



Council Minutes – Special Meeting

August 24, 2021

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of August 24, 2021 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 Mitch Banchefsky; Finance Director Bethany Staats, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, Development Director Jennifer Chrysler, Planning Manager Stephen Mayer, Deputy Public Service Director Mike Barker; Deputy Finance Director Drew Turner, Economic Development Manager Michael Loges, Engineering Manager Ryan Ohly, Chief Communications and Marketing Officer Scott McAfee and Clerk of Council Jennifer Mason.

Mayor Spalding reminded the crowd present about capacity and public health guidelines, as well as the ability to stream the meeting on an electronic device or watch on a screen provided in the lobby.

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 Colleen Briscoe	P
CM Marlene Brisk	P
CM Michael Durik	P
CM Chip Fellows	P
CM Kasey Kist	P
CM Matt Shull	P

ACTION ON MINUTES:

Mayor Spalding asked if council had reviewed the proposed 8/3/2021 regular meeting minutes and asked if they had any additions or corrections. Council Member Shull found 3 typos which were non-substantive and would be fixed in the original document. Mayor Spalding moved to adopt the 8/3/2021 regular meeting minutes as corrected. Council Member Briscoe seconded and council voted with seven yes votes to approve the 8/3/2021 regular meeting minutes as corrected.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

Staff recommended that council move Resolution R-41-2021 to after Correspondence and Communications to hear from an out-of-town representative. Mayor Spalding moved to amend the agenda to move Resolution R-41-2021 on the agenda to after Correspondence and Communications. Council Member Fellows seconded and council voted with seven yes votes to amend the agenda.

HEARING OF VISITORS:

Mayor Spalding recognized Beckie Knore, Founders Day organizer, and thanked the Founders Day Committee for paying homage to Dr. Glyde Marsh by dedicating the parade to him.

Proclamation - Founders Day Grand Marshals – NAPLS State Champions

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Mayor Spalding congratulated the city's many student athletes on their achievements at a challenging time. Mayor Spalding read the proclamation.

Proclamation - Founders Day Community Connection Honoree – Safety Town

Mayor Spalding praised Safety Town Coordinator Lisa Carson for frequently volunteering and never asking for recognition. He thanked her for everything she'd done for Safety Town.

Andy Dunn addressed council on behalf of the Skate Park group. He was pleased to hear that a skate park was moving forward at the proposed Kitzmiller Park. The Skate Park group had collected \$3,700 from around the community so far. Over the weekend, they put that money – after talking to Brian Smith at the parks department – into the Parks and Recreation Foundation for the city to access. He thanked council.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Council Member Shull reported that the PC approved an application zoning change from AG to L-GE unanimously. .

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ACHITECHTURAL REVIEW BOARD: No meeting.

BOARD OF ZONING APPEALS: No meeting.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

INCLUSION DIVERSITY & EQUITY ACTION COMMITTEE: Council Member Brisk reported that the IDEA held its first in-person meeting. They discussed partnerships and how to move forward with other organizations. They discussed the city's senior programming initiative – both a partnership and an example of reaching out to people who were asking to be more included in the community.

CEMETERY RESTORATION ADVISORY BOARD: Clerk Mason reported that the CRAB board discussed their visit to the Wagner Cemetery the prior weekend. They looked forward to council's discussion about Wagner at the upcoming Capital Projects Workshop. Mayor Spalding thanked former mayor Nancy Ferguson for offering a group tour. Council Member Kist appreciated Ms. Ferguson's summary. Mayor Spalding recommended that council members swing by before the workshop.

CORRESPONDENCE AND COMMUNICATION:

Council had received many emails regarding the NoNA rezoning. Council Member Kist asked that they be included in the record of this meeting.

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Mayor Spalding reported receiving a copy of a letter that was sent by a Columbus law firm to the NAPL School Board on August 19, 2021. It concerned the school board's stance on unvaccinated children under age 12 not being mandated to wear masks and threatened litigation.

RESOLUTION R-41-2021

Clerk's note –this item was moved on the agenda by council. See Additions or Corrections to the Agenda.

RESOLUTION R-41-2021

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO APPROVE AND SIGN AGREEMENTS WITH SCANNELL PROPERTIES #538, LLC RELATED TO INCENTIVES AVAILABLE FOR PROJECT DEVELOPMENT IN THE OAK GROVE II COMMUNITY REINVESTMENT AREA.

Economic Development Manager Michael Loges described the Scannell Properties project constructing a 54,000 industrial building on 33 acre on the south side of Innovation Campus Way. Possible uses for the building included light manufacturing, distribution and warehousing, and industrial uses. Scannell expected to invest \$30 million to construct the building beginning later this year, and complete it by mid-2022. The project should support 200-400 permanent employees with an aggregate payroll of \$10.7 million. This legislation would grant a 15-year, 100% real property tax abatement. Dan Harrington with Scannell Properties was present to answer questions.

Council Member Fellows asked and Manager Loges described the agreement's designation of funds to New Albany's Infrastructure Fund, the City of Columbus for sewer and water, New Albany's General Fund, and the local school district. Further breakdown was laid out in the Legislative Report. This agreement involved the Licking Heights School District.

Mr. Harrington expressed his excitement for this project and talked about his personal history with New Albany development. He praised city staff.

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 Briscoe seconded and council voted with seven yes votes to approve Resolution R-41-2021.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-28-2021

Mayor Spalding read by title AN ORDINANCE TO AMEND A CONSERVATION EASEMENT GENERALLY LOCATED NORTH OF SMITHS MILL ROAD AND WEST OF BEECH ROAD, INSTRUMENT NUMBER 201012230175455, TO PERMIT THE INSTALLATION OF AN UNDERGROUND SANITARY SEWER.

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Engineering Manager Ryan Ohly told council this legislation authorized the city manager to amend an existing conservation easement to allow the construction, installation, operation, and maintenance of the Blacklick Creek trunk sewer. The trunk sewer would serve as the backbone for the business park sewer system. A temporary construction easement and permanent utility easement were necessary to install the sewer in the established alignment. The surface area would be restored following construction.

Council Member Briscoe asked and Manager Ohly confirmed that the ground being taken out of the conservation was being replaced with 6.2 acres to the north going into the conservation easement.

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

Council Member Brisk moved to adopt the ordinance. Council Member Shull seconded and council voted with seven yes votes to approve Ordinance O-28-2021.

ORDINANCE O-29-2021

Mayor Spalding read by title AN ORDINANCE TO APPROVE THE FINAL PLAT AND ACCEPT RIGHT-OF-WAY DEDICATION AND EASEMENTS FOR GANTON PARKWAY EAST PHASE 2, AS REQUESTED BY THE CITY OF NEW ALBANY.

Planning Manager Stephen Mayer described the platted Phase 2 of Ganton Parkway consisting of 1,821 linear feet of new right-of-way encompassing 3.28 acres. The plat contained the same right-of-way width as Ganton Parkway Phase 1 and incorporated an existing 30 foot easement for utilities and improvements. This street was recommended in Engage New Albany strategic plan and by the Planning Commission at their July 2021 meeting.

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 ordinance. Council Member Durik seconded and council voted with seven yes votes to approve Ordinance O-29-2021.

ORDINANCE O-30-2021

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 30.6 +/- ACRES OF LAND GENERALLY LOCATED AT SOUTHWEST AND SOUTHEAST CORNERS OF CENTRAL COLLEGE ROAD AND NEW ALBANY-CONDIT ROAD FOR AN AREA TO BE KNOWN AS THE “NONA ZONING DISTRICT” FROM ITS CURRENT ZONING OF RESIDENTIAL ESTATE DISTRICT (R-1) TO “I-PUD” INFILL-PLANNED UNIT DEVELOPMENT DISTRICT AS REQUESTED BY NONA MASTER DEVELOPMENT LLC.

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Planning Manager Steve Mayer described the 4-stage rezoning process. The Rocky Fork Blacklick Accord recommended this rezoning application in May of 2021. The Planning Commission recommended the project in June of 2021. This was the final stage. If this rezoning was approved, the project's Final Development Plan would go back before the Planning Commission (PC) before construction could begin. The PC would hold a public hearing requiring neighbor notification within 200 feet, similar to the rezoning process.

Manager Mayer described the area's surrounding zoning. He further described the strategic plan creation and adoption process wherein residents expressed interest in small, walkable neighborhood retail and restaurant areas and different housing types. This resulted in planning for two hamlet locations in New Albany. A hamlet location was recommended for State Route 605 and the Central College area.

The NoNA site plan called for a mixed-used development containing a mixture of residential, commercial, and parks and recreational space, along with a senior assisted living facility. Council Member Fellows asked and Manager Mayer replied that the project had two commercial components. One area was traditional commercial space allowing for office, general retail stores, and personal services - prohibited uses included funeral services, laundromats, and gas stations. Drive-thru uses were conditioned upon public hearing with neighborhood notification and PC approval. The second area was a centralized commercial, pedestrian-oriented space. Permitted uses included office, retail, restaurants, and could include food trucks, outdoor stages, and small markets. No drive-thrus were permitted.

The mixed used zoning was broken into 6 subareas - a deliberate transition from east to west. Residential uses were next to existing residential uses. Commercial uses adjacent to the commercial uses in the City of Columbus. Each subarea had its own set of uses, height, and development standards. The apartment building allowed for a maximum of 280 apartment units, 8 3-bedroom units, and no more than 40% of the total apartments could be 2-bedroom. The remainder must be 1-bedroom or studio apartments. Overall, the residential component consisted of 365 residential units on 30.6 gross acres. The density was 12 units per acre, which did not include the assisted living facility as that was not categorized as a residential use. Manager Mayer believed the senior facility contained 125 units.

The Engage New Albany plan recommended one unit per acre. The hamlet concept was in the strategic plan and staff had not yet had the opportunity to create city code for hamlets. Manager Mayer displayed examples and conception drawings of the various subareas and features of the hamlet. Per the strategic plan, hamlets were expected to propose a distinctive and complimentary architectural style. This project followed the plan's recommendations.

The applicant submitted a school impact statement that projected a total of 60 students generated at buildout, and would be presenting more information in their presentation. The applicant was proposing to dedicate 8.5 acres called Sugar Run Park - a passive park with benches and trails. Staff confirmed with the law director that the strategic plan's mixed-use district - which recommended .5

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to 10 acres of open space to be dedicated per development - was the correct standard. The proposed park equaled 27% of the total development area.

Council Member Kist asked and Manager Mayer replied that trail connectivity wasn't in the rezoning text. Safe trail connections would be considered in the Final Development Plan application.

The applicant submitted a traffic impact study. The proposed development contained 4 new curb cuts. Central College would include restriping to include left turn lanes. Northbound on SR 605 would include a right turn lane onto Central College. No signalizations were warranted. The city's traffic engineer reviewed and supported the traffic study's findings. Additional improvements were made at the request of The Enclave residents for the entry to their subdivision. The city's traffic engineer further recommended ensuring alignment with The Enclave entry. The city was proposing to lower the speed limit from 45 mph to 35 mph along SR 605.

The proposed land use matched the land use recommendations in the city's strategic plan – which included a mixed use development along the Central College corridor in order to connect and spatially organize the various residential and commercial uses in this area.

The hamlet was recommended based on the existing development standards in the area and resident requests for walkable retail and restaurant uses in and around existing resident developments. The NoNA project met 11 of the 12 hamlet development standards with the exception of the height. This proposal allowed a maximum of 53 feet in height for the apartment. Overall, the development was appropriate given the nature of the hamlet concept and the context of the Central College corridor as it transitioned from the City of Columbus.

Council Member Kist asked and Aaron Underhill, attorney for applicant, clarified that the name of the project was "North New Albany."

Mayor Spalding stated that staff's PowerPoint slide presentation would be part of the record and would be posted on-line as soon as possible for further reference. (*See attached.*) He encouraged those present to ask individual questions of staff or council outside of this meeting as it would not be feasible to do a full Q&A session.

Aaron Underhill, attorney for applicant, stated this project came in right on the heels of the strategic plan. This required them to be creative as there were not city code guidelines. He expected each hamlet in the strategic plan to stand on its own merits. The Infill-Planned Unit Development (I-PUD) text would go through secondary review with the PC, and he was warned of a rigorous PC review.

Mr. Underhill spoke of his experience of the ire that multi-family developments garnered. The applicant had done their best to study and address resident concerns in great detail. They met with the school district superintendent and treasurer. He asked council to pay attention to the objective data – assertions without numbers should not be considered. He thought the community would ultimately love this forward-thinking project.

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Clerk's note – the developer presented from the attached slides.

Yaromir Steiner, Steiner + Associates, described residing in New Albany for 25 years. His company's goal was to create a project which would contribute to the well-being and economic prosperity of the city. The project was based on - (1) the wishes of the citizens of New Albany as contained in the land use strategic plan and the Engage New Albany plan – created by thousands of participants in dozens of meetings over 2 years and approved by the city's elected representatives (2) the rules and regulations – including environmental, building, and zoning requirements. They took into account current planning trends and principles. The project was proposed sincerely, following the guidance of the plan, rules, and regulations.

Mr. Steiner described how the site could be approached as office and retail or as a hamlet. They chose a hamlet because (1) it was part of the expertise they brought to the cities they served, (2) for New Albany – there were only 2 locations, (3) for the neighbors – if the property was developed as a commercial-only site, it would not be good for the residential neighbors. A hamlet was lower height, lower density, and less traffic than a commercial space.

Mr. Steiner talked about how the company came up with mixed-use proposal to transition from residential to commercial. The homes would be a high quality product, similar to neighboring homes. Commercial was placed the Columbus side. The apartments would be luxurious – comparable to Market & Main – except the parking was inside. An entry card would be needed to enter the garage. From the garage, a key card would be needed for the lobby. An elevator would take a resident to their floor. This was a single-point-of-entry building – very different from the garden-style apartments west of New Albany.

The height of the apartment building was the same as the Market & Main apartments, but they added dormer windows along with a layer of apartments, creating 4 levels. It was an elite type of product. The City of Columbus could satisfy the lower price-point product.

The hamlet's commercial area was like the Village Center – however, the greenspace had more room for activity. There was a small co-working environment aimed at younger people. There was a restaurant, a bar, and small food venues. They added the senior living to the plan because it was important for seniors to have places to mix with younger people within walking distance. It brought together all age groups. One could move within this neighborhood twice in a lifetime.

The project connected to their neighbors to continue the trail system to Rose Run all the way to Giant Eagle – all done with 12 units per acre. This density was desirable for this kind of environment.

The project would not generate more than 70 students. He'd heard a number of 300 students. Generating 300 kids would mean building 375 homes on the site. That was not possible. He spoke to New Albany Schools Superintendent Michael Sawyers who acknowledged the mistake. He understood this number came from the number of apartment units. The project generated a surplus of \$500,000 for the school district and income for the city.

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Mr. Steiner described meeting with neighboring residents, Home Owners Associations (HOAs), zoning officials, and reaching out to others to have discussions and answer questions for the last 5 months. They made numerous modifications – he gave examples. He stated the closest home was 500 feet away. In the Village Center, the homes were 50 feet from the apartments. A member of the public pointed out a parcel with a house in close vicinity to the site. Mr. Steiner responded they were trying to negotiate to acquire that parcel.

Despite all of their work and outreach, there were a lot of questions and concerns more recently. They were present to listen to the comments and objections – to see if they could answer them or find better solutions. He offered to make a more specific presentation regarding schools or income generation. Mayor Spalding agreed to hear that presentation after public comment.

Mayor Spalding asked and Mr. Steiner confirmed that, with the exception of 1 lot, the property had been purchased or was under firm contract. They were negotiating with the remaining property owner. Council Member Kist asked and Mr. Steiner answered that the remaining parcel would likely become townhomes or similar – not more apartments.

Mr. Steiner recalled Council Member Durik's question – he estimated 750 total residents. Council Member Durik commented that 750 residents represented more than 5% of the total New Albany population – in 30 acres. That was dense. Council Member Durik understood a hamlet should be smaller than the Village Center – which, including the apartments, did not house 750 people. The proposed apartment's 4 stories reached a taller height than the Village Center. He was not comfortable with these aspects. He praised the quality and design of the developer's other projects, however, the scale and size of the apartment building was large and not appropriate to the space.

Council Member Durik was sensitive to not increasing density in the schools or making the schools expand which could increase taxes. He asked and Mr. Steiner answered that the fire department would review the project as part of the next phase. The apartment parking would be surrounded by apartments so no one would see it. It could not be buried because of the water table. Parking would be 1.5 times the number of apartments – probably around 400 spaces. Council Member Durik anticipated that that would not be enough for guest parking, which was already a problem in the Village Center. Mr. Steiner understood the concern from the last council meeting and stated they would add as much parking as was needed via additional levels of parking inside of the loop of the building. This was a luxury – and that was what they were going for.

Mr. Steiner observed that the Village Center's apartments had doors on the street – making on-street parking attractive. For the proposed building, one had to enter the lobby from a single location, so parking outside would not be effective. They were more concerned with parking than the city, because a project that didn't park could not be rented. Regarding density - Keswick and Richmond Square were 11 units per acre. 750 people on 30 acres – there were subdivisions on that size of land. A big difference between the hamlet and the Village Center, the hamlet was surrounded by 7 lanes to the

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north and 5 lanes to the east, whereas the Village Center was surrounded by 2 or 3 lane streets. The hamlet would be more easily handle traffic in and out.

Justin Leyda, Steiner + Associations, stated the zoning text required the project to come back to the PC with a comprehensive parking plan prepared by an outside third-party organization or engineer to make sure parking was adequate for the entire site. Council Member Durik acknowledged this and related that city had that with the Market & Main apartments and still had a problem - it was an issue for him. Mr. Leyda understood that Market & Main had a rent structure that charged extra for private parking – which was a mistake. Mr. Steiner said they wanted an adequate number of parking spaces for tenants and guests. All parking would be part of the rent.

Council Member Briscoe asked and Mr. Leyda replied, based on an actual count, 6 kids went to New Albany Schools from the Market & Main apartments. Mr. Steiner said the hamlet apartments were smaller than the Market & Main apartments. Mr. Leyda stated they talked with apartment owners and managers and got actual kid counts on similar buildings. Based on this additional data, they increased their ratio from .04 to .045. They also, based on feedback from the last meeting, committed to all of the east side townhomes being for sale. They were exploring this for the west side transitional homes. They adjusted that load factor - which increased the population to 7 or 8 kids. That resulted in the increase from 60 to 67 projected kids in the school system.

Council Member Kist asked if city staff had a third party to vet the student numbers. Manager Mayer answered that the city worked with the school system on an annual basis. The city provided housing numbers – current, future, and under construction. Every 3 or so years, the city received information from the schools to audit the number of students generated from a given population. The city received student projections for any rezoning. The city used .8 students per household for a typical subdivision. Busing data showed where neighborhoods kids came from. Engage New Albany data reflected .83 students per single-family household. In the City of Columbus, single-family detached homes also created .83 students per household, and multi-family homes generated .044 students per apartment unit. That was the latest information the city had. New Albany Schools Superintendent Michael Sawyers, at the time of the Engage New Albany creation process, reported 5 students generated from the Market & Main apartments.

Director Chrysler described the city's preparation and research for the Market & Main apartments. They learned that the impact depended on the design of the apartment and what type of user was encouraged. Higher-end apartments seemed to result in high income users, like empty nesters or young professionals. The design, including the number of bedrooms – Market & Main did have 3-bedroom apartments - could be done in a way to keep the overall load down.

Mr. Steiner compared Market & Main to the proposed project – Market & Main studio apartments were 800 square feet versus the hamlet apartment's 550 square feet, 1-bedrooms were 800 versus 650 square feet, 2-bedrooms were 1,276 versus 900 square feet, 3-bedrooms were 1,800 versus 1,200 square feet. The Market & Main product could lend itself to a family due to size. There was a young

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generation graduating from college with no place to live in New Albany. They had to go to Columbus. His company offered pay for the city to hire a consultant to verify their submitted student numbers.

Mr. Leyda added that the hamlet's townhomes were around 2,200 square feet and were intended as a Epcon-type target demographic, however, they used a full-sized home to calculate the student load.

Council Member Fellows praised Mr. Steiner's company's products. He stated his concern was with the residential density. It was 30.6 acres and Mr. Steiner was putting 7-8%, maybe less, of the population into that site. Council Member Fellows was not comfortable that this project did not completely follow the strategic plan. He read from pages 73 and 74 of Engage New Albany – the hamlet development standards and overview. The proposed apartment building was 4 stories at the perimeter and the townhomes on the east side were 3 stories. He did not believe the proposed product provided a balance, but was residential-heavy. The city generated more revenue through commercial office development, not residential. He read from pages 214 – Village Center, and 72 – Mixed-use developments. Council Member Fellows stated a developer would pay an offset, at the low end, just over \$8 million at \$25,000 per acre and, at the high end, up to \$35 million at \$100,000 per acre. The city wasn't asking the developer to pay anything in offsets that it had asked of other developers. Council discuss other project offset payments. Council Member Fellows read from page 74 – Mixed-use strategy. Council Member Fellows stated, reading through the strategic plan, that this project didn't always meet the goals.

Mr. Steiner responded that he could offer a longer conversation. He wanted the community to know that the development intentions were good – to do the right thing for New Albany. He could argue every point, but, at this point the city's boards and staff felt it met the plan. Council could determine they all misjudged the situation. He understood that. He agreed that there was a void of regulations. The city had not defined exactly what they could develop. They did their best to do the right thing.

Mr. Steiner stated that the offset numbers from Council Member Fellows were \$270,000 per acre and \$1.1 million per acre, putting the total price more expensive than the land at Easton. No one could justify that expense.

The hamlet could not compete with the Village Center. The hamlet had 35,000 square feet versus the Village Center's 70,000-80,000 square feet of commerce space. The hamlet had 4,000 square feet of offices, the Village Center had the Post Office, the library, and city hall. They were proposing a smaller version because the strategic plan called for it north of State Route 161.

Council Member Fellows stated this project was intense urbanization in the community. Since he had been on council, the city had been trying to protect the community from the encroachment of the density seen west– the density seen along Central College and Thompson Road. The city had been working to keep that density out of New Albany. Mr. Steiner agreed with that. Council Member Fellows knew the area would be developed, there was too much density in this project and not enough balance around commercial, residential, and retail use. It was too heavy on residential. Council Member Fellows reiterated the benefits from commercial development.

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Mr. Steiner agreed that the Thomson Road and west Central College development was horrible. He agreed this was not what New Albany wanted. This proposal was not that – he could show comparisons. He described the large commercial businesses to the north, south, and west of the property. This was a pocket, so they were bringing residential to a commercial area – so that commercial didn't invade the residential area – as was currently set forth in the plan.

They kept the commercial small – density was fiscally and environmentally responsible, was good for health, diminished energy consumption – he could give a full presentation. When the city proposed two hamlets, he wanted to take advantage of it. More density allowed for more greenspace. The buildings were taller, but the street was 140 feet wide. It was up to the city to determine the amount of density it wanted. Council Member Fellows and Mr. Steiner discussed residential versus commercial development.

Mr. Steiner displayed a slide showing percentages of residential, commercial, parking, office space in New Albany – and the same with the addition of 1 or 2 hamlets. Even with this project, the number of units per acre in New Albany went from .33 to .36 units per acre. The greenspace percentage improved. This was not betraying the founding of the community. The city would never reach .4 units per acre, even adding 10 hamlets.

Council Member Shull stated he liked the hamlet concept, but didn't know what that was. He didn't know the right density number. He was for carrying on the conversation since this was a new concept. He appreciated that Mr. Steiner was trying to hit a moving mark. He also recognized that residents had another idea. With discussion, he thought it was feasible to come up with a new concept that could fit the site.

Council Member Brisk agreed with Council Member Shull. She still liked the concept. It did come from the survey of community and what they wanted. In most ways, this met the Engage New Albany criteria. Height was an issue. She also had issues with the level of density. She was concerned how many people would go on the site. The city had to figure that out. Mr. Steiner had been put in an uncomfortable situation, despite doing the best he could. Council needed to hear from everyone – needed to see if there were ways to make something like this work or not.

Council Member Brisk asked and Director Chrysler confirmed that the senior assisted living facility was a commercial, not residential use. The city would receive taxes from the corporate profit at that location. It would become a source of city income.

Mr. Steiner described speaking to New Albany businesses. It used to be, when business wanted to attract employees, they took them to the Country Club. Now, they took them to The Goat. This development was responsive to that. The businesses didn't live in New Albany, they just paid taxes here. The businesses loved this project as a magnet for labor. A city was a mix of things.

Mayor Spalding opened the Public Hearing.

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Kirk Smith, 6830 Central College Road, lived .3 of a mile from the proposed development. Everyone wanted city to grow in a responsible way. There were five points that council would have to come to judgment on for a yes vote. The offset payment - if council waived it, they were participating in corporate welfare. The school study - he described the not family-friendly Market & Main apartments. The proposed location had family-friendly amenities. The student load factor for the Columbus apartments in New Albany Schools would mean 175 students, not 60-67. The density - he thought the road improvements were short-shifted and the 45 mph current speed limit was a problem. The crime - he encourage people to go on Lexis-Nexus or other crime-tracking to see the crime statistics in the apartments bordering New Albany. The will of all of the people – who were not in favor of the project.

Paul Judge, 8 Highgrove Farms, founder of Axiom Plastics. He described Axiom which employed 1,100 employees in New Albany, also their headquarters. They had invested close to \$3 and would be expanding to another 100 employees and investing an additional \$30 million. Co-locating in New Albany was instrumental for them and their customers. They appreciated the master-planning which commitment and discipline helped to protect their business investment. He congratulated the city on the collective process to achieve the update. He supported NoNA because it aligned with the master plan and vision and because businesses need to find places for employees to live so they could live in work in the same community, too. It allowed businesses to recruit talent in and around Columbus and from out of state.

Bruce Larson, 6920 Kindler Drive, reviewed the strategic plan, the application, and other documents. The plan described the hamlet being a community center. He liked having a community center to go to and having time with friends and family. This development didn't provide that. It was a 90% housing project. It didn't have those area for community. He found many more than 12 objectives for a hamlet. Reading what the community primarily wanted – it was dining and retail, parks and recreation - 3% said they wanted multi-family. This was the opposite of what the community was wanting. New Albany was a special place and he wanted to keep it that way. There were no 4-story buildings in the strategic plan, it talked about height. This would be the first place in the city to do that. This could be the start of moving city hall.

The offset cost was not difficult. If the density was 1 to 3 houses per acre, there wouldn't be a \$35 million charge. Reducing the number of units would create a whole different conversation about offset costs – and that was his recommendation. His family was looking for places to go - that center community hub. He saw in this project 3 drive-thrus, a dog restaurant, a delivery-only restaurant, residence front or back yards – these were not enjoyable community areas. He encouraged council to re-think this. It should be something for the community, not something for that lot. If senior housing was added in, the density went up to 16 units per acre. The creek separated the young people and seniors. This had full glass store-fronts which was not what he saw around New Albany, and potentially vinyl siding. He described the movement of the student number, which needed to be figured out and resolved.

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Mayor Spalding asked and Mr. Larson answered that his home was on .25 of an acre. Mr. Larson stated that if the city moved from 1 unit per acre to 12, it was legislating change. That should be a community decision – before it was an individual project.

Eric Duerksen, 7338 Upper Clarenton Drive S., had 3 kids in the New Albany Schools. He wanted more retail, parks, and restaurants. He knew Mr. Steiner was willing to work with the community to find a better balance and was offering to be a part of that. As an HR professional, he learned about introducing too much change at once to an organization. He had to think this also applied to city leadership and planning. He wanted to seek evolutionary change, not revolutionary change. This felt like a lot of revolutionary change. The density, the school impact – even at 67 students, the competition with the Village Center - it all felt like revolutionary change. He was asking council to take a path of evolutionary change. To vote no, not as is. Give it time to work – come up with a more thoughtful, balanced revision.

Bill Resch, 5610 Morgan Road. Mayor Spalding briefly introduced Mr. Resch as a long-time resident and environmental steward. Mr. Resch stated he was there representing the Friends of the Rocky Fork Watershed & Sugar Run – Rose Run Tributaries. They assessed the impact of the urban development that had occurred since Mr. Resch arrived in 1968, when New Albany had 400 people. Mr. Resch described the initial deplorable condition of Rose Run creek. He supported the NoNA proposal for an 8.5 stream-side riparian zone amenity and gathering space in the northern section of New Albany.

New Albany had 4 small perennial headwater streams. Rose Run now anchored the center of the city and was available to families. Mr. Steiner was proposing a park on New Albany's second largest stream. The remaining streams were impacted by everything from farming to construction to garbage dumps. The proposed 8.5 acre park would be developed as an amenity by Mr. Steiner's development. The city didn't want to lose one of the top developers in the nation, shouldn't lose his talent. Mr. Steiner had been a premier example of environmental stewardship. Mr. Resch wanted this to be worked out for all entities mentioned that night.

Council Member Kist asked that the document Mr. Resch distributed to council be included with the other correspondence in the minutes. (See attached). Mayor Spalding stated it would also be posted on the city's website with the NoNA presentations.

Eric Miller, 6742 Albany View Drive, stated his family had lived in New Albany for 20 years. His family and everyone he knew was opposed to NoNA. He had 4 question that council should have answers to before voting yes. What offset costs were or should be included in the proposal to get to a 1 to 3 density? What offset should were included? If there was a difference, then the proposal was fundamentally not aligned with the strategy. A new school was a hundreds of millions of dollars decision. Had the cost of acceleration to a new school been incorporated into the proposal? It was hard to appreciate the magnitude of a building with a 2-dimension plan. He believed council needed a 3-dimensional plan not intended to sell that plan. A 4-story building was something new for the city to consider.

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Responding to Mr. Steiner's comment about being drawn directly from what New Albany residents wanted - he pointed to page 42 of the strategic plan. Multi-family residential represented 3% of what residents wanted. That was the actual data that should be used.

Jacqueline Hammer, 7040 Maynard Place, was asking council to vote no. She had a 2- and 4-year-old. The young professionals she knew were not looking to share a space with 55+ and senior assisted living facility areas. Council was aware of the density issue. The traffic studies were conducted in May and another was pre-COVID. She asked the city to do another when Bubbly Hall opened. Increasing the number of residential units would impact EMS and fire services. Urban creep and crime were already happening on Central College and Thompson Roads. Number 6 of the 12 standards – residential was not a requirement for this hamlet. She would approve this development with significant alterations – maybe removing the total apartments. She was for the townhomes, and the retirement facility since it didn't have a school impact.

Craig Srba, 6837 E. Walnut, Westerville, supported the hamlet concept provided it followed strategic plan guidelines and city standards were followed closely. He estimated 20% of the development was in the undevelopable Sugar Run flood plain, that only 2-3% was actually greenspace, that 1% was in restaurants, and 60% was residential. It should be evaluated this way for its impact on the city. The old standards were applicable and should be applied, regardless of its title. This brought Columbus density into New Albany. All other developers had to comply with New Albany standards.

His 22 acres was available for purchase in the NAPL School District. He represented his adjoining neighbors who had another 15.5 available acres. That was 11% of the required 335 offset acres. It was available at nearly the applicant's own estimated purchase price. The combined properties could make a nice park. That the land was not available or too expensive were not valid reasons for ignoring what made New Albany successful. Increasing the density by 12 times was much greater than relaxing the rule. Land was available. The applicant desired full relief from the policy, while personally benefitting from the changes. Mr. Srba participated in the strategic plans from the beginning and felt let down when he saw standards, ordinances, and zoning changes were ignored or changed later on to allow for non-compliance. If Mr. Srba annexed his property to the city, would the city build him a road because he said it was too expensive? Would the city allow him to build at a 12 unit per acre density? He believed the applicant should be compelled to purchase what land was readily available. A token 10%-20% compliance would be a reasonable compromise. There was a difference to relaxing versus abandoning the requirements. If this was approved, he would be next in line with a similar zoning request for his development plans.

Mayor Spalding asked and Mr. Srba replied that his parcels were not in the designated hamlet areas. Mr. Srba reiterated it was not a fair assessment to say there was zero land available.

Annie Mueller, 8931 Grate Park Square, moved to New Albany a little over 4 years ago. Her 6-year-old appreciated his school. The density and apartment complex made her nervous. She applauded bringing in retail, more places to eat, and the cottages. She wanted the balance. She didn't move to New Albany for urbanization. She moved for community, family, bike paths, and parks. Modifying this

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vision and finding the balance – it would be an incredible development that Mr. Steiner could provide. She asked for a pause to reconfigure - then have another presentation that they could feel happy about. She wanted a time out, come back, and meet again.

Jessica Cappuzello, 7098 Dean Farm Road, moved to New Albany 6 years ago for the small town feel. Adding density and traffic – the urbanization – she wanted something, but not this. New Albany was a suburb of families. The school was already close to capacity. The Engage New Albany plan - she didn't think, when people were filling that out, that they meant more apartments. People wanted restaurants, parks, playgrounds and things like that for families. She didn't know that residents were looking for quick-prep restaurants. Mr. Canini had to pay an offset due to density at Woodhaven – which did not hold a candle to this density. Why was this developer not held to the same established standards? The hamlet idea with amenities was great – but the density was the issue. She asked council to press pause, come to the table as a group, and figure out what this land could look like. She hoped Mr. Steiner would make it happen. Omit or significantly reduce the number of apartments in the proposal.

Stacy Duerksen, 7338 Upper Clarenton Drive S., stated the hamlet concept was new, a moving target, not well-defined. She asked that council press pause and vote no, because this would set a precedent for future hamlet concepts. She wanted to make sure the city got it right.

Ms. Duerksen asked and Manager Mayer replied that the city had established design guidelines and requirements. The developer was proposing that the design guidelines and requirements - which had regulations for multi-family, single-family, and commercial structures - apply to this project, with the exception of the whimsical cottages – asking for additional flexibility and creativity with that space.

Wendy Flowers, 7389 Upper Clarenton Drive N., described how her family chose New Albany for the safe bike paths, exceptional schools, and town center. She appreciate the effort put into the project, but she was not looking for another Easton or another New Albany. She relied on existing city standards. She was puzzled by the hamlets. She described other municipalities without city centers or Market Streets. She lived in the north of New Albany, but was very much a member of the community, never felt disconnected from the Village Center. She asked why the city would want to divide the community and have additional village centers. There was still time to course correct. She understood the 1 unit per acre was an offset to maintain greenspace and beautification.

There were many apartments near New Albany. People in apartments could leave as soon as the lease was up and were not as apt to invest in the community. A homeowner had a stake in the community, met neighbors, hung out, became family, as they did in Upper Clarenton. She described her experience as an apartment resident in the City of Columbus. She asked if adding 490 residents would put a strain on the city's police officers. She described crime alerts from the LC.

If the city allowed for no offset, would that open Pandora's box for other developers? The city's schools were exceptional, but residents were concerned about the school's ability to maintain the campus-style. She wanted to continue to develop the Village Center area, focus on keeping business

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there and attracting new business, and continue to make it the heart of New Albany. She requested that this development go back to the drawing board and for New Albany to maintain the standard set forth by council.

Tricia Segnini, President of the The Links HOA, 7267 New Albany Links Dr., asked council to vote no on the current plan. She liked some of the ideas. She felt answers to her questions and residents questions had been all over the board. They didn't know what they were saying yes or no to. She liked pressing pause and asking what they did want.

She referenced her correspondence to council. She didn't think the city needed another Easton. She described the traffic back up to drop off kids as school. She couldn't imagine what it would look like with the new proposed density. She was not against a hamlet, she asked that it adhere closer to the strategic plan without compromising the city's standards. She asked for reduced residential density. As proposed, it would increase traffic and congestion at multiple intersections. She support re-doing some traffic studies post-COVID. Traffic controls and added lanes should be part of phase 1. Per the text, these things might happen, but not in phase 1. If they didn't know what they were saying yes to, they should say no. Hit pause.

She heard that some of the 1-bedroom units could have a den that could serve as a second bedroom. Mr. Steiner responded that converting the den was not an option.

As a realtor, she felt the impact on the schools was underestimated. Everyone was trying to locate somewhere in the school district. She was concerned about the crime from the LC and pulling that closer. The offsets should be considered.

She asked the city for better communication and transparency to homeowners regarding some of these projects that affected them – because she felt there was a lot of rumor mill around these projects – no one had the numbers. Asking the developer – this was the third time she'd heard the presentation, plus a phone call with them – there was a lot of conflicting information out there. It may or may not have a playground, or a stage, or a drive thru. She wanted a more definitive idea of the project, greatly reduced density, and to feel like kids would be safe riding their bikes around it. At this point, The New Albany Links HOA, and homeowners she had talked to, urged council to say no or hit the pause button and evaluate what they wanted from it.

Kerri Mollard, 5450 Snider Loop, asked if the ordinance was to approve the zoning or the plan as proposed. Mayor Spalding confirmed this was a zoning change. The entire development plan would have to go before the PC. Ms. Mollard had heard many comments about the details of the plan, but the vote was to change the zoning. There was a whole other level of public input, process, and approval to get at what everyone had been talking about.

Manager Mayer stated the zoning would establish uses and density. The final details, designs, and layouts would go to PC for additional evaluation to determine their appropriateness and whether they were meeting the zoning requirements in the text.

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Ms. Mollard stated that this development would be her neighbor. She participated in the PC meeting and asked questions about density, traffic, and height. She had gotten answers to all of her questions and they had made revisions to their plan. By widening SR 605, they changed the setbacks significantly to reduce the tunnel feeling. The 4-story building was the same height as Market and Main. They negotiated connecting the trail so the kids could ride their bikes safely.

She wanted residential development by her neighborhood. She didn't want her neighborhood to become an island surrounded by commercial development. She described various commercial developments surrounding the area. Developing this area as commercial would deeply impact her neighborhood. The transition from residential to commercial made sense. The hamlet design created a bridge between commercial and residential. The Steiner team had been responsive. There was still lots of time for public input to refine it through the development process.

Eric Miller asked and Manager Mayer answered that architectural standards, building heights, setbacks, traffic commitments – including turning lanes, uses, general landscaping standards - they were part of the zoning decision. The final details were in the Final Development Plan which went to the PC to ensure code requirements were met and the design was appropriate based on the zoning and hamlet concept. Mr. Miller asked if the density, design, and building height were part of the zoning. Manager Mayer replied that the zoning set maximum standards. That didn't mean the developer would achieve the maximums, but the zoning set parameters and permitted, conditional, and prohibited uses. The exact look of the architecture, design details, landscaping, exact setbacks, and adherence to the standards were determined in the Final Development Plan.

John Priestus, 7065 Maynard Place E., stated he and his wife moved to New Albany 4 years ago for the schools and lack of density. He had 3 kids, his wife was a teacher – so they valued those things above all else. He appreciated the community. When he traveled, people knew where he lived. He asked council to vote no. His fear was that council had already decided one way or the other before listening to the community this evening. The apartments and the majority of this project being residential and transient in nature – that was his fear for New Albany going forward. He looked for single family residences to be entertained for future use. Home ownership was the first step in creating wealth across all races, creeds, and colors. The transient nature of the apartments stuck with him more than the density. He would like other restaurant options. As the father of 3 kids, he would take a quick restaurant. However, he appreciated many of the comments against the development. The density and the transient nature of the apartments caused him concern. Indicators around crime were generally located around some apartment complexes.

Mayor Spalding called Jenny Knuertz, but she did not come forward.

Sarah Feazel, 7445 Farmington Close, stated she was not sure, with more plans for restaurants and retail, where 280 apartments came from. Why New Albany was trying to become Dublin, Gahanna, or Powell? At a recent city board meeting, she shared details on school capacity. Her son's class had 25 children. Optimal learning occurred at 16-17 kids per class. The project presentation in June

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indicated 18 kids added. Tonight's number was 67. The number continued to grow. The New Albany Company (NACO) also presented on 38 homes at the board meeting which would add 28 children to the district. Therefore, the previous number was out of scope based on NACO's numbers. What would happen when the school reached capacity and when the school needed another building? Mr. Steiner answered in a recorded meeting, maybe you would have to raise your taxes. Who was supposed to protect them from things like this? She thought it was city council. As a resident of the New Albany Country Club community, she didn't travel much to the north side of town, but she didn't see this project as a win-win for her and residents over there. If they did need more buildings, and if this was going to raise their taxes, it didn't make sense for those who used the other side of town - more than the folks from Upper Clarenton, etc.

As a parent of 2 children, safety was a big issue. People referred to this as a mini-Easton. She got notifications from the citizen app that there was a lot of crime happening at Easton. She was grateful for Easton, but she wanted that crime at arm's length from the New Albany community. She had experience with changing schools due to fast growth. She appreciated the responsible growth she thought New Albany stood for. She would ask council to vote no, to keep us as New Albany, and to continue responsible growth in our community.

Justin Leyda stated there were already 25-26 students on the 30 acres now. The lower number of students represented the net increase from the existing number. The 67 was the total number coming from the site – not taking out the existing students.

Danielle Chatfield-Beres, 5460 Snider Loop. The gentlemen behind her asked a question which she relayed. How many households on the site currently? Mr. Leyda did not have the exact number of homes - the land was zoned for R-1 and there were students in the existing homes.

Ms. Chatfield-Beres was one of the HOA Trustees for The Enclave. This development would be The Enclave's neighbors. She had been sitting in on meetings since May. She'd had time to communicate and ask questions of the developers. She "ditto-ed" everything that Ms. Mollard said. She was recommending a yes vote – because she'd had a lot of time to sit with the plans, to ask the questions. She thought council was hearing a lot of consternation from people who hadn't had the benefit of that time.

Regarding Sugar Run - a member of her community asked whether Sugar Run creek actually existed. They thought it would be hypothetically installed by the developer. This showed how hidden and unappreciated Sugar Run was. Not many knew it was there and what an asset it could be. The developer would bring it to the forefront and make it an amenity. It was 8 acres of trail and park space – essentially the same size as Rose Run. Rose Run cost \$17 million – including the improvements that went into supporting it. Developed, usable greenspace came at a cost. Either it was paid for by tax payers or it was part of the development plan.

Regarding students - Superintendent Sawyers had had more of an opportunity to meet one-on-one with the developers than any of the residents had – and had had more detailed conversations. He was

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in the best position to make the school impact determination. 900 square foot apartments were much different from family homes. She understood the confusion on the net amount of students, but it had been clearly delineated in her discussions.

She had heard other ideas to take the place of apartments – more townhomes or multi-family, and she understood the motivation - but if the concern was the student load, townhomes or multi-family homes would have a bigger impact than 900 square foot apartments.

Ms. Chatfield-Beres read the first 4 things in the strategic plan - the cornerstones - and how they were defined. From her understanding, the area was going to be developed. It was a question of what would go in. She'd heard from her community and from the broader area, who wouldn't be neighbors – some wanted nothing in that area. The dynamic that came with this development met the 4 cornerstones far more than another office building, server farm, or distribution center.

The developer was taking the feedback and making their best faith efforts. She would be the neighbor to this. She was excited for the community spaces. She cited Rose Run park and those natural play areas. This was trail head. There were areas envisioned with a pavilion and gathering spaces. If it became an office park or server farm, there would be a great big parking lot. Sugar Run would be hidden behind trees. Community was not a bunch of server farms. It was balance, and she understood that council needed to consider its comfort level with density. It also had to have soul. One could not have a community of office parks and server farms and a couple little pieces of residential in the middle. There had to be a better mix than that.

She urged a yes vote. If it was not a yes vote, she pleaded for discussions to get it to a place where it worked. It was a net benefit. She didn't want to lose the quality of work and investment that Mr. Steiner would bring to the table. She asked for a transition from residential to commercial. She asked for a speed limit reduction to 35 mph or 25 mph.

Council Member Fellows asked Mr. Steiner if he took adequate time to speak to all of the communities and HOAs. Mr. Steiner replied that he couldn't reply yes. They attempted to reach most of the communities. Some accepted, some didn't, some didn't have time. The people closest to the project, they spent lots of time with. They spoke to individual home owners about berms.

Doug Burnip, 6969 Doran Drive, stated he was the chairman of the Rocky Fork Blacklick Accord (RFBA) for around 18 years on two different terms. They saw new and unique projects, including Abercrombie & Fitch and The Links. There were times where they had to make changes. The hamlet seems to have befuddled planning commissions. The ability to use or not use the strategic plan concerned him. It appeared this development would drive what a hamlet ended up being. There were good pieces. The density did not match the plan – so was it or was it not the plan? The plan called for multi-family at the center, residential at the perimeter. So was this new? He asked that council look at this closely, table it, ask for revisions to more closely match the plan. 10-12 units per acres was 1,000% to 1,200% higher than 1 unit per acre. He asked the matter be tabled, keep the best parts, and get a better plan.

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Lawrence Cohen, 5684 Sugar Wood Dr., stated he lived about a half mile from the northeast corner of the proposed development. He'd been there a little over 17 years. He'd heard that a big office building could be built on the site. The zoning text said it was currently zoned Residential R-1. Commercial may have been the recommended zoning, but that was not the current text.

He'd heard that young people would come in to this project. Young people could not afford a \$600,000 to \$700,000 homes. They might be in the apartments, but they wouldn't be homeowners in New Albany.

He read from page 75 of the strategic plan regarding gross density and offset. The developer had pretty much told them they weren't going to pay a fee, property was too expensive. If council let them get away with that, it set a precedent for every other developer. Staff had said they didn't know what density should be in a hamlet. Engage New Albany was adopted in March, this project was proposed in April. So the developer knew what they would proposed. On page 6, Mr. Steiner was listed among the members of the plan's steering committee. He had time to propose a hamlet density and did not. He now had the ability to propose the density for the 2 hamlets and that was not reasonable. He thought staff should have the time to come up with what the density should be.

He read from page 73 of the plan about the hamlet concept. This was not a walkable development. He would have to cross two roads to get to this development - to get to the commercial development, including the restaurants. There was no proposed tunnel.

Density was the big issue and the developer wasn't willing to consider the offset or payment. That was bothersome to him.

Derrill Snyder, 7063 Maynard Place E., asked, if the council voted yes, they were voting not just the rezoning to commercial, but to include the density as it was proposed? Mayor Spalding confirmed. She asked that council say no to the proposal. She looked forward to version 2, because they'd have a blast, their kids would be safe, and there wouldn't be as much density – specifically those apartments.

Wendy Flowers asked - for the apartments – what prevented someone in a 1-bedroom apartment from having a child there that may have been left out of the school count? Mayor Spalding stated that the city could not dictate familial status. He explained how the city discussed student head count. Ms. Flowers had heard of people using addresses for their students to come to school in New Albany. This was a dense area, that was a risk that she wasn't willing to take for her kids in this school district.

Mr. Steiner stated he was only part of the Sustainability Sub-Committee of the Engage New Albany Steering Committee. He had nothing to do with what was happening with the hamlets.

He thanked everyone for their comments. What made the community great was the passion they had to make it a better place. He took the comments positively and knew the intentions were good. Council made the decisions, staff made recommendations – then he tried to follow them.

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This discussion was giving a bad name to apartments. There were different kinds of apartments – with more time, he could explain it. Apartments were a step in our lives. His software engineer son was not a dangerous person. An older lady in one of the city's videos lived in an apartment. Looking at statistics of comparable buildings – the apartments around the city were large versus the proposed apartments which were very different. The average size was 751 square feet. Yes, you could put kids in them, but statistically, people didn't do that. A 1-bedroom studio would probably be \$1,200, a 1 bedroom \$1,300-1,400 – they were luxury units and small for what they were.

When New Albany proposed 1 unit per acre – it was currently at .33 units per acre. Density was a mixture of things. The density of a data farm was 0. In other places density was 5. The city was an average. The city made the hamlets as a place where more density could be created.

He never said they would not pay a contribution. There were examples where developers paid nothing in the Village Center because it was under some zoning structure. This project was doing big things, perhaps compensating things – making this park that may have cost \$17 million. For the record, they would pay something – if someone told them what that was. They were not asking for a pass.

Many people here told him they would like to help to design this. He referenced a design process. He would be more than willing to do this design planning with them, but they would have to be patient to learn certain things. Building designs were not easy. There was market demand. He would be happy to work together to see how they could improve the plan. If they told him rental units were eliminated, his answer would be no, because, in our lives, coming out of school, we cannot buy anything. We need somewhere to rent. After a few years, people graduate, become couples, maybe move to townhomes. The same thing happened at the end of our lives. There was a point where we needed transient residences. We cannot neglect those people.

He could show the demographic projections of Columbus, and the changing demographics of the area which required a different type of housing – nothing to do with his personal preferences. What was needed was smaller units, more attached units, more rental units. He didn't think it was right to pass this to Columbus. The development would probably make more money without the apartments, but he didn't think that was the right thing to do. He could load it with townhomes, imitate what they were doing next to us – but he didn't think that was right for the city. There were only two hamlets. We cannot mess them up.

Council Member Fellows stated a good balance of commercial, retail, and residential would be the most appropriate.

Mr. Underhill requested the matter be tabled to continue to work on the issues raised tonight.

Mayor Spalding solicited additional public comment. Hearing none, he closed the Public Hearing.

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Mayor Spalding moved to table the ordinance to 30 days to allow the developer and staff to digest the information presented at the council meeting and give additional consideration to the concerns in the hopes of a project that everyone could embrace. Council Member Briscoe seconded.

Council Member Durik stated that, in a month's time, theoretically, a revised presentation would come to council. He asked if it would be voted on or just reviewed to be voted on at a subsequent meeting. Mayor Spalding replied that would be largely up to the applicant. He expected some additional outreach. Council discussed potential council meeting dates. Mr. Underhill requested the matter be placed on the October 5, 2021 meeting.

Mayor Spalding amended his motion to table the ordinance to the October 5, 2021 council meeting. Council Member Briscoe seconded the amended motion.

Council Member Fellows stated it was important for the residents to first hear the revisions and then take the time to come back at another meeting to vote on it – for the community to have enough time to review and discuss the revisions, ask further questions of the developer and of staff, before coming back to council and voting on it. Council discussed procedural options and agreed they had the option to table the ordinance again.

Council Member Briscoe encouraged residents to call city staff with questions to get the straight scoop. Council Member Brisk encouraged residents to be honest about their concerns and have direct conversations with the developers. She noted how the developer had had conversations with residents and found ways to make changes.

Council voted with six yes votes and one no vote (Fellows) to approve the amended motion to table Ordinance O-30-2021 to the October 5, 2021 council meeting. Motion passed.

Council thanked everyone for their civil participation and interaction.

*Clerks' note: Council took a recess at 10:26 pm.
Council resumed the regular meeting at 10:44 pm.*

INTRODUCTION AND FIRST READING OF ORDINANCES:
ORDINANCE O-31-2021

Mayor Spalding read by title AN ORDINANCE TO ACCEPT WATER LINE, SANITARY SEWER, STREET AND STORM SEWER IMPROVEMENTS AND APPURTENANCES THERETO FOR THE COURTYARDS AT NEW ALBANY, PHASE 2B, AS REQUESTED BY EPCON COMMUNITIES.

Director Chrysler directed council to the Legislative Report for project details. On September 7, the developer would be required to submit a 2-year maintenance bond, an inspection fee deposit, and a 5-year settlement bond. The Courtyards at New Alban, Phase 2B, was comprised of 17 single-family residential lots. The subdivision was accessed from State Route 605. Upon adoption, the city would

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accept residential subdivision street, water main, fire hydrants, developer installed sidewalk, ADA curb ramps, sanitary sewer, asphalt leisure trail, and storm sewer.

Mayor Spalding asked and Director Chrysler responded that the city did an inspection before taking possession. The city prepared a punch-out list with the engineer-inspector at E.P. Ferris & Associates. The bonds and deposit were related to some of the punch-out list items. The city could apply discrepancies to the bond to fix.

Mayor Spalding set the ordinance for second reading at the September 7 council meeting.

ORDINANCE O-32-2021

Mayor Spalding read by title AN ORDINANCE TO AMEND CHAPTER 123 “DEPARTMENT OF FINANCE” OF THE CITY OF NEW ALBANY, OHIO’S CODIFIED ORDINANCES AS REQUESTED BY THE CITY OF NEW ALBANY.

Director Staats stated Codified Ordinances Chapter 123 contained the rules that the Department of Finance followed. The 2020 city charter update allowed the department to address some outstanding issues and language. Analysis started last year to propose these changes.

Director Staats read the relevant section of the charter. Director Staats further described fiscal officer certificates (FOCs), how they could be done, how compliance was verified, and other related requirements. These were also required by the Ohio Revised Code (ORC).

Director Staats described the purchase order (PO) process, including thresholds, related FOCs, approvers, and generation of the PO. Director Staats described the invoice payment process, including PO approval, goods and services verified receipt, verification of property public purpose and no tax paid, proper support, department head approval, budget expectations, director of finance of approval if necessary, and the check run process.

Under the new charter language, finance staff was asking for the exceptions to the generation of an actual purchase order with the FOC language. Exceptions situations included debt service payments, utility service, fees incurred related to income tax, bank fees, real estate taxes, revenue sharing, incentive agreements – all things that were already approved in other agreements or were a direct payment for services. They were also things that were specifically budgeted for each year.

Staff wanted to eliminate the step in the software of generating a PO if an FOC was already generated, the city manager approved the contract, and it was a one-time payment – so they were not entering information into the system twice.

To address some of the Then and Nows that arrived late on a project, staff wanted to exclude needing a PO for something that staff determined the funds were available at the time of purchase, was accounted for in the current appropriations, where the purchase was related to an existing project,

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grant, or agreement, and it already had city manager approval. This change would help with the 1-2 year later invoices from an already approved project.

Staff went through their process to create efficiencies and eliminate delay when getting requisitions approved and turning around payments. As Director of Finance, she was approving \$5, \$2 \$23 requisitions or adjustments to POs. She presented her analysis on those transactions. Many transactions out of the General Fund were less than \$1,000 each and added up to about \$183,000 out of a \$6.7 million in expenditures. There were more efficient ways to determine that the money was available and was budgeted for. For example, the system didn't allow the payment to go through if the money wasn't there. She presented her analysis from other funds.

Council Member Briscoe asked and Director Staats stated, under this proposal, an employee trying to make a \$900 purchase would obtain approval from their department head through rules established within their department. That invoice would be paid when it came in. Through invoice checking, Finance staff would determine that it was for a public purchase and was within the budget. What would change was not requiring the requisition or PO to be put out prior to the purchase. Instead of reviewing the purchase before - Finance staff would review it after and point out if there is an error.

Rarely did Director Staats review a requisition from another department where she had to question whether it should be paid – because it was within budget and the funds would be available. Under the new format, the department head would give prior review and approval for their department's purchases. Finance staff would gain a lot of efficiency here.

Additional proposed changes included a new section for council authorization threshold and competitive bidding. It separated and better clarified the two items. Both thresholds were increased to \$100,000. A new purchasing policy was being drafted which would include additional procedures for purchases between \$50,000 and \$100,000.

This section allowed professional service contracts of any amount to be authorized by the city manager, consistent with ORC and city charter and. The city manager could still do bidding. City Manager Stefanov noted that there were more purchasing and contracting tools now available to the city – state purchasing, cooperative contracts – which were all sanctioned by the State of Ohio. This section reduced the need for council to waive the formal bid requirements and increased flexibility to use the available tools.

For competitive bidding, the threshold was increased to \$50,000 to \$100,000, same as the authorization threshold. The State of Ohio and other municipalities were also considering a threshold increase to \$100,000.

The legislation contained clarification the competitive bidding requirement, including updated definitions, further ORC clarification, and the ability to request additional information to determine the lowest and best bid. Notice times for upcoming bids and construction or procurement were revised. There was further refinement of the ORC requirements for competitive bidding exemptions.

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Cooperative purchasing programs were now defined in the city code. Also added were inter-governmental purchases, construction-manager-at-risk, purchase contracts for proprietary computer software, and procurement contacts exempted by the ORC.

Director Staats encouraged council to ask questions or meet with her to discuss the changes further.

Council Member Durik supported outreach to Minority Business Enterprise (MBE), Women Owned Enterprise (WBE), and Encourage Diversity, Growth, and Equity (EDGE) contracts. Council and staff discussed expectations around goals and quotas, who was responsible, and complications involved in bidding and contracting. Director Staats stated that the businesses would provide their MBE/WBE/EDGE status which would be tracked in the city's software. Staff had been able to identify existing vendors on state lists. Based on his experience, Council Member Durik recommended more clarity on how it would be administered. Council and staff discussed encouraging, soliciting, and asking for certification status, but, until the city knew more and a baseline was established, waiting on goal setting. Law Director Banchefsky would review the language. City Manager Stefanov suggested starting with defining these businesses, including tracking, and being able to produce the data.

Mayor Spalding set the ordinance for second reading at the September 7, 2021 council meeting.

READING AND PUBLIC HEARING OF RESOLUTIONS:

RESOLUTION R-39-2021

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE COLLECTION, TRANSPORTATION, AND DELIVERY FOR DISPOSAL OR PROCESSING OF RESIDENTIAL SOLID WASTE, RECYCLABLE MATERIALS AND YARD WASTE GENERATED WITHIN THE CITY OF NEW ALBANY, OHIO.

Public Service Director Mark Nemec reminded council that the city was part of a consortium of municipalities who bid out their trash-related services. Rumpke was the only company to submit a bid to the full consortium. Director Nemec explained the offered rate and the city's subsidy of the resident's recycling process cost. The city did not want to commit to a long contract. Prices were up. Labor was hard to come by. People staying home due to COVID meant more trash to pick up and trucks filling up more quickly - all adding to cost. The city continued to pay for its own service, so that was separated from resident cost. A letter from Rumpke correcting an error related to municipal service cost would be added to the legislation. This contract called for no changes to existing services.

Mayor Spalding asked and Director Nemec confirmed that the city paid Healthy New Albany's trash hauling bill, and that the tenants reimbursed that cost. Healthy New Albany now offered recycling.

Council Member Briscoe asked and Director Nemec clarified that this legislation including the hauling of recycling, but not the processing of the recyclable materials which was addressed in R-40-2021. If the

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processing were not covered by the city, and additional cost per resident would be added to this hauling contract.

Council Member Shull asked and Director Nemec replied that the senior discount started at age 60.

Mayor Spalding asked if any of the city's recyclables would be diverted to the new recycling plant being built in New Albany. Director Nemec stated, if that were to become an option, it would have to be a separate contract. Additionally, Rumpke showed 2,990 residential customers in 2020 and 3,056 in 2021 in New Albany - many added due to new homes coming online. Council and Director Nemec discussed the city subsidy and fluctuating recyclable and hauling prices.

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 ordinance. Council Member Shull seconded and council voted with seven yes votes to approve Ordinance O-39-2021.

RESOLUTION R-40-2021

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE ACCEPTANCE AND PROCESSING OF RECYCLABLE MATERIALS GENERATED IN AND COLLECTED FROM THE CITY OF NEW ALBANY, OHIO.

Public Service Director Mark Nemec referred to his presentation on R-41-2021. Council had no further questions.

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 Brisk seconded and council voted with seven yes votes to approve Resolution R-40-2021.

Clerk's note – Resolution R-41-2021 was moved to an earlier spot on the agenda. See Additions or Corrections to the Agenda.

RESOLUTION R-42-2021

Mayor Spalding read by title A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE BI-ANNUAL REVENUE SHARING PAYMENTS TO PLAIN TOWNSHIP IN AMOUNTS EQUAL TO THOSE THE TOWNSHIP WOULD HAVE RECEIVED FROM PROPERTY TAX LEVIES FOR FIRE AND EMERGENCY MEDICAL SERVICES IN THE ABSENCE OF TAX INCREMENT FINANCING DISTRICTS CREATED FOR THE STRAITS FARM, OXFORD, NOTTINGHAM, MILLBROOK AND COURTYARDS AT NEW ALBANY SUBDIVISIONS.

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City Manager Stefanov reminded council of the process of reimbursing the township for fire and EMS services in Tax Increment Finance (TIF) agreements. Some residential TIFs had accumulated without those agreements and the Ohio Revised Code did not prohibit the city from going back and catching up. This legislation allowed for retroactive reimbursement from when the TIF started generating revenue. The ballpark estimate was around \$500,000, and the payments to the township would be made over 2 installments.

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

Council Member Fellows moved to adopt the resolution. Council Member Kist seconded and council voted with seven yes votes to approve Resolution R-42-2021.

RESOLUTION R-43-2021

Mayor Spalding read by title A RESOLUTION ACCEPTING “AMERICAN RESCUE PLAN ACT”, (ALSO KNOWN AS “ARPA”) FUNDING DISTRIBUTED BY THE STATE OF OHIO, AND DECLARING SUCH FUNDS SHALL BE USED ONLY FOR ALLOWABLE PURPOSES.

Deputy Finance Director Drew Turner reminded council about the federal American Rescue Plan Act which included funding to state governments to mitigate the effects of COVID. The city had received its first of 2 funding installments. The second installment was expected in 2022. These funds were required to fall into 4 cost areas - responding to the public health emergency or its economic impact, supporting essential workers, providing relief for a reduction in realized revenue resulting from the pandemic, or making necessary investments in water, sewer, or broadband infrastructure.

Staff was requesting approval of the ARPA funding uses described in the resolution including – a grant program to aid businesses in the tourism, travel, and hospitality industries, providing a resident assistance program, funding community engagement programming and/or event, making necessary investments in the water and sewer infrastructure, and paying other COVID-related costs like personal protective equipment, cleaning supplies, and remote access.

Council Member Briscoe asked and Deputy Director Turner answered that he believed that the city’s prior grant program was successful. He had personally followed up with recipients.

Mayor Spalding asked and Director Staats replied that she wasn’t anticipating revenue loss in 2021 - calculating lost interest was hard. Council and staff discussed potential ways of providing resident assistance.

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

Council Member Kist moved to adopt the resolution. Council Member Shull seconded and council voted with seven yes votes to approve Resolution R-43-2021.

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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.

REPORTS OF REPRESENTATIVES:

- A. Council Representative to MORPC: City Manager Stefanov offered an emailed MORPC report.
- B. Council Representative to Joint Parks and Recreation: No report.
- C. Council Representative to New Albany Plain Local Schools: Council Member Kist reported that the school board held 2 lengthy meetings. He referred to local news articles. The school board had not required masks for any students – and a portion of the population disagreed. Superintendent Michael Sawyers shared that the overall “started” vaccine rate for 43054 for 79%, “complete” was 76%, 15-17 year-olds was 88% and 82%, 18-20 year-olds was 87% and 82%, and 14 year-olds was 72% “started.” Kids under 12 could not be vaccinated. Even though the school’s policy was mask-optional, they estimated about 70% of kids were wearing masks in K-6th grade. Council Member Kist further described the quarantine/mask requirement when there was a positive case.

Mayor Spalding reported complaints regarding school traffic. Many parents were not using busing due to COVID. He expected more comments as the year progressed. Council Member Kist reported that the high school traffic was particularly bad and that may be part of future discussions with the school. Police Chief Greg Jones agreed things seemed to be worse. Forcing people to move along would just put them at the back of another line. Rerouting traffic didn’t help when they all were going to the same place. The police department would continue to monitor the situation.

- D. Council Representative to Plain Township: Council Member Durik reported that the township pool had a good year, but also had a major hidden leak resulting in hundreds of dollars a day in water cost. The repair would have to happen after the pool closed. Jorgenson Farms was requesting a zoning change for another event barn.

August 24, 2021

REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding reminded council of the Founders Day and Rose Run events that Saturday. Council and Communications Officer McAfee discussed logistics.
- B. Clerk of Council: Clerk Mason polled council on the Ohio Department of Liquor Control permit request from Sheetz on Johnstown Road. Council did not request a hearing. Council opted to maintain their regular meeting on November 2, 2021 - also Election Day. Council chose to hold their Budget Workshop on November 9, 2021. Clerk Mason requested council bring friends to hand out candy at the Founders Day parade. Clerk Mason reported she would be on vacation from 8/31 to 9/6.
- C. Finance Director: Director Staats reported that she distributed the July 2021 Finance report to council.
- D. City Manager: City Manager Stefanov reported that Complete General was the lowest and best bidder on the US 62/Thiessen Road/SR 161 improvements. Deputy Director Barker confirmed that the city had worked with the company many times before. He expected a schedule soon. Road widening should begin in 2021. The delay on traffic signal parts was significant and signal work would likely start in 2022. Council Member Brisk asked that the city repaint the arrows on Thiessen to show that going straight across US 62 was allowed.
- E. City Attorney: Law Director Banchefsky reported that the city completed the complex two-part process of signing onto the One Ohio opioid litigation settlement. The agreement achieved the participation threshold. The City of Cincinnati was the only non-signatory. The annual payout was small and payable over 18 years.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

NONE.

OTHER BUSINESS:

Mayor Spalding requested and Director Chrysler agreed to distribute the city's census data.

Council Member Kist moved to appoint Laura Gallo to the Sustainability Advisory Board (SAB) for the term ending 6/30/2022. Council Member Shull seconded and council voted with seven yes votes to appoint Laura Gallo to the SAB for the term specified.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Council Member Fellows moved and Mayor Spalding seconded to adjourn the August 24, 2021 regular council meeting at 11:58 pm.



Council Minutes – Special Meeting

August 24, 2021

ATTEST:


Jennifer H. Mason, Clerk of Council


Sloan Spalding, Mayor

210627 2021
Date

O-30-2021

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 30.6 +/- ACRES OF LAND GENERALLY LOCATED AT SOUTHWEST AND SOUTHEAST CORNERS OF CENTRAL COLLEGE ROAD AND NEW ALBANY-CONDIT ROAD FOR AN AREA TO BE KNOWN AS THE "NONA ZONING DISTRICT" FROM ITS CURRENT ZONING OF RESIDENTIAL ESTATE DISTRICT (R-1) TO "I-PUD" INFILL-PLANNED UNIT DEVELOPMENT DISTRICT AS REQUESTED BY NONA MASTER DEVELOPMENT LLC

≡NEW ALBANY≡

• Rezoning Public Process

**ROCKY FORK
BLACKLICK ACCORD**

Advisory Board makes a recommendation to the New Albany Planning Commission

**NEW ALBANY
PLANNING
COMMISSION**

Reviews and makes a recommendation to New Albany City Council

**NEW ALBANY
CITY COUNCIL**

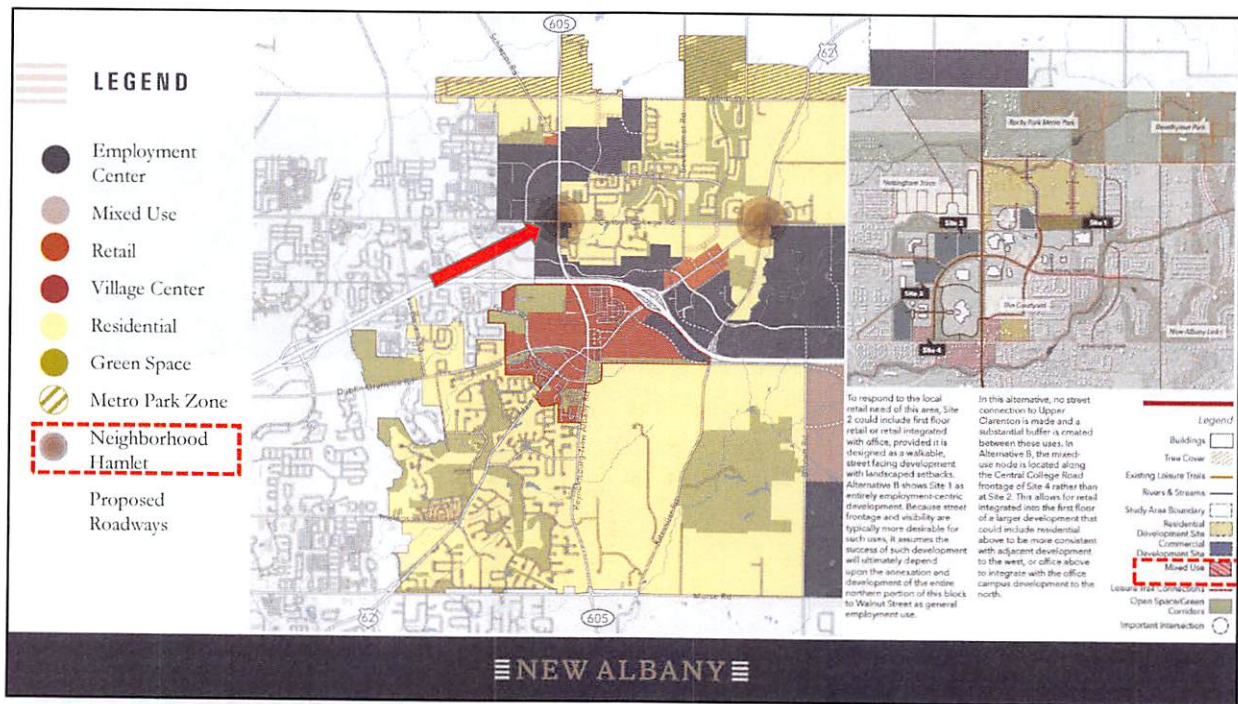
New Albany City Council takes final action on the rezoning application

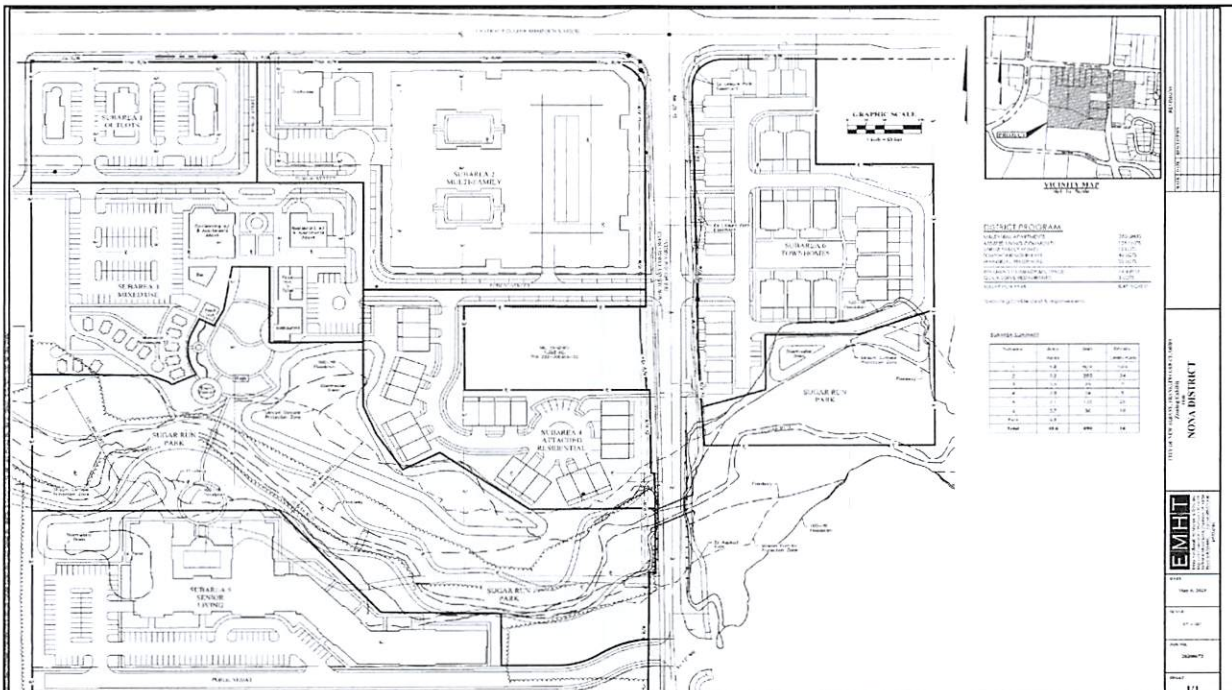
After Rezoning...

**FINAL DEVELOPMENT
PLAN**

The applicant must return to the Planning Commission for review and approval of a final development plan application at a later date

≡NEW ALBANY≡





NoNA DISTRICT:

Lifespan Residential Offerings



IMPACTS AND MITIGATION:

Impact on Street Design



INTEGRATE WITH AND IMPROVE THE SURROUNDING AREA

- Continuation of Existing Fabric
- Community Gateway
- Unified Pedestrian Experience
- Responsive to Engage New Albany Northwest Focus Area Development Scenario





NONA DISTRICT:
Use Plan



- Millennial/Active Adult Apts
- Senior Living Community
- Single Family Homes
- Townhomes/Duplexes
- Affordable Apartments (5%)
- Whimsical Residences

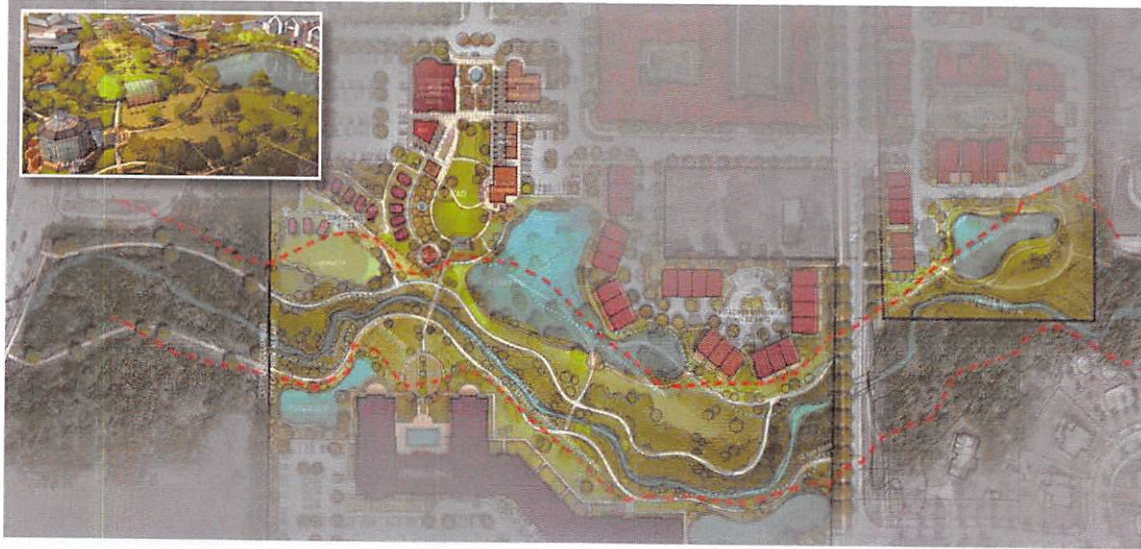
- Office/Working
- Restaurants and Bar
- The Trailhead Park
- Artisanal Eateries
- Food Truck Haus
- Community Stage

- Sugar Run Park
- Walking Paths/Trails
- Childrens' Play Area
- Meditation Path
- English Garden

PARKS AND RECREATION

NoNA DISTRICT:

Trailhead Park



NoNA DISTRICT:

Use Plan



RESIDENTIAL

- Millennial/Active Adult Apts
- Senior Living Community
- Single Family Homes
- Townhomes/Duplexes
- Affordable Apartments (5%)
- Whimsical Residences

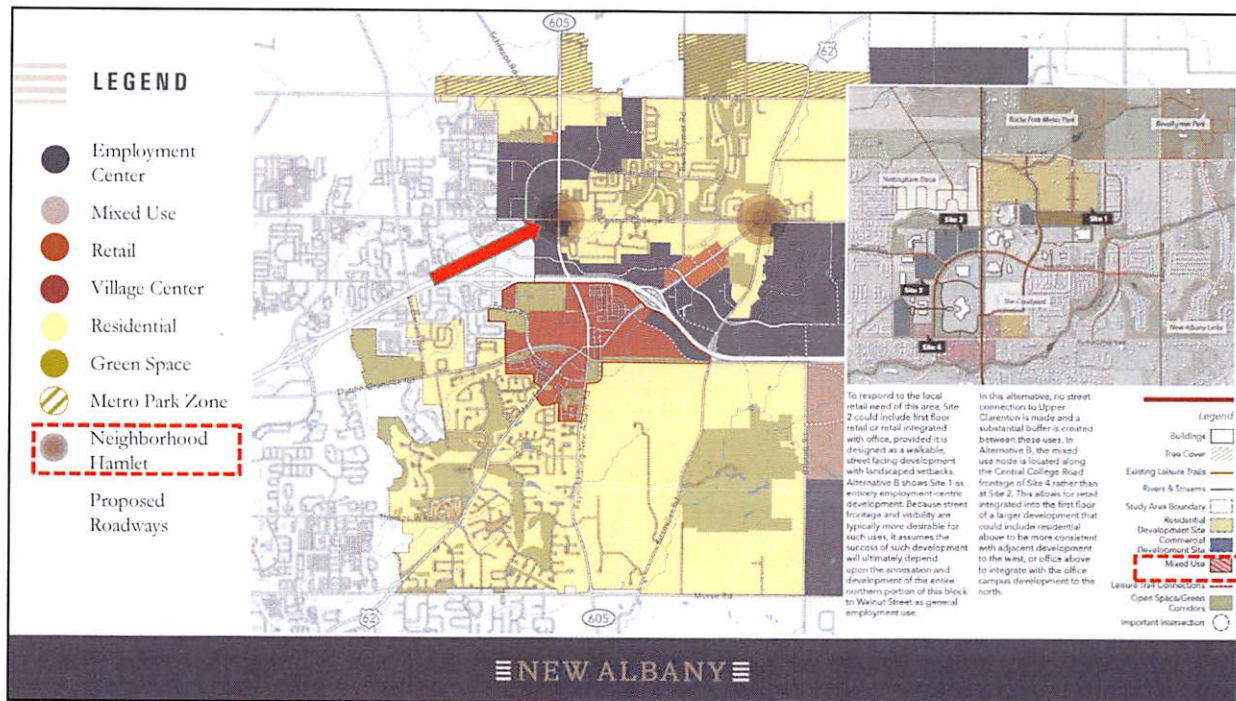
COMMERCIAL

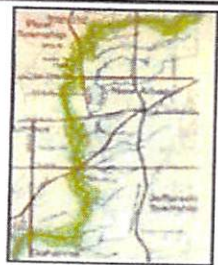
- Office/Coworking
- Restaurants and Bar
- The Trailhead Park
 - Artisanal Eateries
 - Food Truck Haus
 - Community Stage

PARKS AND RECREATION

- Sugar Run Park
- Walking Paths/Trails
- Childrens' Play Area
- Meditation Path
- English Garden







Friends of the Rocky Fork Watershed & Sugar Run – Rose Run Tributaries



FROM:

- Chris Willmore
President
- Bill Resch
Vice President
- Bob Kyle
Secretary – Treasurer

TO: Mayor Sloan Spaulding and the Members of the New Albany City Council, Colleen Briscoe, Chip Fellows, Kasey Kist, Marlene Brisk, Matt Shull, Mike Durik, Joe Stefanov, Adrienne Joly, and Staff:

On behalf of our membership, we are presenting our team's evaluation of the NoNA (North New Albany) Gateway Development Proposal by Steiner & Associates Zoning Case No. ZC-43-2021 as it relates to the Protection, Preservation, and Restoration of the SUGAR RUN'S Stream Protection Corridor.

Our organization's Environmental Stewardship Team thoroughly reviewed:

1. The Rocky Fork Blacklick Accord (RFBA) Community Plan - Update #3
2. The RFBA Professional Planning Staff's Staff Report
3. The U.S. ARMY CORPS OF ENGINEERS April 23, 2021
4. The Ohio EPA ROCKY Fork Watershed Protection Action Plan
5. The ENGAGE NEW ALBANY 2021 Strategic Plan's Design Guidelines & Requirements
6. The City of New Albany requirements of Ordinance 1187 Section 1187.15, on Parkland Dedication and Section 1187.16, on Open Space and Ordinance 1183 on Erosion Control.
7. The City of New Albany Professional Planning Staff Report
8. The Urban Land Institute (ULI) RAPID 5 Watershed Metro Park Trail Network Plan of which the Sugar Run is the northern Pedestrian-Cyclist Leisure Trail route to the Rocky Fork Metro Park.

EVALUATION of the NoNA and SUGAR RUN PARK DEVELOPMENT:

The primary focus and assessment by the Friends of the Rocky Fork Watershed and Tributaries is PRESERVATION, ENHANCEMENT, and PROTECTION of the site's existing Natural Features and the Sugar Run stream corridor, not the design or features of the proposed built development. Our team researched the past record of environmental stewardship by Steiner & Associates on local (eg. Easton Town Center) and national projects that precede their NoNA Gateway Project, and found their record to be exemplary. Also extensive cordial and informative consultations with the applicant's team; Yaromir Steiner, Justin Leyda, and Bryan Stone were conducted and it is very evident that the Steiner & Associates organization is very committed to restoring and enhancing the NoNA portion of the Sugar Run Stream's riparian corridor. THE FRIENDS OF THE ROCKY FORK & TRIBUTARIES are also confident that this very experienced company and its EMH&T contractor will be fully compliant to all environmental Design Guidelines & Requirements (DGRs) and Sediment & Erosion regulations embodied in the above referenced Federal, State and Local Documents.

With the unanimous approval by the Planning Commission of the Zoning Appropriateness of the NoNA Town District proposed Project on June 21st, 2021...

The Friends of the Rocky Fork Watershed & Sugar Run-Rose Run Tributaries fully endorse and recommend approval of Zoning Case ZC-43-2021 by the Mayor and City Council.