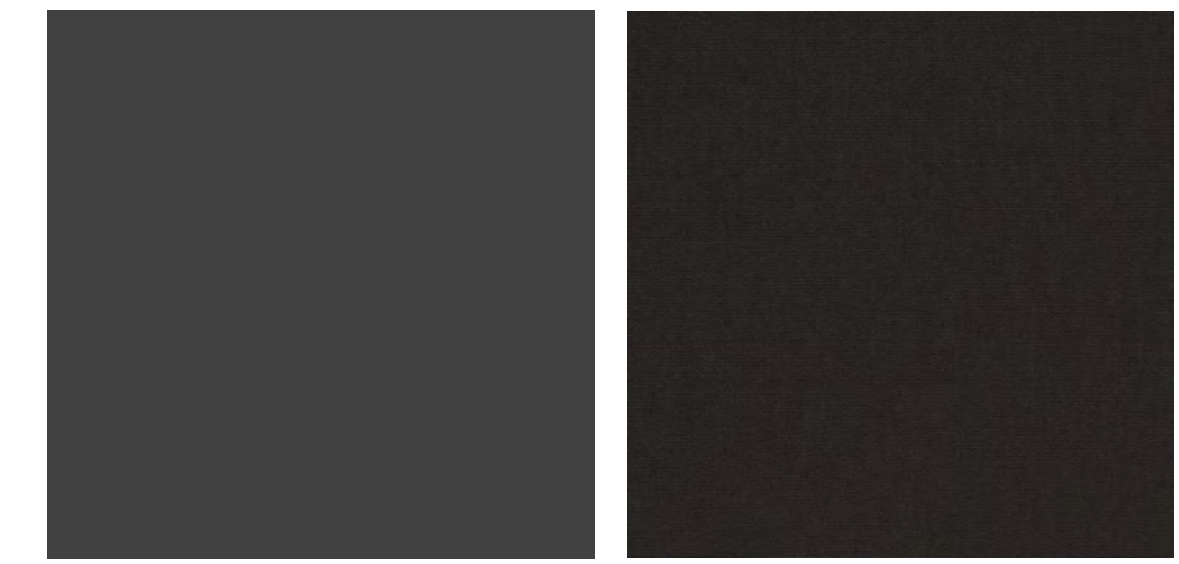


(D) EAST ELEVATION

SCALE: 3/32" = 1'-0"

GENERAL ELEVATION AND NOTES:

1. THE COLORS AND MATERIALS, AS SHOWN IN THIS FINAL DEVELOPMENT PLAN, MAY BE ADJUSTED SLIGHTLY BASED ON SUPPLY SHORTAGES OR DELAYS. HOWEVER, FINAL SELECTIONS WILL BE SUBSTANTIALLY SIMILAR TO THE DESIGN INTENT SHOWN IN THIS FINAL DEVELOPMENT PLAN SUBMISSION. IF MODIFICATIONS ARE NECESSARY, DEVELOPMENT TEAM WILL WORK WITH DEVELOPMENT DEPARTMENT STAFF TO GAIN ADMINISTRATIVE APPROVAL FOR ANY SUCH MODIFICATIONS.
2. EXTERIOR DOOR LOCATIONS ARE SUBJECT TO ADDITION, DELETION, OR RELOCATION BASED ON FINAL LAYOUT OF FUTURE INTERIOR TENANT PLANS. ALL DOORS SHALL BE PLACED WITHIN CURRENTLY DEFINED STOREFRONT AREAS. DOORS SHALL NOT BE REMOVED IN ANY INSTANCES WHERE A RESULTING VARIANCE WOULD BECOME NECESSARY. DEVELOPMENT TEAM WILL WORK WITH CITY STAFF TO GAIN ADMINISTRATIVE APPROVAL FOR ANY SUCH MODIFICATIONS.
3. TENANT SIGNAGE SHALL BE SUBMITTED FOR REVIEW, APPROVAL, AND PERMIT ON A TENANT-BY-TENANT BASIS. THE DESIGN OF ALL SIGNAGE SHALL CONFORM TO THE REQUIREMENTS OF THE APPROVED DEVELOPMENT TEXT AND CITY OF NEW ALBANY ZONING CODE. THESE ELEVATIONS SHOW THE GENERALLY INTENDED LOCATIONS FOR WALL-MOUNTED SIGNAGE TO COMPLIMENT BUILDING ARCHITECTURE. HOWEVER, THE LOCATIONS DEPICTED HEREIN SHALL NOT LIMIT THE ABILITY OF LANDORD OR TENANTS TO INSTALL ADDITIONAL SIGNAGE TO THE EXTENT ALLOWED BY CODE.
4. MECHANICAL ROOF WELLS HAVE BEEN DESIGNED WITH SUFFICIENT DEPTH TO FULLY SCREEN VIEW OF ROOFTOP EQUIPMENT, FROM GRADE, IN ALL DIRECTIONS.
5. ALL WINDOWS AND STOREFRONTS SHALL UTILIZE CLEAR, LOW-E GLAZING TO THE DEGREE ALLOWABLE BY THE NATIONAL ENERGY CODE. IN INSTANCES WHERE 100% CLEAR GLAZING DOES NOT PASS ENERGY COMPLIANCE, THE MOST TRANSPARENT GLAZING POSSIBLE SHALL BE USED. UNDER NO CIRCUMSTANCES SHALL REFLECTIVE GLAZING BE UTILIZED.



SF-1 (MTL-1 TO MATCH)
MANUFACTURER: KAWNEER
COLOR: 'CHARCOAL GRAY'

AWN-1
MANUF.: SUNBRELLA
COLOR: 'BLACK' #4608 (FRAME BLACK)



PT-1
MANUF.: SHERWIN-WILLIAMS
COLOR: 'CYBERSPACE' #7076

PT-2
MANUF.: SHERWIN-WILLIAMS
COLOR: 'ROOKWOOD TERRA COTTA' #2803



BR-1
MANUF.: BELDEN BRICK
COLOR: 'ROSEWOOD BLEND'
TEXTURE: ANTIQUE COLONIAL
MORTAR COLOR: ARGOS 'MAGNOLIA BUFF'



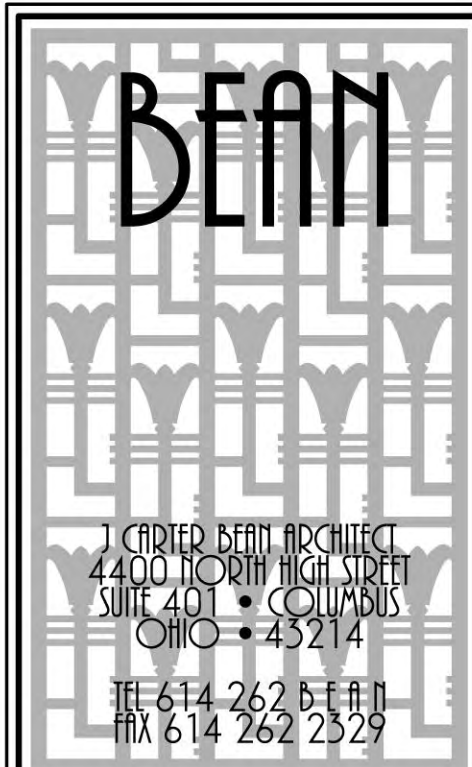
BR-2
MANUF.: BELDEN BRICK
COLOR: 'PRINCESS BLEND'
TEXTURE: SANDMOLD
MORTAR COLOR: ARGOS 'MAGNOLIA BUFF'



SIGN LIGHT
MANUF.: HEVLITE
FIXTURE: HL-711-LED
COLOR: 'POWDER COAT BLACK'



DECORATIVE SCONCE
MANUF.: PROGRESS LIGHTING
FIXTURE: STATURE 2 LIGHT
COLOR: 'BLACK'



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DRAWING STATUS	
STATUS	DATE
FIN. DEV. PLAN	MAY 17, 2024

DRAWING TITLE
COLOR ELEVATIONS AND MATERIAL SPECIFICATIONS

DRAWING NUMBER

A-2.1

BEAN #00000.00



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STATUS	DATE
FIN. DEV. PLAN	MAY 17, 2024

DRAWING TITLE
RENDERINGS

DRAWING NUMBER
R-1

BEAN #00000.00



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DRAWING STATUS	
STATUS	DATE
FIN. DEV. PLAN	MAY 17, 2024

DRAWING TITLE
RENDERINGS

DRAWING NUMBER
R-2

BEAN #00000.00



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DRAWING STATUS		DATE
STATUS		
FIN. DEV. PLAN		MAY 17, 2024

DRAWING TITLE
RENDERINGS

DRAWING NUMBER
R-3

BEAN #000000.00



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DRAWING STATUS	
STATUS	DATE
FIN. DEV. PLAN	MAY 17, 2024
DRAWING TITLE	
RENDERINGS	
DRAWING NUMBER	
R-4	
BEAN #000000.00	



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DRAWING STATUS	
STATUS	DATE
FIN. DEV. PLAN	MAY 17, 2024

DRAWING TITLE
RENDERINGS

DRAWING NUMBER
R-5

BEAN #000001.00



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DRAWING STATUS	
STATUS	DATE
FIN. DEV. PLAN	MAY 17, 2024

DRAWING TITLE

RENDERINGS

DRAWING NUMBER

R-6

BEAN #000000.00



**Planning Commission Staff Report
June 17, 2024 Meeting**

**WRIGHT PATT
FINAL DEVELOPMENT PLAN**

LOCATION: Located generally at the southeast corner of Smith’s Mill Road and Johnstown Road (US-62) (PID: 222-005377)
APPLICANT: Shremshock Architects and Engineers c/o Brandon Anderson
REQUEST: Final Development Plan
ZONING: Infill Planned Unit Development (I-PUD): Canini Trust Corp, subarea 8a
STRATEGIC PLAN: Retail
APPLICATION: FDP-37-2024

Review based on: Application materials received May 17, 2024

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

The application is for a final development plan for a proposed Wright Patt Bank located at the southeast corner of Smith’s Mill Road and Johnstown Road, within the Canini Trust Corp. The development includes a bank with three drive-through lanes on a 1.11-acre site.

The zoning text allows office buildings and the permitted uses contained in the Codified Ordinances of the Village of New Albany, OCD Office Campus District, Section 1144.02 and C-2, Commercial District, Section 1147.02, and the conditional uses contained in Section 1147.02, which includes restaurants and banks with drive-through facilities. The applicant has applied for a conditional use to be heard by the Planning Commission at tonight’s meeting under case CU-43-2024 for the drive-through.

II. SITE DESCRIPTION & USE

The 1.11-acre site is generally located at the southeast corner of Smith’s Mill Road and Johnstown Road, within the Canini Trust Corp. Some of the existing surrounding uses include a proposed Panda Express, Home2Suites, Turkey Hill gas station, as well as Dunkin’ Donuts which also has a drive-through facility.

III. EVALUATION

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

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

- a. *That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;*
- b. *That the proposed development is in general conformity with the Strategic Plan/Rocky Fork-Blacklick Accord or portion thereof as it may apply;*
- c. *That the proposed development advances the general welfare of the Municipality;*

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

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

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

Engage New Albany Strategic Plan Recommendations

The Engage New Albany Strategic Plan recommends the following development standards for the Neighborhood Retail future land use category:

1. Parking areas should promote pedestrians by including walkways and landscaping to enhance visual aspects of the development.
2. Combined curb cuts and cross access easements are encouraged.
3. Curb cuts on primary streets should be minimized and well-organized connections should be created within and between all retail establishments.
4. Retail building entrances should connect with the pedestrian network and promote connectivity through the site.
5. Integrate outdoor spaces for food related businesses.

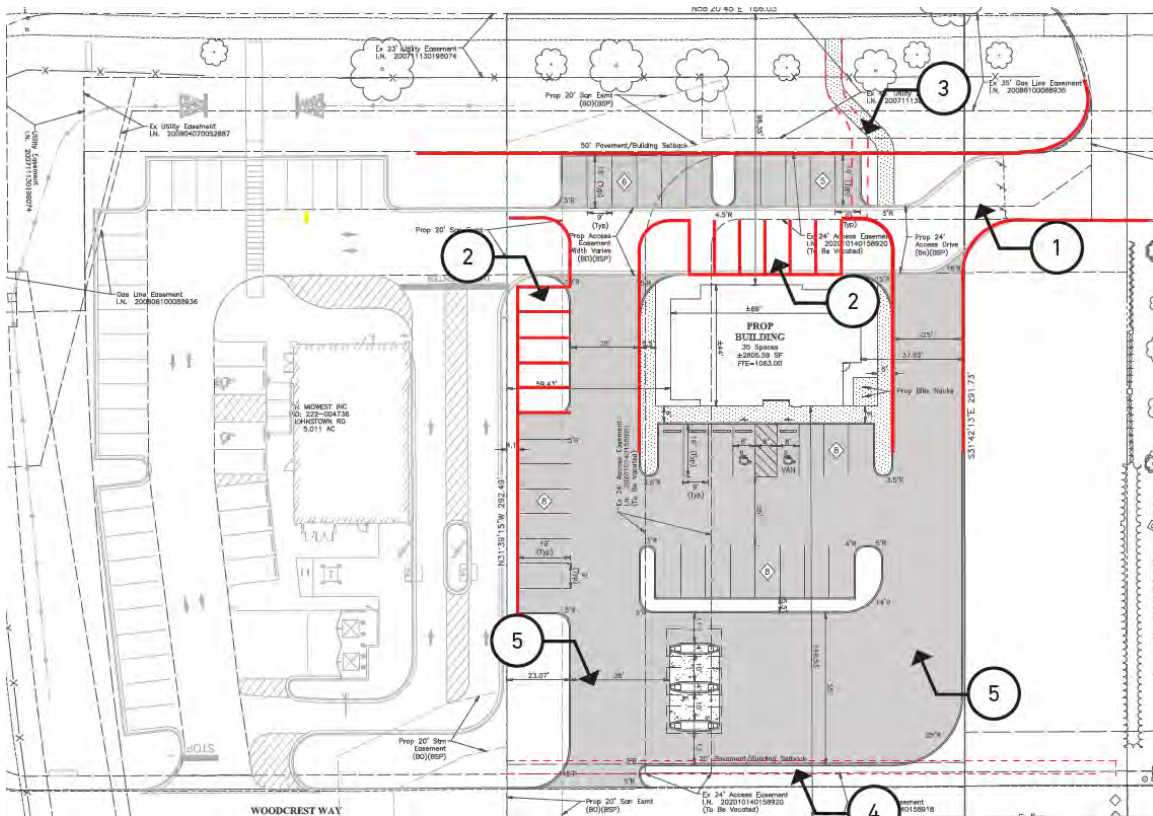
A. Use, Site and Layout

1. The applicant proposes to develop a 2,806 sq. ft. Wright Patt bank with three drive-through lanes. The existing total site size is 1.11-acres.
2. Drive-throughs associated with bank facilities are a conditional use within this zoning district and the applicant has applied for this conditional use to be heard by the Planning Commission at tonight’s meeting under case CU-43-2024.
3. The proposed use is appropriate given the proximity of this site to State Route 161 and the surrounding commercial development surrounding this site. Some of the existing surrounding uses include a proposed Panda Express, Home2Suites, Turkey Hill gas station, as well as Dunkin’ Donuts which also has a drive-through facility.
4. The City Landscape Architect evaluated the proposed drive-through lanes and vehicular circulation at access drives and recommends the applicant provide a pavement marking plan to review vehicular circulation at access drives and drive through lanes. Staff recommends this as a condition of approval (condition 1d).
5. Zoning text section 8a.01(7) requires that the total lot coverage, which includes areas of pavement and building, to not exceed 80%. The plan meets this requirement with a proposed 73% lot coverage amount.
6. The zoning text section 8a.01 requires the following setbacks:

Road	Requirement	Proposed
Woodcrest Way	20-foot building pavement setback	20+/- foot pavement [meets code]
Johnstown Road	50-foot building and pavement	50+/- foot pavement [meets code] 100.86+/- foot building [meets code]
Rear Yard	0-foot building and pavement setback	20-foot pavement [meets code] 149+/- foot building [meets code]

B. Access, Loading, Parking

1. The site is accessed from two proposed curb cuts:
 - a. One full access along Woodcrest Way;
 - b. One existing full access, shared curb cut on Johnstown Road;
 - o The shared drive alignment is skewed. The City Landscape Architect has reviewed the proposed alignment of the shared drive to the north and recommends that the developer realign the access drive adjacent to Johnstown Road to remove the bend/skew to create a consistent transition from the existing drive at the neighboring parcel as depicted below by the “1” circle. Staff recommends this is a condition of approval (condition 1a).



2. The zoning text encourages shared access drives between sites by allowing for zero pavement setbacks and by including a provision stating that where appropriate shared access and joint parking agreements between adjacent parcels may be required by the Village Development Director. Historically, the city staff and Planning Commission have encouraged shared curb cuts and connecting drive aisles between sites. The proposed site does establish a drive aisle for shared access with the property to the east of the site.
 - o The City Landscape Architect, in addition to realigning the shared drive, also recommends that the proposed parking be realigned to follow the building and pavement setback with the shifted access drive, and accommodate minimum parking requirements. Staff recommends this is a condition of approval (condition 1b)
3. The building is surrounded by the parking lot and internal drive aisles. The three drive-through lanes are in the rear of the property and appear to be appropriately positioned on the site where it does not interfere with traffic on the rest of the site and will not cause traffic to back up onto public roads.
4. Codified Ordinance 1167.05(d)(5) requires a minimum of one parking space for each 200 square feet of gross floor area. The building is 2,806 square feet in size therefore 15 parking spaces are required and the applicant meets this requirement with 35 proposed spaces.
5. Additionally, the city parking code requires a minimum number of stacking spaces in the drive thru lane must be provided. The required number of drive-through stacking spaces must equal 25% of the total required parking spaces for the drive-through tenant space. Based on this calculation, 12 stacking spaces total must be provided and the applicant exceeds this requirement by providing 15.
6. Per C.O. 1167.03(a), the minimum parking space dimensions required are 9 feet wide and 19 feet long and this requirement is met.
7. Per C.O. 1167.03(a) the minimum maneuvering lane width size is 22 feet for this development type and this requirement is met.
8. A 5-foot-wide concrete sidewalk is not required to be installed along the Woodcrest Way site frontage per the Woodcrest Way Extension plans. However, the proposed pedestrian connection from Johnstown Road should be realigned to safely connect across the

recommended access drive as depicted above by the “3” circle. Staff recommends this is a condition of approval (condition 1c).

C. Architectural Standards

1. The purpose of the New Albany Design Guidelines and Requirements is to help ensure that the New Albany community enjoys the highest possible quality of architectural design.
2. The zoning text contains architectural standards and is regulated by Section 6 of the Design Guidelines and Requirements (Commercial outside the Village Center).
3. The zoning text states that the maximum building height within this zoning district shall not exceed 45 feet. The proposed building height is 21.8 feet; therefore, this requirement is being met.
4. The applicant proposes to use brick for the majority of the building. The proposal also includes smooth limestone. The zoning text permits the use of these materials such as brick, pre-cast stone, wood, glass and other synthetic materials are permitted as long as they are used appropriately. The design of the building and use of materials is appropriate and consistent with other buildings in the immediate area.
5. Zoning text section 8a.03(1) states that all visible elevations of a building shall receive similar treatment in style, materials and design so that no visible side is of a lesser visual character than any other. The applicant is accomplishing this requirement by utilizing four-sided architecture.
6. DGR Section 6(I)(A)(12) states that buildings shall have operable and active front doors along all public and private roads. The applicant is not providing an active and operable door along the Johnstown Road frontage.
 - o Staff has reviewed the street frontage elevations and recommends reorienting the Woodcrest Way elevation to face Johnstown Road. The current layout appears to have the front of the building along Woodcrest Way and not Johnstown Road. The Johnstown Road elevation includes an inoperable door that is locked at all times as it leads to a staff breakroom. The Woodcrest Way elevation includes architectural features such as an overhead canopy, lighting, and active and operative double doors that would be more appropriate to face the public street. The applicant also should provide a second active and operable door so there is one on both street frontages. Staff recommends this as a condition of approval (condition 2).
7. Zoning text section 8a.05(3) requires that trash receptacles and exterior storage areas be fully screened from public roads. The applicant is not proposing trash receptacles or exterior storage on site.
8. C.O. 1171.05(b) also states that all trash and garbage container systems must be screened. The applicant is not proposing a trash and garbage container system on site.
9. A roof plan was submitted and demonstrates that all rooftop mechanical equipment will be fully screened from all public roads.
10. Zoning text section 8a.03(3)(b) states that if a flat roof is used, strong cornice lines must be integrated and the applicant is meeting this.

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

2. Parking Lot Landscaping Requirement:
 - o Codified Ordinance 1171.06(a)(3) requires one tree per 10 parking spaces. The applicant is providing 35 parking spaces thereby requiring four trees. The plan meets this requirement by providing 8 trees.
 - o Per zoning text 8a.04(4)(a), parking lots shall be screened from rights-of-way with a minimum 36-inch-high evergreen landscape hedge or wall. The landscape plan meets this requirement with the proposed 36-inch-high evergreen landscape hedge.
3. General Site Landscaping Requirement:
 - o Codified Ordinance 1171(5)(e) requires parking lots over 20,000 square feet to have a minimum of one tree per 5,000 square feet of ground coverage and a total tree planting equal to 10.5 in tree trunk size for every 2,000 square feet of ground

coverage. The applicant states that the internal ground coverage is 35,245 sq. ft. requiring 8 trees at 11.5" total caliber (CAL).

- The applicant proposes to provide 8 trees at 20" total CAL. However, this calculation includes the required parking lot trees. Since the applicant is providing 4 more trees than what is required for parking lot trees, 4 additional trees need to be added in order to meet this ordinance requirement. Staff recommends this as a condition of approval (condition 3).

4. Street Tree Landscaping Requirement:

- The zoning text section 8a.04(2) requires street trees to be planted along Johnstown Road at a rate of one tree for every 30 feet. There are existing street trees along this roadway and the applicant proposes to install additional trees to meet this requirement.
- The applicant is required to install street trees along Woodcrest Way per the approved Woodcrest Way final development plan (FDP-69-2014). The Woodcrest Way final development plan requires the street trees along private drives to be red sunset maple. This requirement is met.
- The Woodcrest Way final development plan requires the site plan and landscape plan to include a 5' wide tree lawn along Woodcrest Way. The plan meets this requirement.

5. US 62/Johnstown Road Buffer Landscaping Requirement:

- Zoning text section 8a.04(5) requires that there be a minimum of eight (8) deciduous or ornamental trees per 100 lineal feet planted throughout the setback areas along Johnstown Road. The proposed landscape plan shows 14 trees required for Johnstown Road and the plan is showing 8 proposed trees.
 - The City Landscape Architect has reviewed the plans and the applicant needs to provide 6 additional trees to meet this requirement. Staff recommends this as a condition of approval (condition 1e).

6. The zoning text requires a minimum of 8% interior parking lot landscaping on the site. The landscape plan meets this requirement.
7. The applicant proposes to use ornamental trees for buffer trees that are required per code. The plan also proposes that the buffer ornamental trees be planted at 2.5" CAL. This requirement is met.
8. Staff recommends a condition of approval that all City Landscape Architect's comments are met at the time of engineering permits, subject to staff approval.

E. Lighting & Signage

1. A lighting plan was not submitted with this application therefore, staff recommends a condition of approval that the applicant must meet Zoning text section 8a.05(e) and (f) requiring all parking lot and private driveway light poles to be cut-off and downcast, not exceed 20 feet in height, painted New Albany Green and use the same fixture that has been used at Dairy Queen and throughout the Canini Trust Corp (condition 4).

2. Wall Signs

Zoning text section 8a.06(3)(i) permits one wall mounted sign per retail tenant on each elevation of the building that fronts or sides on a public or private road. The proposed building faces two public streets or private drives, therefore permitting a maximum of two wall signs on the building. One square foot of sign face is permitted per each lineal foot of the building, not to exceed 80 square feet in size. The applicant proposes the following wall signs.

Johnstown Road Elevation Wall Sign

- a. Area: 38.26 sq. ft. per sign [meets code]
- b. Lettering Height: 24" tall [meet code, 24-inch maximum required]
- c. Location: on the Johnstown Road building elevation [meets code]
- d. Lighting: halo [meets code]
- e. Relief: 3" [meets code, code minimum of 1-inch relief required]

- f. Color: 1 color [meets code]
- g. Materials: metal [meets code]

The City Architect evaluated the sign along Johnstown Road and recommends that the applicant reduce the limestone backing and add brick panels as shown below. Staff recommends this has a condition of approval (condition 5).



Woodcrest Way Elevation Wall Sign

- a. Area: 38.26 sq. ft. per sign [meets code]
- b. Lettering Height: 24” tall [meet code, 24-inch maximum required]
- c. Location: on the Johnstown Road building elevation [meets code]
- d. Lighting: halo [meets code]
- e. Relief: 3” [meets code, code minimum of 1-inch relief required]
- f. Color: 1 color [meets code]
- g. Materials: metal [meets code]

3. The applicant proposes to install three drive-through ATM machines which is permitted per C.O. 1169.11(a). Signage per code, is required to be limited to one square foot of sign areas and utilize no more than three colors. Additionally, signage must have an opaque background. The applicant is showing one sign that is 0.96 square feet meeting code. However, other signs are proposed but those were not included in the plans. Based on this requirement, city staff recommends a condition of approval that these additional signs be eliminated to avoid over-signing the site (condition 6).

IV. ENGINEER’S COMMENTS

The City Engineer has reviewed the application and provided the following comments. These comments can also be found in a separate memo attached to this staff report. Staff recommends a condition of approval that the comments of the city engineer are addressed, subject to staff approval (condition 7).

1. Remove the “Preliminary Not for Construction” note block from all sheets when resubmitting plans.
2. Revise the Site Data Table by adding a line indicating “Parking Required.”

3. Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
4. A 6-inch sanitary sewer is shown as “By Others” on sheet 2. Note that mainline sanitary sewers must be a minimum of 8 inches per the COC/DOSD Design Manual.
5. Provide more information regarding lighting and photometrics.
6. Add one-way directional arrows to the drive through lanes.
7. Show the location of the stop bar/sign on the landscape plan at the Woodcrest Way curb cut and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.
8. Provide a fire truck turning analysis using the template for the 48’ Plain Township fire truck.
9. Engineering staff will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available.

V. SUMMARY

The proposal meets many of the goals of the Engage New Albany Strategic Plan such as providing pedestrian access along roadways and into the site, as well as utilizing high quality building materials that are consistent with other buildings in the immediate area. The proposed development is in an appropriate location given the context of the surrounding area and will serve as an amenity for the New Albany Business Park. The proposed building elevations however should be reoriented so the Woodcrest Way building elevation with the canopy and active and operable doors is facing Johnstown Road as this is designed to be the front of the proposed development.

V. ACTION

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

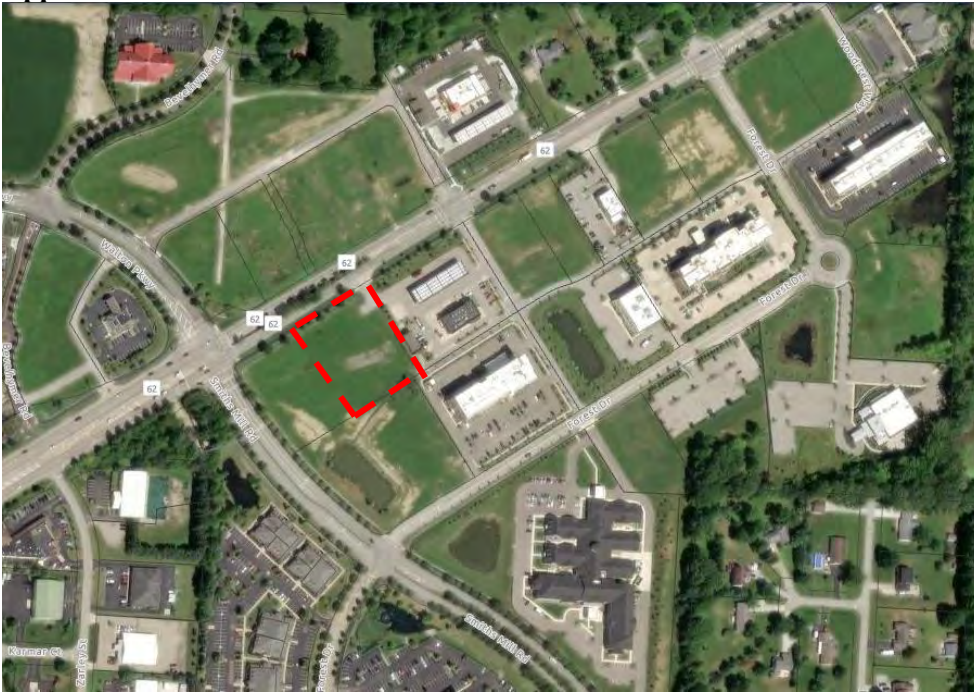
Move to approve final development plan application **FDP-37-2024**, subject to the following conditions:

1. The City Landscape Architect’s comments must be addressed, subject to staff approval;
 - a. Realign the access drive adjacent Johnstown Road to create a consistent transition from the existing drive at the neighboring parcel.
 - b. Realign the proposed parking to follow the building and pavement setback with the shifted access drive, and accommodate parking requirements.
 - c. Realign proposed pedestrian connection from Johnstown Road to safely connect across the recommended access drive.
 - d. Provide a pavement marking plan for review of vehicular circulation at access drives and drive through lanes. Resubmit plans. sidewalk connection from the Smith’s Mill road leisure trail to the site’s proposed curb cut is installed.
 - e. That the applicant installs 6 additional trees on the Johnstown Road frontage to meet the required 14 trees for 165 linear feet of site frontage.
2. That the applicant reorients the street frontage elevations so that the front of the building faces Johnstown Road as well as add an active and operative door so that both street frontages have one.
3. That the applicant proposes 4 additional trees to meet the codified ordinance 1175(5)(e)
4. That the applicant provides a lighting plans meeting Zoning text section 8a.05(e) and (f) requiring all parking lot and private driveway light poles to be cut-off and downcast, not exceed 20 feet in height, painted New Albany Green and the use the same fixture that has been used at Dairy Queen and throughout the Canini Trust Corp.
5. That the applicant re-design the wall sign along Johnstown Road to decrease the limestone backing and add brick panels.
6. The additional signage on the ATM be eliminated to avoid over-signage.
7. The City Engineer’s comments must be addressed, subject to staff approval;
 - o Remove the “Preliminary Not for Construction” note block from all sheets when resubmitting plans.

- Revise the Site Data Table by adding a line indicating “Parking Required.”
- Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
- A 6-inch sanitary sewer is shown as “By Others” on sheet 2. Note that mainline sanitary sewers must be a minimum of 8 inches per the COC/DOSD Design Manual.
- Provide more information regarding lighting and photometrics.
- Add one-way directional arrows to the drive through lanes.
- Show the location of the stop bar/sign on the landscape plan at the Woodcrest Way curb cut and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.
- Provide a fire truck turning analysis using the template for the 48’ Plain Township fire truck.
- Engineering staff will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available

8. That the proposal is contingent upon approval of CU-37-2024.

Approximate Site Location:



Source: Nearmap

Development Review

project name Wright Pratt
prepared for City of New Albany
date May 24, 2024
date received May 17, 2024

COMMENTS

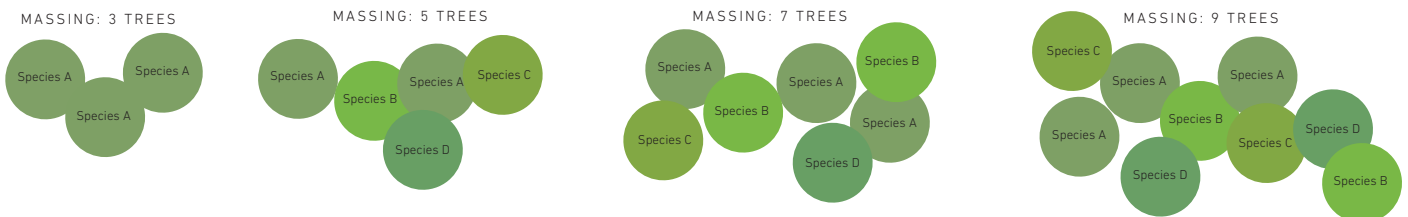
Site Plan

1. Realign the access drive adjacent Johnstown Road to create a consistent transition from the existing drive at the neighboring parcel. See diagram.
2. Realign the proposed parking to follow the building and pavement setback with the shifted access drive, and accommodate parking requirements. See diagram.
3. Realign proposed pedestrian connection from Johnstown Road to safely connect across the recommended access drive. See diagram.
4. Provide a pavement marking plan for review of vehicular circulation at access drives and drive through lanes. Resubmit plans. See diagram.

Planting Plan

6. Utilize evergreen shrubs, 36" in height, to screen edge of parking lot. See diagram.
7. Per zoning text section 8a.04(5), Throughout the setback areas along Johnstown Road (U.S. Route 62) and Smith's Mill Road, there shall be a minimum of eight trees per 100 lineal feet of site frontage. These trees shall be either 2 ½ inch caliper deciduous shade trees, 1 1/2 inch caliper ornamental trees, or a combination of both. Please revise and resubmit. Resubmit revised planting plan. Tree placement should adhere to tree grouping standards seen below. See diagram.
8. You are required to install trees along Woodcrest Way (private, rear drive) per the approved Woodcrest Way final development plan (FDP-69-2014). The Woodcrest Way final development plan requires the trees along private drives to be red sunset maple. The trees must be installed at a rate of 1 tree for every 30 feet of site frontage along the private road. Resubmit revised planting plan. See diagram.

Tree Grouping Standards

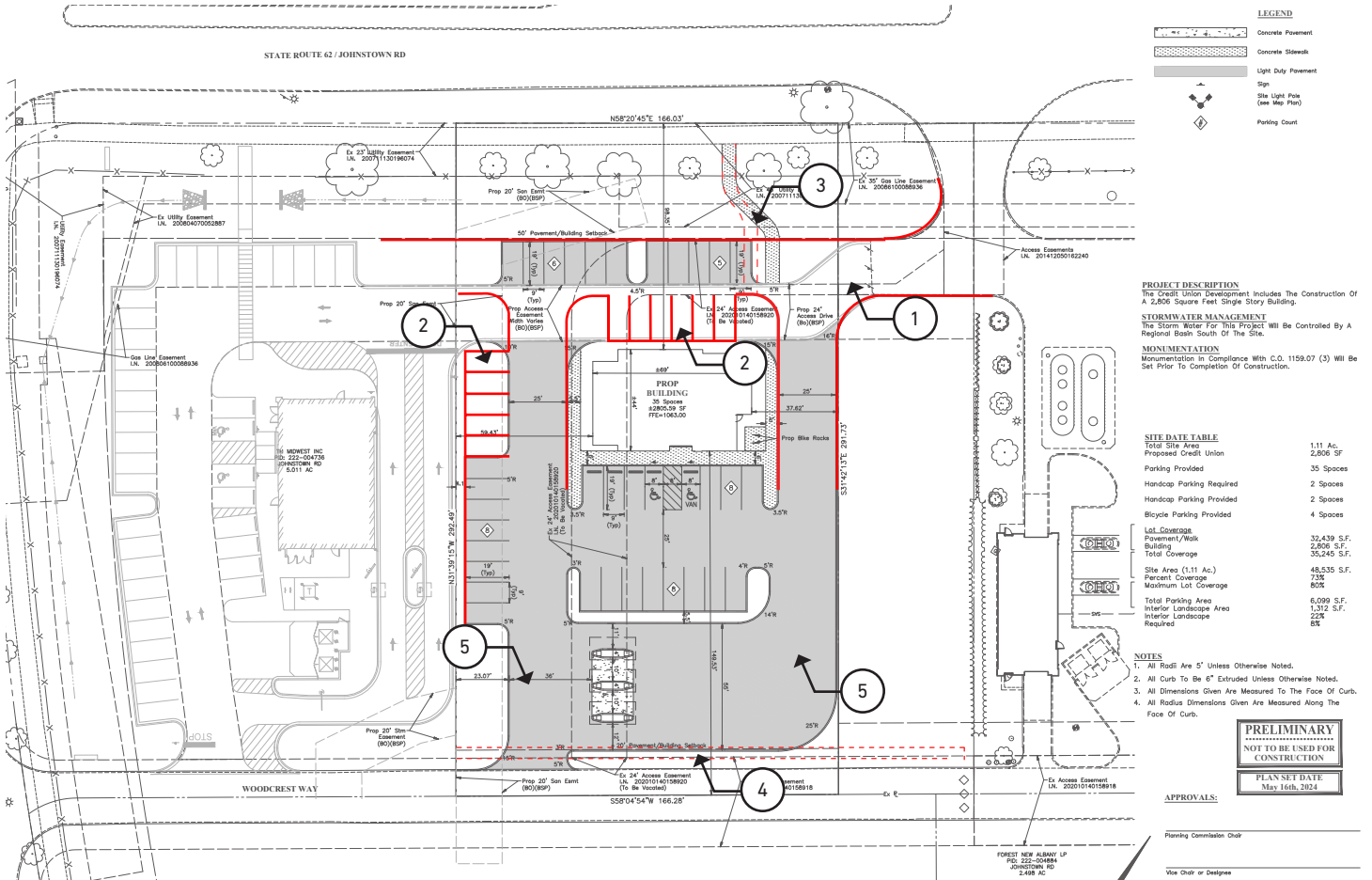


*NOTES:

The provided diagram is for clarification and design intent purposes only. The diagram should be used to help illustrate the above comments. It is the responsibility of the design consultants to incorporate the above comments as it relates to the site and to adhere to all City requirements and subsequent code. The diagram may not be to scale.

Development Review

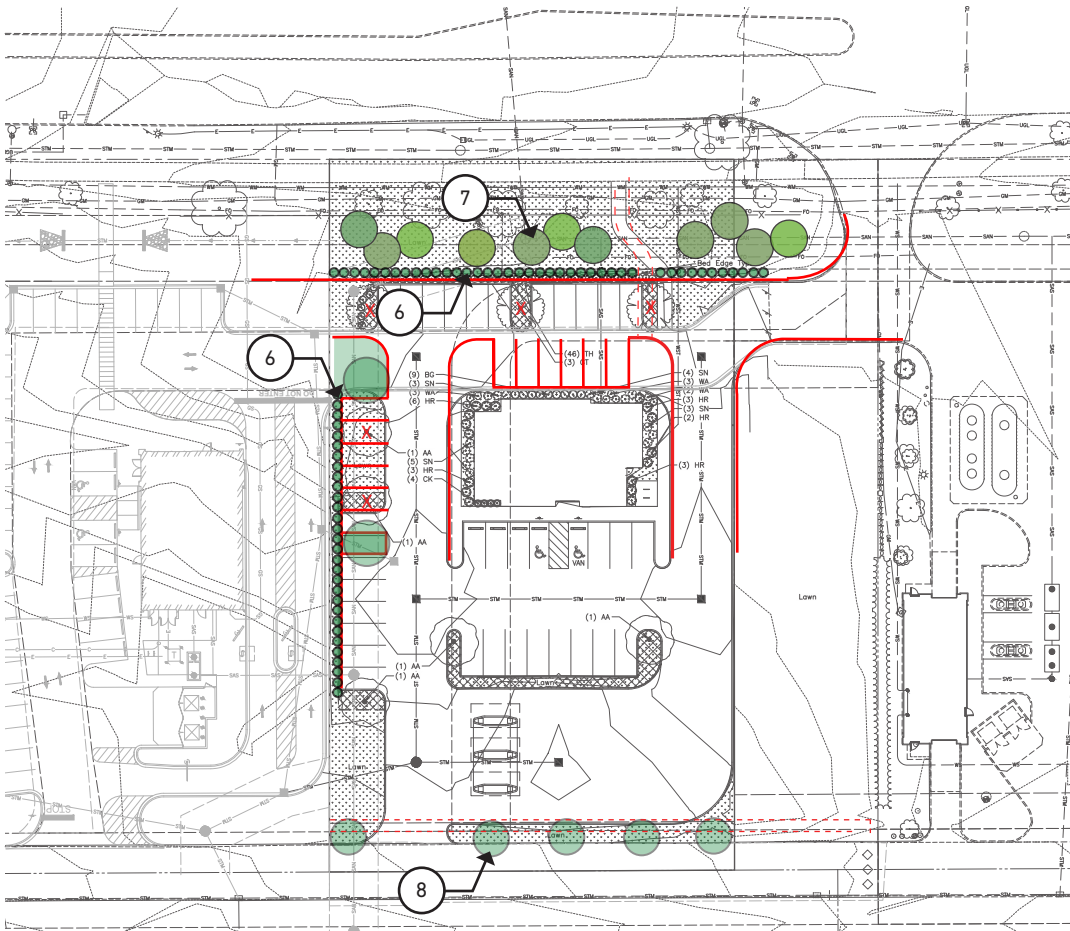
project name Wright Pratt
 prepared for City of New Albany
 date May 24, 2024
 date received May 17, 2024



Proposed Site Plan

Development Review

project name Wright Pratt
 prepared for City of New Albany
 date May 24, 2024
 date received May 17, 2024



Notes and Calculations
 Please refer to the New Albany planning and zoning code and development text.

1171.05 Minimum Trees
 The following minimum is required, based upon total ground coverage of structures and vehicular use areas:
 Between 20,000 and 50,000 Square Feet: A minimum of one tree for every five thousand (5000) square feet of ground coverage and a total tree planting equal to ten (10) inches plus one half inch in tree trunk size for every two thousand (2000) square feet over twenty thousand (20,000) feet in ground coverage.
 Total Internal ground coverage = ±35,245 Sq. Ft.
 Total Square feet Above 20,000 = ±15,245 Sq. Ft.
 $35,245 / 5,000 = 7,049 = 8$
 $15,245 / 2,000 = 7,66 \times .5 = 3,83 + 10" = 13.83 = 14"$
 8 Trees and 14" Required
 8 Trees and 20" Provided

1171.06 Parking Lot Landscaping
 Parking Lot Islands - For each one hundred (100) square feet, or fraction thereof, of parking area, a minimum total of eight (8) square feet of landscaped area shall be provided (8%).
 Total Parking Area = 6,099 Sq. Ft.
 Interior Landscape Area Required = 488 Sq. Ft.
 Interior Landscape Area Provided = ±1,312 Sq. Ft. (22%)
 Landscaped Area Parking Landscape Area

3. Parking areas should contain a minimum of one deciduous canopy tree for every ten (10) parking spaces.
 Parking Spaces: 35 Spaces
 Trees Required: 4 Trees
 Trees Provided: 8 Trees

(b) Buffering - Parking lots shall be screened from primary streets, residential areas, and open space by a three and one-half (3.5)-foot minimum height evergreen hedge.
 Screening Hedge Provided along Johnstown Road Parking

PLANT SCHEDULE OVERALL

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	CONDITION
TREES					
	AA	5	Acer saccharum 'Autumn Splendor' Autumn Splendor Sugar Maple	2.5" Cal.	B&B
	GT	3	Gleditsia triacanthos f. inermis Thornless Honey Locust	2.5" Cal.	B&B
SHRUBS					
	BG	9	Buxus 'Green Gem' Green Gem Boxwood	24" HL.	Cont.
	CK	4	Colonnata x ovalifera 'Carl Forster' Karl Forster Feather Reed Grass	#3	Cont.
	HR	17	Hydrangea quercifolia 'Ruby Slippers' Ruby Slippers Oakleaf Hydrangea	24" HL.	Cont.
	SN	15	Spiraea japonica 'SMNS-MFR' Double Play Red Spirea	24" HL.	Cont.
	TH	46	Taxus x media 'Hicksi' Hicks Anglo-Japanese Yew	24" HL.	Cont.
	WA	8	Wedges hybrid 'Newmans' Wine & Roses Weigela	24" HL.	Cont.

Proposed Landscape Plan

404.684-01
June 5, 2024

To: Sierra Saumenig
City Planner

From: Matt Ferris, P.E., P.S.
By: Jay M. Herskowitz, P.E., BCEE

Re: Wright Patt Credit Union FDP

We reviewed the referenced submittal in accordance with Code Sections 1159.07 (b)(3) FDP.
Our review comments are as follows:

1. Please remove the "Preliminary Not for Construction" note block from all sheets when resubmitting the plans.
2. Revise the Site Data Table by adding a line indicating "Parking Required".
3. Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
4. A 6 inch sanitary sewer is shown as "By Others" on sheet 2. Note that mainline sanitary sewers must be a minimum of 8 inches per the COC/DOSD Design Manual.
5. Provide more information regarding lighting and photometrics.
6. Add one way directional arrows to the drive through lanes.
7. Show the location of the stop bar/sign on the landscape plan at the Woodcrest Way curb cut and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.
8. Provide a fire truck turning analysis using the template for the 48' Plain Township fire truck.
9. We will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available

MEF/JMH

cc: Josh Albright, Development Engineer



Community Development Planning Application

Project Information	Site Address <u>9880 JOHNSTOWN RD</u> Parcel Numbers <u>222-004736</u> Acres <u>2.6</u> # of lots created <u>1</u>																																																																							
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Choose Application Type</th> <th colspan="5" style="text-align: left;">Circle all Details that Apply</th> </tr> <tr> <td><input type="checkbox"/> Appeal</td> <td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Certificate of Appropriateness</td> <td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Conditional Use</td> <td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Development Plan</td> <td>Preliminary</td> <td>Final</td> <td>Comprehensive</td> <td colspan="2">Amendment</td> </tr> <tr> <td><input type="checkbox"/> Plat</td> <td>Preliminary</td> <td>Final</td> <td colspan="3"></td> </tr> <tr> <td><input type="checkbox"/> Lot Changes</td> <td>Combination</td> <td>Split</td> <td colspan="3">Adjustment</td> </tr> <tr> <td><input type="checkbox"/> Minor Commercial Subdivision</td> <td colspan="2"></td> <td colspan="3"></td> </tr> <tr> <td><input type="checkbox"/> Vacation</td> <td>Easement</td> <td colspan="3">Street</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Variance</td> <td colspan="5"></td> </tr> <tr> <td><input type="checkbox"/> Extension Request</td> <td colspan="5"></td> </tr> <tr> <td><input type="checkbox"/> Zoning</td> <td>Amendment (rezoning)</td> <td colspan="4">Text Modification</td> </tr> </table>	Choose Application Type	Circle all Details that Apply					<input type="checkbox"/> Appeal						<input type="checkbox"/> Certificate of Appropriateness						<input checked="" type="checkbox"/> Conditional Use						<input type="checkbox"/> Development Plan	Preliminary	Final	Comprehensive	Amendment		<input type="checkbox"/> Plat	Preliminary	Final				<input type="checkbox"/> Lot Changes	Combination	Split	Adjustment			<input type="checkbox"/> Minor Commercial Subdivision						<input type="checkbox"/> Vacation	Easement	Street				<input type="checkbox"/> Variance						<input type="checkbox"/> Extension Request						<input type="checkbox"/> Zoning	Amendment (rezoning)	Text Modification		
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<input type="checkbox"/> Zoning	Amendment (rezoning)	Text Modification																																																																						
Contacts	Description of Request: <u>Wright Patt Credit Union is seeking a conditional use permit for ATM equipment and associated drive-thru canopy -see attached narrative.</u>																																																																							
	Property Owner's Name: <u>Wright-Patt Credit Union, Inc.</u> Address: <u>3560 Pentagon Blvd.</u> City, State, Zip: <u>Beevercreek, OH 45431-1706</u> Phone number: <u>(937) 912-7000</u> Fax: _____ Email: <u>dfischer@wcpu.coop</u>																																																																							
Signature	Applicant's Name: <u>Shremshock Architects and Engineers</u> Address: <u>7775 Walkton Pkwy,</u> City, State, Zip: <u>New Albany, Ohio 43054</u> Phone number: <u>(614) 545-4550</u> Fax: _____ Email: <u>Banderson@shremshock.com</u>																																																																							
	<p>Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, 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 true, correct and complete.</p> <table style="width:100%; border: none;"> <tr> <td style="width: 60%; border: none;">Signature of Owner</td> <td style="width: 20%; border: none;"></td> <td style="width: 20%; border: none;">Date: <u>5/17/2024</u></td> </tr> <tr> <td style="border: none;">Signature of Applicant</td> <td style="border: none;"></td> <td style="border: none;">Date: <u>5/17/2024</u></td> </tr> </table>	Signature of Owner		Date: <u>5/17/2024</u>	Signature of Applicant		Date: <u>5/17/2024</u>																																																																	
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ALTA/NSPS LAND TITLE SURVEY

LOT 23, QUARTER TOWNSHIP 1, TOWNSHIP 2, RANGE 16

UNITED STATES MILITARY DISTRICT

CITY OF NEW ALBANY, COUNTY OF FRANKLIN, STATE OF OHIO

DESCRIPTION FROM TITLE COMMITMENT No.: NCS-1186901-INDY:

The Land referred to herein below is situated in the County of FRANKLIN, State of OHIO, and is described as follows:

Parcel 1

Situated in the State of Ohio, County of Franklin, City of New Albany, located in Lot 23, Quarter Township 1, Township 2, Range 16, United States Military District, being part of that 2.842 acre tract conveyed to TH Midwest, Inc., by deed of record in Instrument Number 202010140158919, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for reference, at a magnetic nail set at the centerline intersection of Johnstown Road (State Route 62) (variable width), as dedicated in Plat Book 27, Page 56 and Plat Book 34 Page 22, with Smith's Mill Road (90 feet wide), as dedicated in Plat Book 95, Page 91;

Thence North 58° 20' 45" East, with the centerline of said Johnstown Road (S.R. 62), a distance of 85.40 feet to a point;

Thence South 31° 39' 15" East, across the right-of-way of said Johnstown Road (S.R. 62), a distance of 50.00 feet to an iron pin set in the southeasterly right-of-way thereof, the northwesterly line of said 2.842 acre tract, being the TRUE POINT OF BEGINNING;

Thence North 58° 20' 45" East, with said southeasterly right-of-way line, the northwesterly line of said 2.842 acre tract, a distance of 163.36 feet to an iron pin set;

Thence South 31° 39' 15" East, across said 2.842 acre tract, a distance of 292.49 feet to an iron pin set in the southeasterly line of said 2.842 acre tract, in the northwesterly line of a remainder of that 30.885 acre tract conveyed to Smith Mill Ventures LLC by deed of record in Instrument Number 200608170162929;

Thence South 58° 04' 54" West, with the southeasterly line of said 2.842 acre tract, the northwesterly line of a remainder of said 30.885 acre tract, a distance of 164.78 feet to an iron pin set at a point of curvature;

Thence continuing with the southeasterly line of said 2.842 acre tract, with the northwesterly line of a remainder of said 30.885 acre tract, with the arc of a curve to the left, having a central angle of 35° 42' 43", a radius of 36.00 feet, an arc length of 22.44 feet, a chord bearing of South 40° 13' 33" West and chord distance of 22.48 feet, to an iron pin set on the arc of a curve in the northeasterly right-of-way line of said Smith's Mill Road;

Thence with the northeasterly right-of-way line of said Smith's Mill Road, the southwesterly line of said 2.842 acre tract, the following courses and distances:

with the arc of a curve to the right, having a central angle of 08° 31' 13", a radius of 1489.00 feet, an arc length of 221.42 feet, a chord bearing of North 36° 10' 14" West and chord distance of 221.22 feet to an iron pin set at a point of tangency;

North 31° 54' 40" West, a distance of 39.41 feet to a point of curvature; and

with the arc of a curve to the right, having a central angle of 90° 15' 22", a radius of 40.00 feet, an arc length of 63.01 feet, a chord bearing of North 13° 13' 04" East and chord distance of 56.69 feet to the TRUE POINT OF BEGINNING, containing 1.332 acres, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Schedule B Items from Title Commitment No. NCS-1186901-INDY issued by First American Title Company with an effective date of July 31, 2023 at 6:00 A.M.

Items 1-10 NOT SURVEY RELATED ITEMS.

Item 11 Right of way easement in favor of Columbus and Southern Ohio Electric Company Dated: June 24, 1953 Recorded: July 10, 1953 Instrument No.: Volume 1755, Page 190. Subject to the terms and conditions thereof. THE EASEMENT IS LOCATED ON THE SUBJECT TRACT BUT CANNOT BE DEPICTED FROM THE DOCUMENT OF RECORD (NO DEFINED LOCATION OR WIDTH). (THERE ARE CURRENTLY NO UTILITY POLES ON THE SUBJECT TRACT.)

Item 12 Right of way easement in favor of Columbus and Southern Ohio Electric Company Dated: December 07, 1953 Recorded: December 23, 1953 Instrument No.: Volume 1785, Page 163. THE EASEMENT IS LOCATED ON THE SUBJECT TRACT BUT CANNOT BE DEPICTED FROM THE DOCUMENT OF RECORD (NO DEFINED LOCATION OR WIDTH). (THERE ARE CURRENTLY NO UTILITY POLES ON THE SUBJECT TRACT.)

Item 13 Declaration of Covenants and Restrictions for The New Albany Community Authority recorded May 24, 1991 in/as Official Records 21466620 and re-recorded February 2, 1993 in/as Official Records 21693119. Designation of Successor Declarant Community Authority recorded October 20, 1998 in/as Instrument No. 199810200268024. THE SUBJECT TRACT IS LOCATED IN THE AREA DESCRIBED.

Item 14 The terms and provisions contained in the document entitled "Memorandum of Agreement" recorded November 17, 1998 as Instrument No. 199811170294968 of Official Records. THE SUBJECT TRACT IS LOCATED IN THE AREA DESCRIBED.

The bearings shown hereon are based on North 58°05'22" East for the southeasterly right-of-way line of Forest Drive, of record in Plat Book 114, Page 1, Recorder's Office, Franklin County, Ohio.

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

Parcel 2

Situated in the State of Ohio, County of Franklin, City of New Albany, located in Lot 23, Quarter Township 1, Township 2, Range 16, United States Military District, being part of that 2.842 acre tract conveyed to TH Midwest, Inc., by deed of record in Instrument Number 202010140158919, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for reference, at a magnetic nail set at the centerline intersection of Johnstown Road (State Route 62) (variable width), as dedicated in Plat Book 27, Page 56 and Plat Book 34 Page 22, with Smith's Mill Road (90 feet wide), as dedicated in Plat Book 95, Page 91;

Thence North 58° 20' 45" East, with the centerline of said Johnstown Road (S.R. 62), a distance of 613.50 feet to a point;

Thence South 31° 39' 15" East, across the right-of-way of said Johnstown Road (S.R. 62), a distance of 50.00 feet to an iron pin set in the southeasterly right-of-way line thereof, the northwesterly line of said 2.842 acre tract, being the TRUE POINT OF BEGINNING;

Thence South 31° 42' 13" East, across said 2.842 acre tract, a distance of 291.73 feet to an iron pin set in the southeasterly line of said 2.842 acre tract, in the northwesterly line of a remainder of that 30.885 acre tract conveyed to Smith Mill Ventures LLC by deed of record in Instrument Number 200608170162929;

Thence South 58° 04' 54" West, with the southeasterly line of said 2.842 acre tract, the northwesterly line of a remainder of said 30.885 acre tract, a distance of 166.28 feet to an iron pin set;

Thence North 31° 39' 15" West, across said 2.842 acre tract, a distance of 292.49 feet to an iron pin set in the southeasterly right-of-way line of said Johnstown Road (S.R. 62), the northwesterly line of said 2.842 acre tract;

Thence North 58° 20' 45" East, with said southeasterly right-of-way line, the northwesterly line of said 2.842 acre tract, a distance of 166.03 feet to the TRUE POINT OF BEGINNING, containing 1.114 acres, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on North 58°05'22" East for the southeasterly right-of-way line of Forest Drive, of record in Plat Book 114, Page 1, Recorder's Office, Franklin County, Ohio.

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

Parcel 3

Together with Reciprocal Easement Agreement by and between Smith Mill Ventures, LLC, an Ohio limited liability company and TH Midwest, Inc., an Ohio corporation recorded in/as Instrument No. 201412050162240.

Item 15 Matters disclosed in Plat recorded in/as Plat Book 27, Page 56 of Franklin County Records. Certificate of Vacation of Platted Subdivision recorded January 31, 1978 in/as Volume 169, Page 215 of Franklin County Records. THE SUBJECT TRACT IS LOCATED IN THE AREA DESCRIBED. THE 50' BUILDING SETBACK LINE IS LOCATED ON THE SUBJECT TRACT AS SHOWN HEREON. THE UNDERLYING LOTS WERE VACATED BY M.V. 169, P. 215. THE UNDERLYING RIGHT-OF-WAY OF WOODCREST DRIVE WAS VACATED BY CITY OF NEW ALBANY ORDINANCE NUMBER O-04-2007, OF RECORD IN I.N. 20080225027889. THE 5' UTILITY EASEMENT WAS RELEASED BY P.B. 112, P. 40.

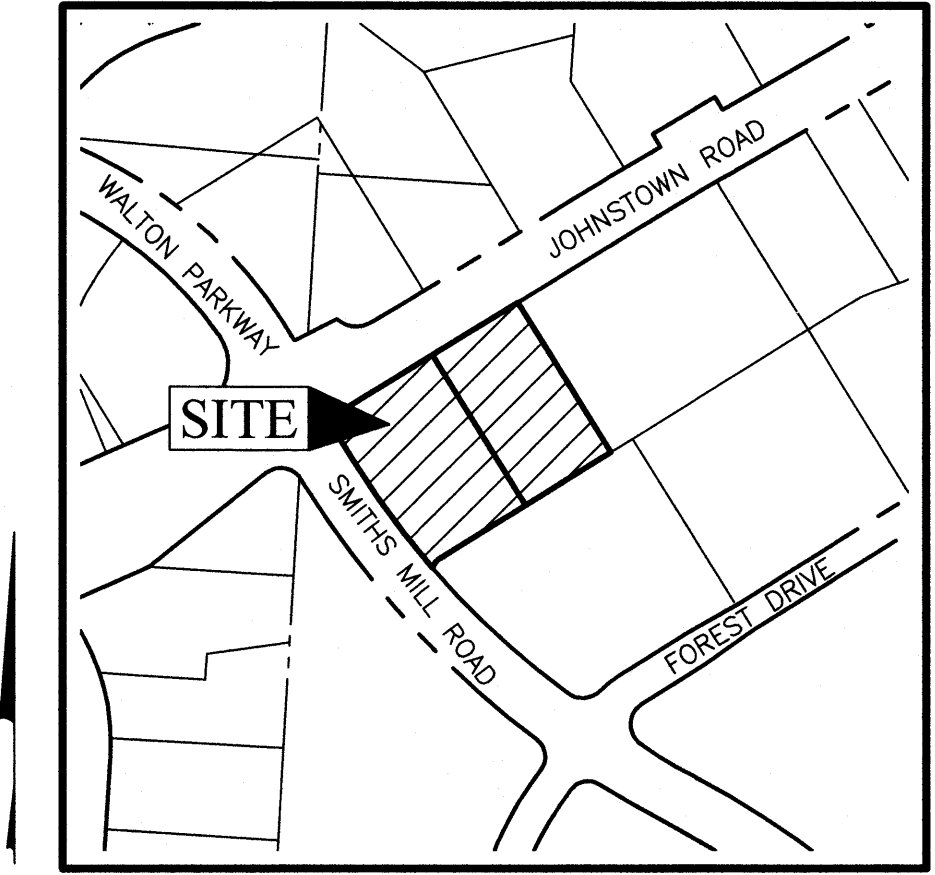
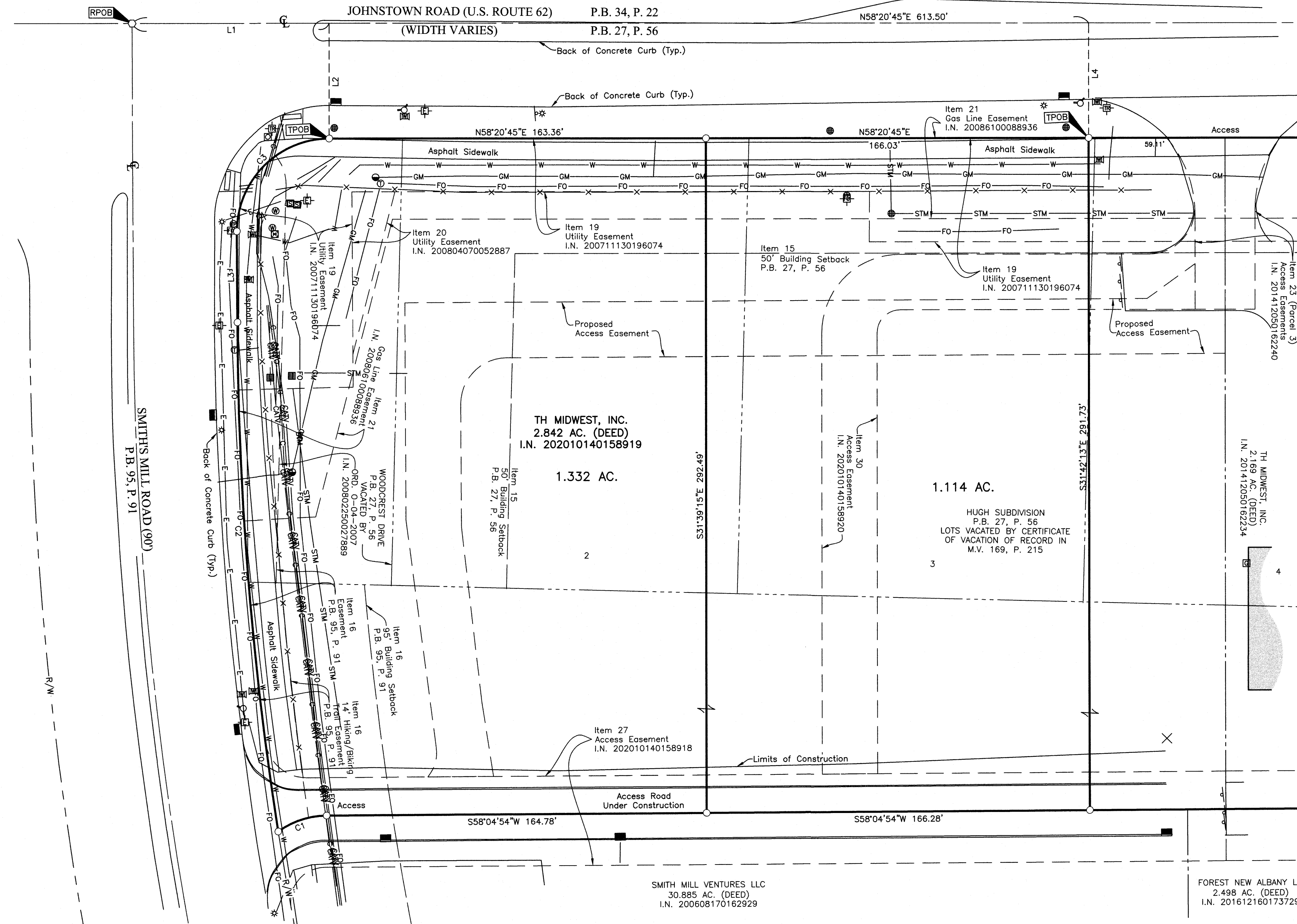
Item 16 Matters disclosed in Plat recorded in/as Plat Book 95, Page 91 of Franklin County Records. THE EASEMENT AND 14' HIKING/BIKING TRAIL EASEMENT ARE LOCATED ON THE SUBJECT TRACT AS SHOWN HEREON. THE 95' BUILDING SETBACK LINE IS LOCATED ON THE SUBJECT TRACT AS SHOWN HEREON.

Item 17 An Ordinance O-04-2007 to Vacate Woodcrest Drive (Stub), as Requested by Smith Mill Ventures, LLC recorded February 25, 2008 in/as Instrument No. 20080225027890. THE VACATED WOODCREST DRIVE RIGHT-OF-WAY IS LOCATED WITHIN THE SUBJECT TRACT AS SHOWN HEREON.

Item 18 Matters disclosed in Plat recorded in/as Plat Book 112, Page 40 of Franklin County Records. Affidavit in Aid of Title recorded March 03, 2017 in/as Instrument No. 201703030029794 of Franklin County Records. THE SUBJECT TRACT IS LOCATED IN THE AREA DESCRIBED; THE 10' EASEMENT IS RELEASED BY THE DOCUMENT.

Item 19 The terms, provisions and easement(s) contained in the document entitled "Deed of Easement" recorded November 13, 2007 as Instrument No. 20071130196074 of Official Records. THE UTILITY EASEMENT (VARIABLE WIDTH) IS LOCATED ON THE SUBJECT TRACT AS SHOWN HEREON.

Item 20 The terms, provisions and easement(s) contained in the document entitled "Deed of Easement" recorded April 07, 2008 as Instrument No. 200804070052887 of Official Records. THE UTILITY EASEMENT IS LOCATED ON THE SUBJECT TRACT AS SHOWN HEREON.



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

BASIS OF BEARINGS:
The bearings shown hereon are based on North 58°05'22" East for the southeasterly right-of-way line of Forest Drive, of record in Plat Book 114, Page 1, Recorder's Office, Franklin County, Ohio.

FEMA NOTE:
According to the Federal Emergency Management Agency's Flood Insurance Rate Map No. 39049C0208K (dated June 17, 2008), the subject tract shown hereon lies within Zone X (areas determined to be outside of the 0.2% annual chance floodplain). Any floodplain lines shown are georeferenced and are not based on actual field elevations.

UTILITY STATEMENT:
A Utility Marking and Plans request was submitted to OHIO811 on November 17, 2023. The utilities shown hereon have been located from field survey information. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the utilities shown are in the exact location indicated, although she does certify that they are located as accurately as possible.

SURVEY NOTE:
This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

TABLE A OPTIONAL ITEM NOTES:

- No buildings were observed on the subject tract at the time the fieldwork was conducted.
- No parking striping was observed on the subject tract at the time the fieldwork was conducted.

LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N58°20'45"E	85.40'	L4	S31°39'15"E	50.00'
L2	S31°39'15"E	50.00'	L5	S30°03'50"E	15.10'
L3	N31°54'40"W	39.41'			

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
C1	35°42'43"	36.00'	22.44'	S40°13'33"W	22.08'
C2	8°31'13"	1489.00'	221.42'	N36°10'14"W	221.22'
C3	90°15'22"	40.00'	63.01'	N13°13'04"E	56.69'
C4	1°35'25"	5679.65'	157.64'	N59°08'27"E	157.63'

CERTIFICATION: Commitment No. NCS-1186901-INDY
To: ECC Johnstown LLC, TH Midwest, Inc., First Bank and Trust Company of Illinois, and its successors or assigns, First American Title Insurance Company, and First American Title Insurance Company National Commercial Services:

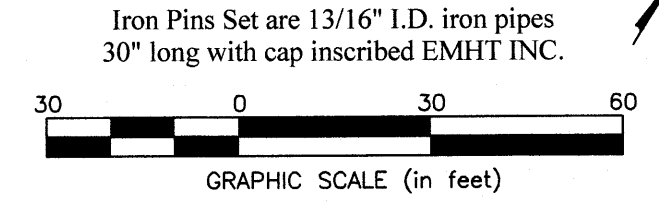
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys", jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, 9 and 13 of Table A thereof. The fieldwork was completed on December 20, 2023.

By: *Heather L. King* 1/9/24
Heather L. King
Professional Surveyor No. 8307
hking@emht.com

Date: January 8, 2024	Scale: 1" = 30'	
Job No: 2023-0795	Sheet: 1 of 1	
REVISIONS		
MARK	DATE	DESCRIPTION

LINE LEGEND	
—X—	Fence Line
—WM—	Water Line
—GM—	Gas Line
—SAN—	Sanitary Line
—E—	Underground Electric
—C—	Underground Comm.
—CATV—	Underground Cable TV
—FO—	Underground Fiber Optic

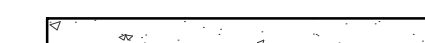
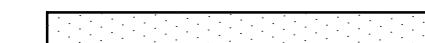




SYMBOL LEGEND	
⊙	Iron Pin Set
●	Iron Pin Found
●	Stone Found
●	P.K. Nail Found
●	Monument Found
●	Magnetic Nail Set
●	Magnetic Nail Found
▲	Railroad Spike Found
⊕	Telephone Manhole
⊕	Fiber Optic Pull Box
⊕	Fiber Optic Marker Post
⊕	Traffic Signal Pole
⊕	Traffic Pull Box
⊕	Electric Pull Box
⊕	Light Pole
■	Catch Basin
■	Curb & Gutter Inlet
■	Storm Sewer Grate Manhole
■	Gas Marker Post
■	Sprinkler Control Box
■	Water Service
■	Fire Hydrant
■	Water Valve

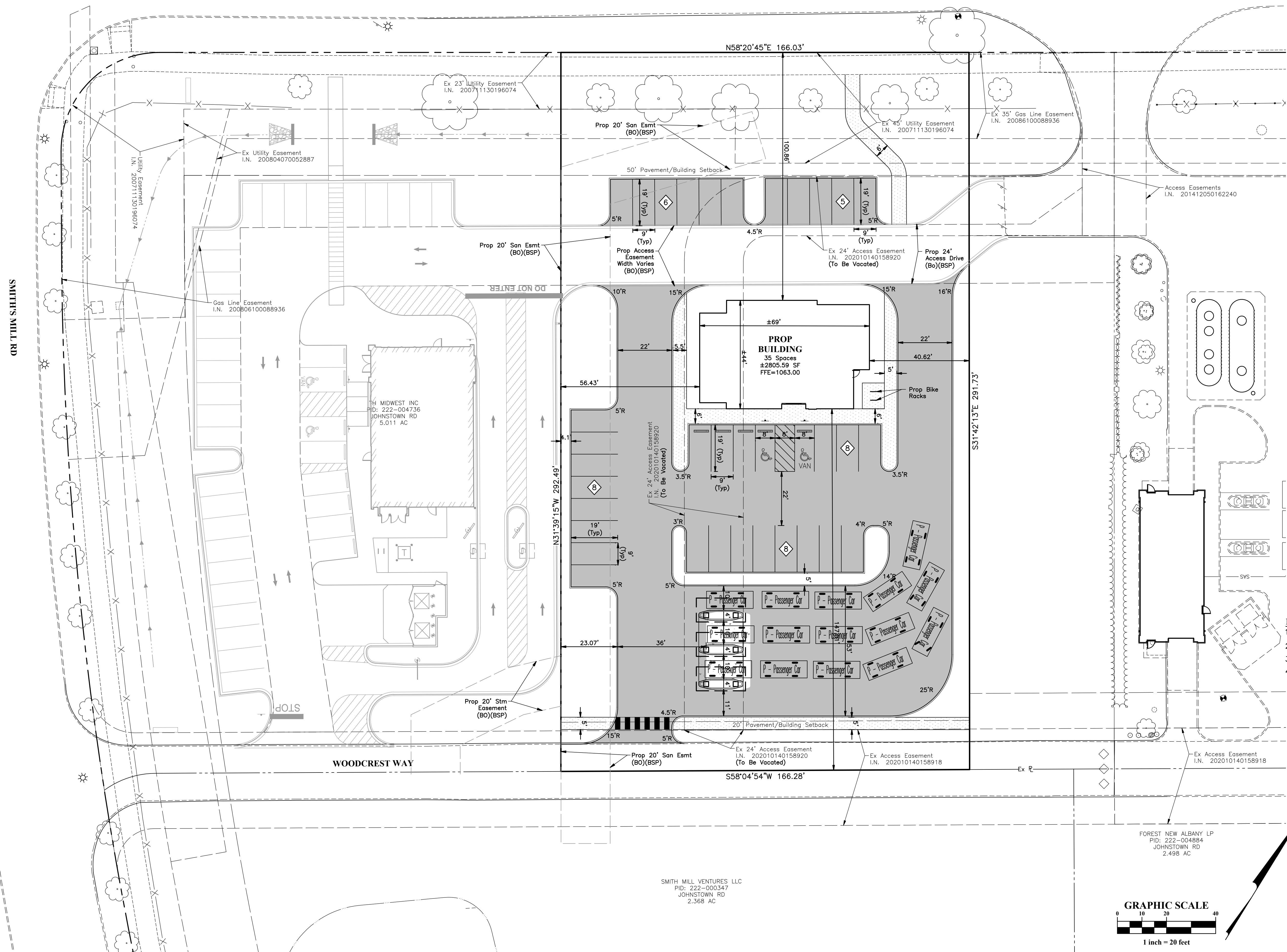


EMHT
Evans, Mechwart, Hamblenton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43254
Phone: 614.775.4500 toll free: 888.775.3448
emht.com

STATE ROUTE 62 / JOHNSTOWN RD

LEGEND

-  Concrete Pavement
-  Concrete Sidewalk
-  Light Duty Pavement
-  Sign
-  Site Light Pole (see Mep Plan)
-  Parking Count



PROJECT DESCRIPTION
The Credit Union Development Includes The Construction Of A 2,806 Square Feet Single Story Building.

STORMWATER MANAGEMENT
The Storm Water For This Project Will Be Controlled By A Regional Basin South Of The Site.

MONUMENTATION
Monumentation In Compliance With C.O. 1159.07 (3) Will Be Set Prior To Completion Of Construction.

SITE DATA TABLE

Total Site Area	1.11 Ac.
Proposed Credit Union	2,806 SF
Parking Provided	35 Spaces
Handcap Parking Required	2 Spaces
Handcap Parking Provided	2 Spaces
Bicycle Parking Provided	4 Spaces
Lot Coverage	32,010 S.F.
Pavement/Walk Building	2,806 S.F.
Total Coverage	34,816 S.F.
Site Area (1.11 Ac.)	48,535 S.F.
Percent Coverage	72%
Maximum Lot Coverage	80%
Total Parking Area	6,099 S.F.
Interior Landscape Area	1,312 S.F.
Interior Landscape Required	22%
Interior Landscape Area Required	8%

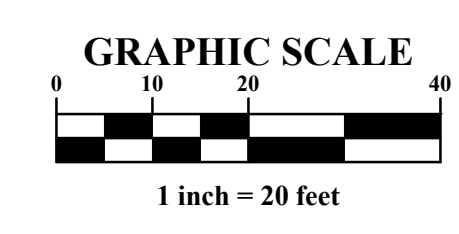
- NOTES**
- All Radii Are 5' Unless Otherwise Noted.
 - All Curb To Be 6" Extruded Unless Otherwise Noted.
 - All Dimensions Given Are Measured To The Face Of Curb.
 - All Radius Dimensions Given Are Measured Along The Face Of Curb.

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION

PLAN SET DATE
May 16th, 2024

APPROVALS:

- _____
Planning Commission Chair
- _____
Vice Chair or Designee
- _____
Professional Engineer
- _____
Professional Surveyor



SMITH MILL VENTURES LLC
PID: 222-000347
JOHNSTOWN RD
2.368 AC

FOREST NEW ALBANY LP
PID: 222-004884
JOHNSTOWN RD
2.498 AC

REVISIONS

MARK	DATE	DESCRIPTION

WRIGHT PATT CREDIT UNION

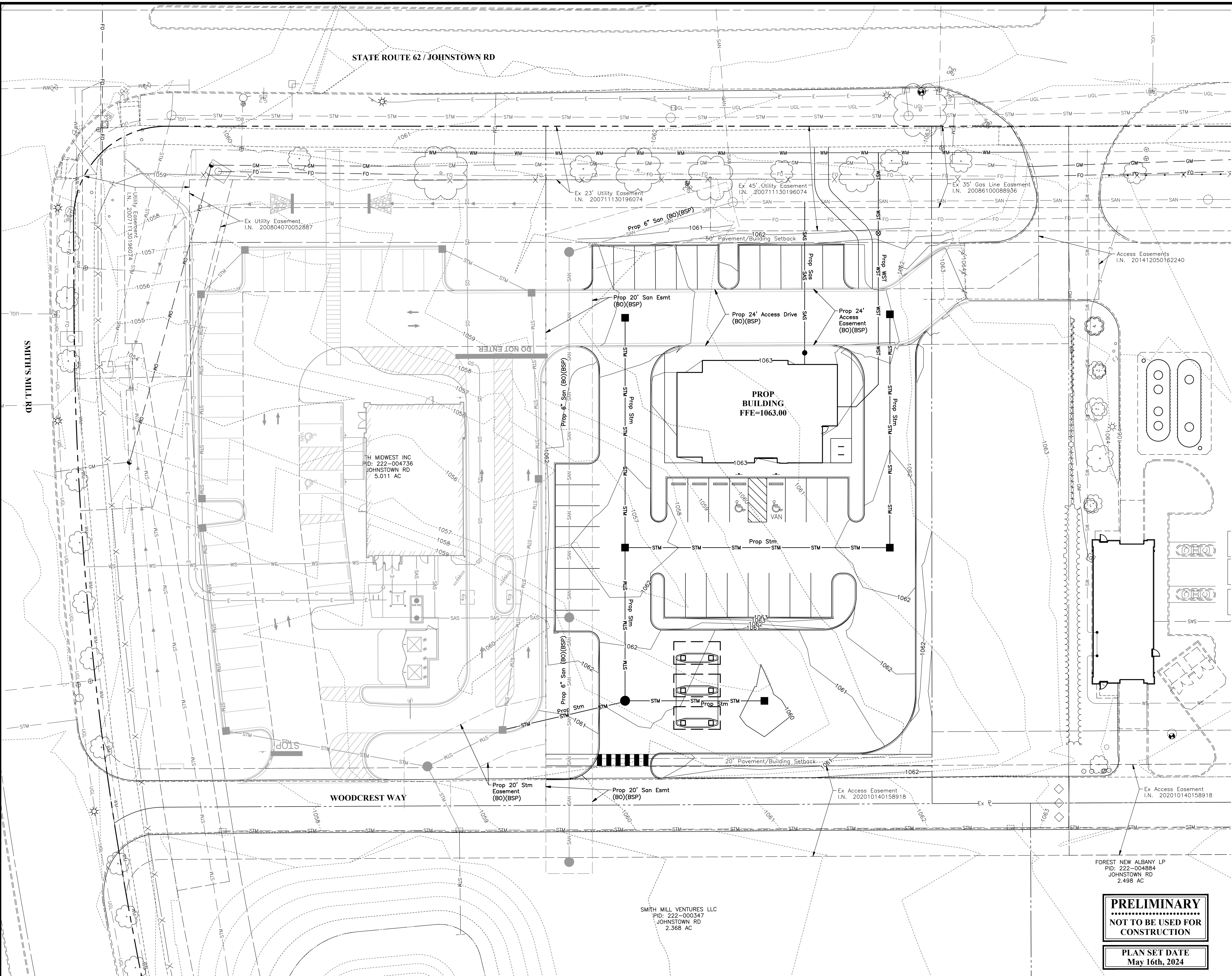
CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO
PRELIMINARY ENGINEERING PLAN
FOR
WRIGHT PATT CREDIT UNION
SITE PLAN

EMHT
Eugene M. Hight, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.6500 Fax: 614.775.3548
emht.com

DATE	May 16th, 2024
SCALE	1" = 20'
JOB NO.	20240177
SHEET	1/3

I:\2024\0177\Drawings\Sheets\Engineering\Plan\20240177-Site Plan.dwg - Last Saved By: jhovan - 5/17/2024 4:24 PM - Last Printed By: O'Brian, Jesse - 5/17/2024 4:25 PM (No Xrefs)

J:\20240177\Drawings\45Sheets\Preliminary Engineering Plan\20240177-Grading And Utility Plan.dwg, Last Saved By: Jobryan, 5/31/2024 4:15 PM Last Printed By: O'Bryan, Jesse, 5/31/2024 4:25 PM (No Xrefs)



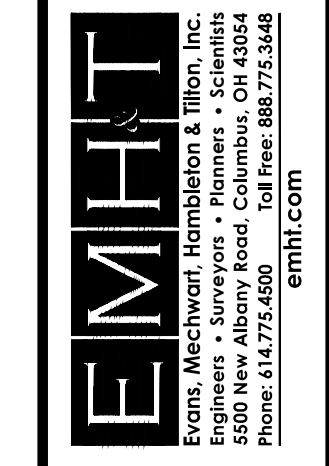
- EXISTING**
- 1170-1171 --- Contours
 - STM --- Storm Sewer
 - SAN --- Sanitary Sewer
 - SAS --- Sanitary Service
 - WM --- Water Main
 - OHE --- Overhead Electric Line
 - E --- Underground Electric Line
 - FO --- Telecom Duct Bank
 - GM --- Gas Main
 - GS --- Gas Service
 - UGL --- Lighting Conduit
 - Fire Hydrant
 - Water Valve
 - Light Pole
- Manhole
 - Catch Basin
 - Curb Inlet

- PROPOSED**
- 1170-1171 --- Contours
 - STM --- Storm Sewer
 - SAS --- Sanitary Service
 - WST --- Water Service
 - FHL --- Fire Hydrant Lead
 - FDC --- Fire Department Connection
 - Catch Basin
 - Manhole
 - Cleanout
 - Curb & Gutter Inlet
 - Site Light Pole
 - Fire Hydrant
 - Water Valve
 - Fire Department Connection

MARK	DATE	DESCRIPTION

WRIGHT PATT CREDIT UNION

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO
 PRELIMINARY ENGINEERING PLAN
 FOR
WRIGHT PATT CREDIT UNION
 GRADING & UTILITY PLAN



DATE
 May 16th, 2024

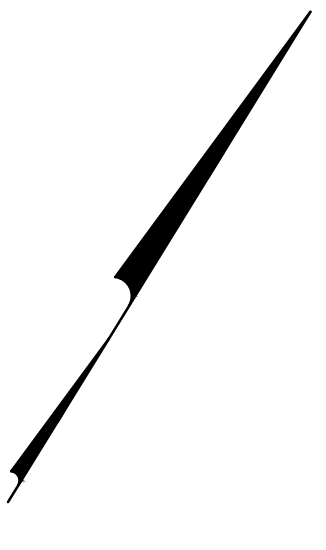
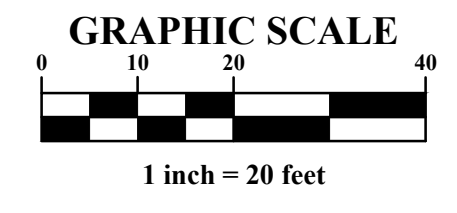
SCALE
 1" = 20'

JOB NO.
 20240177

SHEET
 2/3

PRELIMINARY
 NOT TO BE USED FOR
 CONSTRUCTION

PLAN SET DATE
 May 16th, 2024



Company / WPCU- New Albany

Option A

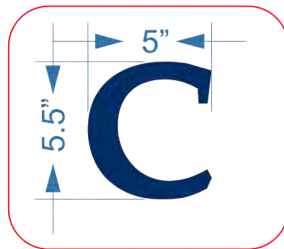
Install Address:
Address



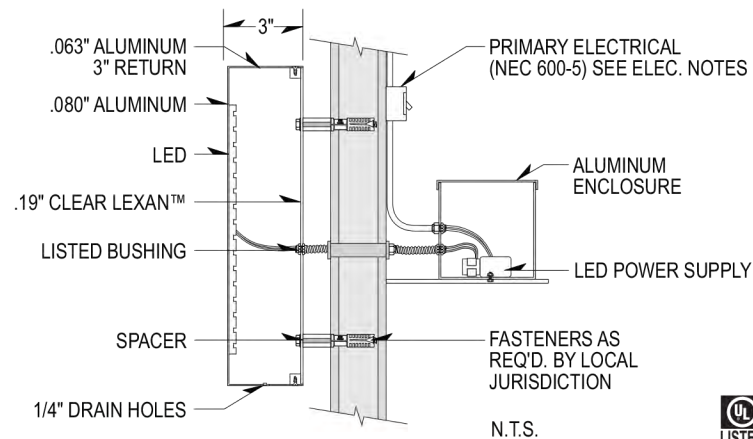
185 Park Drive
Wilmington, OH 45177
937.382.6677
www.abbottis.com



38.26 ft²



CHANNEL LETTER - TYPICAL SECTION - REVERSE-LIT



ELECTRICAL NOTES





Sign Company DOES NOT provide primary electrical to sign.
Power to the sign must be done by a licensed electrical contractor or licensed electrician.
Each sign must have: 1. A minimum of one dedicated 120V 20A circuit

JOB NUMBER:

DESCRIPTION:

Reverse aluminum channel letter halo lit,
the small letters will be non illuminated

COLORS:

-  PMS - 534C
-  PMS/Hex
-  PMS/Hex
-  PMS/Hex

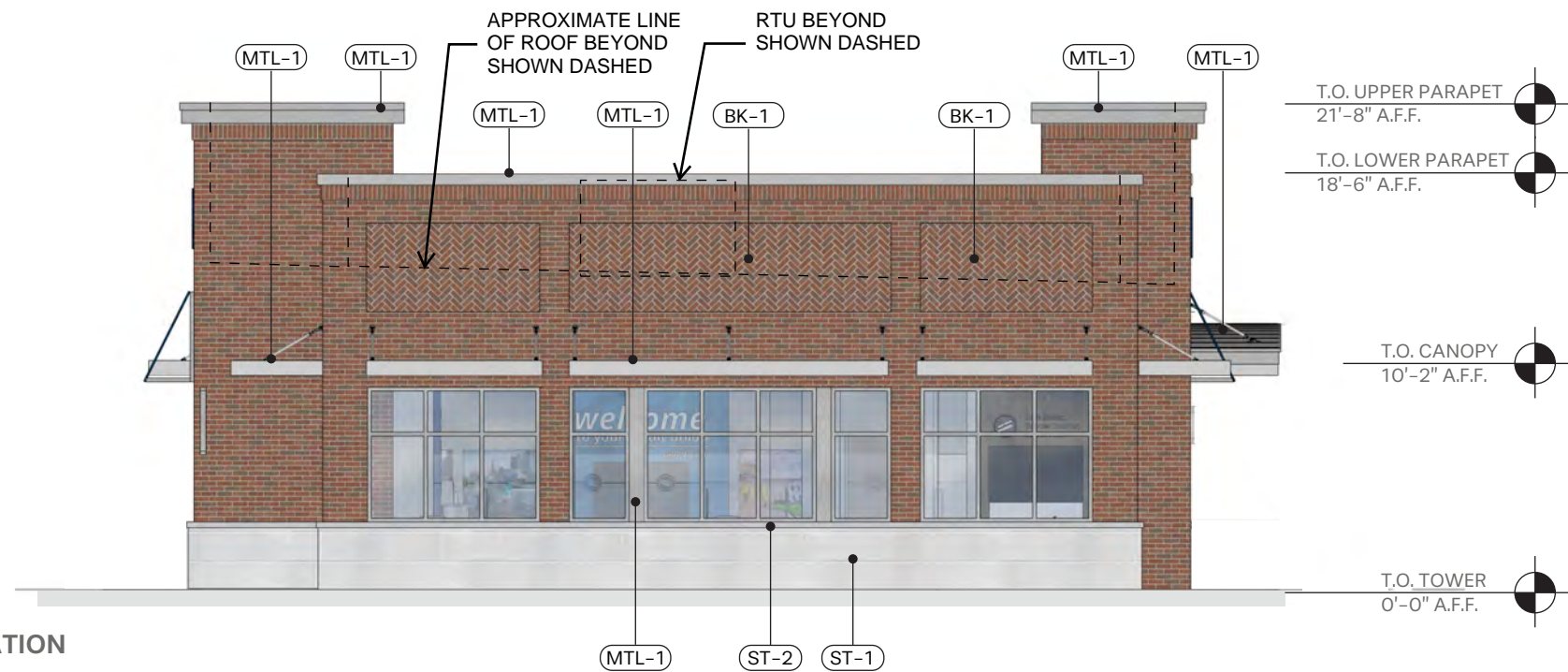
CONTACT INFO

Sales: Greg
Email:
Designer: Jason
Date: 5-17-24

CLIENT: **WRIGHT-PATT CU**
 PROJECT: **NEW ALBANY, OH**
 TITLE: **EXTERIOR CONCEPTUAL DESIGN**



SOUTH ELEVATION
 1/8" = 1'-0"



WEST ELEVATION
 1/8" = 1'-0"

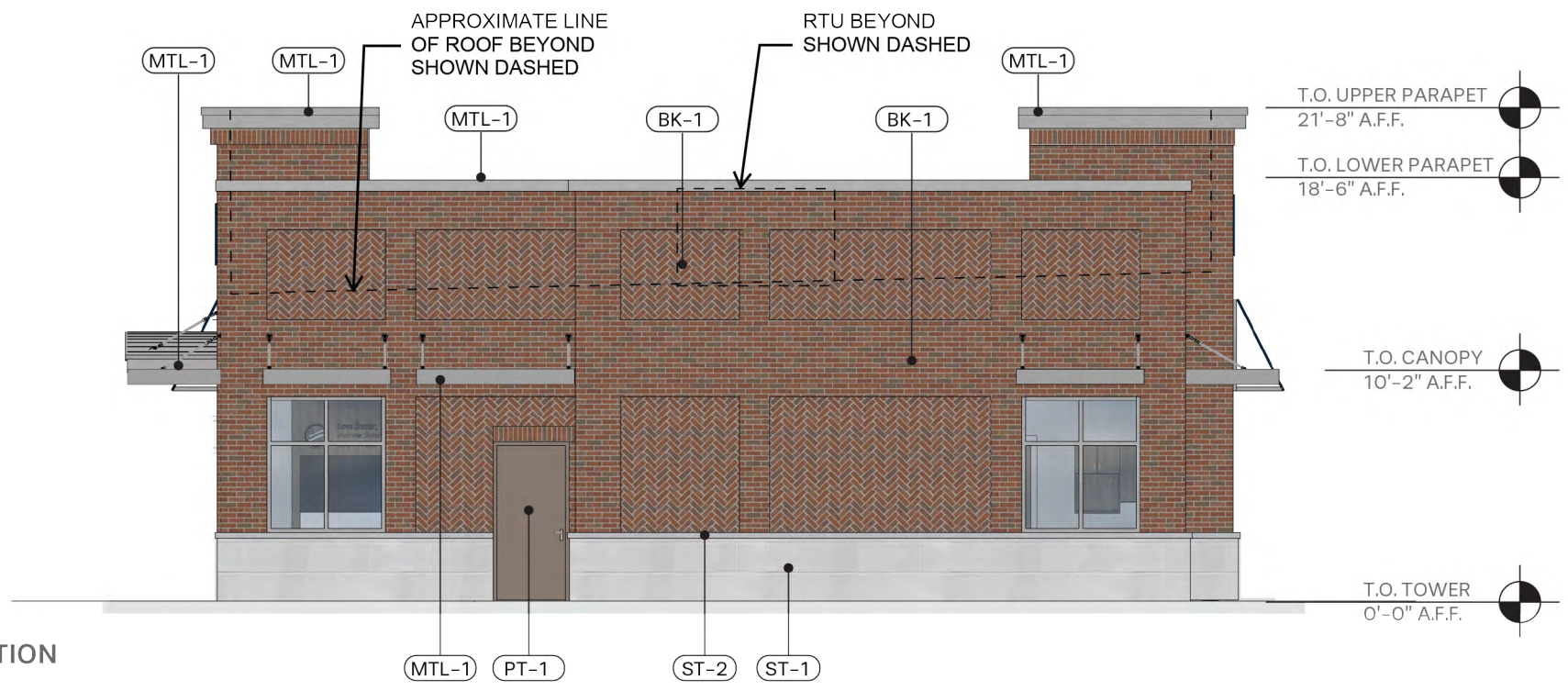
EXTERIOR FINISHES					
(ST-1)	(ST-2)	(MTL-1)	(FAB-1)	(BK-1)	(PT-1)
SMOOTH LIMESTONE	CAST STONE ROCK CAST SILL & PANELS	STOREFRONT, BREAK METAL & METAL FASCIA	BLUE SUNBRELLA AWNINGS	RED/BROWN BRICK	PAINT SW 6074 SPALDING GRAY

NOTE: ALL GLASS IS NOT REFLECTIVE OR GLAZED GLASS.

CLIENT: **WRIGHT-PATT CU**
 PROJECT: **NEW ALBANY, OH**
 TITLE: **EXTERIOR CONCEPTUAL DESIGN**



NORTH ELEVATION
 1/8" = 1'-0"



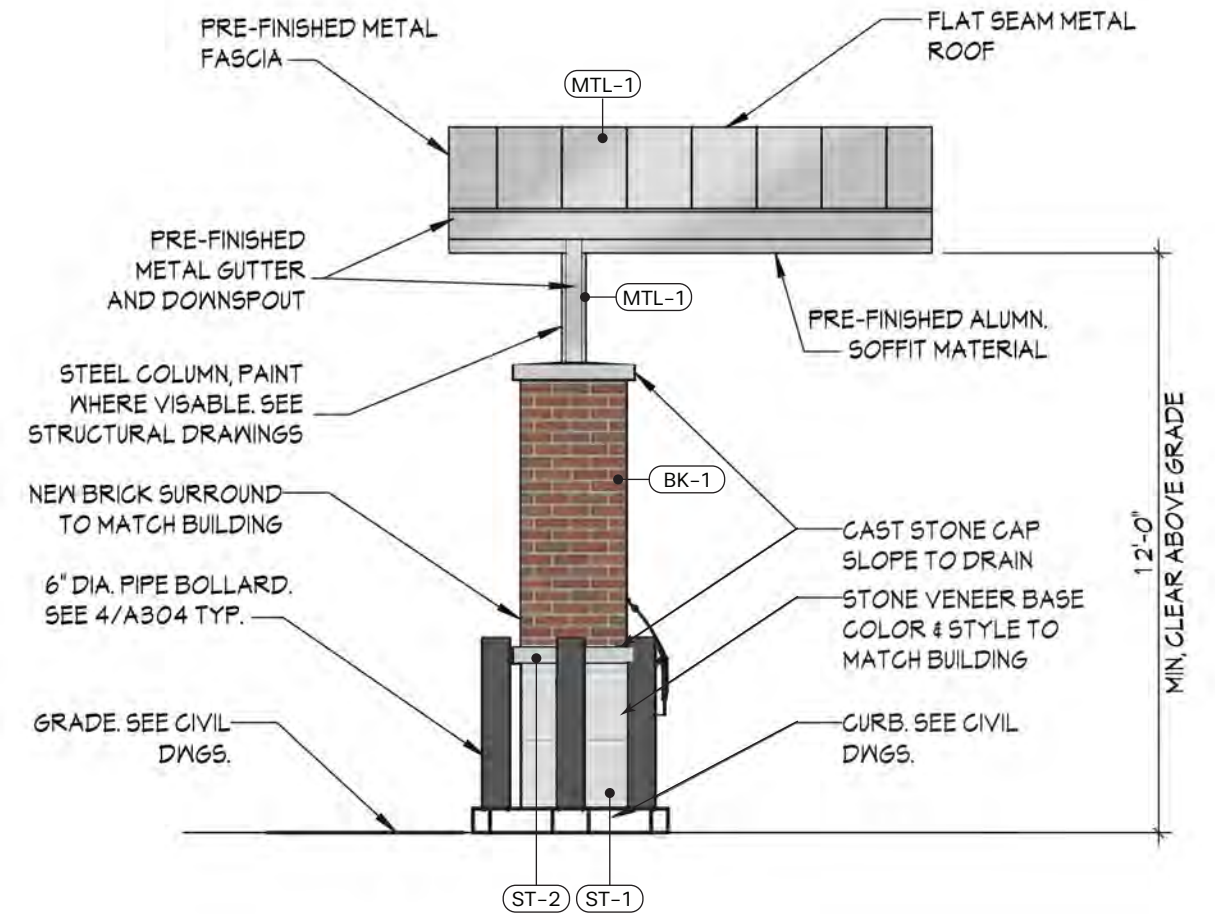
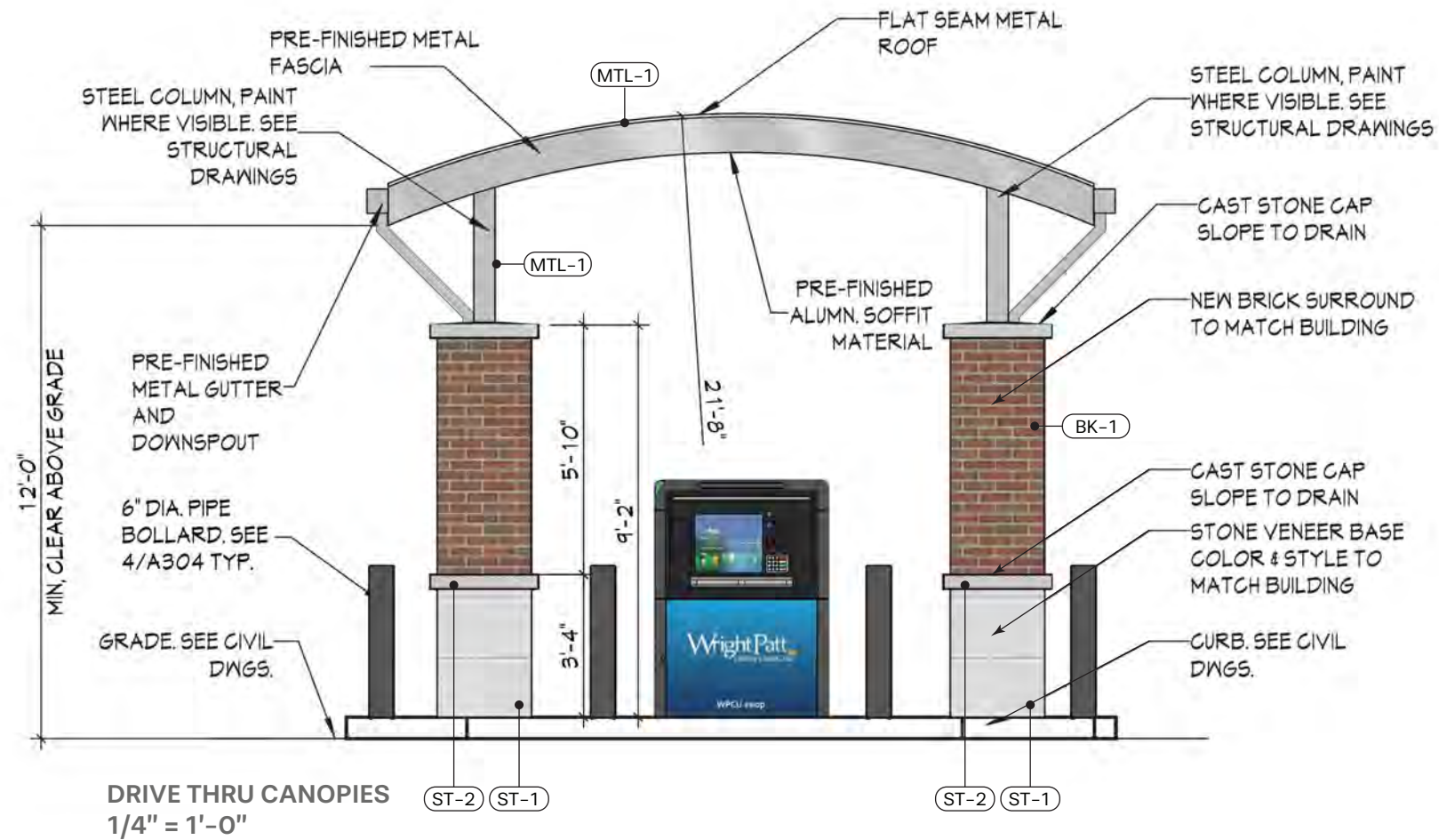
EAST ELEVATION
 1/8" = 1'-0"

EXTERIOR FINISHES

ST-1	ST-2	MTL-1	FAB-1	BK-1	PT-1
SMOOTH LIMESTONE	CAST STONE ROCK CAST SILL & PANELS	STOREFRONT, BREAK METAL & METAL FASCIA	BLUE SUNBRELLA AWNINGS	RED/BROWN BRICK	PAINT SW 6074 SPALDING GRAY

NOTE: ALL GLASS IS NOT REFLECTIVE OR GLAZED GLASS.

CLIENT: WRIGHT-PATT CU
 PROJECT: NEW ALBANY, OH
 TITLE: EXTERIOR CONCEPTUAL DESIGN



NOTE: SIGNAGE FOR ALL ATMS (AUTOMATED TELLER MACHINES) SHALL BE LIMITED TO ONE SQUARE FOOT OF SIGN AREA AND UTILIZE NO MORE THAN THREE (3) COLORS. ATM SIGNAGE MUST HAVE AN OPAQUE BACKGROUND. IF THE ATM CONTAINS A LOGO, IT MAY BE INTERNALLY ILLUMINATED. IN ADDITION, MONOCHROMATIC, NON-ILLUMINATED LOGOS OF ACCEPTED CREDIT SYSTEMS (VISA, MASTERCARD, ETC.) ARE LIMITED TO LESS THAN ONE SQUARE FOOT IN AREA.

EXTERIOR FINISHES					
(ST-1)	(ST-2)	(MTL-1)	(FAB-1)	(BK-1)	(PT-1)
SMOOTH LIMESTONE	CAST STONE ROCK CAST SILL & PANELS	STOREFRONT, BREAK METAL & METAL FASCIA	BLUE SUNBRELLA AWNINGS	RED/BROWN BRICK	PAINT SW 6074 SPALDING GRAY

NOTE: ALL GLASS IS NOT REFLECTIVE OR GLAZED GLASS.



**Planning Commission Staff Report
June 17, 2024 Meeting**

**WRIGHT PATT DRIVE-THROUGH
CONDITIONAL USE**

LOCATION: Located generally at the southeast corner of Smith’s Mill Road and Johnstown Road (US-62) (PID: 222-005377)
APPLICANT: Shremshock Architects and Engineers c/o Brandon Anderson
REQUEST: Conditional Use
ZONING: Infill Planned Unit Development (I-PUD): Canini Trust Corp, subarea 8a
STRATEGIC PLAN: Retail
APPLICATION: CU-43-2024

Review based on: Application materials received April 19, 2024 and May 10, 2024

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

The applicant requests approval of a conditional use to allow three drive-through ATMs to be developed as part of a Wright Patt bank use. The Canini Trust Corp (I-PUD) zoning text allows the C-2 General Business (Commercial) District which permits banks uses. Drive-through facilities associated with a permitted use are conditional uses.

This request is in conjunction with a final development plan (FDP-37-2024).

II. SITE DESCRIPTION & USE

The 1.11-acre site is generally located at the southeast corner of Smith’s Mill Road and Johnstown Road, within the Canini Trust Corp. Some of the existing surrounding uses include a proposed Panda Express, Home2Suites, Turkey Hill gas station, as well as Dunkin’ Donuts which also has a drive-through facility.

III. EVALUATION

The general standards for conditional uses are contained in Codified Ordinance Section 1115.03. The Planning Commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location meets all of the following requirements:

- (a) *The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.*

Uses:

- The applicant proposes to develop a 2,806 sq. ft. Wright Patt bank with three drive-through lanes. The existing total site size is 1.11-acres. All three drive-throughs are for standalone ATMs where bank patrons would drive up to. They are not connected to the proposed bank. Banks with drive-through facilities are a conditional use within this zoning district.

- The Engage New Albany Strategic Plan identifies this area as the retail future land use area. The proposed use is appropriate based on its proximity to State Route 161, the New Albany Business Park and the surrounding uses. The site is located within the Canini Trust Corp which envisions this type of use.
- The building is surrounded by the parking lot, three drive-through lanes and internal drive aisles. The drive-throughs appear to be appropriately positioned in the side yard of the site where it does not interfere with traffic on the rest of the site.
- It does not appear that the proposed drive-through use will alter the character of the surrounding area. This area is zoned to allow retail and personal services uses such as restaurants and banks which typically have drive-through facilities. Additionally, the Planning Commission recently approved multiple drive throughs in the area for Panda Express, Popeyes, Wendy's, Dairy Queen, Sheets, and Dunkin Donuts developments which all included a drive-through facility and are located near this proposed development. This subarea of the Canini Trust Corp also contains other car-oriented businesses such as a Turkey Hill gas station and Valvoline oil change service

Architecture:

- The design of the commercial building and use of materials is appropriate and consistent with other buildings in the immediate area. The building is well designed architecturally and meets the majority of code requirements and DGR requirements.
- The drive-through ATMs are appropriately sized, designed, and located so they don't front the primary street: Johnstown Road. The drive-through lanes are in the rear of the site facing Woodcrest Way which is a private street.
- They are appropriately designed by using similar building materials that are used on the elevations of the building. The ATM drive-through canopies are proposed to be constructed with a flat seam metal roof with brick and stone columns that match the building's proposed material colors.
- The overall height of the building is 21.8 feet which meets the 45-foot maximum height allowed by the zoning text.
- All of the mechanical equipment is located on the roof of the building and will be fully screened from the public rights-of-way as well as private roads.

Parking & Circulation:

- Per Codified Ordinance 1167.05(d)(5) requires a minimum of one parking space for each 200 square feet of gross floor area. The building is 2,806 square feet in size therefore 15 parking spaces are required and the applicant meets this requirement with 35 proposed spaces.
- Additionally, the city parking code requires a minimum number of stacking spaces in the drive through lane must be provided. The required number of drive-through stacking spaces must equal 25% of the total required parking spaces for the drive-through tenant space. Based on this calculation, 12 stacking spaces total must be provided and the applicant is exceeding this requirement by providing 15.
- The building is surrounded by the parking lot, three drive-through lanes and internal drive aisles. The drive-through appears to be appropriately positioned on the site where it does not interfere with traffic on the rest of the site and will not cause traffic to back up onto public roads.
- The Trust Corp site has a strong internal roadway network that supports car-oriented developments. The lot is surrounded by public roads on two sides that allows traffic to and from the site to be dispersed. Additionally, the site fronts a private road to the south of the site. The public roads and private road network provide multiple connections to public streets.

Landscaping:

- A landscape plan has been submitted with the final development plan application for this site. The City Landscape Architect's comments can be found in the final development plan staff report.

- (b) *The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
 - The proposed use is harmonious with the existing and intended character of the general vicinity and will not change the essential character of the area.
 - The proposed use is appropriate due to its proximity to the State Route 161 interchange and the New Albany Business Park.
 - This site is located within the Canini Trust Corp which envisions this type of use. There are existing restaurants with drive-through facilities that are developed in this zoning district which would be compatible with bank drive-throughs.

- (c) *The use will not be hazardous to existing or future neighboring uses.*
 - The use does not appear to be hazardous to the existing or future neighboring uses. It appears that this is an appropriate location for a drive-through facility.

- (d) *The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
 - Sewer and water service are available in this location.
 - Woodcrest Way was recently extended the length of the southern property line of this proposed development.
 - The proposed commercial development will produce no new students for the school district.

- (e) *The proposed use will not be detrimental to the economic welfare of the community.*
 - The proposed use does not appear to be detrimental to the economic welfare in the city due to the creation of jobs that generate income taxes and provide amenities for the business park.

- (f) *The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*
 - It does not appear the site will involve operations that will be detrimental to adjacent uses. This area of the city is auto-oriented and is in close proximity to State Route 161. US-62 is currently heavily traveled therefore it is reasonable to assume that this development will be frequently visited and serve as an important asset to those in the surrounding area.

- (g) *Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.*
 - The site is proposed to be accessed via two new curb cuts; one along Woodcrest Way and one proposed shared curb cut with the adjacent property.
 - The building is surrounded by the parking lot and internal drive aisles. The proposed drive-through lanes appear to be properly designed on the site so that the drive through traffic does not interfere with the traffic circulation on the rest of the site.

III. SUMMARY

The overall proposal is consistent with the code requirements for conditional uses. The proposed use is appropriate for the site based on the current zoning and the Engage New Albany Strategic Plan land use recommendations. Retail has historically been approached in a thoughtful and prescribed way that promotes a planned amount of land being dedicated to this use. Due to the 24 0617 Wright Patt Conditional Use CU-43-2024

close proximity of this site to State Route 161 and this portion of the business park, the drive-through is appropriate in this location.

The proposed use will not change the character of the US-62 corridor as there are existing restaurants with drive-through facilities within the Canini Trust Corp site and the other drive-through developments located along the street.

The drive-through lanes are in appropriate locations given their orientation and the travel pattern appears to be appropriately designed so it will not interfere with traffic circulation on the rest of the site.

Overall, the proposed development meets many of the Engage New Albany Strategic Plan development standards; the drive-through still allows the site to include walkways and landscaping to enhance visual aspects of the development and building entrances that connect with a pedestrian network and promote connectivity.

ACTION

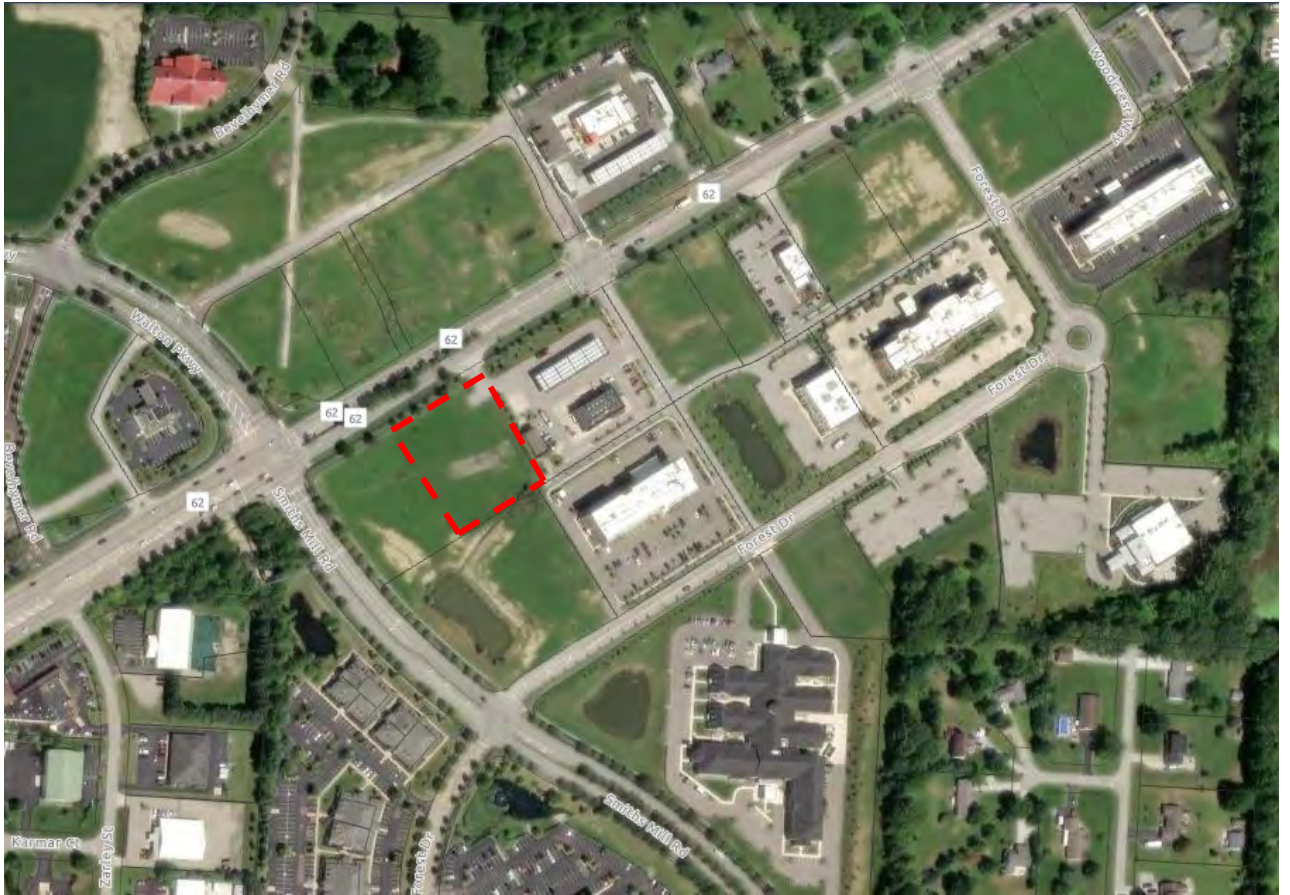
The Commission shall approve, approve with supplementary conditions, or disapprove the application as presented. If the application is approved with supplementary conditions, the Planning Commission shall direct staff to issue a zoning permit listing the specific conditions listed by the Planning Commission for approval.

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

Move to approve application CU-43-2024 with the following conditions:

1. The conditional use permit will become void if a different kind of business, other than a bank, occupies this tenant space.

Approximate Site Location:



Source: Nearmap



SHREMSHOCK

Architects & Engineers
7775 Walton Parkway
Suite 250
New Albany, OH 43054

t 614 545 4550
888 373 4130
f 614 545 4555
www.shremshock.com

05/17/2024

City of New Albany, Ohio
99 W Main St, New Albany, OH 43054

Attn: Chris Christian

Application for Conditional Use.

1. Applicant:
Brandon Anderson
Shremshock Architects
775 Walton Parkway Suite 250
New Albany, OH 43054
2. Legal Description of Property:
JOHNSTOWN RD
R16 T2 1/4T1
5.011 acres
3. Description of existing use:
Vacant Lot
4. Present Zoning District:
IPUD "Infill Planned Unity Development"
5. Description of Proposed conditional use:
ATM and Drive-Thru Canopy is proposed.
6. Plan of proposed site:
See attached site plan of proposed conditional use showing locations of buildings, parking, etc.
7. Narrative statement evaluating effects of adjoining property:
It is anticipated that the proposed ATM drive-thru canopy design will elicit no impact on any adjoining properties. The lighting of the ATM canopy will be primarily downlit and will not cause any light pollution. The proposed ATM drive-thru canopy design will be compatible with neighboring properties, see attached elevations.

8. Names and addresses of all property owners within 200 feet, contiguous to, and directly across the street from the project.

Parcel ID	Owner	Address
222-005174-00	GOC REALCO LLC	9855 JOHNSTOWN RD
222-005176-00	JNBG LAND HOLDINGS LLC	9875 JOHNSTOWN RD
222-005177-00	ALDI INC (OHIO)	9895 JOHNSTOWN RD
222-000347-00	SMITH MILL VENTURES LLC	10000 JOHNSTOWN RD
222-004884-00	FOREST NEW ALBANY LP	5095 FOREST DR
222-000617-00	NEW ALBANY COMPANY LLC	9887 JOHNSTOWN RD
222-005377-00	ECC JOHNSTOWN LLC	No address
222-005378-00	ECC JOHNSTOWN LLC	No address

NEW ALBANY
COMMUNITY CONNECTS US
Planning Commission Staff Report
June 17, 2024 Meeting

MOO MOO CAR WASH
SIGN VARIANCES

LOCATION: 10000 Johnstown Road (PID: 222-05375)
APPLICANT: Moo Moo New Albany Forest Drive LLC
REQUEST: (A) Variance to C.O. 1169.04 to allow an existing directional sign to be electronic where city code prohibits electronic signs.
(B) Variance to zoning text section III(I)(2) to allow an existing monument sign design to deviate from the 2013 Trust Corp Signage Recommendations Plan where the zoning text requires compliance with the plan. And variances to allow a monument sign to be digital and to exceed the maximum number of four colors on the sign.

ZONING: Canini Trust Corp I-PUD: Subarea 8D
STRATEGIC PLAN: Retail
APPLICATION: VAR-41-2024

Review based on: Application materials received on May 17, 2024.

Staff report completed by Chris Christian, Planner II.

I. REQUEST AND BACKGROUND

The applicant requests variances related to existing, directional and monument signs for Moo Moo car wash. On June 20, 2022, the Planning Commission reviewed and approved a final development plan and variance application for Moo Moo car wash. During construction, the property owner installed three signs that were not presented for review at the time of the final development plan application. The signs were installed without a sign permit issued by city staff. Two of the signs do not meet zoning regulations therefore, variances are necessary to allow them to remain on the property. The three signs, and related variance requests, are described below.

Sign A:



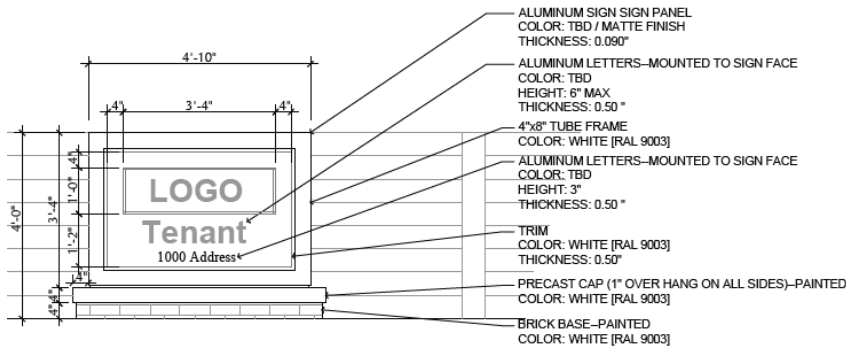
EXAMPLE



This is a monument sign that is installed at the site entrance along Woodcrest Way. Zoning text section III(I)(2) states that the permitted sizes, designs, colors, shapes, and other specifications for ground signs shall be consistent with the 2013 Trust Corp Signage Recommendations Plan. The existing sign does not meet the design standards for monument signs therefore, a variance is necessary in order to allow the sign to remain on the property. The city code prohibits electronic signs and the sign exceeds the maximum number of colors allowed per city code (4). Therefore, three variances are necessary to allow the sign as installed:

1. Variance to allow a monument sign to deviate from the Trust Corps Sign Standards Plan
2. Variance to allow a monument sign to be digital, and
3. Variance to allow the sign to exceed the maximum number of four colors on the sign.

The 2013 Trust Corp Signage Recommendations Plan provides the following standards for monument signs that are interior to the Canini Trust Corp site.



Sign B:

QTY (3) LED Arrow Signs - 13"W X 13"H
LED Arrow signs installed on 3 different existing canopies as shown.



The applicant installed additional directional signage on the clearance bars which are above lanes leading to the car wash. These signs were not submitted for review as part of the final development plan application and are considered unregulated. One component of these directional signs are three electronic arrows as shown in the image above. C.O. 1169.04 states that electronic signs are a prohibited sign type therefore, a variance is necessary in order to allow the signs to remain on the site.

Sign C:



EXAMPLE

The applicant installed an additional electronic drive-thru menu board sign on the site which was not included in the original final development plan application. This sign meets all code requirements for drive-thru menu board signs and there are no variances needed.

II. SITE DESCRIPTION & USE

The site is located on the southwest corner of US-62 and Forest Drive within the Canini Trust Corp zoning district. The site is 1.10+/- acres and currently contains an automatic car wash and self-serve vacuums.

III. EVALUATION

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. The property owners within 200 feet of the property in question have been notified.

Criteria

The standard for granting of an area variance is set forth in the case of *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83 (1986). The Board must examine the following factors when deciding whether to grant a landowner an area variance:

All of the factors should be considered and no single factor is dispositive. The key to whether an area variance should be granted to a property owner under the “practical difficulties” standard is whether the area zoning requirement, as applied to the property owner in question, is reasonable and practical.

1. *Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.*
2. *Whether the variance is substantial.*
3. *Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment.”*
4. *Whether the variance would adversely affect the delivery of government services.*
5. *Whether the property owner purchased the property with knowledge of the zoning restriction.*
6. *Whether the problem can be solved by some manner other than the granting of a variance.*
7. *Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.*

Plus, the following criteria as established in the zoning code (*Section 1113.06*):

8. *That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.*
9. *That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.*
10. *That the special conditions and circumstances do not result from the action of the applicant.*
11. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.*
12. *That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.*

Considerations and Basis for Decision

(A) Variance to C.O. 1169.04 to allow “Sign B” to be electronic where city code prohibits electronic signs.

The following should be considered in the Commission’s decision:

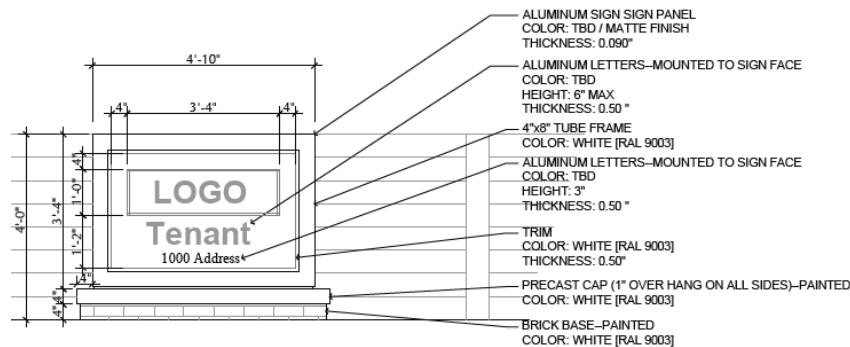
1. C.O. 1169.04 states that digital/electronic signs are a prohibited sign type. The applicant installed three electronic, directional arrow signs above the three pay stations for the car wash therefore, a variance is required. These signs are identified as “Sign B” in the request and background section of this staff report.
2. The Planning Commission has approved variances to allow electronic/digital menu board signs for this site and others in the immediate area, following some general principles. In 2023, these design principles were adopted in city code and apply to all new electronic/digital menu board signs that are installed in the city. It appears that some of these design principles may be applicable to the proposed electronic, directional signs as described below. With the proposed conditions, the signs appear to meet the spirit and intent of the city sign code and are not substantial.
3. The city’s codified ordinances state the purpose of the sign regulations are to are intended to provide design regulations for sign types so that they may fit harmoniously with structures and their surroundings. It is the intent of these regulations to prevent signs from becoming a distraction or obstruction to the safe flow of pedestrian and vehicular traffic, to prevent signs from becoming a nuisance factor to adjacent properties or uses, to protect and encourage a healthful economic and business environment in the community, and thereby protect the general health, safety, and welfare of the community
4. Accordingly, the city’s sign code codified ordinance chapter 1169.04 lists flashing, animated, and electronic signs as prohibited sign types. Staff recommends a condition of approval requiring the signs to remain static and not employ any animated or flashing features (condition 1).
5. To prevent the signs from becoming a nuisance factor to adjacent properties or uses at night, staff recommends a condition of approval that the signs must be turned off outside of normal business hours (condition 1).
6. There is landscaping installed in between the location of the signs and US-62. This additional landscaping will provide buffering in order to limit the view of them from off-site.
7. It does not appear that the variance would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the

proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

(B) Variance to zoning text section III(I)(2) to allow “Sign A” to deviate from the 2013 Trust Corp Signage Recommendations Plan where the zoning text requires compliance with the plan. And variances to allow a monument sign to be digital and to exceed the maximum number of four colors on the sign.

The following should be considered in the Commission’s decision:

1. Canini Trust Corp Subarea 8D zoning text section III(I)(2) states that the permitted sizes, designs, colors, shapes, and other specifications for ground signs shall be consistent with the 2013 Trust Corp Signage Recommendations Plan. The applicant installed a monument sign near the site entrance on Woodcrest Way that does not meet the standards of the sign plan therefore, a variance is required. This sign is identified as “Sign A” in the request and background section of this staff report.
2. The proposal does not meet the spirit and intent of the zoning text requirement. In 2013, the city adopted the Trust Corp Signage Recommendations plan to ensure that the design of monument signs is consistent throughout the entire development. Since then, many monument signs have been installed within this area, meeting the requirements of the sign plan. The plan includes requirements for size, color and location. An illustration of the required design for this site is included below.



3. Approving the variance may substantially alter the essential character of the neighborhood since this is a different monument sign design than the other sits at the Trust Corps.
4. The variance appears to be substantial. No variances to the sign plan have been applied for or granted by the Planning Commission. All other sites along Woodcrest Way and US-62, within the Canini Trust Corp development, comply with the sign plan requirements for monument signs. The sign also features an electronic component which indicates if the car wash is open or closed. Per C.O. 1169.04, electronic signs are a prohibited sign type.
5. In addition, C.O. 1169.12(f) states that signs shall be limited to a maximum of four colors. The sign exceeds this limitation with a total of 6 colors (yellow, white, black, red, green, and blue).
6. It does not appear that there are any special conditions and circumstances related to the property, that do not result from the action of the applicant.
7. It does not appear that the variance would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

IV. SUMMARY

The variance request to allow “Sign B” to be electronic appears to be appropriate, with the condition that they are to remain static, turned off outside of business hours, and not employ any flashing or animated features. These same standards have been successfully applied to digital menu board signs in the surrounding area.

The variance request to allow “Sign A” to deviate from the standards of the 2013 Trust Corp Signage Recommendations Plan does not appear to meet the spirit and intent of the zoning requirement. Adherence to the sign plan results with consistent signage throughout the Canini Trust Corp and a variance to these standards has never been granted by the Planning Commission. The deviation also results in additional variances being necessary to allow the monument sign to have an electronic component and contain 6 colors. While there are digital menu board signs used at drive-throughs, digital signs have not been used at business entrances along public or private streets.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motions would be appropriate (The Planning Commission can make one motion for all variances or separate motions for each variance request):

Move to approve application VAR-41-2024, subject to the following conditions (additional conditions of approval may be added):

1. “Sign B” is required to remain static, must be turned off outside of business hours, and may not employ any flashing or animated features.

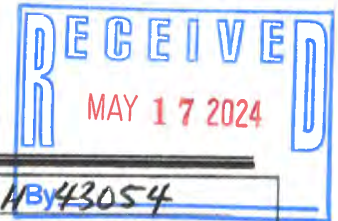
Approximate site Location:



Source: NearMap



Community Development Planning Application



Project Information

Site Address 10000 Johnstown Road, New Albany, OH 43054

Parcel Numbers 222-05375

Acres 1.12

of lots created _____

Choose Application Type

Circle all Details that Apply

- | | | | | |
|---|----------------------|-------|-------------------|-----------|
| <input type="checkbox"/> Appeal | | | | |
| <input type="checkbox"/> Certificate of Appropriateness | | | | |
| <input type="checkbox"/> Conditional Use | | | | |
| <input type="checkbox"/> Development Plan | Preliminary | Final | Comprehensive | Amendment |
| <input type="checkbox"/> Plat | Preliminary | Final | | |
| <input type="checkbox"/> Lot Changes | Combination | Split | Adjustment | |
| <input type="checkbox"/> Minor Commercial Subdivision | | | | |
| <input type="checkbox"/> Vacation | Easement | | Street | |
| <input checked="" type="checkbox"/> Variance | | | | |
| <input type="checkbox"/> Extension Request | | | | |
| <input type="checkbox"/> Zoning | Amendment (rezoning) | | Text Modification | |

Description of Request: Variance for approval of signage related to CO 1169.04(a).

Contacts

Property Owner's Name: Moo Moo New Albany Forest Drive, LLC
 Address: 13375 NATIONAL ROAD SW, SUITE D
 City, State, Zip: Reynoldsburg OH 43068
 Phone number: (614) 751-9274 Fax: _____
 Email: joe@expresswashconcepts.com

Applicant's Name: Moo Moo New Albany Forest Drive, LLC
 Address: 13375 NATIONAL ROAD SW, SUITE D
 City, State, Zip: Reynoldsburg, OH 43068
 Phone number: (412) 337-3549 Fax: _____
 Email: joe@expresswashconcepts.com

Signature

Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, 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 true, correct and complete.

Signature of Owner
 Signature of Applicant

Date: 5/17/2024
 Date: 5/17/2024

MEMO

To: Whom It May Concern
From: Kyle Wrentmore, PE
CC: Joe Bertucci – Express Wash Concepts
Date: May 17, 2024

Project #: M3900009
Re: Signage Variance Narrative

Moo Moo New Albany Forest Drive, LLC is respectfully requesting variance approval as it relates to CO 1169.04(a) to allow signage on the Moo Moo Express Car Wash site at Forest Drive and Woodcrest Way.

Since customers primarily stay in their vehicles, it's important to be able to communicate with them at multiple points of interest during their visit - from the moment they're deciding to enter the site, navigation on-site to the pay stations and services provided. Moo Moo Express Car Wash aims to encourage a safe environment for pedestrians, employees, and vehicles.

The violation letter dated March 15, 2024 (included) details signage for which the applicant is requesting variance. The below bullets outline reasoning for the requested signs.

- Green arrow/red x signs are imperative to communicate to our customers which lanes are open or closed. Since our customers are in their vehicles and may not need to interact with employees, signage is the primary means of communication to facilitate controlled on-site navigation and a safe environment.
- Welcome sign: The lighted "Open" directional sign communicates to the customer as to whether or not the wash is open, so no one is on-site outside of operating hours. It also makes it clear where the customer should enter the site.
- Digital menu board at Pay station island: This is our digital menu board, similar to quick-service restaurants and coffee users. Since our customers are in their vehicles, this menu allows us to communicate with them prior to reaching the pay stations. It's our primary way of letting our customers know what options they have and gives them time to consider their options. This creates a more efficient transaction at the pay stations.

EXHIBIT A

Legal Description

Parcel One: **SEE ATTACHED**

Parcel Two:

Rights of Ingress and Egress contained in that certain Declaration of Covenants, Conditions, Restrictions and Easements for Smith Mill Ventures, LLC of record in Instrument 200801180009215; with the First Supplemental Declaration of record in Instrument 201303190045760, as corrected in Instrument 201501280011279; with the Second Supplemental Declaration of record in Instrument 201412050162233; with the Third Supplemental Declaration of record in Instrument 201703200037811; with the Fourth Supplemental Declaration of record in Instrument 202010140158918.

[Signature]
ZONING
APPROVED
12/19/23

CITY OF NEW ALBANY
NO PLAT REQUIRED
APPROVED
[Signature] 12/19/23
Signature Date

1.112 ACRES

Situated in the State of Ohio, County of Franklin, City of New Albany, located in Lot 23, Quarter Township 1, Township 2, Range 16, United States Military District, being part of that 2.204 acre tract conveyed to Moo Moo New Albany Forest Drive LLC by deed of record in Instrument Number 202208260123673, said 2.204 acre tract including Lots 12, 13, and 14 of "Hugh Subdivision", of record in Plat Book 27, Page 56, and vacated in Miscellaneous Volume 169, Page 215, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at a permanent marker set at the intersection of the northeasterly right-of-way line of Forest Drive (width varies), as dedicated in Plat Book 112, Page 40, with the southeasterly right-of-way of that portion of Johnstown Road (U.S. 62, width varies) dedicated in Plat Book 27, Page 56, being in a northwesterly line of said 2.204 acre tract;

Thence North 60° 11' 45" East, with the southeasterly right-of-way line of said Johnstown Road (U.S. 60), the northwesterly line of said 2.204 acre tract, a distance of 128.92 feet to an iron pin set;

Thence South 32° 00' 00" East, across said 2.204 acre tract, a distance of 281.57 feet to a magnetic nail set in the southeasterly line of said 2.204 acre tract, the northwesterly line of that 2.359 acre tract conveyed to Woodcrest New Albany LP by deed of record in Instrument Number 201403140031832;

Thence South 57° 59' 46" West, with the southeasterly line of said 2.204 acre tract, the northwesterly line of said 2.359 acre tract, a distance of 175.23 feet to a magnetic nail found in the easterly right-of-way line of said Forest Drive, at the southerly corner of said 2.204 acre tract;

Thence with the northeasterly right-of-way line of said Forest Drive, the southwesterly line of said 2.204 acre tract, the following courses and distances:

North 31° 54' 38" West, a distance of 26.74 feet to a magnetic nail set;

North 29° 02' 54" West, a distance of 100.12 feet to an iron pin set;

North 31° 54' 38" West, a distance of 119.86 feet to an iron pin set at a point of curvature; and

with the arc of a curve to the right, having a central angle of 91° 22' 07", a radius of 40.00 feet, an arc length of 63.79 feet, a chord bearing of North 13° 46' 25" East and chord distance of 57.24 feet to the POINT OF BEGINNING, containing 1.112 acres, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC. Permanent markers set are one-inch solid iron pins with aluminum cap stamped EMHT INC.

The bearings shown hereon are based on South 31° 54' 38" East for the southwesterly right-of-way line of Forest Drive, of record in Plat Book 112, Page 40, Recorder's Office, Franklin County, Ohio.

This description was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey completed in March 2020.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

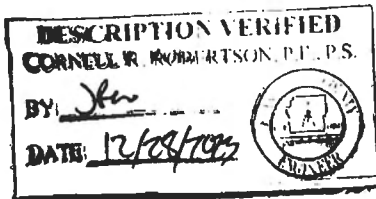
[Signature]

6/9/23

Heather L. King
Professional Surveyor No. 8307

Date

SPLIT
1.112 AC
OUT OF
(222)
005260



HLK: td
1.112 ac 20230482-VS-BNDY-01

PRELIMINARY APPROVAL

Cornell R. Robertson, P.E., P.S.

BY: *[Signature]*
06/09/2023

PENDING ORIGINALS

*Submitted via digital format

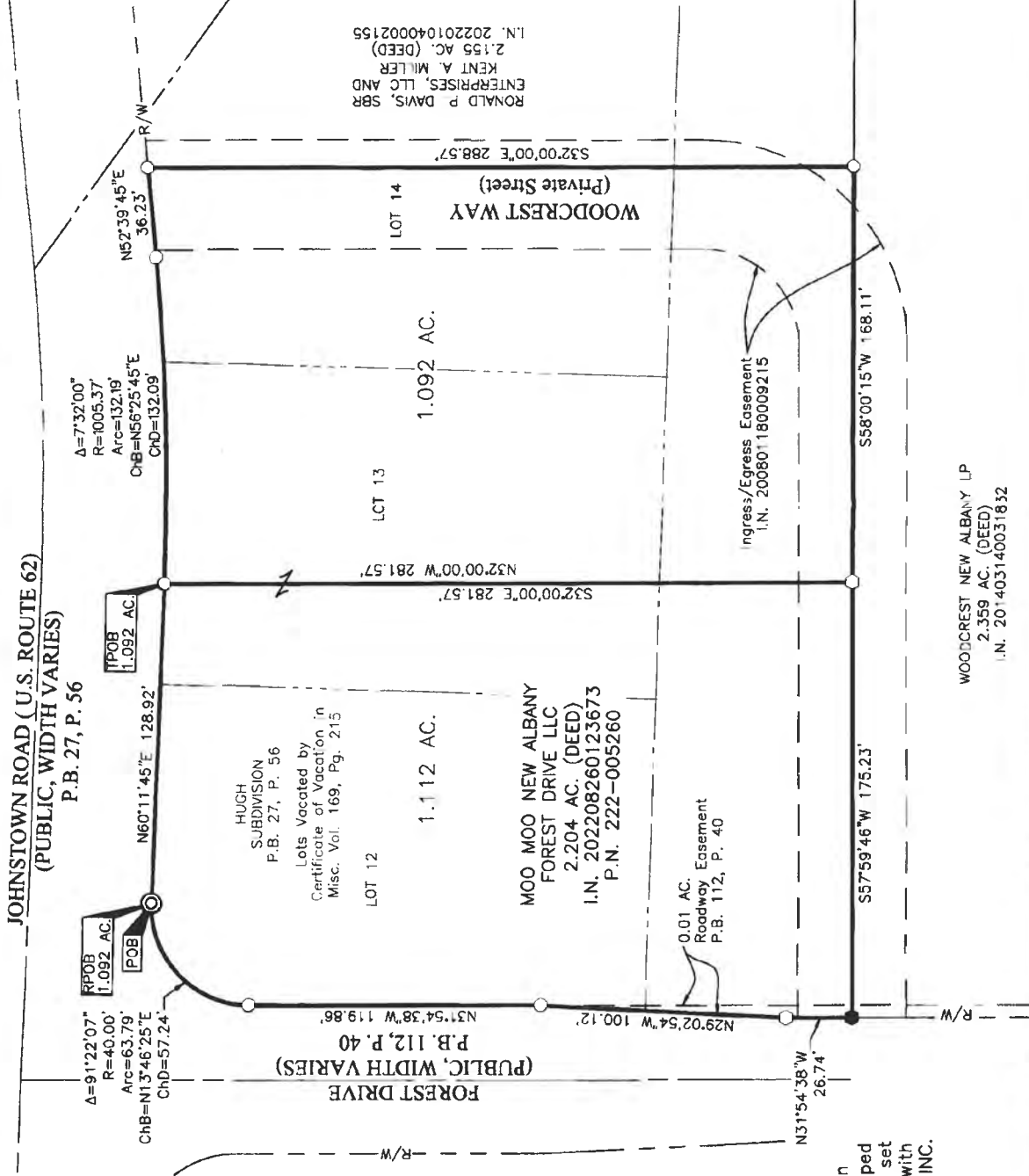
Please return this approval, along with the original description and plat of survey, as prepared by the



SURVEY OF ACREAGE PARCEL

LOT 23, QUARTER TOWNSHIP 1, TOWNSHIP 2, RANGE 16
UNITED STATES MILITARY DISTRICT
CITY OF NEW ALBANY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: June 5, 2023
Scale: 1" = 50'
Job No: 2023-0482
Sheet No: 1 of 1



BASIS OF BEARINGS:
The Bearings shown hereon are based on South 31°54'38" East for the southwesterly right-of-way line of Forest Drive, of record in Plat Book 112, Page 40, Recorder's Office, Franklin County, Ohio.

SURVEY NOTE:
This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey completed in March 2020.

RONALD P DAVIS, SBR
ENTERPRISES, LLC AND
KENT A MILLER
2.155 AC. (DEED)
I.N. 202201040002155

CITY OF NEW ALBANY
NO PLAT REQUIRED
APPROVED
Signature

ZONING
APPROVED



By *Heather L. King* Date 6/9/23
Heather L. King
Professional Surveyor No. 8307
hking@emht.com

○ = I.P. SET
● = MAG. NAIL FND.
○ = MAG. NAIL SET
⊙ = PERM. MKR. SET
I.P. Set are 13/16" i.d. iron pipes 30" long with cap stamped EMHT INC. Permanent Markers set are one-inch solid iron pins with aluminum cap stamped EMHT INC.

SCALE (in feet)
0 50

A QTY (1) Arrow Sign - 49.25"W X 56"H

Cabinet with digital print and LED OPEN/CLOSE.
Installed into ground.



EXAMPLE



B QTY (3) LED Arrow Signs - 13"W X 13"H

LED Arrow signs installed on 3 different existing canopies as shown.



EXAMPLE

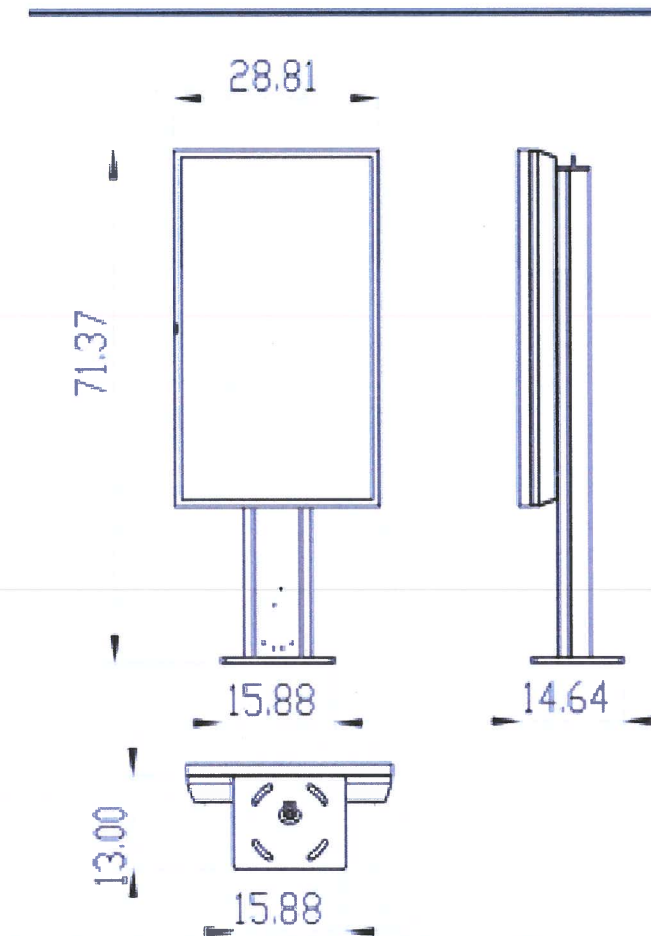


QTY (1) LED Screen Sign - 28.81"W X 71.37"H

LED screen installed on concrete as shown



EXAMPLE





**Planning Commission Staff Report
June 17, 2024 Meeting**

**ALL SAINTS EPISCOPAL CHURCH
ZONING TEXT AMENDMENT**

LOCATION: 5101 Johnstown Road
APPLICANT: All Saints Episcopal Church c/o Hank Fresch
REQUEST: Limited Community Facilities (L-CF) Zoning Text Amendment
ZONING: All Saints Episcopal Church L-CF Zoning District
STRATEGIC PLAN: Residential
APPLICATION: TM-47-2024

Review based on: Application materials received May 31, 2024

Staff report completed by Chris Christian, Planner II.

I. REQUEST AND BACKGROUND

The applicant requests a modification to the All Saints Episcopal Church limitation zoning text. This modification intends to clarify that the zoning text requirements for roof and ground mounted mechanical equipment screening do not apply to solar panels. There are no other proposed changes to the zoning text.

All Saints Episcopal Church zoning text section VII(1) states:

“Any external mechanical equipment shall be totally screened from all public roads and/or adjacent properties at ground level with materials that are similar to or the same as used on the majority of the building or, if screened by landscaping, providing that the same shall provide 100% opacity. This shall include any roof top equipment, satellite dishes (excluding communication devices), as well as ground mounted mechanical equipment. The screening of the mechanical equipment shall be coordinated with the rest of the architecture so as to avoid being seen as an “add-on”.”

The property owner submitted a permit to install solar panels on their building. Due to the zoning text requirements, the permit was denied. If this application is approved, the permit can be issued and the solar panels may be installed.

II. SITE DESCRIPTION & USE

According to the Franklin County Auditor’s website, the property contains a religious building that was constructed in 2005. The building is approximately 20,000 square feet in size.

III. ENGAGE NEW ALBANY STRATEGIC PLAN

The site is located in the Residential future land use district of the Engage New Albany Strategic Plan, however, the site contains an institutional use.

IV. ASSESSMENT

Review is based on the city's Strategic Plan, existing zoning text, and city zoning regulations, including the design standards. 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).*

V. EVALUATION

1. The applicant requests a modification to All Saints Episcopal Church Limited-Community Facilities zoning text. The applicant submitted a building permit to install solar panels on the roof of their building. The All Saints Episcopal Church zoning text states that all rooftop and ground mounted equipment must be screened from all public roads and/or adjacent properties with 100% opacity.
 - a. The applicant proposes to modify the zoning text to state that the screening requirements do not apply to solar panels.
 - b. There are no other proposed changes to the zoning text.
 - c. If the zoning text modification is approved, it will allow the applicant to install solar panels on the property.
2. The proposed text modification appears to be appropriate and consistent with existing regulations for solar panels in the city. Currently, there are no regulations for solar panels in the city code.
 - a. There are several zoning texts throughout the city which state that similar mechanical screening requirements do not apply to solar panels.
 - b. Additionally, the site is zoned Limited-Community Facilities (L-CF) and is therefore more restrictive than the base development standards for the Community Facilities (CF) zoning district as described in city code. The property owner desires to remove the more restrictive language in order to install solar panels, similar to other sites in New Albany.
 - c. The New Albany Public Service Department property is zoned CF and solar panels have been installed on the roof of that structure since there are no regulations in city code for solar panels.
3. The city staff does not believe that the intent of the existing zoning text regulation was to limit the applicant's ability to install solar panels on the property since the intent of this type of requirement is typically to provide visual and auidial screening for more traditional pieces of equipment such as generators and HVAC systems. The Planning Commission and city council meeting minutes from the rezoning hearings do not include any mention of solar panels or the intent of this regulation.
4. The zoning text was adopted in the early 2000s and since then the installation solar energy systems have become more common. The city code has not been updated to distinguish solar panels from all other rooftop and ground mounted mechanical equipment.
5. Approving the zoning text modification accomplishes one of the recommendations of the Engage New Albany Strategic Plan. The plan states that the city should promote the use of solar panels in the city and adjust regulations to appropriately permit them. Approving the application will allow solar panels to be installed on the property.
6. If approved, this new regulation will not negatively affect public health, safety, or general welfare.

VI. SUMMARY

Sustainability is one of the Four Pillars of the New Albany community and a long-standing planning principle that guides decision making. The Engage New Albany Strategic Plan highlights the importance of sustainability in the community and includes a recommendation that the city adjust regulations to allow solar panels and other energy efficient systems to be installed. Approving the proposed zoning text modification will accomplish that recommendation for this property, consistent with other properties in New Albany.

VII. ACTION

Suggested Motion for TM-47-2024:

Move to approve zoning text modification application TM-47-2024 (conditions of approval may be added):

Approximate site location:

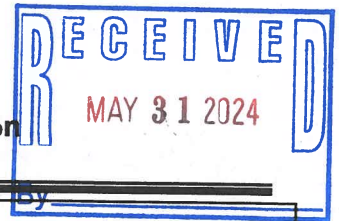


Source: NearMap

Permit # _____
 Board _____
 Mtg. Date _____



Community Development Planning Application



Project Information	Site Address <u>5101 Johnstown Rd, New Albany, OH 43054</u>																																																
	Parcel Numbers <u>222-001515-00</u>																																																
	Acres <u>8.45</u> # of lots created <u>1</u>																																																
Contacts	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Choose Application Type</th> <th colspan="3" style="text-align: left;">Circle all Details that Apply</th> </tr> <tr> <td><input type="checkbox"/> Appeal</td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Certificate of Appropriateness</td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Conditional Use</td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Development Plan</td> <td>Preliminary</td> <td>Final</td> <td>Comprehensive Amendment</td> </tr> <tr> <td><input type="checkbox"/> Plat</td> <td>Preliminary</td> <td>Final</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Lot Changes</td> <td>Combination</td> <td>Split</td> <td>Adjustment</td> </tr> <tr> <td><input type="checkbox"/> Minor Commercial Subdivision</td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Vacation</td> <td>Easement</td> <td>Street</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Variance</td> <td></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Extension Request</td> <td></td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Zoning</td> <td>Amendment (rezoning)</td> <td>Text Modification</td> <td></td> </tr> </table>	Choose Application Type	Circle all Details that Apply			<input type="checkbox"/> Appeal				<input type="checkbox"/> Certificate of Appropriateness				<input type="checkbox"/> Conditional Use				<input type="checkbox"/> Development Plan	Preliminary	Final	Comprehensive Amendment	<input type="checkbox"/> Plat	Preliminary	Final		<input type="checkbox"/> Lot Changes	Combination	Split	Adjustment	<input type="checkbox"/> Minor Commercial Subdivision				<input type="checkbox"/> Vacation	Easement	Street		<input type="checkbox"/> Variance				<input type="checkbox"/> Extension Request				<input checked="" type="checkbox"/> Zoning	Amendment (rezoning)	Text Modification	
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<input type="checkbox"/> Extension Request																																																	
<input checked="" type="checkbox"/> Zoning	Amendment (rezoning)	Text Modification																																															
Description of Request: <u>Establish an update to the site zoning text to allow for installation of professionally installed, roof mounted photovoltaic panels on the Property Class E, Exempt Property Owned by Churches, Plain Township-New Albany Corp</u>																																																	
Property Owner's Name: <u>Church Foundation of the Diocese of Southern Ohio</u> Address: <u>412 Sycamore St.</u> City, State, Zip: <u>Cincinnati, Ohio 45202</u> Phone number: _____ Fax: _____ Email: _____																																																	
Applicant's Name: <u>Hank Fresch representing All Saints Episcopal Church</u> Address: <u>51501 Johnstown Rd.</u> City, State, Zip: <u>New Albany, Ohio 45202</u> Phone number: <u>614-620-2243</u> Fax: <u>n/a</u> Email: <u>hdfresch@gmail.com</u>																																																	
Signature	Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, 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 true, correct and complete.																																																
	<table style="width: 100%;"> <tr> <td style="width: 30%;">Signature of Owner</td> <td style="width: 40%;"><u>Fr. Jason Prati, Rector, H.O.F.</u></td> <td style="width: 30%;">Date: <u>5/31/2024</u></td> </tr> <tr> <td>Signature of Applicant</td> <td><u>Henry D. Fresch</u></td> <td>Date: <u>5/31/2024</u></td> </tr> </table>	Signature of Owner	<u>Fr. Jason Prati, Rector, H.O.F.</u>	Date: <u>5/31/2024</u>	Signature of Applicant	<u>Henry D. Fresch</u>	Date: <u>5/31/2024</u>																																										
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DEVELOPMENT TEXT
ALL SAINTS EPISCOPAL CHURCH
MODIFIED: June 17, 2024

The All Saints Episcopal Church site is located west of Johnstown Road, south of Thompson Road. The site contains 9.79 ± acres, representing the combination of Tax Parcels 222-001515 and 222-000511.

I. Permitted Uses:

Community Facilities and the permitted uses contained in the Codified Ordinances of the Village of New Albany, CF Community Facilities District, Section 1151.02 excepting therefrom radio and television antennas, broadcast studios and health care facilities. Permitted uses shall include school, church, meeting facility, theater, parks, ball fields, play structures and other related facilities, facility parking, and over flow parking for Temple Beth Shalom .

II. Unit Types:

Buildings within this sub-area shall comply with the design guidelines of the development standards in this text.

III. Development Standards:

Unless otherwise specified in the submitted drawings or in this written text the development standards of Title Five of the Codified Ordinances of the Village of New Albany shall apply to this sub-area. 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 parcel's development. The development plan may vary based upon final site, architect and/or engineering design considerations.

IV. Density, Height, Lot and/or Setback Commitments:

1. The permitted maximum density within this sub-area shall not exceed the ratio of ± 15,000 gross square feet of building per net acre of site.
2. The building setback from Johnstown Road shall be 100 feet from proposed right-of-way. The building setback from Thompson Road shall be 100 feet from the proposed right-of-way. The setback for parking, loading and maneuvering areas shall be 80 feet from proposed right-of-way. If the applicant desires to reduce the setback it shall have the right to file a conditional use application and follow the procedure outline in Chapter 1115, Conditional Uses, of the Codified Ordinances of the Village of New Albany.

3. Setbacks for all other property boundaries shall be 15 feet for buildings and pavement.
4. The total lot coverage, which includes all areas of parking and building coverage, shall not exceed 80% of the total lot area.
5. The maximum building height shall not exceed 60 feet as defined by the Village of New Albany Building Standards. Such height limit shall not include church spires, bell towers or similar church related structures. All structures to include: churches, schools, and structures related to their support.

V. Access, Loading, Parking and/or Other Traffic Related Commitments:

1. All entry drives shall be coordinated with roadway improvements.
2. Road widths and right-of-ways:
 - a. Thompson Road right-of-way: 30 feet from road centerline
 - b. Drive aisles: 20 foot minimum
 - c. Service drives: 20 foot minimum
 - d. Johnstown Road right-of-way: 50 feet from road centerline
3. There shall be a future curb-cut along Thompson Road, which curb-cut shall be no closer than 15 feet to the property line along Thompson Road.
4. There are two existing curb-cuts on Johnstown Road, one shared by All Saints and Temple Beth Shalom, and one serving the existing residence and garage. Both will remain.
5. Shared parking shall be permitted as reviewed and approved by the Village of New Albany Planning Commission.

VI. Architectural Standards:

1. Community Facility Buildings:
 - a. Buildings shall be designed to be seen from 360 degrees. Building additions, whether attached or detached, shall be of similar design, materials, and construction, and shall be compatible with the materials of Temple Beth located adjacent to All Saints.
 - b. Architectural Style: Building designs shall be derived from traditional American styles including Georgian, Colonial, Federal, Classical Revival, and Barn Vernacular interpretations that reinforce a common historic architectural vocabulary.

- c. Architectural Massing: Particular attention shall be given to traditional massing of the elements, the roof forms, the floor to ceiling heights, the window arrangement, proportions and relationship of each part of the building to the whole, as well as, the general building symmetry.
- d. Exterior Materials:
 - 1. Exterior Wall Finishes: Brick, wood siding, and approved composition material are acceptable exterior wall finish materials. Exterior wall finish materials must be used to complete massing elements. The application of brick veneer to a single building façade is prohibited.
 - 2. Roofs: General roof massing shall incorporate pitched roofs. Flat roofs shall be permitted, but must integrate strong cornice lines. Acceptable roof materials include natural and synthetic slate, dimensional asphalt shingle, wood shingle, and standing seam metal.
 - 3. Windows: True-divided and/or simulated divided light windows with exterior muntins shall be required for all non-residential parcels. Stained glass and/or decorative church windows are also permitted. Window sizes and fenestration shall reinforce traditional examples and patterns.
 - 4. Building Additions: Whether attached or detached, shall be of similar or compatible design and materials.

2. General Architectural Requirements:

- a. Poured concrete exterior walls are prohibited.
- b. Pre-fabricated metal buildings are prohibited.

VII. Buffering, Landscaping, Open Space and/or Screening Commitments:

- 1. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows. All efforts shall be made to maintain the large trees along the stream corridor. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line. Applicant shall replace all deciduous trees removed. Any deciduous tree more than 3 inches in caliper that is removed

by applicant shall be replaced with another deciduous tree, size to be determined on a caliper/inch basis with the caliper being measured at 5 feet.

2. Street Trees: Deciduous street trees shall be placed along the Johnstown Road entry drive shared with Temple Beth Shalom and spaced at a minimum distance of 30 feet on center. The minimum size for street trees shall be 2 ½ inches in caliper. Trees shall not obstruct sight distance or signage, subject to staff approval.
3. Along property lines adjacent to existing residential land uses, within the 15 foot setback, a mixture of evergreen and deciduous trees shall be planted, as shown on the Development Plan.
4. Fences: Temporary Fences: Fences used as temporary barriers during construction around vegetation must be sturdy, at least 3 feet tall, and easy to maintain. All temporary fences must be removed prior to the issuance of a certificate of occupancy.
5. Interior Landscaping: Interior landscaping within parking areas (“Interior Landscaping”) shall conform to the following standards:
 - a. The required amount of interior landscaping area shall be a minimum of 8% 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 the large expanses of pavement and to provide landscaped walking paths between parking lots and buildings.
 - b. Up to 20,000 square feet: A minimum of one tree per 5,000 square feet of ground coverage and a total tree planting equal to 1 inch in tree trunk size for every 2,000 square feet of ground coverage.
 - c. Between 20,000 and 50,000 square feet: A minimum of 1 tree for every 5,000 square feet of ground coverage and a total tree planting equal to 10 inches plus ½ inch in tree trunk size for every 2,000 square feet over 20,000 feet in ground coverage.
 - d. Over 50,000 square feet: A minimum of 1 tree for every 5,000 square feet of ground coverage and a total tree planting equal to 25 inches plus ½ inch in tree trunk size for every 4,000 square feet over 50,000 square feet in ground coverage.
6. At least 50% of required tree plantings shall be integrated within parking or service areas. Existing trees of 2 ½ inch caliper which meet the intent of the interior landscape requirements may count towards that calculation. Maximum possible green space shall be provided to minimize extensive unbroken hard surface areas.

7. Landscaping islands are required within parking lots and shall be provided at a rate of 8 square feet of landscaped area per 100 square feet of vehicular use area in such a manner as to visually break up large expanses of pavement.
8. Minimum tree size shall be no less than 2 ½ caliper for street and/or shade trees and 1 inch caliper for ornamental trees.
9. If landscaping is used to screen service areas, 90% opacity is required for all non-servicing sides and must be protected from service vehicles. Screening shall be 1 inch above height of structure to be screened but not less than 7 inches above finished grade.
10. A landscape plan shall be submitted to the Village Planner for his review and approval before construction commences on any phase of the development.
11. A 50 foot greenspace buffer shall be maintained along the stream shown on the Development Plan.

VIII. Dumpsters, Lighting, Outdoor Display Areas and/or other Environmental Commitments:

1. Mechanical Equipment: Any external mechanical equipment shall be totally screened from all public roads and/or adjacent properties at ground level with materials that are similar to or the same as used on the majority of the building or, if screened by landscaping, providing that the same shall provide 100% opacity. This shall include any roof top equipment, satellite dishes (excluding communication devices), as well as ground mounted mechanical equipment. The screening of the mechanical equipment shall be coordinated with the rest of the architecture so as to avoid being seen as an “add-on”. These requirements do not apply to solar panels.
2. Service Area and Dumpsters: All service areas including loading docks, exterior storage of materials, supplies, equipment or products and trash containers shall be totally screened from all public roads and/or adjacent properties at ground level with walls or landscaping. Any walls shall be for the same or compatible materials used on the building and shall be complemented with landscaping.
3. Lighting:
 - a. All external parking lot lighting shall be cut-off type fixtures and down cast to reduce “spillage”. Maximum height of these lights shall be 28 feet.
 - b. Lights to match those in the existing Temple Beth lot shall be utilized. All fixtures shall be wall mounted or located on poles having a maximum height of 30 feet. Pedestrian lighting may be placed on shorter poles or on

bollards. Other light fixtures may be used subject to approval by the Village of New Albany Planning Commission.

- c. Ornamental or historical globe fixtures may be used along sidewalks and pedestrian areas.
- d. All light poles and standards shall be black or New Albany Green and constructed of metal.
- e. Parking lot lighting shall be of the same light source type and style. Buildings, pedestrian and landscape lighting may be incandescent or metal halide.
- f. Landscape uplighting from a concealed source shall be prohibited.
- g. No permanent colored lights or neon lights shall be used on the exterior of the building.
- h. Flood lighting of buildings or landscaping is prohibited, except in areas required for employee security.
- i. External building lighting shall be limited to wall mounted sconces. Building lighting shall be mounted on the first floor only. No uplighting or washing of the building shall be permitted.

IX. Graphics and Signage Commitments:

- 1. All signage shall conform to the standards set forth in Section 1169.08 of the Codified Ordinances of the Village of New Albany, unless otherwise stated below.
- 2. All ground-mounted signage shall be externally illuminated from a concealed source. Light shall not spill over the sign face.
- 3. Back lighting of individual letters on wall mounted signage shall be prohibited.
- 4. The development shall utilize standard Village of New Albany street, regulatory and directional signage. Entry and exit signs shall be limited to a maximum height of 3 feet and a maximum area of 3 square feet. Identification logo or name shall not be displayed on directional signage. Other light fixtures may be used subject to approval by the Village of New Albany Planning Commission.
- 5. General Signage Criteria:
 - a. Signs shall not obscure architectural features of the building.

- b. No sign shall be painted directly on the surface of the building, wall or fence. No wall murals shall be allowed.
- c. No roof signs or parapet signs shall be permitted nor shall a sign extend higher than the building.
- d. No flashing, traveling, animated or intermittently illuminated signs shall be used. Temporary interior window advertisements are prohibited.
- e. The following signs are not permitted as permanent signs: Banner or streamers, sidewalk of curb signs (sandwich of "A" type), portable displays or mobile signs, gas filled devices, roof mounted signs, revolving or rotating signs and neon signs. Outdoor display signs shall be prohibited except for special sales promotion events lasting not longer than one week.
- f. Signage shall be limited to a maximum of three colors.

X. Miscellaneous Commitments:

1. Utilities: All utility lines including water supply, sanitary water service, electricity, telephone and gas, and their connections or feeder line shall be placed underground. Meters, transformers, etc. may be placed above ground, but shall be clustered and screened from view. To the extent possible, utility line placement shall be sensitive to existing vegetation. All proposed utilities shall be placed underground. Utility easement location and width shall be determined at the preliminary development plan stage.
2. Pre-fabricated storage buildings are prohibited. The existing residence at 5125 Johnstown Road is planned to be removed, but the garage will remain for maintenance and mowing equipment storage.
3. Sport and Recreational Equipment: Basketball backboards and supports, swing sets and other children's play facilities shall be permitted, provided they are screened from adjoining properties.