



ORDINANCE O-27-2024

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 11.44 +/- ACRES OF LAND LOCATED AT 7800 WALTON PARKWAY FOR AN AREA KNOWN AS THE "7800 WALTON PARKWAY ZONING DISTRICT" (FORMALLY KNOWN AS "COMMERCIAL VEHICLE GROUP ZONING DISTRICT") FROM ITS CURRENT ZONING OF LIMITED OFFICE CAMPUS DISTRICT (L-OCD) TO LIMITED GENERAL EMPLOYMENT (L-GE) AS REQUESTED BY CITY OF NEW ALBANY

WHEREAS, the council of the City of New Albany has determined that it is necessary to rezone certain property located in the city to promote orderly growth and development of lands; and

WHEREAS, the Rocky Fork-Blacklick Accord, New Albany Planning Commission, and City Council on separate occasions have held public hearings and received public input into the amendment of the zoning ordinance; and

WHEREAS, pursuant to the application by the City of New Albany, the Rock Fork-Blacklick Accord, and New Albany Planning Commission have reviewed the proposed ordinance amendment and recommended its approval.

NOW, THEREFORE, BE IT ORDAINED by the council for the City of New Albany, counties of Franklin and Licking, State of Ohio, that:

Section 1. Council of the City of New Albany hereby amends the Zoning Ordinance Map of the City of New Albany to change the zoning classification of the following described site:

- A. A 11.44 ± acre area of land located at 7800 Walton Parkway for an area known as "7800 Walton Parkway Zoning District" (formally known as "Commercial Vehicle Group Zoning District") from its current zoning of Limited Office Campus District (L-OCD) to Limited General Employment (L-GE).
- B. The zoning district's zoning text and site plan are hereby attached and marked Exhibit A.

Section 2. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

Section 3. Pursuant to Article 6.07(B) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2024.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 07/16/2024
Introduced: 08/06/2024
Tabled: 08/20/2024 to 9/3/2024
Adopted:
Effective:

Exhibit A - O-27-2024

7800 WALTON PARKWAY GENERAL EMPLOYMENT DISTRICT LIMITATION TEXT

February 29, 2024

INTRODUCTION: This site consists of 11.4± acres and is located northwest of and adjacent to the intersection of Walton Parkway and State Route 605/New Albany-Condit Road. The design intent for this development is to balance the developer's desire to create a high-tech corporate headquarters campus with the community's goal of preserving the natural and rural characteristics of the area. The limitations in this text seek to ensure this result by meeting and exceeding the high development standards of the Village.

I. PERMITTED AND CONDITIONAL USES

1. The permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, GE General Employment District, Sections 1153.02 and 1153.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses.
2. The following uses from these code sections shall be **prohibited**:
 - a. Industrial product sales (See Section 1153.03(a)(1))
 - b. Industrial service (See Section 1153.03(a)(2))
 - c. Industrial Manufacturing and Assembly (See Section 1153.03(a)(3))
 - d. Warehouse and distribution (See Section 1153.03(a)(5))
 - e. Personal service (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in this subarea
 - f. Vehicle services (See Section 1153.03(b)(4))
 - g. Radio/television broadcast facility (See Section 1153.03(c)(1))
 - h. Off-Premises Signs (See Section 1153.03(c)(2))
 - i. Sexually-oriented businesses (See Section 1153.03(c)(3))
 - j. Car fleet and truck fleet parking (See Section 1153.03(c)(5))
3. Manufacturing and production as set forth in Section 1153.02 and described in Section 1153.03 of the Codified Ordinances shall be permitted, provided that such uses are clean and non-hazardous.

II. DEVELOPMENT STANDARDS

A. Setback, Height, and Lot Coverage

1. Building and pavement setbacks shall be as follows:
 - a. Along State Route 605/New Albany-Condit Road, the minimum pavement setback shall be fifty-five (55) feet from the

- right-of-way and the minimum building setback shall be seventy-five (75) feet from the right-of-way.
- b. The minimum building and pavement setback shall be fifty-five (55) feet from the centerline along Walton Parkway.
 - c. A Preservation zone shall be established for a distance of eighty (80) feet from the northern boundary of the development as shown on the submitted development plan (Exhibit A). Utilities, pedestrian paths, accessory structures associated with landscaping may be placed within this zone if necessary.
- 2. The maximum height for any principal building or structure shall be forty-five (45) feet plus mechanical equipment and/or architectural features, as measured and permitted per the Zoning Ordinance.
 - 3. The maximum allowable lot coverage shall be seventy percent (70%).

B. Access, Loading, Parking and Traffic Related Commitments

- 1. There shall be one (1) curbcut on State Route 605/New Albany-Condit Road and two (2) curbcuts on Walton Parkway as indicated on the development plan. The curbcuts shall be located subject to staff approval.
- 2. The developer shall dedicate sufficient right-of-way to the Village along the west side of State Route 605/New Albany-Condit Road to ensure that there is forty (40) feet of right-of-way as measured from the centerline of that roadway.
- 3. Sidewalks shall be constructed in a manner that provides interconnectivity between parking areas and buildings and between parking areas themselves. When open space is found between buildings, pedestrian connections shall be provided. Paths shall be located and constructed so as to promote the use of non-automotive transportation within the development. Covered areas for bicycle parking shall be provided within a reasonable distance of all buildings.
- 4. No left turn lane into the development site from State Route 605/New Albany-Condit Road shall be required to be paid for or installed by the owner of the subject site at the time of the initial development of the property in accordance with plans approved by the Village. The owner agrees, upon the request of the Village, to perform and pay for a left turn warrant analysis based on the standards contained in the then-current ODOT manual should any one of the following three conditions occur:

- a. The parking lot located behind the easternmost building on the site is connected to another parking lot found elsewhere on the site so as to allow for vehicular access between such areas; or
- b. The number of parking spaces located to the rear of the easternmost building on the site exceeds the number of parking spaces provided on the limited overlay development plan that is approved by Village Council in the rezoning of the property; or
- c. The primary use of the easternmost building changes from the research and development uses currently contemplated therein by this limitation text.

In the event that the left turn warrant analysis indicates the need for a left turn lane to be provided along State Route 605/New Albany-Condit Road following the occurrence of one of the above events, the owner shall be required to fund and (if necessary) construct that improvement or agree to a mutually acceptable alternative solution with the Village (for example, restricted turn movements) within a mutually acceptable time after such determination is made.

C. Architectural

1. Building additions shall be complementary in materials and design to existing structures.
2. Primary building materials may be brick, stone, glass, metal panels, and/or architectural pre-cast concrete. Flat roofs shall be permitted. Prefabricated metal buildings are prohibited.

D. Preservation, Buffering, Landscaping, Open Space and/or Screening

1. A Preservation zone shall extend for a minimum of eighty (80) feet from the northern boundary of the development in the no build/no disturb zone as shown on the submitted development plan. This area shall be maintained in a natural state with minimal disturbance. Tree removal shall occur only if trees are dead or diseased. Clearing of understory should occur only as a method of removing noxious plant material such as poison ivy, or other aggressive growing plant material in keeping with good forestry management practices.
2. Paths shall be permitted within the eighty (80) foot preservation zone.

3. Landscaping that is rural in nature shall be provided within the required setbacks along State Route 605/New Albany Condit Road and shall strive to preserve or enhance the natural aesthetic character along this roadway.
4. Existing street trees along Walton Parkway shall be preserved unless removal is warranted for the purpose of constructing entry drives into the site. Street trees shall be provided along State Route 605/New Albany-Condit Road and shall be spaced (or clustered at the same rate) a minimum of thirty (30) feet on center.
5. The required amount of interior landscaping within parking areas shall be a minimum of eight percent (8%) of the total area of the parking lot pavement. The landscaped areas shall be arranged in such a manner so as to visually break up the large expanses of pavement and to provide landscaped walking paths between parking lots and buildings and is subject to staff approval.
6. An eight (8) foot wide asphalt leisure trail shall be constructed along State Route 605/New Albany-Condit Road and maintained along Walton Parkway (already exists).
7. Walks and paths shall be constructed elsewhere on the site in accordance with the specifications of the Zoning Ordinance and shall be a minimum of five (5) feet wide.
8. Interior site plantings: At installation, the minimum size of deciduous shade and ornamental trees shall be two (2) inches in caliper. Evergreen trees shall be a minimum of six (6) feet in height at installation.
9. The design and planting layout of all landscaping must be reviewed and approved by the Village Landscape Architect.

E. Mechanical Equipment, Service Areas, and Lighting

1. Mechanical equipment, whether located on the ground or a rooftop, shall be totally screened from all public roads and /or adjacent properties at ground level with landscaping or materials that are consistent with the building. If screened by landscaping, one hundred percent (100%) opacity must be achieved.
2. All service areas including loading docks, exterior storage of materials, supplies, equipment or products shall be screened at ground level from all public roads and/or adjacent properties with earth mounding, walls or landscaping. Trash dumpsters shall be completely enclosed and screened from all public roads and/or adjacent properties and shall be equipped with a gate to provide total opacity.

3. All wiring for lighting within the development shall be located underground. Any security lighting that is provided shall be of a motion sensor type.

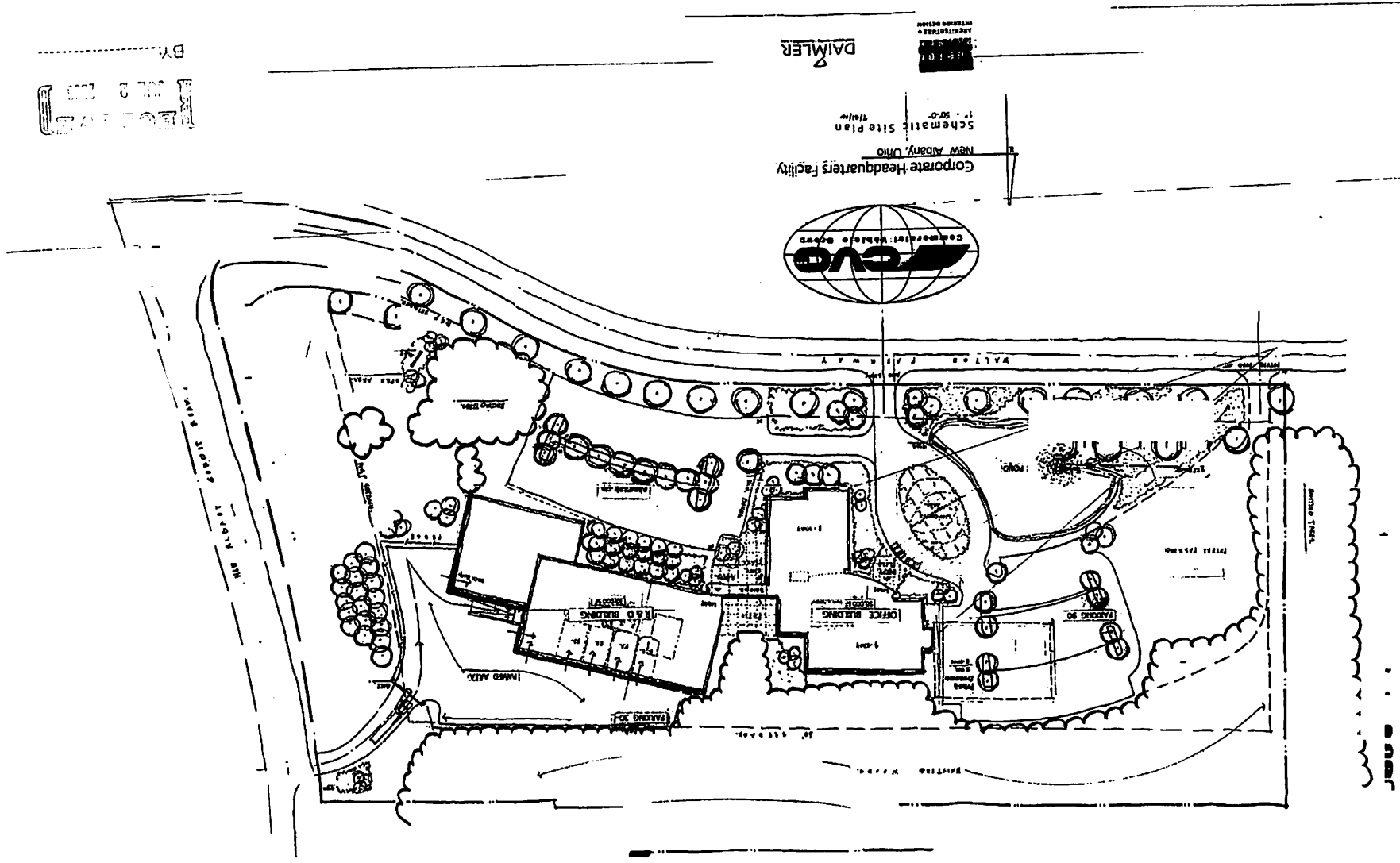
F. Parking

Per Code, parking shall be provided at the rate of one (1) space per two hundred fifty (250) square feet of office uses. Required parking for research and development uses is not addressed by Code, but Section 1167.05(f) gives the Planning Commission discretion to determine the appropriate number of parking spaces in such an instance. The required number of parking spaces shall be one (1) space per four thousand (4,000) square feet for research and development uses. Planning Commission's recommendation of approval of this text shall also constitute approval of the required parking ratio for research and development uses.

G. Plan Review

1. The site shall be developed in accordance with the submitted site plan. The site plan may be adjusted moderately to reflect engineering, topographical, or other site data available at the time that development and engineering plans are completed. Any adjustment to the plan shall be reviewed and may be approved by the Village of New Albany Development Staff or appropriate designee upon submission of the appropriate data.
2. Future expansions of the buildings on this site are anticipated and are permitted as of right, provided that prior to undertaking any expansion the applicant shall appear before the Planning Commission for a review of the expansion plans to determine adherence to applicable regulations.

2006 Site Plan





RESOLUTION R-39-2024

A RESOLUTION AFFIRMING THE RECOMMENDATIONS OF THE NEW ALBANY TAX INCENTIVE REVIEW COUNCIL FOR FRANKLIN COUNTY

WHEREAS, New Albany has the statutory authority to create various zones that provide economic development incentives, which include Enterprise Zones, Community Reinvestment Areas, and Tax Increment Financing Districts; and

WHEREAS, upon their creation of such zones, New Albany may consider entering into agreements with private sector entities engaged in economic development which divert or abate tax revenues as an incentive to encourage particular economic projects to occur; and

WHEREAS, in the creation of these zones, O.R.C. 5709.85 provides that a Tax Incentive Review Council (TIRC) shall be as required to review these agreements between New Albany and the private sector entities to establish compliance to the terms of the agreements; and

WHEREAS, the New Albany-Franklin County TIRC is mandated to review and make formal recommendations as to the compliance of the terms of each Tax Increment Finance (TIF) and Community Reinvestment Area (CRA) agreements within its zone on an annual basis prior to September 1 for the preceding year that concluded on December 31; and

WHEREAS, the recommendations of each TIRC is required to be forwarded to council within 60 days of making the recommendation and council is required to act upon those recommendations.

NOW, THEREFORE, BE IT RESOLVED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. The New Albany – Franklin County Tax Incentive Review Council met on July 24, 2024.

Section 2. Council considered the recommendations of the Franklin County TIRC as described below:

- i. Central College Insight Direct USA; approved for continuation
- ii. Village Center DNA MMI LLC; approved for continuation
- iii. Central College Encova (Data Center); approved for continuation
- iv. Central College TJX Companies (Data Center); approved for continuation
- v. Central College SI NAL01 LLC (Data Center); approved for continuation
- vi. Village Center DNA MMII LLC; approved for continuation

- vii. Oak Grove Thirty-One Real Estate LLC; approved for continuation pending payment in lieu of taxes (PII.OI)
- viii. Central College Discover Financial Services (Data Center); approved for continuation
- ix. Central College NACOT I LLC & NACOT II LLC; revoked due to property sale
- x. Central College Ohio Power Company (Data Center); approved for continuation
- xi. Oak Grove Water's Edge Campus At New Albany LLC; approved for continuation
- xii. Oak Grove Water's Edge East I - III; approved for continuation
- xiii. Oak Grove II COI Innovation Development, LLC; approved for continuation
- xiv. Oak Grove II EXETER 8255 INNOVATION LP: Innovation III; approved for continuation
- xv. Central College American Regent; approved for continuation
- xvi. Oak Grove II Montauk Innovations LLC (Google); approved for continuation

Section 3. Council accepts the recommendation for continuance of the CRA Agreements made by the New Albany-Franklin County TIRC.

Section 4. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

Section 5. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2024.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:	
Prepared:	08/05/2024
Introduced:	09/03/2024
Adopted:	
Effective:	



RESOLUTION R-40-2024

**A RESOLUTION AFFIRMING THE RECOMMENDATIONS OF THE
NEW ALBANY TAX INCENTIVE REVIEW COUNCIL FOR LICKING
COUNTY**

WHEREAS, New Albany has the statutory authority to create various zones that provide economic development incentives, which include Enterprise Zones, Community Reinvestment Areas, and Tax Increment Financing Districts; and

WHEREAS, upon their creation of such zones, New Albany may consider entering into agreements with private sector entities engaged in economic development which divert or abate tax revenues as an incentive to encourage particular economic projects to occur; and

WHEREAS, in the creation of these zones, O.R.C. 5709.85 provides that a Tax Incentive Review Council (TIRC) shall be as required to review these agreements between New Albany and the private sector entities to establish compliance to the terms of the agreements; and

WHEREAS, the New Albany-Licking County TIRC is mandated to review and make formal recommendations as to the compliance of the terms of each Tax Increment Finance (TIF) and Community Reinvestment Area (CRA) agreements within its zone on an annual basis prior to September 1 for the preceding year that concluded on December 31; and

WHEREAS, the recommendations of each TIRC is required to be forwarded to council within 60 days of making the recommendation and council is required to act upon those recommendations; and

NOW, THEREFORE, BE IT RESOLVED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. The New Albany – Licking County Tax Incentive Review Council met on July 29, 2024.

Section 2. Council considered the recommendations of the Licking County TIRC as described below:

- i. Oak Grove II CRA – Ohio Power & AEP Service Corp.; approved for continuation
- ii. Oak Grove II CRA – Accel, Inc. (Dream Industries); approved for continuation
- iii. Oak Grove II CRA – Vee Pak Ohio, LLC; approved for continuation
- iv. Oak Grove II CRA – Dream Industries/Multi-Tenant Building I; approved for continuation
- v. Oak Grove II CRA – KDC/One; approved for continuation

- vi. Oak Grove II CRA – Axiom Plastics (PJP Holdings); approved for continuation
- vii. Oak Grove II CRA – Anomatic Corporation; approved for continuation
- viii. Oak Grove II CRA – Amcor Rigid Plastics; approved for continuation
- ix. Oak Grove II CRA – Distribution Land Corp.; approved for continuation
- x. Oak Grove II CRA – Vadata, Inc. (Amazon Data Services, Inc.); approved for continuation
- xi. Oak Grove II CRA – Bocchi Laboratories Ohio, I.L.C; approved for continuation
- xii. Oak Grove II CRA – AEP Ohio Transmission Company; approved for continuation with conditions
- xiii. Oak Grove II CRA – Dream Industries/Multi-Tenant Building II; approved for continuation
- xiv. Oak Grove II CRA – CCL Label, Inc.; approved for continuation
- xv. Oak Grove II CRA – 9750 Innovation Campus Way, I.L.C; approved for continuation
- xvi. Oak Grove II CRA – Montauk (Google); approved for continuation
- xvii. Oak Grove II CRA – Sidecat I.L.C (Facebook); approved for continuation
- xviii. Oak Grove II CRA – Blue Scope, LLC/URSF OH New Albany, LLC; approved for continuation
- xix. Oak Grove II CRA – COI New Albany CMH7 LLC; approved for continuation
- xx. Oak Grove II CRA – Exeter 8950 Smith’s Mill LP; approved for continuation
- xxi. Oak Grove II CRA – Amazon Data Services (Jug St./Harrison Rd.) Phase 1 & 2; approved for continuation
- xxii. Oak Grove II CRA – Tenby Partners Multi-Tenant; approved for continuation
- xxiii. Oak Grove II CRA – VanTrust Multi-Tenant 525; approved for continuation
- xxiv. Oak Grove II CRA – Cupertino – Building 445; approved for continuation

Section 3. Council accepts the recommendation for continuance of the CRA Agreements made by the New Albany-Licking County TIRC.

Section 4. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

Section 5. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

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Sloan T. Spalding
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