



Council Minutes – Regular Meeting

December 6, 2022

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of December 6, 2022 at 6:30 p.m. at the New Albany Village Hall, 99 West Main Street, New Albany, Ohio. Staff attending were City Manager Joseph Stefanov, Law Director Benjamin Albrecht, Deputy Finance Director Drew Turner, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, Planning Manager Steve Mayer, Public Service Director Mike Barker, Planner II Chris Christian, City Traffic Engineer David Samuelson, Economic Development Specialist Sara Ziegler, Clerk of Council Jennifer Mason, Deputy Council Clerk Christina Madriguera, and Chief Communications and Marketing Officer Scott McAfee.

Mayor Spalding led the assemblage in the Pledge of Allegiance.

ROLL CALL:

The following Mayor/Council Members answered Roll Call:

Mayor Sloan Spalding	P
CM Marlene Brisk	A
CM Michael Durik	P
CM Chip Fellows	P
CM Kasey Kist	P
CM Matt Shull	P
CM Andrea Wilttrout	P

Mayor Spalding told council that Council Member Brisk was out due to a family matter. Mayor Spalding moved to excuse Council Member Brisk from the council meeting. Council Member Durik seconded and council voted with 6 yes votes to excuse Council Member Brisk from the meeting.

ACTION ON MINUTES:

Council adopted the November 15, 2022 regular meeting minutes by consensus.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE

ANNOUNCEMENT

Mayor Spalding announced that the city, expecting a crowd, contacted the Plain Township Fire Department. There was a procedure to follow if attendance exceeded the fire code. Mayor Spalding stated, if there was an emergency of fire, the exits were in the lobby and directly behind the council dais. Deputy Council Clerk Christina Madriguera was designated as the deputy fire marshal. She would be monitoring the situation and contact with the fire department, if needed. Police Chief Greg Jones was also present in case of emergency. There was additional space and a large TV livestreaming the meeting in the lobby. Clerk Mason added that there were also more agendas and reference materials

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in the lobby area. Deputy Clerk Madriguera was collecting speaker cards and would deliver them to the council dais.

Mayor Spalding reminded those present that there was a 3-minute rule for speakers. That rule was generally not needed - council wanted to give everyone a chance to give input, but Mayor Spalding encouraged speakers to reference, rather than repeat other's remarks, to allow others to speak, and to move into the lobby once they had spoken to give more space to those waiting to speak.

HEARING OF VISITORS:

Joel Topoloski, 6204 Calloway Square West in the Nottingham Trace community, stated the community had some safety and poor design issues that needed to be addressed. He'd tried speaking to people in the Planning and Building Department. The ADA ramps had been covered in mud for 3 years. The retention pond owned by the city per the parcel number – the walking paths were covered in goose poop. He sent an email to administration a week prior and had not received a response. He sent pictures of path and geese, along with the ADA ramps. When they cut for the curbs for the ADA ramps, they left a ½ inch riser. Supposedly, the final pavement would be flush. Mr. Topoloski had been there 3 years and tripped over one in the last week, scuffed his knee, broke glasses, and got a cut on his forehead. He was able to get up, but didn't think everyone in the 55+ community could.

Mr. Topoloski stated there were also issues with the speed limit on SR 605 south of Walnut Street. Trying to pull out onto SR 605 was dangerous. Heading south on SR 605 meant leaving New Albany and going into Plain Township. New Albany corporation limits didn't start until 500-600 feet south of Nottingham Trace. Mr. Topoloski talked to the township and was told they were not involved with the speed limits. The township fire departments and EMTs did deal with the intersection of Walnut Road and SR 605. He assumed the New Albany police were well aware that that intersection was an accident waiting to happen.

Mr. Topoloski spoke with the Franklin County Engineer's office about Schleppi Road south of Walnut. It was 55 mph because it was an unmarked county road. He was able to get the Franklin County Engineer to put up a sign just outside of the New Albany city limits saying there was a 25-mph speed limit ahead. Most of the speed limit signs in Nottingham Trace were covered by trees. They had twice put a street sign directly in front of the stop sign by his house. The design and engineering and the way the property has been serviced and taken care of was a disappointment. When he saw all the names on this community that they were talking about building – they were the same names. There was a code violation when his house was built because they put a 12-foot driveway entrance in front of a 16-foot garage door, and there was a 3rd garage door.

Mr. Topoloski had concerns with the safety, the builder, his HOA, the master builder HOA, and the City of New Albany. No one wanted to say, "oh, that's our problem." There was also the path between Calloway East and Calloway West the was closed by the city's Public Service Department over a year ago because of flooding. It was too dangerous to walk in. He invited any and all of council to walk around the neighborhood. He thought they would agree that there were issues and a lot of them had to do with safety.

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Mayor Spalding stated he had spent time in that neighborhood and the city had dealt with some of the complaints in the past. He would make sure that the city's zoning office reached out to Mr. Topoloski directly to try to resolve these issues.

Mr. Toloposki added that the east cross/west cross intersection should be a 4-way stop.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Council Member Shull reported that the PC heard 3 cases all on Hanbys Loop in the Ebrington subdivision. The PC denied a variance reconsideration request to allow a fence in drainage easement. The PC found that nothing had substantially changed and no new information was available that couldn't have been presented during the original application. The next 2 applications were nearly the same, involving fence and landscaping within a drainage easement, and both were denied based on code and precedent.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ARCHITECTURAL REVIEW BOARD: No meeting.

BOARD OF ZONING APPEALS: No meeting.

SUSTAINABILITY ADVISORY BOARD: No meeting.

IDEA IMPLEMENTATION PANEL: No meeting.

CEMETERY RESTORATION ADVISORY BOARD: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

CORRESPONDENCE AND COMMUNICATION:

Mayor Spalding acknowledged the many emails council received regarding the rezoning proposal on the agenda that night.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-40-2022

Mayor Spalding read by title AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 32.6+/- ACRES OF LAND GENERALLY LOCATED AT THE SOUTHWEST AND SOUTHEAST CORNERS OF NEW ALBANY CONDIT ROAD AND CENTRAL COLLEGE ROAD, FROM RESIDENTIAL ESTATE DISTRICT (R-1) TO INFILL PLANNED UNIT DEVELOPMENT (I-PUD) FOR AN AREA TO BE KNOWN AS THE "HAMLET AT SUGAR RUN ZONING DISTRICT" AS REQUESTED BY NONA MASTER DEVELOPMENT LLC; ATTN: YAROMIR STEINER AND BRYAN STONE C/O AARON UNDERHILL, ESQ.

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Clerk's note: staff's presentation is represented by the attached slides. The minutes reflect questions, discussion, and comments.

Planner II Chris Christian recalled the detailed staff presentation at the first reading. This presentation would cover the Planning Commission's (PC) conditions of approval, city traffic conditions of approval, and the strategic plan. He reviewed the attached slides with council.

Stephen Siegel asked and Planner Christian responded that the circle on the legend for the displayed map indicated the hamlet area designation. There was no particular reason that the legend icon was a circle versus a rectangle.

Aaron Underhill, attorney for applicant, 8000 Walton Parkway, presented the attached slides to council. He stated this hearing would be about whether the Hamlet at Sugar run should be or not be. He acknowledged strong opinions on both sides. The policy decision on whether a hamlet was the right decision for New Albany had already been addressed with the adoption of the Engage New Albany plan in 2021, and again with the adoption of the detailed Hamlet Area Focus plan. There were prerequisites for this type of development that set forth how such a project was important, in addition to whether it should be permitted. The proposed preliminary development plan met all 15 of the listed recommendations for a hamlet.

Mr. Underhill discussed how this type of development had been contemplated by the Rocky Fork Blacklick Accord (RFBA) in 1996, 2001, and 2003 with no changes. Recent times, market trends, growth in the area's population, and the major successes of the business park led the city go forward. The hamlet was recommended for 2 locations in the city and the market responded, validating the city's decision. The second hamlet was eliminated in the recent strategic plan revision. The recommendation on this site survived, signaling this city's continued endorsement. This time around, the applicant asked council to consider the history and the efforts made by the applicant to deliver what the updated strategic plan called for.

Mr. Underhill described the importance of the city's strategic plan as a baseline. The applicant realized this was new and substantial compliance with the specific requirements of the Hamlet Focus Area was the goal. Some criticized the similarity of this proposal with the proposal in the plan, but the applicant thought that was a positive trait.

Mr. Underhill noted the high level of public interest in this development and observed that no one shows up to a zoning hearing when they are happy. A significant number of community members were not present, thereby providing implicit support. Public participation had been a driving force of this project. His team had backed up their positions with verifiable data. The underlying elements of this proposal made it compliant with the city's standards. The Preliminary Development Plan and zoning text fulfilled the legal requirements. He provided the city a letter on how the requirements were met in detail.

Mr. Underhill stated the Preliminary Development Plan was neutral in student generation and had a sizable positive financial impact on the school district, annually over \$1.75 million. That was the financial equivalent of 3.75 Discover Card properties, without any need for an abatement. The applicant obtained actual school attendance on the date of the traffic study to counter the assertion that student attendance was down on the day after a 3-day weekend. The applicant obtained data from the New Albany Police Department that

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indicated a total of 7 accidents from December of 2021 to November of 2022 for intersection of Central College Road and SR 605, and none involved a serious injury. 7 was not a large number compared to the number of daily trips through that intersection. Crime data from the New Albany Police for several existing communities indicated that the proposed project would generate about 9 police reports per year at build-out. Homes worth \$650,000 to \$700,000 on average would not be a magnet for crime. Even with the flats, comparing this to Columbus projects ignored the significant price difference.

Council Member Fellows asked and Mr. Underhill anticipated that 50% of the flats would be rental and 50% would be owner-occupied.

Mr. Underhill stated real world data and professional analysis of traffic impacts, school, and crime were more credible than general assertions and unsubstantiated opinions. This project was being proposed by a developer with a reputation for excellence. It was their hope that the citizens at the meeting would become patrons of the restaurants, users of the parkland, and regard the project as an asset. When clearly defined expectations were met, there had to be a compelling reason to turn down a zoning application, and such a compelling reason did not exist here. He asked for council's support of the application.

Mayor Spalding asked and Justin Leyda, Steiner & Associates, answered that the residential townhomes were expected to be 2 bedrooms with a den and 2 ½ baths, approximately 1,800-2,300 square feet, and to sell for approximately \$650,000 to \$750,000. The residential single-family homes were expected to be 2 bedroom with a den, 2 ½ baths, approximately 1,800-2,600 square feet, and to sell in the \$700,000 to \$850,000 range. Flats were broken out into condos and rental units. Condos were expected to be 2 bedroom and 2- 2 ½ baths, approximately 1,500 square feet, and to sell for \$600,00-\$650,000.

Council Member Fellows asked and Mr. Leyda answered that they had contemplated 40 flats and the plan anticipate 20-ish of those to be condos. The rentals units were expected to be 1 to 2 bedrooms, approximately 800-1,100 square feet, and to rent for around \$1,900 to \$2,500 per month range - which was consistent with the Market & Main apartments and similar products in central Ohio. There would be about 20 rental units. The rental units were there to achieve appropriate massing along the civic green – so there wasn't always office above a retail user. Most rental units were 1 bedroom, with a few 2 bedrooms, consistent with the Market & Main mix, pricing structure, amenities, and quality.

Council Member Shull asked and Mr. Leyda answered that the anticipation was that the condo buildings would have a garage spot on the ground floor and that the rental units would have surface parking in the commercial area. The flats would be in both subareas 1 and 2, the transition zone.

Council Member Durik asked and Mr. Leyda responded, regarding subarea 5, the primary interest was in residential. There was interest in assisted living a year ago, but there was less interest now. Some earlier partners had pulled out. The greatest interest now was residential, whether single-family or attached. An attached product had the opportunity to be bigger, similar to the Keswick product. Council Member Fellows asked and Mr. Leyda answered that the bigger condo value would be in the \$700,000-\$850,000 range. The plan was showing roughly 25 condos. At the last hearing, they committed to cutting down the number of

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townhomes to 35. Mr. Underhill clarified that the zoning text previously had a maximum of 55 units and they had since committed to a maximum of 35.

Council Member Durik asked and Mr. Leyda expected the sequencing of the construction to start with the infrastructure, and then probably 30-35 units of residential in subarea 1 or 2, consistent with zoning. Mr. Leyda anticipated the initial commercial construction would happen along the north edge along the road. After which, they would build out civic green.

Council Member Fellows asked and Mr. Leyda replied that the treatment of the Sugar Run stream corridor would follow the Planning Commission (PC) recommendation to be left fairly native, not over-sculpted. They had committed to 180 feet of stream water protection area. They would remove invasive species, stabilize any stream bank issues, and allow native deciduous and other trees. They intended to connect subarea 5 with up to the civic green with 1 bridge. There would be a similar treatment of the stream on the east side of SR 605. There was a wider expanse on the east side. They didn't have their trail network connecting further east. Past plans showed a formal connection, but they picked up some hesitation and pulled it out. They were willing to work with the homeowner's association (HOA) of the abutting property to connect the Sugar Run corridor. Trail connections would be in the Final Development Plan (FDP).

Council Member Wiltrout asked and Mr. Leyda responded that, currently, they were projecting 5- to 6-foot-wide walking paths. There was a discussion of mulch versus non-mulch paths, and were trying to remain natural. The space was winding and narrower than some of the other pathways.

Council Member Shull asked and Mr. Leyda answered that the original zoning text allowed for 55 units in subarea 5, based on more compact townhome products. An initial Rocky Fork Blacklick Accord (RFBA) submission included 24 single-family units in subarea 5. There was concern with way they were fronting the units on the greenspace, so they modified the plan. They wanted to preserve the ability to put a smaller townhome product in subarea 5 and maintain a higher count. The higher count did not change the 188 overall count.

Council Member Fellows asked and Mr. Leyda replied that they provided the top range, 188 units, to the school to do the impact study. They also did a version which showed a higher concentration of attached products, like townhomes. A lower number of students were affiliated with attached or townhome products. They reran with the higher number with single-family to the south and illustrated that, also. Mr. Leyda confirmed that the school district did their own independent analysis.

Council Member Shull asked and Mr. Leyda confirmed, in subarea 5, that the homes would front the public road. There was an alleyway behind with the driveways and garages in that plan. The other homes would front the greenspace across from the CBG building. The vehicular entry would be from the alley and there would be sidewalk connections on the fronts of their properties. He anticipated a visitor would park in the alley and walk to the front of the unit.

Council Member Wiltrout asked and Mr. Leyda answered, based on the calculation that they ran, and the school and city ran, there was no net positive addition of students compared to the existing R-1 zoning. Mr.

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Underhill stated that they projected the development would add 28 students. The calculation used real world data from working with the school district. Under the existing zoning, if one used the .832 student per household generated from single-family homes today, that would yield 29 students.

Council Member Fellows asked and Mr. Underhill confirmed that the school used their own numbers when evaluating the development. The school provided data to city staff.

Council Member Shull asked if the school was looking at similar products to estimate student generation – flats at Market & Main, the Keswick and Richmond condominiums. Planning Manager Steve Mayer responded that applicant worked with schools' consultant to determine the student-per-household ratios. City staff worked with the school district directly to obtain its data based on the 2022 to 2023 school year. Staff's ratios were based on apartment, townhome, and single-family units only in New Albany. The city's data showed about .8 students for a traditional detached single-family home.

Council Member Fellows asked and Mr. Underhill replied that he understood the school district was staying neutral on development proposals. Mr. Underhill added that when the applicant made their first proposal, they got letter of support from New Albany Schools Superintendent Sawyers. The school's policy had since changed. Mayor Spalding noted that there was a clear indication that school district wanted to have a better understanding of the entire picture over the next 10-20 years. Until the school had a better comfort level with future development, they had to stay neutral on all development plans, despite considerable estimated revenue. Mayor Spalding noted the City of Dublin's Bridge Park project generated a large amount of revenue for the city's school district. Almost 800 units at Bridge Park generated only 20 students, 13 of whom were living somewhere else in the district.

Mr. Underhill guess that there were some students already living on the subject property now. Under the current zoning, developing \$600,000 to \$700,000 homes there would provide a large financial increase over the existing zoning. The values of the current homes were not a winner for the schools.

Council Member Kist reported that the school board was currently contracting a 3rd party to investigate New Albany Plain Local Schools (NAPLS) current growth plan – including evaluating current projects and parcels outside of New Albany in the NAPLS district. New Albany did a lot to purchase parkland and take it out of the bank of potential homes. Every project that came along, the city considered closely how it would impact the schools. Council Member Fellows stated that council knew how deeply New Albany residents cared about school impact. Council had children who had gone through or were going through the school system.

Council Member Kist asked and City Manager Stefanov answered that the applicant would be responsible for the turn-lane improvements on SR 605. Whether improvements were warranted would determine if the applicant was responsible for the improvements on Central College Road. If an intersection didn't currently meet the warrant criteria for a traffic control device, then the responsibility would fall on the city at some point in the future. Council Member Kist asked and City Manager Stefanov confirmed that everything the traffic study had recommended so far would be picked up by developer. Revenues generated by this project could be used to expand pedestrian infrastructure.

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Council Member Fellows stated, as a long-term resident of The Links, his goal would be to provide the safest routes possible for both pedestrian and vehicular traffic so the residents and children could get safely from north side to south side. If this proposal passed, he hoped the city would do everything possible to make the intersections, crosswalks, leisure paths as safe as possible, so that residents could have some sense of security. The city had put a lot of time, energy, and effort to ensure that that area was very safe for both pedestrians and vehicles.

Mayor Spalding noted council received a number of emails from the public with thoughtful comments. Themes developed from the emails and conversations. Whether this project passed or not, development was coming to the city. Traffic was not going to get lighter at Central College and SR 605. The City of Columbus was right next door. Mayor Spalding asked the city manager to work with staff and help council form a subcommittee to work through 3 main issues: traffic management throughout the entire site, pedestrian and bike safety, and leisure trail extensions. Playground equipment in some communities, which were generally paid for with HOA fees, - the city had done a lot of work over the last couple of years to take on some of these pocket parks. Council could expand that conversation to see if it made sense and upgrade some facilities and make improvements to the pedestrian crossways and bridges. This would be a multi-faceted conversation. Council Member Kist asked and Mayor Spalding responded that this group would look at the city in general, trying to look ahead, and put forward proposals.

Council Member Fellows observed, when he was first appointed to council, there was no connection between downtown New Albany to north New Albany. It took 5 years and 5 different projects to allow the city to build a leisure trail all the way out to The Links, and now extending down Central College Road. Neighbors and friends wanted easy access to get downtown. Safety was always a concern and was even more of a concern for him now. The city had to ensure, as this area got built out, that it had the best possible safety measures in.

Council Member Kist stated that, at the last hearing, he'd touched on the possibility of a tunnel under SR 605. City staff priced out a tunnel at \$2-\$3 million. He lived ¼ mile from the Market & Main apartments. They weren't there when he moved in. He experienced the same consternation and concerns that residents did now. Fortunately, that project turned out well and he was grateful for the amenities it provided. He would push for a roundabout at Central College Road and SR 605, if he thought that was a safer, but he had his kids avoid the roundabout and go to a signalized crossing to go to school. So, at this point, he didn't think a roundabout was the right answer.

Council Member Kist asked and City Manager Stefanov responded that speed limits were established by specific criteria in the Uniform Manual of Traffic Control Devices. The city could do a speed study next week, but may not get favorable numbers. As construction began and the road configuration changed, that could work in city's favor to lower the speed limit. The city could do multiple analyses in a year.

Council Member Wilttrout noted many residents wrote emails about their distrust of the traffic study and their issues with it. This seemed like a fixable problem. If city could do its own study before the FDP – Council Member Fellows stated that would give a level of confidence to residents that they could trust and

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which had been re-verified, layering in another level of confidence. City Manager Stefanov noted that would be different than a speed limit or traffic signal warrant analysis. Council Member Shull stated the study could be done over multiple days with all school drop-off and pick-up times. Mayor Spalding told City Manager Stefanov that, whatever it took to lower the speed limit, the city should endeavor to do that. City Manager Stefanov suggested doing another baseline speed limit test when school was back in session based on the traffic volumes at that time. The city could go back later periodically.

Council Member Durik asked and Mr. Leyda answered that the project's current ratio was about 1 dwelling unit per 250 square feet of commercial space. They were projecting between 42,000-47,000 square feet of commercial space. About 40-50% was projected to be small scale professional office. They were also getting interest from co-working organizations that were looking for miniaturized mixed-use environments. A little over 20,000 square feet would be maybe 3-4 restaurants, small retail shops, and they already had interest from financial institutions.

Council Member Fellows understood a good way to envision this size was the Heit Center which was 50,000 square feet of space. This development would bring in about 47,000 square feet of commercial space. Mr. Leyda stated they had received cold calls from office users interested how quickly they could deliver 15,000 or 5,000 square feet

Council Member Fellows asked and City Manager Stefanov confirmed that requests from business owners for more commercial space for small businesses was regular occurrence. He had a call the week prior for a business looking for a 3,000 square foot space and having a hard time finding it. Over several years, the city had had a number of businesses graduate from the city's incubator and having to leave the city. Mr. Leyda said 2,000 to 8,000 square foot tenants' small businesses were their sweet spot. Those businesses like having amenities like retail, restaurant, and access to public spaces

Council Member Shull asked and Mr. Leyda answered that if they put 35 units in subarea 5, they could explore reducing the number in subarea 3 and put more greenspace in subarea 4b. Council Member Shull thought that might be a better place for greenspace and connectivity.

Mayor Spalding opened the Public Hearing.

Patrick Spangler, 5481 Steele Court, stated he was the first resident at The Enclave. He asked and Mr. Underhill answered that all of the residences would be for sale in subarea 3, north of The Enclave. Mr. Spangler asked how bright would the lights be. Feazel Roofing was bright. He was not seeing any playgrounds in the project. People would wander over and use his subdivision's playgrounds. He asked that council keep in mind that there would be no bus stops for high schoolers, they had to walk. Mr. Spangler rode his bike with his son every day. He would rather have neighbors than a bar. He was against the bar. He had looked at Steiner & Associates' past products and was more for this project. Development was coming. He'd rather have some input on what would be going in there. So long as restaurants were on the far side, he was for it.

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Council Member Kist asked and Planner Christian answered that staff would receive a photometric plan as part of the FDP process which showed the candlefoot intensity of the property line. Council felt confident that PC Chair Kirby would be vigilant about light pollution. Mayor Spalding noted the standard was how much light left the facility. New Albany was supportive of downcast lighting. The street lights in the City of Columbus section were bright.

Steve Siegel, 7190 Sumption Drive, asked about the vision for the project - they were just hearing “mixed use.” The market was going to dictate what that was, but if they were talking about restaurants, that was a vague category. He wanted more description of what the town center would look like. He didn’t want a food truck park at Central College and SR 605. What was the commercial going to be? He asked for examples that could be achieved based on that location. He thought it was a terrible location for restaurants like Hudson 29 or Rusty Bucket.

Mayor Spalding noted that everyone could expect more details in the FDP. This was a zoning hearing.

Mr. Underhill responded that they felt this would be the hub of the community. He didn’t expect all day - every day food trucks. They intended to hold events here, maybe festivals, markets, etc. to help activate everything. Steiner & Associates had a lot of experience in this field.

Mr. Leyda stated this was different than the Village Center which was more civic – where city hall, the library, and the school were. They were going to serve the neighborhoods and business park. Steiner & Associates were good at curating a retail mix - which they did in each section of Easton. They worked on multiple OSU multiple campuses and the Scioto peninsula. Leasing was not easy. One had to find good operators. They were looking at working with well-known local operators who had expressed interest. That area of New Albany was a good location. It would trend local, trend restaurant, but there would be a few folks along the street that might have a more vehicular orientation. The civic green would be curated by the Steiner team.

Council Member Wiltrout asked and Mr. Leyda responded, if restaurant pulled out, they were willing to leave a strategic vacancy to ensure the right tenant. The retail and restaurant spaces were an amenity which helped drive the prices on the residential. Retail centers brought more office tenants, more professionals, or more residents who were willing to pay a higher number. Buyers were looking for these environments specifically and were willing to pay for those in close walking distance.

Council Member Kist asked and Mr. Leyda answered that they may be willing to subsidize to get tenants. It wasn’t uncommon. Rents were dictated by volumes. It was important to find the best doing the best volumes to recapture the rent. It was a strategic decision.

Mr. Siegel felt like these were visions of grandeur. He expected what was really going to happen would be way different. He listed the Hamilton corridor retail and traffic generators and SR 161 with all that traffic, plus Hamilton Road improvements. He listed restaurants, gas stations, and the many shops that offered coffee or SR 62. Mr. Siegel thought the city should eliminate the drive-thru completely.

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Mr. Siegel quoted the Engage New Albany strategic plan regarding timing – the hamlet should not compete with Village Center in density or the provision of amenities. The Village Center as outlined had not been fulfilled and remained the priority for the city. It had taken 30 years to get the town center to where it was today and now we're talking about 2nd town center, in a location that didn't make sense from a retail standpoint, and competing with our own town center. If we're going to do this – if council had to vote this because they might get sued – the city had to put some restriction on what they were allowed to do to protect the town center. Mr. Siegel listed existing businesses and suggested not allowing ice cream stores, coffee shops, drive-thrus, pharmacies, financial institutions, upscale American restaurants and bars, or a competitor serving smoothies, salads, and bowls, and pizza. He stated the list went on and on. The city was violating the strategic plan by promoting this development. He suggested a motion to table this until the city studied the right location using independent consultants to determine where it made sense. These locations hadn't really been vetted. They city was reacting. Mayor Spalding and Mr. Siegel disagreed about Mr. Siegel finishing his remarks.

Mr. Siegal stated there were a lot of things in zoning text to be reviewed including ghost kitchens and special event centers. He wasn't sure why they were in the text. Special event venues were a traffic nightmare. The city was rushing, not doing careful strategic planning. We needed to take a pause, step back, evaluate criteria, evaluate the location. He was in favor of the hamlet in the appropriate location. He believed in development. It should be in right location and with the right criteria.

Mayor Spalding noted the property owner that owned all of the Village Center land didn't feel that this was a competition and was moving forward with its plans. The pandemic had slowed down the pace of work. There would be road networks and parking structures to get ahead of the development before it arrived. The land behind CVS would be developed. There would be many opportunities because of the density and retail in the center of town.

Shelley Huffman, 5430 Snider Loop, stated she had been a resident since 1998. She described the 3-bell start for NAPLS due to lack of bus drivers and the danger of crossing the SR 161 bridge. 2 kids from The Enclave had been hit by cars just outside the neighborhood. How would the school manage more bus stops and traffic? She listed the developers' numbers for students generated and square footage of flats, estimating that the flats would produce 5.96 students. The average rental unit in Santa Clara, California, where Intel was currently headquartered, was \$2,300 with in an average of 891 square feet and rental density of 2.97 persons per unit. If 2/3rds of the 40 flat units had kids, that alone would be 2 students shy of the 28 student estimate. Each New Albany student costed around \$11,520. If council was voting yes, they should add a clause stating that any student over the estimate, the developer would pay a student impact fee of \$11,520 per student per year. That money could be put towards area improvements, like a safer SR 161 bridge. The developer stated they were encouraging residential development that was not negatively impacting the NAPLS. If that was no longer true and those were the grounds on which residents voted council into office, then shame on us for voting for you. This would negatively impact the NAPLS. She described the planning of student-to-teacher ratio when the school was built and current classroom sizes. She questioned whether another school building should be built now, before adding high-density development.

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Ms. Huffman stated that adding 3 enter/exit points on SR 605 and Central College Road would add 200 yards of intersection. She asked if a roundabout was looked at for that intersection and to have the development solely use that - with the roundabout as a turn-around. It would help traffic flow, cut out the need for turn-lanes, and potentially reduce high-speed accidents. She asked if any other New Albany residential development that had to exit onto a 4-lane road. The developer took risks when they bought this land zoned as residential. Ms. Huffman questioned whether the developer had met the requirement for land-parkland density ratio. When the general hamlet standards were set, did they take into consideration that, of 32.6 acres, 5.8 acres or 18% was undevelopable land? Subarea 4 contained the stream corridor protection zone, meaning this area could never be developed. That meant that only 7% of the remaining developable land was actually parkland. Ms. Huffman thought council knew what the voices of New Albany were saying.

Doug Burnip, 6969 Doran Drive, stated he was a former co-chair Rocky Fork Blacklick Accord (RFBA) for 18 to 19 years. He noted that the hamlet idea was included in 1996, he thought there was a plan for 2 or 3 at the time. It was now down to 1. What he thought a hamlet should be was not able to be put in this spot. He thought the city was shoe-horning this in, and it couldn't be as diverse as it needed. There had been adjustments made to the plan over the years. He read that a large portion of residents who participated in Engage New Albany plan lived south of SR 161. Those most directly impacted by this hamlet, were not included. He asked and Mayor Spalding answered that city council updated the Engage New Albany Hamlet Area Focus plan to reduce the density, increase the commercial space, increase the park space, and eliminate the other hamlet - in reaction to the many who spoke. There was no subcommittee, just staff acting at the direction of council based on feedback from the first time this project went through.

Mr. Burnip understood that the hamlet would have age-in-place aspect. That may have been eliminated completely. He read that multi-family residential was only approved by 3% and mixed use by 1%. This hamlet was going against the grain. Mr. Burnip asked what other locations and acreage size that they looked at. Mr. Leyda answered that the original Engage New Albany plan identified this location. He understood the area was partly selected because of surrounding uses. The hamlet was the best option to weave all those uses together. They had studied 4 to 5 of this product type generally in the 30-acre range. This was different than a town center concept. Mr. Burnip thought this site should have a different future use and be tied in with the Discover site. The city should develop the Market Square further. Mr. Burnip urged council not to approve this request.

Caroline Solt, 5430 Snider Loop, stated she appreciated council confirming its support for maintaining The Enclave playground and walking bridge. As an Enclave HOA trustee member, she was concerned about the playgrounds state and threat of overuse if the project was passed. She recommended pushing the applicant to plan a traditional playground in their plan.

Ms. Solt described the current problems with turning left out of The Enclave and the number of young children residing there. The 2022 traffic study was done from 7-9 am. Pre-K to Kindergarten started at 9:20 and Grades 1-3 started at 9:15 am., meaning that a majority of The Enclave's peak traffic wasn't captured. She felt strongly that this hamlet would impact traffic and warrant significant infrastructure updates, in

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addition to speed limit reduction. She was not against a hamlet and understood change was coming. She wanted the same amount of thought and strategy as had been done in New Albany for years.

Mr. Underhill stated that a PUD was an iterative process. This was a relatively large piece of land with a lot of different things going on. If the residents stated they wanted a playground, he felt they could do it. It was counter-intuitive, however, that they didn't want school-age children. These were all things to be weighed. Council Member Fellows stated this would be a place for the community to gather and it would be nice to have some type of commitment that there would be a playground at that site.

Mr. Leyda stated, in 18 years, Steiner & Associates had never done a project with an exterior playground. They designed their public spaces to attract families – like train sets, fountains, and a park with swings and a stage. They could explore a playground. Council Member Wiltrout pointed to the splash pad at Easton. She thought it would be nice to have a commitment to explore something fun. Council Member Kist understood the hamlet would be destination with amenities similar to Rose Run Park. Kids could stop there on their way to/from school. Council Member Fellows stated that there had to be an amenity to families north of 161. Mr. Underhill responded that was understood. Engaging with the community and having active components was important. All through this process, they had met with members of the neighborhoods. They wanted to sit down with the HOA and understand what they wanted to see. Any council member could participate. Council Member Fellows stated, if this passed, he would be happy to help organize and participate.

Courtney Bloech, 6856 Harper Lane in Wentworth Crossing, a large portion of council's job was to respond to residents' needs and complaints. Even if council didn't agree with a majority, it was still council's job to represent residents. The majority did not want a hamlet in New Albany and not at SR 605 and Central College Road. They wanted to see those 32 acres developed as R-1 single-family residential. The layout of the hamlet did not welcome the city's residents into the commercial space, but instead appeared to be set up to just serve the hamlet residents. The PC members challenged the developer to change that design to make it more accessible to the current community. She still didn't see those recommendations implemented and she didn't expect to see them later.

Ms. Bloech stated the hamlet was detrimental and the standards needed to be further developed by impartial professionals. They needed more specific definitions, including park space versus open space and the defined purpose of the civic green. She asked if these answers were in the text.

Council Member Shull responded that after rezoning, there would be more detail in the FDP. Questions helped everyone understand what the project would possibly look like, so the text had some things, but the plan would get more specific in FDP. Ms. Bloech clarified that the hamlet standards weren't specific enough.

City Manager Stefanov stated city staff took a lot of time to discuss open space and park space. Planning Manager Steve Mayer described how the usual residential subdivision had a 20% open space requirement which was typically a passive landscaped area at the edge of roadways. For each home, the developer had to provide 2,400 square feet of parkland, which is where playgrounds or other park amenities were placed. City code development hamlet standards required a minimum of 25% parkland and open space and

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provided flexibility given the mixed-use nature of a hamlet. The applicant had listed the general amenities and shown where they would be in the subareas. The rezoning process set the parkland and open space criteria. City code had a technical assessment which the Parks and Trails Advisory Board (PTAB) used to determine if the proposal for parkland and/or open space was appropriate. The PTAB made recommendations to the PC, and the PC evaluated the proposal before the FDP approval. All of those meetings were open to the public to provide input.

Director Chrysler observed that city code guided the technical assessments. If there was a deviation, the developer had to ask for variance to the code, which went to a public body for formal approval.

Ms. Bloech stated this was the first time council had created hamlet standards. It was a good start, but nowhere close to being complete. The standards in the strategic plan were based on community input and sound planning principles designed to improve quality of life. Council owed it to residents to be meticulous in defining the hamlet standards. Standards were not designed around the developer's vision.

Ms. Bloech stated the traffic study should be redone by an independent 3rd party traffic engineer not affiliated with Steiner & Associates. The city's traffic engineer agreed with the traffic study which stated the proposal would increase traffic by 1,000 cars a day. However, the engineer also said that the traffic at Discover would disperse on to New Albany Road East and then onto to SR 161. This was wrong. Those cars would disperse onto Central College Road East to SR 62 and then SR 161, because traffic on SR 161 was already a parking lot. Commuters had been using Central College Road East as a bypass, and there weren't employees occupying the Discover building or Intel. The traffic engineer said the only development providing more cars on the road than a call center was a shopping center. Immediately prior to that statement, Steiner & Associates said that the hamlet was designed after Easton Town Center., the largest shopping center in Columbus, Ohio.

Ms. Bloech stated the proposed commercial space was comparable to the nearby LC community. The LC commercial space had sat predominantly empty for years. If the proposed commercial space would thrive because it would be supported by Intel employees, then a new traffic study would need to be done adding in Intel's 3,000 employees. If that was not true, then it would sit empty like the LC. The developer wanted to build a shopping center across from call center. A new traffic study was imperative to this hamlet.

Ms. Bloech stated that council asked the engineer to design a tunnel under SR 605 to keep citizens safe, especially students biking past the homes to and from school. The developer stated that this request would make the hamlet not economically viable. After discussion of adding a roundabout at SR 605 and Central College, the developer stated they would leave space in for the roundabout by removing greenspace already guaranteed to the city. When asked to keep the existing amount of greenspace, the developer said that would not be economically viable. The developer's inability to redesign the infrastructure to protect the resident's safety, welcoming the community in – rendered it not economically viable. The proposed hamlet didn't work for the city or the developer. The city had considered the land owner's request for rezoning at several meetings over the past 18 months. The property owner failed repeatedly to create a hamlet that offered pedestrian and bike-friendly amenities, community connectivity, park and open space, and safe infrastructure for current students and families. The city hadn't shown consideration for the land owners

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standing before them. The community should not have to endure a reduced quality of life so 1 developer could make a bunch of money. She asked council to represent the majority of people who elected them by voting no.

Council Member Shull asked and Development Director Chrysler confirmed that the traffic study numbers included Discover at full capacity. As a requirement to the zoning, the developer had to complete a traffic study which was done by Carpenter Marty Transportation. On every rezoning application, staff sent the private sector study to the city's traffic engineer to validate it. The city's engineer looked at the assumptions, findings, and methodology. In this case, the traffic study didn't include the Discover at full capacity. The city's engineer, David Samuelson, requested a redo to include Discover at call center numbers. Mr. Samuelson also made recommendations for the left-turn lane and widening on SR 605 from Central College to the limits of the project. The PC determined whether they wanted to approve the project including Mr. Samuelson's recommendations.

Director Chrysler stated the city looked at that timing of the traffic study independently and determined that it didn't invalidate the study's numbers. The city was making recommendations which were not part of the developer's study, but were needed based on the city's analysis.

Ms. Bloech stated her bigger point was, at the end of the day, the study wasn't conclusive enough. It did not include traffic from Intel to support the commercial development. If we didn't have the commercial, we didn't have this hamlet. We were working around the developer's vision rather than making them fit our vision.

Sarah Feasel, 7445 Farmington Close, stated that her reasons were from someone who didn't live close. The hamlet standards should be in a final place before rezoning. Residents were accustomed to thoughtful development. What happened to this land mattered to everyone in New Albany. Continued degradation of the city's precise standards should not continue. At the last school board meeting, Superintendent Sawyers indicated there would be a density study concluding in spring of 2023. School density had been a consistent concern. People were trying to get into school district at whatever cost. Ms. Feasel gave examples of families with children living in townhouses. Intel employees were used to living in those types of communities. Did council really understand those demographics? 28 students was an undershot. She and her husband moved to New Albany from a tech-heavy area. The city needed to pause development until we had a solution to the school ratio problems. People unable to wait for the school to deal with the issue were leaving the school, tired of extreme ratios and kids not getting attention. She was clear that council was not the school board, but council needed to understand their role in approving new developments.

Ms. Feasel stated safety was a problem at the SR 605 and Central College Road intersection. She and her husband used that intersection twice daily. They had witnessed 4 crashes at that intersection in normal conditions. She knew someone personally hit by a car on Central College Road and was in the ICU. No publication of this was seen anywhere. Speed and visibility were problems and, until an independent study was done, she didn't think any of council would put their children or grandchildren on bikes to go to school. She appreciated the underpass tunnel by her home. She implored that \$3 million might be worth it for safety. New Albany was beautiful and mostly safe. She worked hard to keep her family here and asked

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council to pause approval until the hamlet standards were complete, the schools published their newly commissioned density study, and an independent traffic study was completed.

Char Steelman, 6840 Cedarbrook Glen, stated she'd been a resident for 21 years. She had served on the PTAB and loved her community. She gave kudos to city, staff, and developer for redefining and changing the density. She was still against the development. She wanted council to consider the common theme in the feedback. For her, the common theme was density. She was opposed to any rental unit in that location. This was a residential area, owner-occupied, R-1 as it stood now. She agreed that development was coming and thanked council for wanting to put together a subcommittee to address this. Walton Parkway and Smiths Mill Road were examples of good planning. They were in a long time before the businesses were there. Council may not think this was a busy area, but people who through that area all the time knew it was busy.

Ms. Steelman was hearing that it was in the strategic plan, so it had to happen. She didn't care if had been in there in 1996. A strategic plan was a guide for how the city operated and developed. The information came from the residents. 10% of the population gave input into the Engage New Albany plan and, of that, 12 people thought multi-use was a good idea. Just because other residents were not present, that did not give the nod to this development. Those who lived south of SR 161, they didn't know about this.

Ms. Steelman stated she was a retired employee from the Metro Parks and understood serving the public, what it meant to ask for public input, and how to use taxpayer dollars wisely. She reminded council and city staff that they worked for the residents. Those elected were elected by those in this room. Represent us and not the developers. The whole project is controversial because residents were opposed the location. It was an experiment. Some say innovative. With new concepts came fear. It was untested. She didn't want it tested near where she lived.

Ms. Steelman quoted a staff member during a city tour who stated that 1 of the planning goals of New Albany was to maintain the rural component. That goal was not being met at this location with high density.

Mayor Spalding called on speaker Joel Topoloski who did not respond and appeared to no longer be present.

Alex Lowery, 7377 Dean Farm Road, asked why the plan had not been updated since the last meeting. How could there be a vote without an updated drawing? He understood there had to be a turning lane, but the drawings didn't show that. Why was the second hamlet removed from the city's plans? Mayor Spalding replied that council received feedback that mixed-use weren't something people were interested in. As a result, council removed 1 hamlet and carefully reduced the density of the second hamlet where a land owner had already made purchase in furtherance of that plan. Council Member Kist added that he understood the 2 areas identified were potential hamlet sites. When this one was chosen, the other was eliminated.

Mr. Lowrey assumed the definition of parkland was governed by state law. Did the 25% of parkland contained parking lots? Manager Mayer responded that parkland was defined by city code and did not include parking lots.

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Ms. Lowery had heard there was a threat of litigation of council members. If council members were concerned that their position on city council would result in them being sued, he recommended they resign. This project didn't pass the smell test throughout the development process. He thought the number of people who were in favor of mixed-use was 2, not 12. He noted 7 references in the Engage New Albany plan about a hamlet, including a reference to the Insight 2050 plan. The developer was the executive chair of the Insight 2050 committee. The developer served on the steering committee of the Engage New Albany strategic plan. The developer recused themselves from the committee only 30 days before the company filed an application to develop the land at Central College and SR 605. The developer began buying land in May of 2021 at the same time the application was submitted. During the zoning board meeting, the developer's legal counsel said yes, the project could be done with houses. When asked about the tax impact, Mr. Lowery believed the legal counsel said houses would be +\$200,000 or +\$300,000 less than what the development with commercial would be. Mr. Lowery stated, if it could be houses, make it houses. 18 months ago, this wasn't going to happen. This would have been \$1.5 million-dollar houses and sold in a heartbeat. He thanked council and staff.

Lisa Messner, 6726 New Albany Road East in The Links, stated she had resided in New Albany for 20 years with her husband and 2 sons. The sons were in 5th and 7th grades. She was a partner in a law firm located across from the Discover building. She was involved in and committed to the community. She had serious concerns about the traffic on SR 605 and Central College Road. She expressed concern about the reliability of the traffic study and appreciated that council was considering an independent study. She urged conditioning any kind of approval on the independent study or to delay approval until it was completed. She was not an engineer, but from common sense driving down SR 605 multiple times a day taking her kids to sports and activities, she had seen the traffic. It terrified her to think about her son driving to his sporting events when traffic was increased. She understood more people would talk about this.

Ms. Messner was concerned about crime and could see an uptick. Living in The Links, you couldn't park your car outside for more than 2 days, people would break in. She asked council to consider whether city's police department had the capacity to handle the increased density. She understood there were undertones and things going on that weren't obvious to the citizens. She wanted council to remember that it represented the citizens, to hear citizen's valid concerns and opposition, to put in more thought, and to represent the citizens above the needs of the developer.

Matt McFadden 7073 Maynard Place East, presented the attached slides. Council had heard, for over a year, that residents had been vocal, passionate, and consistent that this proposal didn't make sense at this location. The #1 reason was density. 12-1, 6-1, he didn't care, it was too much. It added up to 195 residential units, plus commercial, on a 32.5 acre site, with increased traffic, congestion, and risk of accidents. Residents had said that townhomes and apartments saw more crime than single-family home areas. Townhomes, flats, and commercial properties would look similar to The LC. That was the concern, not the renters. He believed this did not align with the Engage New Albany plan, specifically on pages 35 and 42 with the survey results and the desired future land uses. Increased traffic would lead to increased risk for accidents.

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Mayor Spalding asked and Mr. McFadden answered that the 210 new trips in the am peak hour, and 233 trips in the afternoon commuter peak hour, equaled 450 total trips per day in just those 2 peak hours.

Mr. McFadden reviewed his slides on traffic and crime, his sources, and his searched area and time frame. Adding 450 peak hour trips to this area didn't make these numbers go down. Per LexisNexis, every icon was a reported crime that made it into this database. Over 3 years, there was almost no crime in the New Albany area. Housing or development that looked too similar to The LC, which was where most of the crime icons were, was starting to bleed east. The scarcity of data points between where New Albany started and SR 62 was a credit to staff. He wanted to keep it that way.

Council Member Shull asked and Mr. McFadden answered that the icons were actual reported crimes. This didn't represent all crime, only reported crimes that made it into the database. Mayor Spalding asked and Mr. McFadden answered that LexisNexis' map could be zoomed out to see a larger area. He didn't go further down into New Albany. Mayor Spalding noted that the New Albany Police Department ran statistics also which showed more crime in the city limits than Mr. Lowery's map. Mr. Lowery described the link on the City of Columbus' website which took one to the Lexis-Nexis interactive map. That map factored in the county sheriff. Police Chief Greg Jones stated he hadn't compared LexisNexis' map to see how it compared to the department's statistics. Mr. Lowery stated that no matter how one zoomed in or out, if the statistic was selected, it was all there.

Council Member Wilttrout asked why this development, which she thought looked like Market & Main and Keswick would attract crime – which was being stopped in New Albany by its police force. Mr. McFadden stated he viewed it - as responsible homeowners – was not how he thought a criminal might view it. This was why there was a concern about crime. On the map, he saw a difference between mixed-use facilities and single-family housing.

Council Member Kist didn't believe the map captured all of New Albany crime. He could see his house on the map and there was no icon showing his truck was stolen in the last 2 years. Mr. McFadden stated he didn't think it was capturing all of the crime. If it was understating New Albany crime, he assumed it was understating Columbus crime.

Mr. McFadden stated he wanted to keep the sense of community. Efforts should be focused on traffic. The development could only exacerbate traffic and didn't fit with plan or site. Somewhere around 15 to 30 times more people wanted single-family housing. What they wanted was not mixed use in their neighborhood.

Council Member Shull referenced the slide with the Engage New Albany survey results. The first half of people wanted dining and retail. Parkland and open space was second. Would this development not also achieve that? Mr. McFadden responded it might achieve it in a check-the-box fashion, but he was concerned about how it achieved it. He didn't consider a 180-foot unusable flood plan treatment to be the type of park space he envisioned. He envisioned Taylor Farm. Sugar Run creek was not the most usable space.

Council Member Wilttrout asked and Mr. Fadden answered that it was always acceptable to consider new uses of land, but it had to be where it made the most sense. If the city was expanding rapidly east of SR 62

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due to Intel, Google, and Facebook - he would consider land uses closer to that development. If those businesses were what made mixed-use viable, put it out by Intel. Let them live where they worked. At this site, he hoped for a neighborhood connected to the school, zoned R-1, 35 single-family homes. The developer got a profitable development. The residents and school won with less density. Council won for navigating the process. He requested a no vote to the zoning change.

Nancy Alexander, 7347 New Albany Links Drive, stated she was there to speak out against the development. She had taken time to understand the impact of the proposed development. Reviewing the various iterations of the hamlet plan, the strategic plan, the Engage New Albany survey results, the traffic studies, the school impact studies, and the crime rates – there were so many concerns. Residents had spoken of major traffic issues, population density, and school impact. She wouldn't reiterate as they had already been addressed. It shouldn't be the citizen's responsibility to spend time researching and justifying their concerns. She understood development was coming, it was already happening – new pocket neighborhoods, grocery stores, gas stations, and car washes. The residents weren't opposed to development. Council was seeing the community taking time out of their busy lives to understand what was being proposed and attending many meetings to voice their objections to a development that didn't make sense. It didn't benefit New Albany residents and would likely cause countless future issues that would eventually be tax payers' responsibility to fix – issues which should have been addressed by the developer beforehand. They wanted to city to continue to grow steadily and responsibly without putting strains on city resources. It was council's responsibility to listen, hear, and speak for residents. Before council voted, she asked that they please look at everyone who had taken time away from families, written emails, and met in person. Vote no. Vote with your people.

Mayor Spalding called for a break.

Clerk's note: the meeting took a break at 9:30 pm and resumed at 9:43 pm.

Kelly Simpson, 6850 Wardell Loop, stated she'd been resident since 1997. Traffic and crime were her biggest concerns. This development had been talked about as 188 homes, 500 additional car rides, and 28 students. She felt the presentation was isolated on this development alone. She appreciated Mr. McFadden's slides with a broader view. Regarding traffic, the 188 homes would generate more trips for delivery companies, home services, utility service calls, cleaning services, lawn companies, parents driving students around, dry cleaning, and garbage trucks. She didn't know how that was factored in. Her career centered around call center work for many years. Call centers would triple stack employees, and add more, in the existing Discover space. The city should not be naïve about the traffic that call centers generated day and night. She wanted to talk about the surrounding area growth which hadn't happened yet. She referenced The Lions space, the new Heartland bank, the open space next the bank, the Nottingham Trace development at SR 605 and attending service trips, semi-trucks delivering food, and anything being developed on Bevelhymer Road. She additionally referenced the new church on Bevelhymer Road, the new Bobb Webb development, the new Aldi, and the new fieldhouse. She'd been to 3 meetings and not heard about the broader impact. How do we factor for that?

Council Member Wiltrout asked staff to address how the city understood traffic from regional perspective. Ms. Simpson asked how it predicted for what was to come.

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Director Chrysler stated the developer's engineer could talk about their study and methodology, and the city engineer could evaluate that answer. Or city staff could answer more broadly what methodology went into a traffic study. Director Chrysler understood that the traffic study was regional.

Drew Laurent, Planner with Carpenter Marty Transportation, responded that the study accounted for regional growth through the Mid-Ohio Regional Planning Commission (MORPC). MORPC had a regional travel demand model for their entire study area, going up to Delaware, Ohio, and south of 270. MORPC provided background growth rates so engineers could apply rates 10 years into the future assuming general regional growth. Trip generation rates were based on national data. The Institute of Transportation Engineers (ITE) had a collection of data throughout the country, suburban and urban, which included garbage and deliveries, to come up with trip generation rates per unit.

Mr. Laurent stated the physical count data was observed, then they obtained the MORPC projections and applied them to the count which allowed them to project 10 years into the future. They then added projected development traffic on top of the count to assess for transportation needs. The original study did not include Discover as call center, but they did an addendum to evaluate that based on 8 employees per 1,000 square feet.

Council Member Fellows asked Director Chrysler confirmed that MORPC included Intel in their projections. The city made sure their information was up to date when it did the traffic analysis for what roads needed improving in that area.

Kelley Simpson stated, qualitatively, she couldn't understand that as she regularly experienced the traffic. She couldn't believe it wouldn't be more intense.

Mr. Laurent discussed how trips were calculated and reviewed the data results for the highest peak hour and morning and evening. Count data showed the peak hours. Carpenter Marty provided volume comparisons at the city's request. He recalled the evening peak was 40% higher than the morning school peak. The school traffic problem was a 15-minute problem.

Kelly Simpson stated she didn't have confidence in the traffic study. Because of the development by Aldi's and everywhere else, people would use Central College to access the highway and shop at Aldi's and Sheetz. She told council about a loitering car in her neighborhood on the night before Thanksgiving. She called police and the car left when the police arrived. In Wentworth Crossing on December 2, cameras showed burglars trying to get into several cars, and on December 3, cameras showed people coming through the neighborhood with flashlights looking through cars. She had never felt worried about these things until the last 5 years. She was concerned this would only increase as the city continued to grow and given where this development was being put. She asked that council consider a different location and listen to residents.

Tricia Segnini, 7267 New Albany Links Drive, stated she was the New Albany Links HOA president. The HOA had about 600 homes. This was not something the community wanted. There was overwhelming opposition from the start. They were against putting a hamlet in this particular location, directly in the path

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of north New Albany residents and the only school campus in the city center. The community wanted parks, single-family homes, and walkability, not dense mixed-used on this corner. North New Albany should be as beautiful, charming, walkable, and well thought-out as the south. She asked that council put the wishes and interests of the people they represented above the interests of 1 land owner. She appreciated the time and effort her neighbors had put into this. At the least, there should be a traffic study they could trust – regional traffic, fieldhouses, and Intel included. Was it paid for by the developer? They should have standards they could trust. Some felt the density was too high. According to the zoning text, it didn't look like the hamlet had all brick architecture along roadway. The Village Center was all brick. The zoning text allowed for concrete or siding. She gave an example of a homeowner in the HOA who followed proper procedure to repaint their house. It was approved, but no one loved the result. Some were most concerned about the devil in the details.

Ms. Segnini stated there was a school enrollment projection study coming out. Could we wait for that? Residents had been promised park amenities. This was going to be the next Rose Run. Should a park amenity for the public have been a standard? Could there be a standard for the width of the walking path? If it wasn't in the standards, did we think it all the way through? Wide enough paths for 2 people should be a standard. Would pedestrian barriers be standard? Ms. Segnini described walking with her child to her inside after a man drove into a tree at Easton where her daughter had just been. She kept hearing this or that would be in the FDP. Without these things, how could we justify deciding today with any confidence?

Council Member Fellows asked and Planner Christian answered that the zoning text allowed for brick or hardy plank material. It didn't allow vinyl siding. Exposed concrete foundations were prohibited throughout the zoning district. Brick veneer was included in the text. *<inaudible speaker in audience>*

Council Member Kist asked and Planner Christian answered that the standards applied throughout the district. They did not differ if the building was on SR 605.

Council Member Fellows asked and Mr. Underhill answered that that language and list of materials was consistent throughout the New Albany residential developments he had been involved in in recent years. Also, this project was not exempt from the city's Design Guidelines & Requirements (DGRs) applied. The DGRs were a significant size and depth of architectural standards that applied to different types of development in the community. They were incorporated into this zoning by reference.

Council Member Fellows asked and Mr. Underhill replied that the Keswick or Richmond Square examples were the standard. Mr. Leyda agreed and, through the hamlet process, there was an added step for Architectural Review Board (ARB) review. He confirmed that the architectural integrity was there for the materials being used.

Mayor Spalding called upon speaker Wendy Blanco who did not respond and appeared to no longer be present.

Karla Blind, 11561 Johnstown Road, stated she came in open-minded. New development would happen. There were no facts. They were "looking into" that. They couldn't answer what kinds of restaurants they

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looking into. She visualized Pizza Hut, nail salons, Great Clips - a strip mall type of thing. How can we trust when there's never an answer? She had no idea what was going in or how many students. 28 or 26? Then, to raise it up, 52, but probably 28. The developer's facts kept changing. People here had other facts. She was no longer open-minded. She felt like council had already made up their mind. She heard council had been threatened to be sued which could play a part in council's decision. She didn't know if it was true. People were speaking. Hopefully, council would listen. She thought what went in had to be same quality as what's here – not a Taco Bell, Walgreen's, or Arby's. Over there, it didn't look nice, was overdeveloped, not taken care of. She didn't know what a flat was. There were questions. How could it be approved with all this confusion?

Mr. Leyda displayed a slide with depictions of flats. *<inaudible comments from the audience>* Mr. Underhill recalled that the original development in New Albany was the 1998 Planned Unit Development (PUD), containing thousands of acres, that set the rules and created this community. The secondary review process demonstrated how a development met all of the rules. This was not new and much of New Albany was developed under that system. Mr. Leyda stated that the term “flats” was a term from the Engage New Albany plan. Flats were either apartments or single-level condos. They reduced the number of flats from 65 to 40. About 20 of the flats in this project could be apartments, which matched up with Market & Main – the price points, amenities, design quality, and integrity.

Council Member Kist asked and Mr. Leyda confirmed that out of 190 units, between 20 to 40 units would be rentals. They did not intend townhouse rentals. Council Member Fellows asked and Mr. Leyda confirmed that the rentals were intended to be centrally located around commercial center. Everything else in that built environment would be owner-occupied.

Wendy Flowers, 7389 Upper Clarenton, asked how many total units – single-family, flats, condos – were anticipated to be on the site. Mr. Leyda answered 188. Of those 188, the current plan showed 6 single-family homes, 40 flats, and 142 attached townhome units. Ms. Flowers asked what happened if the owner-occupied units didn't sell. Mr. Leyda replied that they built in phases.

Ms. Flowers referenced the earlier displayed crime heatmap. She also looked at Lexis-Nexis. Down that road were all apartments. She had a spreadsheet she left at home showing approximately 4,000 apartments between New Albany Road and Harlem Road, north of Central College. That didn't include the condos, and they were still building. They were concerned about the density. Our police department was spectacular. Yes, we had crime. She had never worried about kids going outside to play. Sometimes her kids stopped at Giant Eagle and they had a robbery at gunpoint that day. Crime was bleeding into this area and, with more density, it bled in more. What stress would it put on the police and fire departments, with Intel being built? She didn't think people in apartments were bad. They brought density which attracted crime and more issues. She lived at the original Sugar Run apartments and worked hard to move back to New Albany and send her kids to these schools. Her nieces in The LC had a big dog because they were nervous about crime. They had their apartment broken into. We didn't need another community hub. New Albany had Market & Main. There would be competition. The New Albany Company owned the land behind the CVS and partly owned the hamlet land. They were not going to say there would be competition. Where were people going to park? Parking at The LC was hard, they were full.

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Ms. Flowers asked where the developer had built other hamlets. Mr. Leyda responded that Steiner & Associates had built projects of all scales. They had not built a hamlet. They had built on 5 acres, 30 acres, 60 acres, aquariums - a collection successful projects. Ms. Flowers stated this told her this hamlet was their first go and this community was the guinea pig.

Ms. Flowers asked and Mr. Laurent answered that the traffic study counted from 7 to 9 am and 2 to 6 pm. Out of those ranges, they picked the peak hours. Ms. Flowers stated her kids left for school at 7:15. The elementary school started later. Council Member Durik asked and Mr. Laurent confirmed that they only counted those hours, not the whole day. That was the industry standard. Council Member Durik stated if they didn't measure the number, they didn't know what it was. Mr. Laurent stated they could estimate trip generation for the site for a full period of the day. Council Member Durik stated that he asked what the traffic was on that road during the course of a day. Mr. Laurent replied that they did not have that information.

Ms. Flowers described her experience trying to leave The Links when people were leaving school and taking their kids up to Bevelhymer Park during sports seasons. Ever since Rocky Fork Metro Park opened, there was a huge increase in traffic. People parked at the end of Upper Clarenton at all hours to go into the park. With more people, came more crime. The intersection of Central College Road and SR 605 was one of the most dangerous intersections. She didn't let her kids leave the neighborhood that way. Going up to Johnstown, there was more traffic. The traffic study needed to be redone. She implored council not to vote for this zoning change.

Jaci Hammer, 7040 Maynard Place, stated the prior speakers did a great job expressing the concerns, hesitations, and reservations. She asked how many emails, phone calls, meetings, and conversations council had that were in favor of this project. Council Member Shull stated he had about as many conversations with people who were in favor as emails he'd received. Mayor Spalding noted this had taken place over 18 months. Folks who were opposed had shown up in force and shared their concerns. He thought his email traffic was 60/40 in opposition in last 3 months. His conversations were maybe 55/45 that had concerns or questions about the project. He thought many recognized change was coming, that the city would have to prepare for challenges and work through them together, but they had questions or concerns about hamlet, the details - many things that came up tonight. Ms. Hammer stated she was not against growth. She asked that council vote no for the rezoning of this specific area. They wanted council working for the people, not 1 specific developer.

Jessica Cappuzzelo, 7098 Dean Farm Road, stated that the traffic and number of kids were concerns for a lot of people. It was kind of known that people had already made up minds, there threats of lawsuit and intimidation against council members. If true, it was wrong. It intimidated some people to talk if minds were already made up. There were many people against this because of the density and all the other reasons. She asked if Steiner & Associates had ever developed a neighborhood. Mr. Leyda replied they had developed about 1,000 residential units. They had not developed a neighborhood, but mixed-use, which included heavy residential and light retail.

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Ms. Cappuzello stated a lot was not clearly defined. Why did this have to be a for sure thing today – was there more refining to do? She would love to see Mr. Steiner develop a beautiful development that had 30 million-dollar homes where Intel employees would want to come and live. Mr. Steiner would still would own and develop it. That's what most people in this room and north of New Albany wanted. If the city needed this hamlet, she was begging them to define it. What happened when things changed? Her neighborhood fought about something going in behind the Woodhaven project and the promises weren't kept. Trees got knocked down and the tree line was not correct. Her heart was here, she was excited about the growth. Define what this was – if that meant waiting another month or so – she thought there was a way to make everyone kind of happy. Most people would be happy with a neighborhood. But if the hamlet had to move forward, please have it be defined. She was asking council to vote no tonight with something saying there needed to be more refinement. She wanted to see Mr. Steiner come with actual renderings of what it would look like.

Mayor Spalding stated this zoning application had gone through the RFBA and PC. Legal counsel would talk about the standard that had to be met. The Final Development Plan (FDP) process was where details were worked out. The proposal had a lot of detail at the beginning, way before that FDP process. They put a product out there to gain support from community. Staff and the applicant could talk more about the FDP process.

Planning Manager Steve Mayer stated this was the rezoning stage. The city received a 36-page long Planned Unit Development (PUD) text of development standards. The text set regulations and flexibilities. The text set the rules to be adhered to. Multiple board and commissions would review the FDP containing detailed engineering, site plan, architecture, landscaping, and parking. The Parks and Trails Advisory Board (PTAB) would look at the appropriateness of parkland and open space, the Architectural Review Board (ARB) would ensure architectural standards, the city's DGR, and any additional standards in the PUD text. The Planning Commission (PC) looked at all of those things again, taking recommendations from the PTAB and ARB. They looked at parking adherence, setbacks, development style, and site layout. City staff would evaluate the FDP proposals and provide an evaluation to the boards and commissions. Those boards and commissions would decide if the developer met all of the code requirements at a public meeting. The FDP required neighbors within 200 feet to be notified of the meeting. Anyone who received a notification of the rezoning would also get notification of the FDP hearing for this project.

Council Member Kist asked, if there were problems, what teeth did the city have to get a good plan? Planning Manager Mayer responded that city code contained criteria by which to evaluate compliance. The city's boards and commissions could approve, disapprove, or approve with conditions. Boards could, if city code was not met, require conditions of approval. If a board found multiple things missing, they could table to allow the developer make changes, or they could deny an application.

Council Member Durik asked, once the ARB and PC processes were gone through, did the FDP come back to council? Planning Manager Steve Mayer responded that there would also be a platting process. The plat established right-of-way and was the legal document that conveyed reserves that would be dedicated to city. The final plat would go before the PC and city council. The FDP went to the PC, not council.

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Council Member Fellows asked and Manager Mayer confirmed that all of those boards and council included public participatory meetings.

Ms. Bloech asked and Mayor Spalding answered that the city currently didn't have regulations on rental properties. Ms. Bloech asked if the entire project could be an AirBNB. Development Director Jennifer Chrysler added that this issue had come up elsewhere in New Albany and staff had been researching rental restrictions and anticipated code changes. Those would go to the PC for recommendation to city council. Any restrictions would apply to the entire city. Planning Manager Steve Mayer stated staff hoped to bring those code changes forward in the next few months.

Mayor Spalding stated that most communities that had passed rental restrictions which survived legal challenges controlled the duration of the lease. There were also taxing issues on the income stream. He was not aware of any restriction that prohibited a home owner from renting their home for a 1-2 year lease. Development Director Jennifer Chrysler agreed the mayor's observation was consistent with their research.

Steve Siegel, 7190 Sumption Drive, referenced David versus Goliath. David was not going to win. A vote of yes for this location was the beginning of the breakdown in New Albany of community-minded development careful planning that New Albany was known for. Council was succumbing to the heavy-handed pressure of a developer. A "no" vote was appropriate. Let's find the appropriate location for the city's one and only hamlet.

Hearing no further comments or questions from the public, he closed the Public Hearing.

Law Director Albrecht opted not to review the entire applicable code, but he reminded council that there was a complete listing of the specific standards and factors set forth in the codified ordinances that council had to consider. Council had to evaluate the evidence in the record as it related to those factors. If 1 factor failed, that didn't mean the application failed. It wasn't all or nothing. Regarding some of the comments regarding potential lawsuits, there was always the risk of a lawsuit along the way when a city dealt with the rights of a landowner. If a council member voted in the negative, he reminded them to give the reason for the negative vote. He offered to answer questions.

Mayor Spalding noted this was a quasi-judicial proceeding where council was determining the rights of an applicant and property owner who asked the city to evaluate a zoning application. The city had to meet a legal standard. Public comment and concern were at the very front of council's thought, and council still have to evaluate the legal requirements. The record had been submitted, the application, supporting documents, and a letter from the applicant's legal counsel setting forth how they met the 17 requirements of the codified ordinances. Mayor Spalding asked Mr. Underhill to speak to how the applicant met the standards of Codified Ordinances Section 1159.08 (A) thru (S).

Mr. Underhill reviewed the attached letter addressing each of the standards.

Mayor Spalding asked and Mr. Underhill answered, regarding additional examples of the furtherance of the general welfare, that the economic benefit to the schools was substantial. Providing other opportunities, like

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dining out and shopping, were important to a community – made it attractive and would lead to keeping home values up. The project was providing greenspace. He hoped the community would enjoy the civic green, especially during the summer.

City Manager Stefanov and Mr. Underhill discussed the intentional ratio of commercial to residential. Mr. Underhill stated no one was trying to cram residential density. They were exceeding the requirement of 1159.08(f)

Mayor Spalding recalled a resident's suggestion that there be a limitation on the number of students or a penalty paid if the number was exceeded. Mr. Underhill responded that there were a lot of fair housing laws that would prohibit that. It would be uncomfortable as a developer, but also as a city, to place something like that in a zoning regulation. He thought it would violate federal law.

Council Member Shull asked and Mr. Underhill answered that the expected revenue to the schools, annually, after paying for the students it produced - the school would receive \$1.758 million annually at build-out. He believed the \$11,500 per student cost to educate was accurate. 14% of that cost was funded by the state. The local burden was around \$9,600 per student. He didn't recall the exact number, but if the land were built out as 35 single-family homes, it would be a net positive to the schools by a couple hundred thousand dollars and change.

Council Member Kist asked and Planning Manager Steve Mayer replied that the latest update to the strategic plan showed parcel-specific boundaries for the hamlet. This proposal filled that space entirely. There was no additional space designated as a future hamlet. If Mr. Steiner wanted to build a hamlet at the Discover site, it would be under a different set of circumstances as that was a different land use designation in the Engage New Albany plan. Law Director Albrecht added it would be a completely different process with completely different standards to evaluate. Council Member Kist wanted it to be clear there was no intention of a larger hamlet than was laid out. Mayor Spalding recalled council asking to literally draw a box around it which was achieved in the strategic plan update.

Steve Siegal asked if the \$1.758 million took into consideration TIF financing or mechanisms used to sponsor this stuff. Was that on its own? *<answer inaudible>*

Mayor Spalding moved to adopt the ordinance. Council Member Fellows seconded and council voted with 5 yes votes and 1 no vote (Durik) to approve Ordinance O-40-2022. The ordinance was adopted.

Council Member Durik stated he didn't believe the project advanced the general welfare of the city. He wasn't comfortable with the traffic impact study and methodology.

<multiple audience members spoke in background>

Mayor Spalding reminded those present that this development project was not over. The project review process was still underway. There would be a FDP plan review. There would be opportunities at the ARB, PC, and Council meeting to provide feedback.

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Mayor Spalding stated he really want applicant to hear this clearly. They had heard comments from the public. They understood the pressure that was put on council through this process. The applicant needed to come forward with a plan that wowed the city and that the community could get behind. The burden was on the applicant. If they didn't, they wouldn't have his support going forward. He thanked the community members who took time to share their constructive feedback with city staff and council during the nearly 3-year long process. Many of the suggestions had been incorporated into and reflected in the standards that the city adopted in the strategic plan update and the codified ordinances, including a significant reduction in the residential density, an increase in the owner-occupied units, an expansion of the commercial and retail space and greenspace, and the elimination of a second proposed hamlet at SR 62. As with every decision, the presentation of the application, hearing the members of the community, the comments by staff, and the deliberative process by council were conducted in meetings that were open to public, and live-streamed and recorded. The city also created a landing page on its website with additional information that the public could review in their own time. The same process was followed by the PC. While parts of this process had been messy at times, the open and transparent process resulted in fair proceedings, even if some were unhappy with the outcome. Many would agree that public opinion was always important and very welcome. He could think of many examples when public input improved a project. The city had many talented people, many of whom testified tonight and asked good questions. Many cared deeply about making and keeping this a special place. Mayor Spalding asked people to stay engaged in this process, it wasn't over.

Mayor Spalding stated there were times when city council lacked unfettered discretion to decide. Public input was important, but it could only be a factor where council must follow a legal process in rendering a decision. The applicant was allowed to make their case as to why they had met the zoning requirements set forth by the city. When the city determined a property right for a person or legal entity, such as a hearing on a zoning application, the city must provide adequate legal due process. As mentioned by the city attorney, council was required to consider all of the applicant's information and evidence. The applicant controlled the submission date, not the city. The applicant asked for this hearing to move forward, not the city. The city was here to determine whether they met the standard. Failing to follow this legal process could well subject the city to potential legal liability. There were a host of other communities around central Ohio who had faced and lost those cases. The City of Powell, Orange Township, and others faced lawsuits because they didn't provide adequate due process and an appropriate environment of review for a zoning application. Mayor Spalding believed the city tried to meet that standard tonight.

New Albany and central Ohio were experiencing growth and development. He would rather live in area of the country where we could experience these challenges together - a community that was growing rather than not. Regionally, the collaborative approach was a hallmark of success. The city had worked closely with MORPC on the 2050 Plan. Based on MORPC's estimation, central Ohio would have 2 million additional residents by 2050. The region would have to focus on housing, mobility, and workforce development. Economic development success had brought developers to New Albany and the region. The development pressure was going to mount. Mayor Spalding listed off several regional multi-use and housing projects in the region over the last 18 months. New Albany was arriving a point where new developers were coming in. The city's future was going to be about growth. Moving towards full build out, he expected New Albany

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to have 16,000 -18,000 residents as projected in the last strategic plan update. That would impact schools, and the community would have to work through those issues together. 20 years ago, at NAPLS, 60% of the student population resided outside of city. The “win-win” agreement had been successful. It had allowed the school district to grow in a certain way, but New Albany still had development growth in front of it. The city had worked hard to slow pace of development - the purchase of Taylor Farm Park and the Rocky Fork Metro park were good examples. The city didn’t have enough money to buy all land subject to development in New Albany. He personally knew - if you didn’t own the land next to you, it could be developed. He appreciated the public and council comment. He thanked staff for their hard work. He had high expectations for a development to be proud of.

Council Member Fellows thanked the mayor for his words. Being resident of The New Albany Links community, a lot of his neighbors and friends were adamantly opposed. He recalled 16-18 months ago all working together because he was once adamantly opposed to what was then NONA. He worked hard to reduce the density by at least 50%, add commercial space, and have more single-family homes, or at least fewer apartments. There were 280 apartments in the original NONA project. That was down to 40 flats, maybe 20 of which were potentially rentals. He agreed and understood residents’ concerns. The city had worked hard to make necessary improvements. The commercial space would provide more revenue to community for services, in addition to the benefitting the schools. The city was going to grow because we were successful. There would be continued pressure. This project would help the city have a quality development that allowed for more residential and more commercial space that met the New Albany standard. World class companies would be generating jobs and revenue back to the city. New Albany would continue to be a premier community in the country because of the services it provided to the residents. Part of what the city would have to deal with was the increase in residential density and traffic. He didn’t think there was any better city or staff in place to manage that, in collaboration with residents, to ensure concerns were met and the city continue to grow in a responsible, strategic way. He was extremely proud of this community – all the work done over 20 years to get here. Residents had great city staff and council willing to listen and collaborate to ensure that continued. He understood residents were upset with the project. He believed, in the long run, this would be a great transition from the City of Columbus into New Albany. We would have a high-quality development that would hopefully be seen as an overall amenity to community.

Council Member Kist thanked the folks in the room who had been a part of the process from the beginning. He appreciated where the project started - it wasn’t right. He understood that some now still thought it wasn’t right. From 10.5 down to 5.76 units per acre - the apartment building was eliminated. He thought the product would be worthwhile. He didn’t want to hide behind a lawsuit. If he truly believed this would be the beginning of the end of New Albany, bring the lawsuit on. He’d vote no. He generally thought this would be an asset to the community. This process didn’t stop tonight. He had a personal stake. He wanted to reward this work with something that the community felt good about. Hopefully, residents would drive by in 5 years, as with his experience with the Village Center – he couldn’t imagine not having it there now. He thanked everyone for what they had done with the process.

Council Member Wiltrout stated she’d likely talked to hundreds of residents over 1.5 years about hamlets. She’d seen both projects. She liked this one a lot better. She knew the development had been improved because of people in this room, those who left. She wanted to thank everyone who emailed, called, came to

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the meetings, stopped her in the grocery store - all of the conversations for and against this project made it better. The nuts and bolts were not finished because of the PUD process. People raised valid questions. We needed to work through them as a community. She begged for continued community involvement through process and beyond. Maybe solutions in place now weren't working. The city needed more solutions as this community grew. There would be projects. All projects had problems that needed solutions. Imagine if the city said it couldn't take Intel because it didn't have the infrastructure to support it. The city was leaning in, identifying issues, and creating solutions. She was committed to working with anyone wanting to talk about this, attending any meetings to discuss solutions. She understood many harbored distrust or fear. She expected she would feel the same in their shoes.

Council Member Wilttrout stated it was council's duty and honor and listen, and also to follow the law. Her vote was an application of the law to the strategic plan to this project. She thought the facts presented, the evidence that council looked at - all was in favor of the proposed plan. She thought the project was going to be good for the community. She was looking for something exciting for families. She was excited about this vision.

Council Member Shull stated he was against the original plan. He said why at the time, but it ultimately was because the primary zoning code didn't really regulate this type of development. He met with many people and asked what would make sense. A lot of the feedback he received was: density around 5-6 units per acre, see if we can get rid of those apartments, the height. The city did an exceptional job of addressing those things. Coming into this meeting, he knew he would upset about half of the people he'd talked to. Half were in favor, half were not. This was a tough one for him, personally. He had to look at the criteria. He liked the 6 dwelling units per acre, the open land, the 200 feet of commercial space per 1 unit. That was key for him - wanting to bring in more commercial. The process was now moving into the details. What kind of restaurants and open space? He wanted to know who would own the park and open space. He wanted an independent traffic study - he thought that was unanimous. Safety, traffic, and parking were his 3 main concerns. He did the math on the parking spaces. He was not yet sold on subarea 5 and would wait to see the FDP for that. There were recent discussions with The Enclave and maybe some synergistic things that could improve that entire corridor from a safety perspective - networking, bridge improvements, other opportunities. He still had a concern about the Snider Loop left-in and left-out. This was a good opportunity to take a section of New Albany and make it better, make it part of the community. He echoed a lot of the things about growth the city was experiencing. He asked that residents keep input going, because the next part would include what we could actually do with this space and make it something to be proud of.

INTRODUCTION AND FIRST READING OF ORDINANCES:

ORDINANCE O-41-2022

AN ORDINANCE TO AMEND CHAPTER 1113 OF THE PLANNING AND ZONING CODE OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES AS REQUESTED BY THE CITY OF NEW ALBANY

Planning Manager Mayer stated this code update was to provide clarity and consistency with other sections of city code regarding the criteria that the city's Architectural Review Board (ARB) considered for a waiver.

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Staff reviewed the waiver code at the request of the ARB. The section about site-specific constraints could be misinterpreted to only include physical geography or land conditions for consideration when granting a waiver request. Over time, staff and ARB had identified other conditions, such as buildings or structures on a site.

Staff reviewed the proposed code changes with the ARB, Planning Commission, and law director. The words: “building,” “structure,” and “site” were added because that was the same language used throughout the Architectural Review District section which the ARB referenced for a development proposal. The code also updated constraints to say “conditions” to give consistency between the variance and waiver code sections.

Mayor Spalding set the ordinance for second reading at the December 13, 2022 special council meeting.

ORDINANCE O-42-2022

Mayor Spalding read by title AN ORDINANCE TO ACCEPT WATER LINE, SANITARY SEWER, STREET AND STORM SEWER IMPROVEMENTS AND APPURTENANCES THERETO FOR NEW ALBANY COUNTRY CLUB SECTION 30, AS REQUESTED BY THE NEW ALBANY COMPANY

Engineering Manager Ohly stated this ordinance accepted the waterline, sanitary sewer, street, and storm sewer improvements and appurtenances for New Albany Country Club Section 30. Prior to the second reading, the developer would be required to submit a 2-year maintenance bond, an engineering and inspection fee, and a 5-year settlement bond. New Albany Country Club Section 30 would consist of 32 single-family residential lots. With the adoption of the ordinance, the city would accept residential subdivision street, water main, sanitary sewer, and storm sewer as set forth.

Mayor Spalding set the ordinance for second reading at the December 13, 2022 special council meeting.

Council Member Kist asked and Tom Rubey, Director of Planning, The New Albany Company, responded that they were not ready to release the lots for sale. They were working with architects and landscape architects and hoped to release them in the spring. He didn’t believe they were still rethinking lot sizes. They might come back with adjustment in the southeast corner. It would also require amending the zoning text to allow for a different design standard and connectivity among 6 lots, but would not change the number of lots.

ORDINANCE O-43-2022

Mayor Spalding read by title AN ORDINANCE TO EXECUTE A SECOND AMENDMENT TO A CONSERVATION EASEMENT GENERALLY LOCATED ON THE GOOGLE PROPERTY TO REMOVE CERTAIN UTILITY CROSSING AREAS WITHIN THE CONSERVATION AREA, AS REQUESTED BY MBJ HOLDINGS LLC, MONTAUK INNOVATIONS LLC AND AEP OHIO TRANSMISSION COMPANY INC

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Engineering Manager Ohly stated this was for the AEP Ohio Anguin substation which would provide electric service to Google and others in the area. The amendment would vacate a section of the conservation easement to allow electrical facilities through. It was contemplated in the original easement.

Mayor Spalding asked and Manager Ohly answered that the amendment was for a small area - under a half an acre. Manager Ohly would have more information at next meeting.

Mayor Spalding set the ordinance for second reading at the December 13, 2022 special council meeting.

ORDINANCE O-44-2022

Mayor Spalding read by title AN ORDINANCE TO AMEND A CONSERVATION EASEMENT GENERALLY LOCATED SOUTH OF INNOVATION CAMPUS WAY AND WEST OF MINK STREET TO ALLOW ELECTRIC UTILITY FACILITIES TO BE BUILT WITHIN THE AREA, AS REQUESTED BY MJB HOLDINGS LLC. AND SCANNELL PROPERTIES #538 LLC.

Engineering Manager Ohly stated this was similar to O-43-2022, where the original conservation easement would be amended to allow for AEP Ohio to place their facilities in the area. When the property was conveyed, they noticed the electrical easement was on top of the conservation easement. AEP Ohio worked with the Army Corps of Engineers to permit the overlapping section of conservation easement to be vacated.

Mayor Spalding set the ordinance for second reading at the December 13, 2022 special council meeting.

ORDINANCE O-45-2022

APPROPRIATION AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NEW ALBANY, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022

Finance Director Staats stated the purpose of the proposed legislation was to eliminate negative account balances and ensure that appropriation or budgetary expenditures followed Ohio Revised Code (ORC) requirements. They would ensure budgetary compliance for the 2022 audit.

Section 1 described appropriate expense budget adjustments. A detailed list of the adjustments was in the Legislative Report, which also included a summary of adjustments made throughout the year. Director Staats asked and council indicated would they would review the adjustments between ordinance readings. Section 2 gave the finance director the authority to make transfers as needed between appropriation line items within the funds to bring expenditures in line with appropriations. It also gave the finance director the ability to restore any reduced appropriations within the legislation to ensure budgetary compliance. This did not allow the finance director to transfer appropriations between funds or increase or decrease appropriations unless restoring a fund back to its status prior to this legislation. Section 3 provided a \$100,000 appropriation contingency.

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Council Member Shull asked and Director Staats answered that the previous contingency amount was \$50,000 until 2021, when it was raised to \$100,000. Mayor Spalding clarified that the contingency required City Manager Stefanov's approval. City Manager Stefanov stated the contingency had never been used.

Section 4 authorized the finance director to adjust appropriation with the funds that were meant to have a \$0 balance to ensure that revenues equaled expenditures to comply with ORC budgetary rules. Section 5 authorized the finance director to reduce appropriations within any fund to ensure budgetary compliance. There had been a few revisions to this legislation for second reading. She will review those at the next meeting.

Mayor Spalding set the ordinance for second reading at the December 13, 2022 special council meeting.

READING AND PUBLIC HEARING OF RESOLUTIONS:

RESOLUTION R-39-2022

A RESOLUTION DECLARING INTENT TO APPROPRIATE PROPERTY AND EASEMENTS FOR THE PUBLIC PURPOSE OF MAKING, REPAIRING, IMPROVING, OR CONSTRUCTING MINK STREET AS EXTENDED TO JOIN WITH INTERSECTING ROADS WHICH ARE AND SHALL BE OPEN TO THE PUBLIC WITHOUT CHARGE

Community Development Director Chrysler stated this resolution declared the intent to appropriate the fee simple interest and easements to the properties along Mink Street. It gave the city the authorization, as the first step in the process, to allow the city to go out with fair market values and appraisals to negotiate with the property owner to purchase right-of-way for the road widening and potential streetscape easements.

Mayor Spalding asked and Engineering Manager Ohly stated around 150 to 180 parcels would be affected for all of the city's roadway projects in the area. Director Chrysler added that number included Green Chapel and Clover Valley roads which would be presented to council at upcoming meetings. It was closer to 75 to 80 properties for Mink Street.

Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Council Member Shull moved to adopt the resolution. Council Member Wiltrout seconded and council voted with 6 yes votes to approve Resolution R-39-2022.

RESOLUTION R-40-2022

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT AND A DEVELOPMENT AGREEMENT WITH COI NEW ALBANY TECH PARK LAND, LLC AND MAKING RELATED AUTHORIZATIONS

Director Chrysler introduced Economic Development Manager Sara Zeigler. This resolution authorized the city manager to sign a Community Reinvestment Area (CRA) agreement with COI New Albany, which was

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also known as VanTrust Real Estate. VanTrust had already announced they would be taking the lead on the Supplier Park. The CRA agreement pertained to phase 1 of the park located in the Oak Grove II Reinvestment Area. Phase 1 contained approximately 10 buildings and should represent approximately 1.5 to 2 million square feet of industrial distribution and manufacturing facilities across 159 acres. The initial investment was estimated to be approximately \$120- to \$160 million and the city believed the project would create approximately 500 to 1,500 full time jobs with a \$20- to \$60 million-dollar payroll upon completion. The CRA was for a 15-year, 100% property tax abatement. The benchmarks would be based on the city's typical revenue generation per square foot formulas that were tied to specific industries located in that area.

This also authorized the city manager to enter into a Development Supply Agreement with COI New Albany Tech Park for the provision of water and sewer services to the project and other public improvements. The development agreement covered phases 1, 2, and 3 of the project. Most of the development commitments in that agreement were also commitments the city had made for Intel, with the exception of a waterline along Clover Valley Road from Mink Street to Jug Street. Eventually, the cul-de-sac associated with the Lincoln project would connect and become the new Horizon Court, which would connect to the new Harrison Road extension. Staff would be bringing the Lincoln amendment to council in the next few months. This was great for overall connectivity and managing traffic.

Mayor Spalding asked and Director Chrysler confirmed that all of the roads she mentioned were public roads.

Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Mayor Spalding moved to adopt the resolution. Council Member Durik seconded and council voted with 6 yes votes to approve Resolution R-40-2022.

REPORTS OF STANDING COMMITTEES:

- A. Safety Committee: No report.
- B. Public Utilities: No report.
- C. Service and Public Facilities Committee: No report.
- D. Planning and Economic Development Committee: No report.
- E. Administration Committee: No report.
- F. Grants and Non-Profit Funding: No report.

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REPORTS OF REPRESENTATIVES:

- A. Council Representative to MORPC: No meeting.
- B. Council Representative to Joint Parks and Recreation: Council Member Shull reported that the board served a celebratory cake for their bond passing. They met with the bond counsel and broker to start the process of the bond sales.
- C. Council Representative to New Albany Plain Local Schools: Council Member Kist reported that the school had hired a third-party consultant to analyze district development and surrounding areas. They expected results around spring of 2023. The school board was conducting a learning community survey at every grade level. The survey was anonymous. Some students would be doing them in class and others online.
- D. Council Representative to Plain Township: Council Member Durik reported No meeting.

REPORTS OF CITY OFFICIALS:

- A. Mayor: No report.
- B. Clerk of Council: Clerk Mason polled council about a possible special council meeting for a piece of legislation for Canine Companions later in December. Council decided on Tuesday, December 27 at 8:30 am for a special council meeting.
- C. Finance Director: Director Staats reported she would be sending council an email with a link to the revised version of the 2023 annual budget, including all of the amendments, ahead of the second reading on December 13.
- D. City Manager: No report.
- E. City Attorney: No report.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

Police Chief Jones reported over 700 toys were collection for delivery to Toys for Tots.

Council Member Fellows stated the city's holiday lights and lit amphitheater looked fabulous

Council Member Kist reported that the Thanks For Giving Run had perfect weather. They had well over 3,000 participants, the most they'd ever had. They wrote checks to charity for about \$125,000. Council Member Kist thanked Police Chief Jones and Public Service Director Barker for their service.



Council Minutes – Regular Meeting

December 6, 2022

Mayor Spalding reminded council that the Remarkable Evening at the McCoy Center was the following night. Former New Albany Mayor and Councilperson Colleen Briscoe was being honored.

OTHER BUSINESS:

Board/Commission Appointment


Council Member Kist moved to appoint Patrick Losinski to the New Albany East Community Authority (NAECA) to complete the unexpired term ending May 17, 2023. Council Member Shull seconded and council voted with 6 yes votes to appoint Mr. Losinski to the NAECA for the term specified.

Council members wished Economic Development Manager Sara Ziegler a happy, now belated as it was after midnight, birthday.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Kist seconded to adjourn the December 6, 2022 regular council meeting on December 7, 2022 at 12:09 am.

ATTEST:


Jennifer H. Mason, Clerk of Council


Sloan Spalding, Mayor


Date

NEW ALBANY HAMLET | PLANNING COMMISSION CONDITIONS OF APPROVAL

1. The city traffic engineer's comments must be addressed, subject to staff approval.
2. The city engineer's comments must be addressed, subject to staff approval.
3. The text must be revised to require screening for all rooftop and ground mounted equipment for all subareas within the zoning district. Solar panels or other similar equipment shall be exempt from this requirement to the extent that any such screening would compromise its functionality.
4. The text must be revised to require sidewalk to be installed on both sides of the "southern road"
5. The material and width of the trails provided within Subarea 4 is subject to staff approval.
6. The typographical errors identified in the zoning text must be addressed, subject to staff approval.
7. A commitment must be added in the zoning text regarding providing emergency access to Central College Road in Subarea 3.
8. The native, non-invasive understory within Subarea 4 be preserved where possible subject to staff approval.
9. The number of town homes permitted to be developed in Subarea 5 must be reduced to 35.
10. Additional right-of-way must be provided at Snider Loop by the property owner, if requested by the city, to accommodate the installation of a roundabout at this intersection. The additional right-of-way dedicated to the City (if any) for a roundabout (i.e. over and above the right-of-way required to be dedicated in the absence of a roundabout) shall be credited toward the minimum open space and parkland requirements for the Zoning District.

NEW ALBANY HAMLET | CITY TRAFFIC ENGINEER CONDITIONS OF APPROVAL

1. State Route 605 will need to be widened to 3 lanes in order to accommodate the installation of the left-hand turn lanes.
2. Coordination between the city and the applicant is needed regarding the final design at the intersection of State Route 605 and Snider Loop, to address any left-hand turn concerns. Final design of intersections is typically provided at the time of a final development plan application. The city will continue to monitor this intersection to determine if other traffic control measures or design features need to be considered in the future after construction is completed.
3. In conjunction with the development, the city will determine the steps for potentially lowering the speed limit to 35 MPH along, State Route 605 between Central College Road and Walton Parkway.

NEW ALBANY HAMLET | DEVELOPMENT STANDARDS

1. The gross density of a hamlet development is not to exceed six (6) dwelling units per acre.
2. A hamlet development should be comprised of about 75% developed land to 25% parks and open space.
3. A hamlet development should include a civic green space open to the public located near the center of the development.
4. A hamlet development should include a ratio of approximately 200 square feet of commercial uses for every 1 dwelling unit to ensure a vibrant mixed-use development. Commercial uses include administrative, business, and professional offices; retail stores; restaurants; hotels; and personal services. Drive thru businesses should be limited within the site in order to preserve the pedestrian-oriented character of a hamlet. Any commercial uses south of the Sugar Run stream corridor may not count towards this ratio.
5. Commercial uses must include some mixed-use commercial located around the civic green.
6. Ground floor and commercial uses in a hamlet should be complementary in nature with other uses on-site to encourage activity throughout the day, rather than at peak times.
7. Buildings may not be taller than 50 feet in height around the civic green, at least 250 feet from Central College Road and SR 605/New Albany-Condit Road, nor taller than 40 feet at the perimeter.
8. Public streets within a hamlet should be lined by buildings, with exceptions for limited drives, public spaces, and properly screened parking.

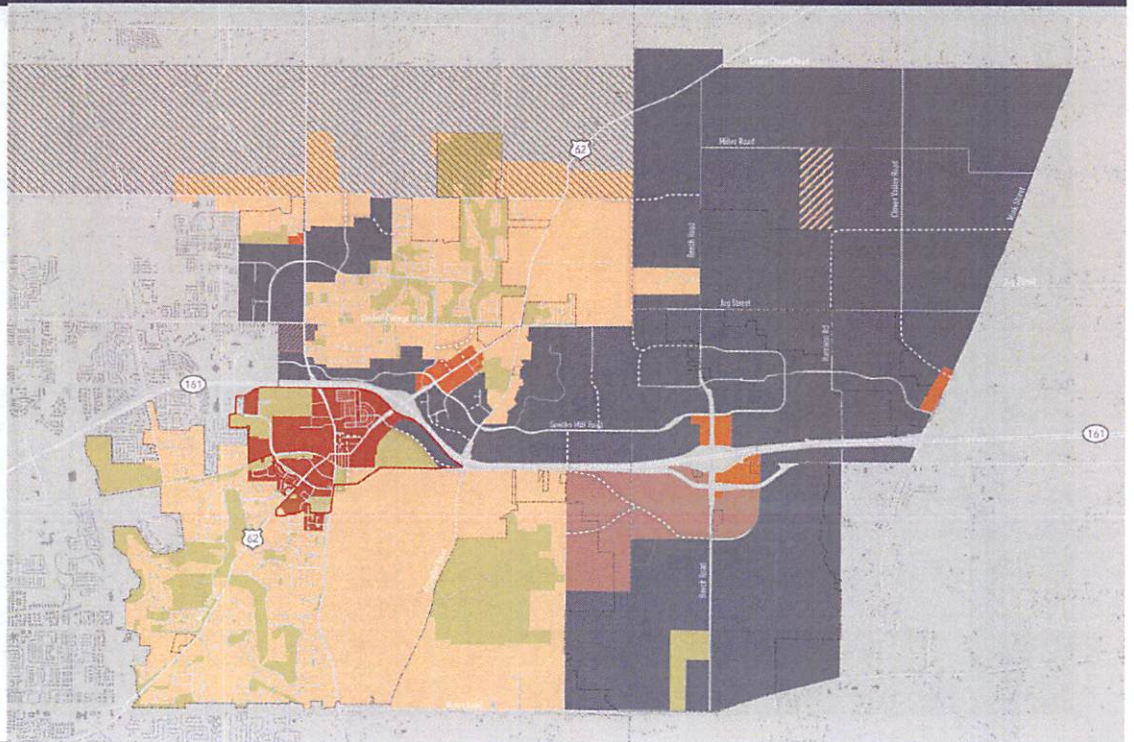
NEW ALBANY HAMLET | DEVELOPMENT STANDARDS

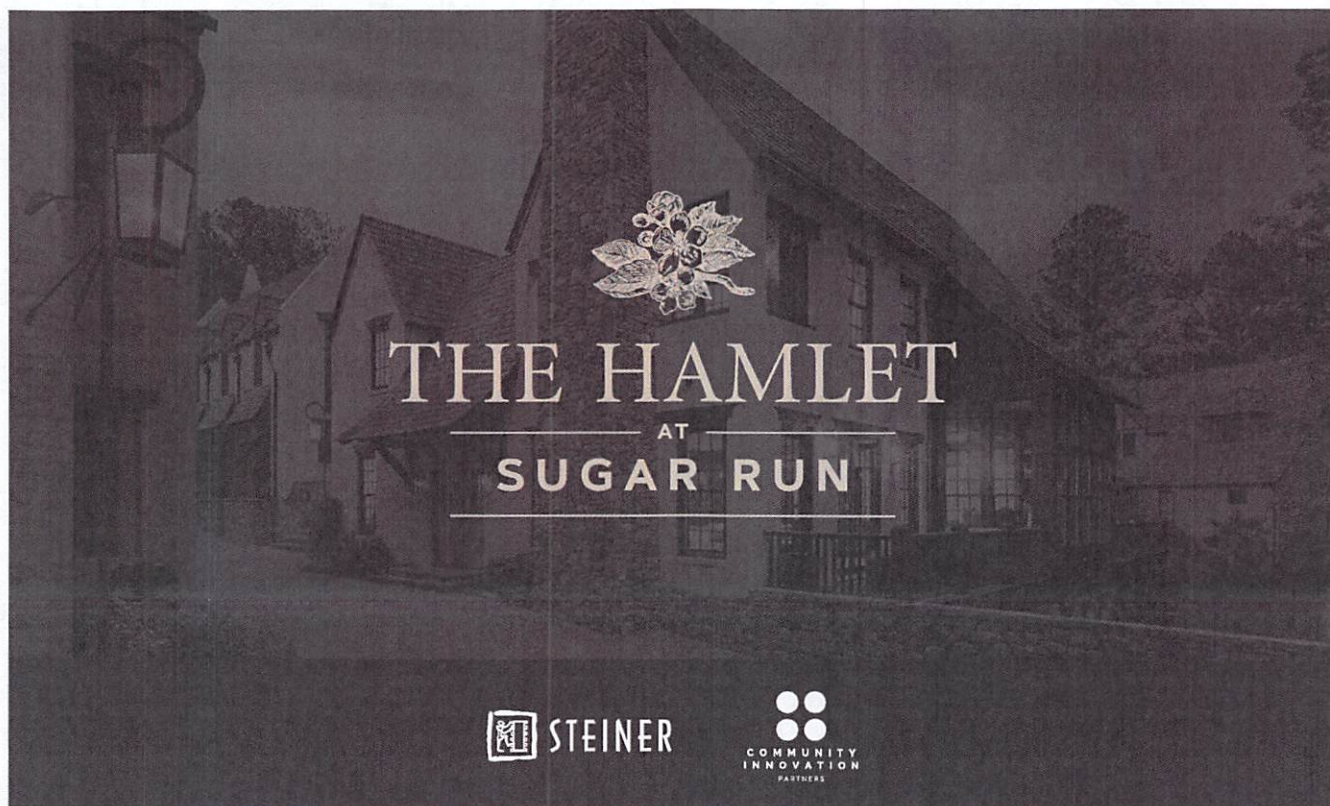
9. Garages shall face the rear of lots. No garage doors may face primary streets.
10. Parking must be integrated throughout the site through on-street parking on public streets, surface parking located behind primary buildings, limited surface parking located beside primary buildings, and structured parking. Surface parking lots must be properly screened from the street.
11. Drive locations should be kept to a minimum and the placement of buildings should encourage pedestrian activity.
12. Anyone seeking to build a hamlet development must submit a parking model to demonstrate sufficient parking is provided for the mix of residents, employees, and visitors to the site; shared parking among complementary uses is strongly encouraged on the site and the installation of excess parking is discouraged. If the tenants of the hamlet significantly change or if the use mix changes, the developer must resubmit the parking model to city zoning staff for review.
13. A hamlet development proposal should submit an overall master plan for the area showing how it fits together appropriately in terms of connectivity, site layout, uses, and aesthetics.
14. A hamlet development is expected to go through the Planned Unit Development (PUD) rezoning process. The city's Architectural Review Board (ARB) should review final development plans.
15. A hamlet development proposal must reference the applicable chapters of the New Albany Design Guidelines & Requirements (DGRs).

NEW ALBANY FUTURE LAND USE MAP

LEGEND

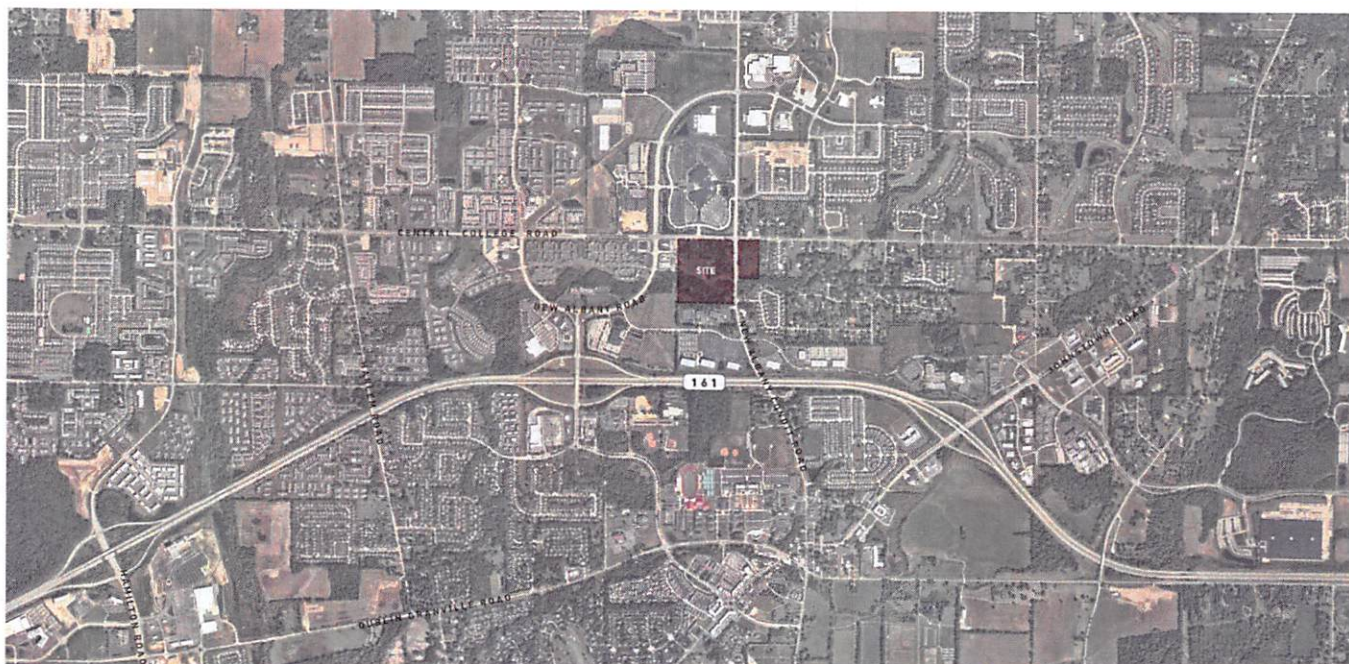
- Residential
- Village Center
- Retail
- Mixed Use
- Employment Center
- Parks and Green Space
- Metro Park Zone
- Village Center Boundary
- New Albany Hamlet





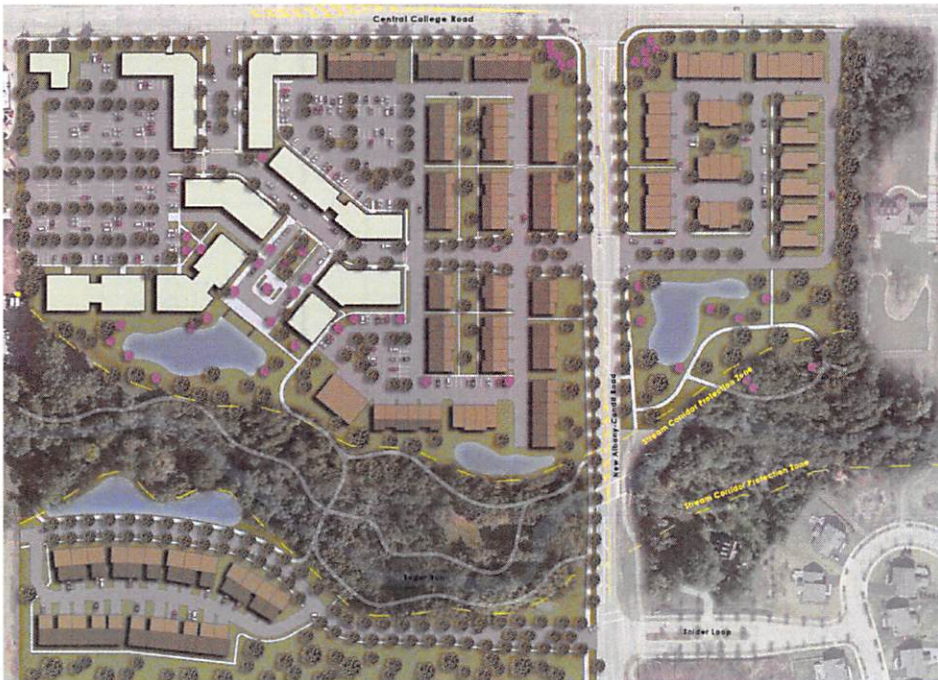
The Site

THE HAMLET



Our Vision

THE HAMLET

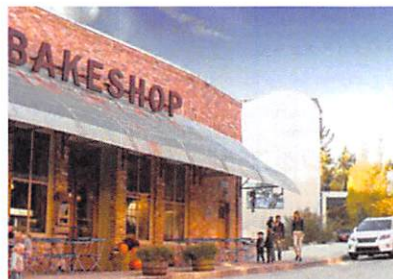


THE HAMLET AT SUGAR RUN 03

THE HAMLET AT SUGAR RUN:

Civic Green and Mixed-Use

- Mixed-Use Commercial uses fronting the Civic Green
- Pedestrian oriented retail and restaurant spaces lining the road
- Neighborhood oriented tenants located along Central College
- Upper floor small office and co-working space
- Approximately 26,000 SF of unique restaurant and retail space
- Approximately 14,000 SF of boutique office space



THE HAMLET AT SUGAR RUN 04

Codified Ordinances

CODIFIED ORDINANCES 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 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)

CODIFIED ORDINANCES SECTION 1111.06:

- ✓ (a) Adjacent land use.
- ✓ (b) The relationship of topography to the use or implications.
- ✓ (c) Access; traffic flow.
- ✓ (d) Adjacent zoning.
- ✓ (e) The correctness of the application.
- ✓ (f) The relationship of the use to the public health, safety, or 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).



Hamlet Development Standards

Hamlet development standards found in the Engage New Albany Strategic Plan

- ✓ The gross density of a hamlet development is not to exceed six (6) dwelling units per acre.
- ✓ A hamlet development should be comprised of about 75% developed land to 25% parks and open space.
- ✓ A hamlet development should include a civic green space open to the public located near the center of the development.
- ✓ A hamlet development should include a ratio of approximately 200 square feet of commercial uses for every 1 dwelling unit to ensure a vibrant mixed-use development. Commercial uses include administrative, business, and professional offices; retail stores; restaurants; hotels; and personal services. Drive-thru businesses should be limited within the site in order to preserve the pedestrian-oriented character of a hamlet. Any commercial uses located south of the Sugar Run stream corridor may not count toward this ratio.
- ✓ Commercial uses must include some mixed-use commercial located around the civic green.
- ✓ Ground floor and commercial uses in a hamlet should be complementary in nature with other uses on-site to encourage activity throughout the day, rather than at peak times.
- ✓ Buildings may not be taller than 50 feet in height around the civic green, at least 250 feet from Central College Road and SR 605/New Albany-Condit Road, nor taller than 40 feet at the perimeter.
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- ✓ Garages should face the rear of lots. No garage doors may face primary streets.
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- ✓ Drive locations should be kept to a minimum and the placement of buildings should encourage pedestrian activity.
- ✓ Anyone seeking to build a hamlet development must submit a parking model to demonstrate sufficient parking is provided for the mix of residents, employees, and visitors to the site; shared parking among complementary uses is strongly encouraged on the site and the installation of excess parking is discouraged. If the tenants of the hamlet significantly change or if the use mix changes, the developer must resubmit the parking model to city zoning staff for review.
- ✓ A hamlet development proposal must include an overall master plan for the area showing how it fits together appropriately in terms of connectivity, site layout, uses, and aesthetics.
- ✓ A hamlet development is expected to go through the Planned Unit Development (PUD) rezoning process. The city's Architectural Review Board (ARB) should review final development plans.
- ✓ A hamlet development proposal must reference the applicable chapters of the New Albany Design Guidelines & Requirements (DGRs).

Zoning Approval

- ☒ Concept is strongly recommended for this site in the Engage New Albany Strategic Plan
- ☒ Approved by the Rocky Fork-Blacklick Accord Implementation Panel
- ☒ Approved by New Albany Planning Commission
- ☐ Approved by New Albany City Council



THE HAMLET AT SUGAR RUN:

Residential Townhomes

- 2 bedroom + den / 2.5 bath
- Approximately 1,800 SF to 2,300 SF
- Private garages in rear of unit
- Compact no maintenance living
- Sales price of \$600K to \$750K
- Similar Projects: Richmond Square, Keswick, Pullman Way at Grandview Yard



Residential - Single Family

- 2 bedroom + den / 2.5 bath
- Approximately 1,800 SF to 2,600 SF
- Private garages in rear of unit
- Compact no maintenance living
- Sales price of \$700K to \$850K
- Similar Projects: Typical Luxury patio homes



Residential Flats

CONDOS

- Unit is 2 bedroom / 2 or 2.5 bath
- Approximately 1,500 SF
- Garage parking
- Sale price of \$600K to \$650K
- Similar Projects: Quarry Place / Jeffrey Place, The Warren at Bridge Park, The Edington in Grandview



APARTMENTS

- Mostly 1 bedrooms, some 2 beds
- Approximately 800 SF to 1,100 SF
- Rental rate - \$1,900 - \$2,500/month
- Similar Projects: Market & Main, Grandview Yard





THE HAMLET
— AT —
SUGAR RUN

What have residents been saying?

For well over a year the residents have been clear, vocal, passionate, and **consistent** about why **this proposal does not make sense at this location**

- ❖ **DENSITY** – adding up to 195 residential units, plus commercial in a 32.6 acre area creates a problematic density issue
 - Increased traffic
 - Increased drive times/delays (especially during school drop-off hours)
 - Increased risk for accidents
- ❖ **CRIME** – citizens are concerned that a mixed use development, similar and close to the LC will bring increased crime similar to the LC
- ❖ **ALIGNMENT WITH THE ENGAGE NEW ALBANY STRATEGIC PLAN**
 - The proposed development does not align with the results of the Engage New Albany Strategic Plan survey results for “New Albany’s weaknesses” and “Where should we focus our efforts”
 - The proposed development does not align with the results of the Engage New Albany Strategic Plan survey results for desired land uses in New Albany

We should look at objective data

Traffic Impact Study

City of New Albany 40 West Main Street New Albany, Ohio 43054		EXHIBIT A	MEMO
To: Stephen Mayer Planning Manager		401-60-141 October 25, 2022	
From: Matt Ferris, P.E., P.S., City Engineer	Re: Review of the Sugar Run Development Traffic Impact Study dated October 13, 2022		
By: David L. Samuelson, PE cc: Ryan O'Leary, City of New Albany			
The following summarizes the review of the Sugar Run Development Traffic Impact Study (Sugar Run TIS) for the above development.			
Overall, we concur with the Sugar Run TIS recommendations. The following provides additional information related to concerns or questions that have previously been raised by the City and residents about this development, several of which are the same items raised for a study of the same development area in 2021, previously referred to as the NMD TIS prepared in mid-2021 (referred to below as the 2021 NMD). Because they essentially address the same issues, the comments below first outline differences between the two studies, followed by comments that still apply to the Sugar Run TIS.			
1-Comparison of Non-Site (Background) Traffic Data- Resident concerns about the age of available traffic data resulted in new traffic data being collected for the Sugar Run TIS, on a school day in September 2022. A comparative review of this 2022 data to the 2019 or earlier data used in the 2021 NMD showed 2022 volumes are generally lower. Reasons for this include the closure of the nearby Discovery facility, area employees working remotely, and new roadways/improvements in the surrounding area which in turn affected traffic flows through this area. The results in the Sugar Run TIS show acceptable delay conditions for background traffic, similar to but slightly improved over the 2021 NMD results.			

The Sugar Run TIS also assumes that in the future the Discover facility site will be redeveloped/reused as a general office facility with a size of just over 333,000 sq ft. The 2021 NMD had assumed the same general office size plus some residential units, but the residential-related traffic was relatively small. Of that office space traffic, 25 percent was assumed to enter/exit at the driveway opposite the north site driveway for Sugar Run, but was otherwise assumed to be included in general growth at other Study intersections. This was also consistent with the 2021 NMD analysis.

2-Comparison of Sugar Run site traffic to the 2021 NMD traffic-

The Sugar Run TIS shows 210 new trips in the AM peak hour (730-830 AM), and 233 new trips in the PM commuter peak hour (5-6 PM). In comparison, the 2021 NMD had proposed 350 AM and 316 PM peak hour trips. This represents a 40 percent reduction in AM peak hour trips, and a 24 percent reduction in PM peak hour trips. This results in reduced delays compared to results in the 2021 NMD.

NEW ALBANY
COMMUNITY CONNECTS US

Page 1 of 4



Why are residents concerned about traffic?

- Per the TIS, the new development will result in ~450 new peak hour trips per day
 - Increased congestion and delays, especially during peak morning school drop-off hours
 - Increased traffic leads to increased risk for accidents

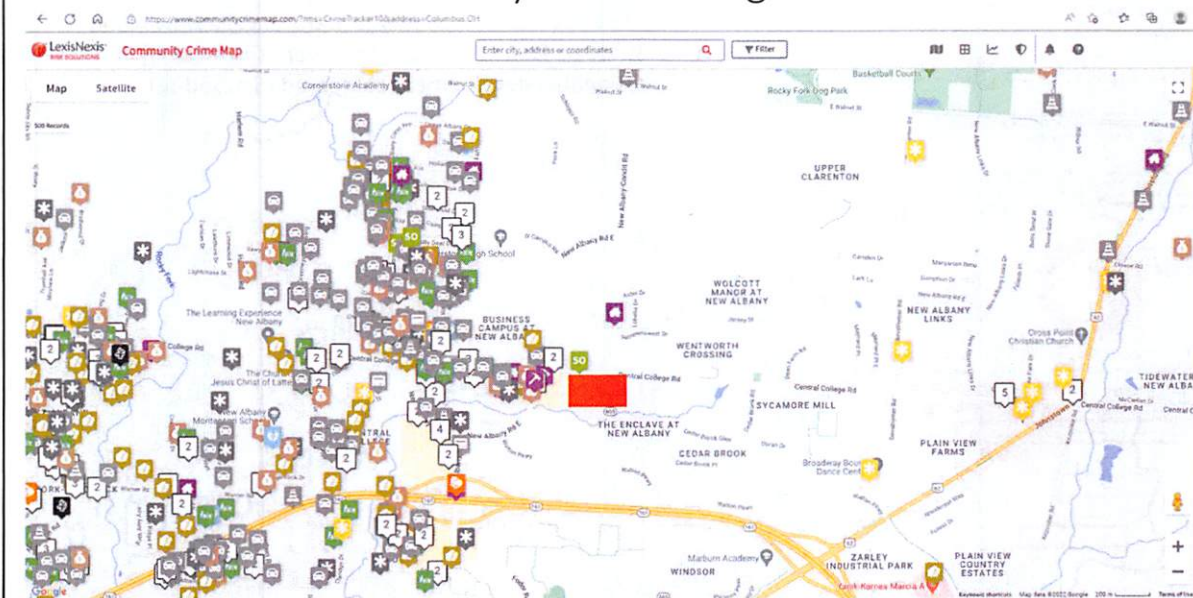
Traffic incidents around the proposed development



- **64** total incidents from January 2020 through November to date 2022
- **35** Road incidents at intersections and roadways directly around proposed hamlet (shown at left)
- **15** Road incidents on New Albany Rd West between Central College and New Albany Rd (11 at the intersection of Central College and New Albany Rd West)
- **10** parking lot incidents
- **4** Road incidents at or around New Albany Rd and State Route 161

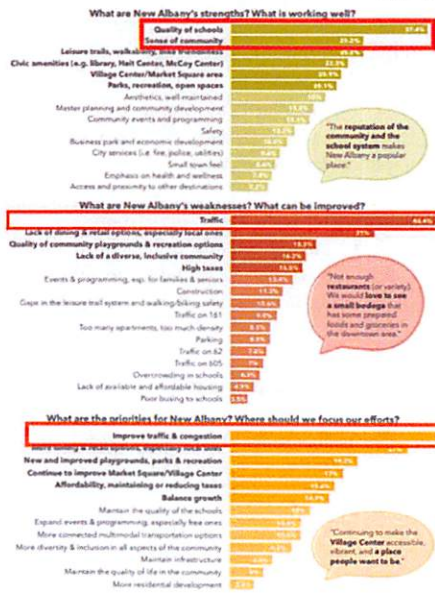
* Data sourced from Ohio Department of Public Safety

Crime – Data from January 2020 through November 2022



Source: LexisNexis Community Crime Map

What does the Engage New Albany Strategic Plan say?



- What do we like?
 - Quality of schools – 37.4%
 - Sense of community – 25.2%
- What do we want to see improved?
 - Traffic – 44.4%
- Where should we focus our efforts?
 - Improve traffic & congestion – 34%

Does the community want mixed-use development?

WHAT WE HEARD

Throughout the community engagement process, topics arose such as: continuing to advance the strong tradition of planning; properly managing growth; attracting unique local businesses to New Albany; creating walkable, mixed-use environments; guiding development to allow aging in place; considering traffic impacts of land uses; understanding the fiscal impacts of land uses; and balancing growth while maintaining a high-quality school district.

To gather more concrete feedback on these land-use related topics, specific questions were asked at the second community workshop to gather ideas from the public. The charts and graphs below summarize that feedback.

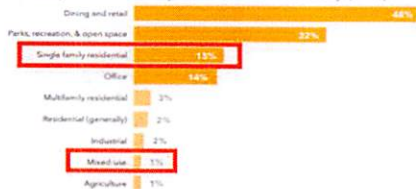
Should New Albany strive to be a life-span community where people can live their entire lives within the city if they so desire and provide the housing types to make this possible? (n=159)



Should New Albany add retail areas within the city, but outside of the Village Center if they are limited in geography and designed to serve the adjoining neighborhoods and/or employment centers? (n=174)



What type of land uses would you like to see more of in New Albany? (n=179)*



Why does this site matter so much?





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

P: 614.335.9321
F: 614.335.9329
aaron@uhlfirm.com

December 1, 2022

New Albany City Council
c/o City Council Clerk Jennifer Mason
99 W. Main Street
New Albany, OH 43054

Re: Hamlet at Sugar Run, Ordinance Number O-40-2022

Members of City Council:

While it is unusual for me to provide written correspondence to you in advance of a zoning hearing, the interest and scrutiny surrounding the proposed Hamlet at Sugar Run warrants a detailed presentation of facts and data for your consideration. Numerous items have been discussed during the public review of this application. This letter is intended to provide a more organized presentation of responses than may be possible during a public hearing. By having the benefit of this information ahead of time, you will be able to consider it more thoroughly as you prepare for the meeting on December 6th.

The idea of a hamlet in New Albany has been around for many years, as recognized in the City's Strategic Plan:

"The concept of a hamlet in New Albany originated from the Rocky Fork Blacklick Accord plans from 1996 and 2001. These plans contemplated the eventual build-out of the entire Plain Township area and the needs of residents north of SR 161. One of the recommendations to address the changing development patterns in this area was the creation of a small hamlet, with the goal of creating a walkable, mixed-use environment connected to surrounding neighborhoods and integrated into an open space network. The original hamlet concept focused on a focal green space, residential development around the green, limited retail around the green, in the City has been an idea for years."
- Engage New Albany, Page 218.

Over the past two years City Council has had no less than four separate and distinct opportunities to consider the prospect of a "hamlet" in New Albany. On two of those occasions, the consideration was City-driven by including the concept of a hamlet in its Strategic Plan. The City initiated this concept by adopting recommendations for hamlets in the *Engage New Albany* plan, as a proactive measure and not in reaction to a pending proposal.

One of the most distinguishing characteristics of the City is its meticulous master planning. So the recommendations in the Strategic Plan are guideposts to landowners and developers. When

the 2021 Strategic Plan update called for hamlet developments, it was no surprise that there was immediate interest in pursuing this unique concept. This applicant, an affiliate of Steiner & Associates, in an application considered in 2021 after the adoption of the *Engage New Albany* plan, relied on the plan's recommendation just like others in the City have done with respect to their properties for over three decades.

It is well-known that the standards and recommendations of New Albany's Strategic Plan have always set a high bar. But an applicant has always been able to count on the fact that it will more than likely receive City support if that bar can be met or exceeded. The 2021 rezoning application met 11 of the 12 requirements and recommendations of the Strategic Plan for this type of development. The Rocky Fork Blacklick Accord Implementation Panel and the City's Planning Commission recommended its approval. City Council disapproved it, citing deficiencies in the City's regulation of this kind of development. This was the second time that the topic of a hamlet was considered by City Council.

The third time occurred earlier this year, in a City-initiated further update to the Strategic Plan that was narrowly tailored to hamlets and related amendments to the City's Codified Ordinances. Within its power at that time was the ability to eliminate this development concept in its entirety or at this particular location, yet it did not. In fact, the City eliminated the hamlet as a recommended development type at another location but chose not to do so here. All the while, the applicant waited patiently, continuing to carry the burden of significant economic investment in the subject property and the costs of its unsuccessful 2021 zoning effort.

When the hamlet recommendation for its property remained in the 2022 update to the Strategic Plan, Steiner & Associates studied it in great detail and has now delivered a proposed zoning and preliminary development plan application that is 100% compliant with the new standards (15 out of 15 being met). It has received the support of the Rocky Fork Blacklick Accord Implementation Panel and the City's Planning Commission. Now comes City Council's fourth opportunity in a two-year period to make a decision on the merits of a hamlet.

Why should this application be approved? Aside from the fact that, from a legal standpoint, all of the relevant factors under the Codified Ordinances and the Strategic Plan have been met, a disapproval of the ordinance runs contrary to the general principles that have made New Albany such a great place to do business. Historically, development that meets or exceeds the community standard has been welcomed. Applicants understand the figuratively high price of entry for developing in the community. And while that price is not for everyone, the expectations of the various boards and commissions and of City Council are clear and predictable. This important interplay between planning, zoning, and expectations has been a critical element in achieving New Albany's built environment.

The stability and consistency of the New Albany process serves to weed out those who are unable to deliver. Clearly, the track record of Steiner & Associates proves that it is able to deliver a Class A mixed use development. The failure to approve an application for a second time that meets clear rules and expectations that have been set by the City would leave this applicant in an unenviable position of asking, "*If I follow all of the rules, regulations, and requirements of the City and that does not gain zoning approval, what will?*" In a broader sense, what does this mean

for others who apply for zonings of other properties that largely comply with long-range plans and City code? There is a major element of due process that is lacking when an application that meets all material planning and zoning requirements is nonetheless turned down.

Aside from this, when weighing the factors to be considered when determining whether or not to approve a PUD rezoning request, it is clear that overwhelmingly they weigh in favor of approval of the ordinance from a legal standpoint. Later in this letter is an analysis of these factors and how they have been met. As you weigh them, the applicant requests your careful consideration of the information in the balance of this letter. Specifically, matters relating to school impact, traffic, and crime, which have been hot buttons during the review of the Hamlet at Sugar Run.

Objective data and professional analyses must be considered rather than pure conjecture, fear-mongering, and unsubstantiated claims. The information below has all been obtained or generated using verifiable information from public sources, by and through the use of generally accepted tools for analysis, and/or the opinions of independent professional third parties.

School Impact

School impact has been a primary topic of conversation throughout the zoning review process. Substantial efforts have been made by the applicant and City staff to quantify the number of students that are projected to reside in the Hamlet at Sugar Run. As detailed by me at the first reading of the zoning ordinance, the applicant engaged the services of the same consultant that the New Albany Plain Local School District uses for its own projections. That consultant concluded that the proposed development would generate 28 students. City staff then worked with the school district independently to identify the actual number of students that reside in existing developments in New Albany and arrived at an average number of schoolchildren that reside in various residential product types. These numbers were then applied to the proposed preliminary development plan, and the end result was the same number of projected students (28) as the applicant suggested.¹ Just as interestingly, if the subject property were developed under its current R-1 zoning classification, the data collected by the City and school district would indicate that 29 students would reside there.

In preparation for the upcoming hearing on December 6th, a financial analysis of the impact of the proposed development on the school district has been completed and is attached to this letter as **Exhibit B**. It demonstrates that the proposed preliminary development plan would generate in excess of \$1.75 million annually to the school district after covering the local cost to educate the students that will reside there. For perspective, the County Auditor's records indicate that the property which includes the Discover Card building to the north of the proposed Hamlet at Sugar Run generates \$468,472 annually to the schools.² For the school district, the Hamlet at Sugar Run

¹ At the first reading of the zoning ordinance, Council member Wiltout requested additional data in terms of the average number of schoolchildren reading in townhomes in other areas. This information is attached to this letter as **Exhibit A**.

² \$25M value per County Auditor x 0.35 assessment rate = \$8,750,010 taxable value.. \$8,750,010 taxable value x 0.08817473 commercial effective millage rate = \$771,529 annual taxes. Schools' share is 60.72%. \$771,529 x 0.6072 = \$468,472.

is therefore the financial equivalent of building 3.75 Discover Card buildings, with no associated tax abatement.

Traffic

Another major area of interest has been the traffic impact of this proposal. The traffic impact study that was submitted in conjunction with this zoning application was based on requirements of the City's traffic engineer as detailed in a written memorandum of understanding. The study was conducted in accordance with standard industry practices, as confirmed by the City's traffic engineer in his presentation at City Council's last meeting. Steiner & Associates has agreed to all of the conclusions in the approved traffic study and to take all recommended actions. This mitigates any impacts on the public street network, and therefore traffic is not a basis to deny the zoning.

An issue that was recently raised concerned the timing for traffic counts that were used in the study. The assertion by some has been that the counts likely were low due to the fact that they were performed on September 27, 2022. This was the day after a three-day weekend for the school district. Members of the public have generally asserted that school attendance is greatly reduced on the day after a long weekend, assuming that most families "tack on an extra vacation day". The reasoning continues that new counts should be taken on a different day to more accurately reflect attendance on a typical school day.

The mere assertion of something does not make it accurate. The applicant requested attendance data from the New Albany Plain Local School District for the date on which the traffic counts were completed, as well as attendance data from what would be presumed to be a "normal" school day in terms of attendance. The response from the district was to report absences as follows:

From: Patrick Gallaway <gallaway.1@napls.us>
Sent: Tuesday, November 15, 2022 1:50 PM
To: Lisa Hinson <lisa@hinsonltd.com>
Subject: Re: Question of the day

Here is a snapshot of two days, does this help? Pretty consistent except for the ELC.

	High School	Middle School	Intermediate School	Primary School	ELC
Sept 19,2022	146	54	51	61	50
Sept. 27, 2022	146	51	63	59	32

These numbers include half day and full day absences.

The data above demonstrates that:

- There was no difference in absences at the high school on these dates.

- There were 3 less absences at the middle school on the date of the traffic counts.
- There were 12 more absences at the intermediate school on the date of the traffic counts.
- There were 2 less absences at the primary school on the date of the traffic counts
- There were 18 less absences at the ELC on the date of the traffic counts
- In total, there were 11 less absences in the school district on 9/27/2022 than on 9/19/2022.

Although school attendance has been alleged to be substantially less than normal on September 27, 2022, the data tells the real story. The timing of the counts had no impact on their validity as being representative of typical traffic volumes.

Moreover, any assertions that “the traffic study is wrong” or is not credible are completely unfounded. The City’s own traffic engineer testified at length at the first reading of the zoning ordinance, and City Council presented many questions. The City traffic engineer has no bias in favor of this applicant. His client is the City. So his testimony as to the validity of the assumptions in the study and his agreement with its conclusions should settle any concerns with traffic impacts.

Another argument that has been presented by community opposition is that the intersection of State Route 605 and Central College Road is so dangerous that adding traffic to it from the proposed development would add to an already unsafe condition. Again, this is not supported by facts. On November 9, 2022, at the request of the applicant, the New Albany Police Department provided the accident data for the intersection dating back to December 2020. That data is included in Exhibit C to this letter.

Over a nearly two-year period, there were 7 total accidents. Five of them resulted in only property damage. The other two involved minor injuries, according to the data provided. Does this constitute a “dangerous” intersection? Considering that thousands of vehicles pass through this intersection every single day, 7 total accidents in a two-year period cannot be considered to be even moderately dangerous.

Crime

Another claim that has been associated with this project is that it will bring crime to the area. The theory being that “the types of people” who live in townhomes or “flats” tend to engage in more criminal activity than those who reside in traditional single-family homes. Aside from the broad negative stereotype that this provides, it ignores the fact that (a) the townhomes will be valued in excess of \$600,000 each and will be of a similar quality as the existing Keswick and Richmond Square neighborhoods in the City, which is hardly bringing an impoverished population to the community; and (b) the “flats” product will include up to 40 units, some of which a portion are anticipated to be luxury condominiums, and the remainder will be for-rent at rates that are comparable to the Market & Main apartments in the Village Center.

In an effort to support the applicant’s view that this development will not result in a community with criminal activity, an inquiry was made with the New Albany Police Department

regarding criminal activity in other areas of the community. Police Chief Jones' response was provided in a letter which is attached here as **Exhibit D**. During a 14-month period ending in mid-October 2022, there were 6 police reports taken related to the Market & Main apartments, 4 police reports taken for the Wolcott Manor neighborhood, and 5 police reports taken for the Keswick townhomes, for a grand total of 15 police reports in 14-months across 270 total units. On an annualized basis, this is 12.8 police reports per year in the aggregate for those three communities. The preliminary development plan for the Hamlet at Sugar Run includes 188 units. If the same rate of police reports is applied to this proposal as to the other three projects, then the projection is that the residential development will generate less than 9 police reports each year.

x = projected number police reports per year in Hamlet at Sugar Run

$$\frac{12.8 \text{ reports/year}}{270 \text{ units}} = \frac{x}{188 \text{ units}}$$

$$\frac{270x}{270} = \frac{(188 \text{ units} \times 12.8)}{270}$$

$$x = 8.9 \text{ police reports/year}^3$$

Applying actual data from other communities in the City, it is clear that there cannot be an expectation that criminal activity will be at all prevalent in the proposed development.

Legal Standards for Zoning

With all of the above in mind, and considering the site plan and other supporting materials and information that are associated with the application, as well as testimony provided to City Council and other boards and commissions that make recommendations to City Council, the applicant submits that all relevant factors to approve this zoning application have been met, as detailed below,

Codified Ordinances Section 1159.08:

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

Response: The City's Zoning Code was updated by City Council in July 2022 to apply development standards that are particular to a hamlet. This application requests no variances or waivers from these newly adopted Code requirements.

(b) That the proposed development is in general conformity with the Strategic Plan or portion thereof as it may apply.

Response: The City's Strategic Plan was updated by City Council in July 2022 in conjunction with the Zoning Code. That update provided for 15 requirements and recommendations for a

³ Who said a lawyer would never use high school algebra in the real world?

hamlet, which is recommended to be located in the exact location of the applicant's property. The pending application meets all 15 of them. The 2021 application that was filed for the same site met 11 of 12 of the recommendations and requirements of the Strategic Plan that was then in effect. Given the City's emphasis on master planning and its long track record of supporting projects that comply with the Strategic Plan, it would be very unusual for City Council to disapprove of the current application, which meets all applicable criteria. Literally, the applicant could not do any better in this regard. In fact, the density shown in its preliminary development plan is less than what is illustrated in the "test-fit" plan that the City included in the Strategic Plan update, and the amount of open space exceeds that which the illustrated in the test-fit plan as well.

(c) That the proposed development advances the general welfare of the Municipality.

Response: During the outreach phase of the *Engage New Albany* Strategic Plan, the community expressed the desire for additional housing types for all stages of life along with more active, walkable destinations in the City, particularly north of State Route 161. In addition, there was a desire to introduce new walkable retail and commercial uses integrated with residential areas. This development meets these needs while providing additional greenspace for the municipality, preserving a 180-foot wide stream corridor, increasing tax revenue for the community and providing significant additional funding to the school district. The City adopted the hamlet concept in the first approved iteration of the *Engage New Albany* Strategic Plan. After the 2021 zoning application was disapproved, the City took another look at the hamlet idea. Rather than ridding the plan of the concept, instead the City chose to eliminate one of the previously recommended locations for a hamlet, leaving in place a recommendation for this type of development on the property that is the subject of the pending ordinance. On two occasions the City has concluded that this type of development is preferred for this location, indicating the City's continued view that a hamlet at Central College and State Route 605 is in furtherance of the general welfare of the community. The following is taken from Page 8 of the latest updated plan for this area:

Hamlet development is strongly
recommended for the area shown on the
future land use map, but it is not required.

While it is not the only recommended development type for the southeastern and southwestern quadrants of the Central College/State Route 605 intersection, a property owner would always be well-advised to follow the preference of the City. City Council strongly recommended this use. There could not be a clearer indication of the fact that the City sees such a development as furthering the general welfare of the community.

(d) That the benefits, improved arrangement and design of the proposed development justify the deviation from standard development requirements included in the Zoning Ordinance.

Response: The Strategic Plan and zoning updates approved by City Council in July 2022 provided what were seen by it as improved recommendations on the arrangement and design of a hamlet while also defining the standard development requirements associated therewith. Having met all of these recommendations and requirements, there are no deviations being requested from the standard development requirements included in the Zoning Code.

(e) Various types of land or building proposed in the project.

Response: All uses and types of land and buildings that are being proposed in this application are consistent with the hamlet updates approved by City Council in July of 2022. Development of a mix of uses in this location is the clear intent and desire of the City. This proposal includes retail, office, restaurant, parkland, and residential uses.

(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.

Response: All building relationships and overall density are consistent with the hamlet updates approved by City Council in July 2022. To the extent that particular development standards for a hamlet are not prescribed by the Zoning Code, the PUD zoning designation allows for particular standards and requirements to be written and adopted in a zoning text. The zoning text for the Hamlet at Sugar Run PUD is lengthy and contains numerous standards and requirements particular to this proposed development.

(g) Traffic and circulation systems within the proposed project as well as its appropriateness to existing facilities in the surrounding area.

Response: See discussion of traffic earlier in this letter.

(h) Building heights of all structures with regard to their visual impact on adjacent facilities;

Response: All building heights are consistent with the hamlet standards approved by City Council in July of 2022.

(i) Front, side and rear yard definitions and uses where they occur at the development periphery.

Response: All periphery minimum setback requirements are detailed in the zoning text for this project. These setbacks are supported by City staff as being consistent with sound planning principles.

(j) Gross commercial building area.

Response: The proposed zoning text meets the City's new hamlet standard requiring a minimum of 200 square feet of commercial space per each residential unit, as approved by City Council in July 2022. The preliminary development plan exceeds this requirement.

(k) Area ratios and designation of the land surfaces to which they apply.

Response: All required area ratios are detailed in the zoning text and meet or exceed the requirements of applicable provisions of the Zoning Code.

(l) Spaces between buildings and open areas.

Response: All required spaces between buildings and open areas are detailed in the zoning text. These space requirements are unique to a hamlet given its nature as a mixed use, walkable community.

(m) Width of streets in the project.

Response: The proposal provides street widths that are appropriate for a mixed use, walkable area, and are adequate to move traffic through the site at a speed that is safe for vehicles and pedestrians. City staff and the City's traffic engineer have not recommended any changes from the proposed widths.

(n) Setbacks from streets.

Response: Required setbacks from streets are consistent with the characters of perimeter streets and new internal streets, and comply with recommended setbacks from City staff and the City's traffic engineer.

(o) Off-street parking and loading standards.

Response: The zoning text for the proposed hamlet requires a parking analysis to be provided along with a development proposal for Subareas 1, 2, and 4, where a mix of uses is proposed. This complies with Recommendation Number 12 in the updated Strategic Plan Hamlet Focus Area. Minimum parking requirements are set forth in the zoning text for other subareas.

(p) The order in which development will likely proceed in complex, multi-use, multi-phase developments.

Response: The proposed zoning text requires, in Section VIII.F, that each phase of development will provide adequate infrastructure to serve that phase. The Planning Commission is provided with the power to determine the adequacy of this infrastructure with a final development plan for each phase.

(q) The potential impact of the proposed plan on the student population of the local school district(s).

Response: Please see discussion earlier in this letter.

(r) The Ohio Environmental Protection Agency's 401 permit, and/or isolated wetland permit (if required).

Response: Not currently required. The project is preserving a dedicated 180-foot wide stream corridor protection zone to serve as a public amenity.

(s) The U.S. Army Corps of Engineers 404 permit, or nationwide permit (if required).

Response: Not currently required. The project is preserving a dedicated 180-foot wide stream corridor protection zone to serve as a public amenity.

Codified Ordinances Section 1111.06:

(a) Adjacent land use.

Response: The subject property is in a transitional area where a number of different use types exist. To the west of the site are restaurant and other retail uses. To the north is the Discover Card call center facility. To the northeast, east, and southeast are residential uses. To the south is the CVG office and research and development facility. The proposed zoning and development plan locate commercial and mixed uses next to existing commercial uses to the west, and provides residential uses in the eastern and southern portions of the site, placing new uses and development appropriately when compared to existing surrounding conditions.

(b) The relationship of topography to the use intended or to its implications.

Response: The subject property is relatively flat with only gradual grade changes. As such, the topography of the site does not impact the placement of uses and buildings.

(c) Access; traffic flow.

Response: See earlier discussion on traffic in the letter.

(d) Adjacent zoning.

Response: Surrounding zonings include a commercial zoning district to the west under regulations of the City of Columbus; OCD, Office Campus District to the north across Central College Road; residential zoning districts to the east, northeast, and southeast; and L-GE, Limited General Employment to the south. Given the mix of zoning districts in the surrounding area, the convergence of the use types in a single mixed-use development on this site is appropriate and in accordance with sound planning and zoning principles.

(e) The correctness of the application for the type of change requested.

Response: Given the unique mix of uses and development that are prescribed for a hamlet, a Planned Unit Development District is the most appropriate category to accommodate this proposal. This point is evidenced by City Council's 2021 disapproval of an earlier application on this property, as it recognized that much of its zoning code did not regulate this kind of development. Furthermore, the Strategic Plan expressly states that a PUD zoning category is to be applied to a hamlet.

(f) The relationship of the use requested to the public health, safety, or general welfare.

Response: See earlier responses relating to this project's furtherance of the public welfare and the issue of public safety (i.e., crime). Public health may be improved as a result of the development of this project, given the centrally located green space it will provide and many opportunities to walk throughout the development to enjoy various uses, rather than relying on an automobile.

(g) The relationship of the area requested to the area to be used.

Response: The proposed zoning commits to meet the City's requirement that at least 25% of a hamlet will be open space or parkland. Also, as addressed in other places within this letter, the area to be developed and the manner in which it is to be used is appropriate, given the transitional nature of the area.

(h) The impact of the proposed use on the local school district(s).

Response: See discussion of this topic earlier in this letter.

In closing, Steiner & Associates requests the approval of the zoning of the property as set forth in Ordinance O-40-2022. It has made an earnest and sincere effort to bring forth a development proposal that checks all of the boxes in terms of the City's vision. We look forward to another discussion on the merits of this proposal on December 6th.

Sincerely,

A handwritten signature in blue ink that reads "Aaron L. Underhill". The signature is written in a cursive, flowing style.

Aaron L. Underhill

EXHIBIT A



The City of New Albany
Community Development Planning
99 West Main Street
P.O. Box 188 New Albany, Ohio 43054

RE: School Impact Analysis –Hamlet at Sugar Run

Per discussions at the most recent New Albany City Council hearing regarding the Hamlet at Sugar Run, below is a summary of different student yield factors that we identified specific to Townhomes. Based on the evaluated data, there is general consistency amongst actual yield factors at the National level, State level, Far Northeast Columbus level, and New Albany level. Additional information was also collected for other Central Ohio communities.

Townhome Evaluation Student Yield Evaluation:

NAHB Economics & Housing Policy Group, 2020 Study

Single Family Attached (National)	0.210
Single Family Attached (State)	0.112

Future Think Census Tract Analysis (Columbus Far Northeast Gahanna & New Albany)

Townhomes	0.146
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City of New Albany / NAPLSD 2022-2023 Actual Enrollment:

New Albany Townhomes (avg.)	0.122
Keswick Townhomes	0.136
Richmond Square Townhomes	0.077



Other Central Ohio Communities:

Grandview Yard (2021-2022 School Year)

Townhomes/Condos/Apartments	0.036
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Dublin Bridge Park (2021-2022 School Year)

Townhomes/Condos/Apartments	0.034
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Average of all Examples:

Collective Average	0.107
Average excl. Grandview & Bridge Park	0.136

Thanks,

Justin Leyda
Chief Development Strategist

EXHIBIT B



Aaron L. Underhill
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054
P: 614.335.9321
F: 614.335.9329
aaron@uhlfirm.com

December 1, 2022

New Albany City Council
c/o City Council Clerk Jennifer Mason
99 W. Main Street
New Albany, OH 43054

RE: School Financial Impact of Proposed Hamlet at Sugar Run Zoning District

Members of City Council:

NoNA Master Development LLC owns or is in contract to purchase certain real property (the "Property") consisting of 32.6+/- acres which is the subject of a pending zoning being considered by New Albany City Council as Ordinance Number O-40-2022. Accompanying the relevant zoning application was a school impact analysis that was created by the New Albany Plain Local School District's (NAPLSD's) consultant. That analysis concluded that if the pending zoning is approved and the Property is developed in accordance with the proposed preliminary development plan, 28 students would reside in the new zoning district once all development is completed.

City staff subsequently worked with the school district to compile and analyze data on the actual number of students that are being generated from existing developments within New Albany which contain similar product types to those which will be found in the proposed hamlet. That data, when applied to the proposed development, also yielded a projection of 28 students. Also noteworthy is that the present zoning of the subject property (R-1) allows single-family residential homes on lots at a minimum of 40,000 square feet in size. This would allow for 35 homes. Using the data provided by the school district to the City that an average of 0.832 students are generated from a traditional single-family home in New Albany, such a development would also yield 29 students ($0.832 \text{ students/unit} \times 35 \text{ units} = 29.12 \text{ students}$). So, interestingly, the two separate analyses of student generation from the proposed development (one by the applicant and one by the City) resulted in a projection of 28 students, while development under the current zoning of the Property also would yield around the same number.

Therefore, the financial impact of the development of the Property on the NAPLSD comes down to the value that development will bring to the site. The accompanying spreadsheet demonstrates that the preliminary development plan for the hamlet would produce a substantial financial benefit to the school district. More specifically, the preliminary development plan would provide an annual surplus of \$1,758,162 at full buildout. With the annual local cost to educate one student in the NAPLSD being \$9,820, the surplus from this development would fund the education of 179 students elsewhere in the school district. While the final mix of housing types will be based on final development plans that are ultimately approved by the Planning

Commission, it is clear that under any scenario this project provides a significant positive financial impact to the schools. This impact is even more impressive when comparing it to a redevelopment of the Property under its current R-1 zoning or to existing conditions.

For purposes of assessing the school district financial impact under the current R-1 zoning of the Property, this letter assumes that there would be an average home value of \$650,000. Such a new development consisting of 35 homes would be valued at an estimated \$22,750,000 in total. This would generate \$644,145 in total annual real property taxes. The school district's share of this total is 60.84%¹, or \$391,898².

Again, 35 homes constructed under the current zoning of the Property would be assumed to generate 29 students, and the local annual cost to the NAPLSD is \$9,820 per student. Therefore, the local cost to educate students from homes developed under the R-1 zoning of the Property would be \$284,780. This means that development of the Property under the R-1 zoning would provide an annual financial surplus to the school district of \$107,118. This would fund the education of less than 11 students elsewhere in the school district.

Currently, the 20 tax parcels that are included within the Property have an aggregate appraised value of \$1,788,320, according to the Franklin County Auditor, and produce \$79,714 of annual real estate tax revenue to the school district (see accompanying spreadsheet). There are 15 homes on the Property. Assuming they also generate 0.832 students per home, this equals 12 students. These 12 students have a total annual local cost to educate of \$117,840. This means that currently the Property provides a financial deficit to the school district of \$38,126.

I hope this information is helpful in demonstrating the positive financial impact of the proposed Hamlet at Sugar Run on the NAPLSD.

Sincerely,



Aaron L. Underhill
Attorney for the Applicant

¹ <https://apps.franklincountyauditor.com/Calc/TaxEstimate>. According to County Auditor, 60.72% of real estate taxes are distributable to NAPLSD.

² \$22,750,000 appraised value x .035 assessed rate = \$7,962,500 assessed value. \$7,962,500 assessed value x 0.080897367 latest residential millage rate = \$644,145 total annual real estate taxes

The Hamlet @ Sugar Run - Tax Generation vs. Student Expense Projections

INPUTS

11/30/2022

	Auditor Appraised Value/Unit	Assessed Value	35%	Millage Rate	Annual Taxes pre-reduction	After Owner Occupied Reduction	0.03	School Portion	60.72%	Number of Units	TOTAL NAPLSD TAX GENERATION
Single Family Homes	\$ 675,000	\$ 236,250		0.08682994	\$ 20,513.57	\$ 20,000.73		\$ 12,144.45		6	\$ 72,867
Townhomes	\$ 600,000	\$ 210,000		0.08682994	\$ 18,234.29	\$ 17,778.43		\$ 10,795.06		142	\$ 1,532,899
Condos - Flats	\$ 500,000	\$ 175,000		0.08682994	\$ 15,195.24	\$ 14,815.36		\$ 8,995.89		15	\$ 134,938
Apartments - Flats	\$ 250,000	\$ 87,500		0.08817473	\$ 7,715.29	\$ 7,715.29		\$ 4,684.72		25	\$ 117,118
Retail (Per SF)	\$ 200	\$ 70		0.08817473	\$ 6.17	\$ 6.17		\$ 3.75		29500	\$ 110,559
Office (Per SF)	\$ 200	\$ 70		0.08817473	\$ 6.17	\$ 6.17		\$ 3.75		18000	\$ 67,460
										TOTALS:	\$ 2,035,841
	Overall cost per Student to Educate	Local Funding Share	86%	Student Load Factor	Number of Units	Total Student Count		TOTAL NAPLSD COST BURDEN			TAXES vs. COSTS NAPLSD SURPLUS
Single Family Homes	\$ 11,419	\$ 9,820		0.832	6	5		\$ 49,023			\$ 23,844
Townhomes	\$ 11,419	\$ 9,820		0.122	142	17		\$ 170,128			\$ 1,362,771
Condos	\$ 11,419	\$ 9,820		0.149	15	2		\$ 21,948			\$ 112,990
Apartments	\$ 11,419	\$ 9,820		0.149	25	4		\$ 36,581			\$ 80,537
Retail											\$ 110,559
Office											\$ 67,460
				TOTALS:	188	28		\$277,679.93			\$ 1,758,162

Hamlet at Sugar Run - Current Values and Taxes: Nov. 30, 2022

PIN	2021 Value	2021 Taxable Value	Total Tax	School District Portion
222-000675	\$ 277,200.00	\$ 97,020.00	\$ 7,125.34	\$ 4,333.71
222-000685	\$ 760,700.00	\$ 266,250.00	\$ 19,553.92	\$ 11,892.91
222-000686	\$ 279,700.00	\$ 97,900.00	\$ 7,189.98	\$ 4,373.03
222-000670	\$ 348,100.00	\$ 121,840.00	\$ 8,798.72	\$ 5,345.17
222-000676	\$ 162,500.00	\$ 56,880.00	\$ 4,071.36	\$ 2,471.77
222-000678	\$ 25,800.00	\$ 9,030.00	\$ 663.18	\$ 403.35
222-000313	\$ 265,400.00	\$ 92,900.00	\$ 6,822.76	\$ 4,149.68
222-000664	\$ 272,900.00	\$ 95,520.00	\$ 7,015.18	\$ 4,266.71
222-000671	\$ 230,000.00	\$ 80,510.00	\$ 5,912.80	\$ 3,596.23
222-000672	\$ 245,200.00	\$ 85,830.00	\$ 6,303.52	\$ 3,833.87
222-000654	\$ 114,500.00	\$ 40,080.00	\$ 2,943.54	\$ 1,790.29
222-000669	\$ 780,700.00	\$ 273,250.00	\$ 20,068.00	\$ 12,205.58
222-000549	\$ 201,200.00	\$ 70,430.00	\$ 5,172.52	\$ 3,145.98
222-000668	\$ 165,100.00	\$ 57,790.00	\$ 4,244.22	\$ 2,581.38
222-001167	\$ 32,200.00	\$ 11,270.00	\$ 827.70	\$ 503.42
222-000688	\$ 189,300.00	\$ 66,260.00	\$ 4,866.26	\$ 2,959.71
222-000375	\$ 402,500.00	\$ 140,880.00	\$ 10,346.50	\$ 6,292.86
222-000314	\$ 104,100.00	\$ 36,440.00	\$ 2,676.22	\$ 1,627.71
222-000673	\$ 180,900.00	\$ 63,320.00	\$ 4,650.34	\$ 2,828.39
222-000376	\$ 71,200.00	\$ 24,920.00	\$ 1,830.18	\$ 1,113.14
TOTAL	\$ 5,109,200.00	\$ 1,788,320.00	\$ 131,082.24	\$ 79,714.89

EXHIBIT C

From: Kris Daniels <kdaniels@newalbanypolice.org>
 Sent: Wednesday, November 9, 2022 9:58 AM
 To: Renee Kreutler <rkreutler@steiner.com>
 Subject: FW: Hamlet at Sugar Run - Traffic question

Accident Number	Accident Date/Time	Road Name	Road Type	Road Type	Road Type	Route Number	Reference Point	Condition	Unit Error	Pre Crash Action	Crash Severity
2020-00013314	12/27/2020 22:01:00	CENTRAL COLLEGE	RD Road	SR State Route		605	1 Intersection	1 Dry	01	05 Making Right Turn	5 Property Damage Only
2021-00001242	02/07/2021 10:26:00	CENTRAL COLLEGE	RD Road	SR State Route		605	1 Intersection	1 Dry	01	01 Straight Ahead: Makine Left Turn	5 Property Damage Only
2021-00007120	08/04/2021 15:47:00	CENTRAL COLLEGE	RD Road	SR State Route		605	1 Intersection	1 Dry	01	04 Overtaking/Passing: Slowing or Stopped	5 Property Damage Only
2021-00009048	10/04/2021 16:56:00	CENTRAL COLLEGE	RD Road	SR State Route		605	1 Intersection	1 Dry	01	01 Straight Ahead: Slowing or stopped	3 Suspected Minor Injury
2021-00009074	10/05/2021 16:20:00	CENTRAL COLLEGE	RD Road	SR State Route		605	1 Intersection	1 Dry	01	01 Straight Ahead	3 Suspected Minor Injury
2021-00011573	12/16/2021 15:56:00	CENTRAL COLLEGE	RD Road	SR State Route		605	1 Intersection	2 Wet	01	01 Straight Ahead	5 Property Damage Only
2022-00005231	05/31/2022 09:55:00	CENTRAL COLLEGE	RD Road	SR State Route		606	1 Intersection	1 Dry	01	01 Straight Ahead: Making Right Turn	5 Property Damage Only

EXHIBIT D



October 20, 2022

Attn: Laura Wedekind
Steiner + Associates
4016 Townsfair Way, Suite 201
Columbus, OH 43219

Ms. Wedekind,

Thank you for the information you provided regarding The Hamlet at Sugar Run development proposal. I understand that this new development proposal reduces the residential density maximums from 11.2 units/gross acre overall (340 units) as proposed in 2021 to 5.7 units/gross acre overall (188 units). Also, the multi-family density has been reduced from 280 units proposed in 2021 to 40 units in the current proposal.

During our meeting, you produced a memo that I wrote in August 2021 in which I responded to a question from a member of our city council. The council member wanted to know what impact the 2021 proposed development might have on crime in the city. In the memo, I analyzed the impact of two higher-density developments (Market Street Apartments and Redwood development/Wolcott Manor) on police services. You asked if I could provide a similar updated analysis of crime statistics considering the revised density numbers in the new proposal. I attached the August 2021 memo for reference.

In comparing the development's original 2021 plan (NONA) to the new development plan (The Hamlet at Sugar Run) it appears that the density and the number of units have been significantly reduced. A statistical comparison of the proposed Hamlet at Sugar Run to the same two higher-density developments that were used in last year's comparison along with the Keswick Townhomes is as follows:

Police Department Total Calls for Service (CFS) from 8/19/21 to 10/18/22 – 4,291

- Apartments at Market Street
 - 26 units per acre / 122 units
 - 36 CFS from 8/19/21 to 10/18/22 (Examples: Suspicious Person, 911 Hang up, and Noise Complaint)
 - 6 Police Reports Taken (Examples: Domestic, Theft, and Threats/Harassment)
- Wolcott Manor/Redwood Development
 - 4.9 units per acre / 103 units

NEW ALBANY
POLICE

- 24 CFS from 8/19/21 to 10/18/22 (Examples: Alarm Drops, Suspicious Person, Suicide Attempt, and Investigate Complaint)
 - 4 Police Reports Taken (Examples: Domestic, Theft, and Investigate Complaint)
- *Note: 55 and older development*
- **Keswick Townhomes** (This development was not part of the August 2021 analysis)
 - 8.09 units per acre / 45 units
 - 29 CFS from 8/19/21 to 10/18/22 (Examples: Alarm Drops, Disturbances, Lockouts)
 - 5 Police Reports Taken (Examples: Burglary, Theft, Threats/Harassment)
- **Hamlet at Sugar Run (Proposed Development)**
 - 5.7 units per acre / 188 units Residential Density
 - 40 units Multi-family Density

After reviewing this past year's calls for service and the related reports, I conclude the apartments on Market Street, Wolcott Manor, and the Keswick Townhomes do not require a disproportionate amount of police resources and are not a source of or a focus of criminal activity. Based on the information provided during our meeting regarding the residential and commercial development plans for the Hamlet at Sugar Run, there is no indication that this development will substantially differ statistically from the referenced existing developments if built.

Greg Jones
Chief of Police