



New Albany Planning Commission Meeting
Minutes - June 17, 2024 - Approved

I. Call to order

The New Albany Planning Commission held a regular meeting on Monday, June 17, 2024 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:03 p.m. and asked to hear the roll.

II. Roll call

Those answering roll call:

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

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

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

III. Action on minutes: June 3, 2024

Chair Kirby asked if there were any corrections to the June 3, 2024 meeting minutes.

Hearing none Commissioner Schell moved for approval of the June 3, 2024 meeting minutes. Chair Kirby seconded the motion.

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

Upon roll call: Mr. Schell yes, Mr. Kirby yes, Mr. Wallace yes, Ms. Briggs abstained from the vote. Having three yes votes, the June 3, 2024 meeting minutes were approved as submitted.

IV. Additions or corrections to the agenda

Chair Kirby noted that it would be of particular interest to many present at the hearing that the applicant in case FDM-08-2024 had requested to table the application. He asked staff whether there were any other changes to the agenda.

Planning Manager Mayer responded none from staff.

Chair Kirby administered the oath to all present who planned to address the commission. He further noted that now would be a good time to silence all cell phones.

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

Chair Kirby asked whether there was anyone present who wished to address the commission for an item not on the agenda.

Seeing none, he introduced the first case.

VI. Cases:

FDM-08-2024 Final Development Plan Modification

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

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

Chair Kirby stated that the applicant had requested that the application be tabled for one month.

Planning Manager Mayer confirmed this.

Chair Kirby moved to table FDM-08-2024 until the regular meeting in July, 2024. Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Wallace yes, Mr. Schell yes, Ms. Briggs yes. Having four yes votes, the motion passed and FDM-08-2024 was laid upon the table until the July 2024 regular meeting.

Chair Kirby let the people in the chamber know that if they had come to hear deliberations on FDM-08-2024, now would be a good time to make a clean exit. He then introduced the next case and asked to hear from staff.

FDP-36-2024 Final Development Plan

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

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

Planner Saumenig delivered the staff report.

Development Engineer Albright delivered the engineering report.

Chair Kirby asked to hear from the applicant.

Applicant and Architect for the project Carter Bean spoke in support of the application. He thanked staff and stated that Planner Saumenig's presentation was thorough. He further stated that he was in agreement with all five conditions and would like to add a sixth. He was willing to stipulate that the pedestal sides be six inches rather than 36 inches.

Planning Manager Mayer stated that staff was supportive of the condition.

Chair Kirby asked whether there were questions from the commission.

Hearing none, Chair Kirby stated that application review was particularly easy when all the boxes were checked.

Chair Kirby asked whether there was anyone from the public who wished to speak on the application.

Hearing none, Chair Kirby moved to accept the staff reports and related documents into the record for FDP-36-2024. Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Wallace yes, Mr. Schell yes, Ms. Briggs yes. Having four yes votes, the motion passed and the staff reports and related documents were admitted into the record for FDP-36-2024.

Commissioner Wallace moved for approval of FDP-36-2024 based on the findings in the staff report with the conditions in the staff report, subject to staff approval and the additional condition as follows:

6. Exterior light poles' pedestal sides will be six inches rather than 36 inches.

Commissioner Briggs seconded the motion.

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

Upon roll call: Mr. Wallace yes, Ms. Briggs yes, Mr. Kirby yes, Mr. Schell yes. Having four yes votes, the motion passed and FDP-36-2024 was approved subject to the conditions in the staff report and the additional condition as stated above.

The commission wished the applicant good luck. Chair Kirby introduced the next case and asked to hear from staff.

FDP-37-2024 Final Development Plan

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

Applicant: Shremshock Architects and Engineers c/o Brandon Anderson

Planner Saumenig delivered the staff report.

Development Engineer Albright delivered the engineering report.

Chair Kirby asked to hear from the applicant.

Applicant David Blair stated that the conditions and comments from engineering are acceptable. Their only remaining concern was the flipping of the building. They were still working with staff on that issue and would be comfortable with it as a conditions of approval.

Chair Kirby and Commissioner Schell confirmed that Mr. Blain was comfortable with flipping the building, subject to staff approval, as a condition of approval.

Chair Kirby asked staff whether the conditional use, should be conditioned on the final development plan.

Planning Manager Mayer answered yes.

Chair Kirby made a motion to accept the staff reports and related documents into the record for FDP-37-2024. Commissioner Schell seconded the motion.

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

Upon roll call: Mr. Kirby yes, Ms. Briggs yes, Mr. Wallace yes, Mr. Schell yes. Having four yes votes, the motion passed and the staff reports and related documents were admitted into the record for FDP-37-2024.

Commissioner Wallace then asked staff questions about various changes in the staff report and the commentary in the staff report because he had noticed some inconsistencies and missing references. He further noted that #5 was missing in the MKSK report.

Planner Saumenig explained that #5 was removed from the MKSK report because it had been addressed by the applicant and she opted not to renumber the report in order to minimize confusion.

Commissioner Wallace thanked Planner Saumenig and explained that his remark was more of a comment than a complaint. He further noted that there was not an onsite dumpster and asked the applicant how they planned to dispose of waste.

Mr. Blair answered that they did not anticipate having much waste and most of it would be shredded, as such they had concluded that city refuse collection would be sufficient.

Chair Kirby asked if there was anyone from the public who wished to speak on the application.

Hearing none, Commissioner Wallace moved for approval of FDP-37-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval. Commissioner Briggs seconded the motion.

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

Upon roll call: Mr. Wallace yes, Ms. Briggs yes, Mr. Kirby yes, Mr. Schell yes. Having four yes votes, the motion passed and FDP-37-2024 was approved subject to the conditions in the staff report.

Chair Kirby then asked to hear the staff report for CU-34-2024.

CU-43-2024 Conditional Use

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

Applicant: Shremshock Architects and Engineers c/o Brandon Anderson

Planner Saumenig explained that the staff reports for the final development plan and the conditional use were given with the same presentation.

Commissioner Schell asked whether three automatic teller machine stations were common, noting that three seem excessive.

Planner Saumenig responded she was not quite sure.

Commissioner Wallace noted that they were all self-service.

Chair Kirby asked if there were any further questions. Hearing none, he made a motion to accept the staff reports and related documents into the record for CU-43-2024. Commissioner Briggs seconded the motion.

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

Upon roll call: Mr. Kirby yes, Ms. Briggs yes, Mr. Wallace yes, Mr. Schell yes. Having four yes votes, the motion passed and the staff reports and related documents were admitted into the record for CU-43-2024.

Chair Kirby asked whether anyone from the public was present to comment on the application.

Hearing none, Commissioner Wallace made a motion to approve CU-43-2024 based on the findings in the staff report with the conditions in the staff report, subject to staff approval, with the additional condition as follows:

That the conditional use is conditioned on the approval of the final development plan.

Commissioner Schell seconded the motion.

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

Upon roll call: Mr. Wallace yes, Mr. Schell yes, Ms. Briggs yes, Mr. Kirby yes. Having four yes votes, the motion passed and CU-43-2024 was approved subject to the condition as stated above.

The commission wished the applicant good luck.

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

VAR-41-2024 Variances

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

Applicant: Moo Moo New Albany Forest Drive LLC

Planner II Christian delivered the staff report.

Chair Kirby clarified that there were two variance requests, VAR-41-2024A, which involved sign B (the directional sign). And VAR-41-2024B which involved sign A, (the monument sign).

Commissioner Schell asked whether there have been complaints from the neighbors.

Planner II Christian responded yes, the city has received complaints.

Chair Kirby asked to hear from the applicant.

Applicant Joe Bertucci on behalf of Moo Moo Carwash, 13375 National Road SW, Suite D, Reynoldsburg, thanked the commission. Speaking on behalf of Moo Moo, he apologized for not addressing these concerns from day one. He explained that it was not their intent to skirt the ordinance, or to ignore it. He acknowledged that it was their mistake, and that their standard signs were not permissible under current code.

Chair Kirby asked whether the conditions on sign B (variance A) were acceptable. And further confirmed that a reasonable condition is that exactly two colors are allowed and only one at a time.

Mr. Bertucci answered yes. They can adjust the signs so they don't flash, so that they only have one color and so they are off when the business is closed.

Commissioner Wallace asked Planner II Christian whether in other cases involving similar signs, whether there was more screening.

Planner II Christian answered that the landscaping plan was examined. He acknowledged that currently the screening did not appear sufficient, however it was staff's view that eventually there would be adequate natural screening here, but as of now, the foliage is young.

Commissioner Wallace confirmed that it was Planner II Christian's sense is that appropriate screening would develop over time.

Planner II Christian agreed and pointed out the potential for additional screening pursuant to future development.

Commissioner Wallace asked whether the applicant would agree to a condition requiring additional screening at staff's discretion.

Mr. Bertucci answered yes, they will agree to such a condition and commit to screening subject to staff approval.

Commissioner Briggs asked whether these signs are typical at other locations.

Mr. Bertucci responded yes, all locations have directional signs. He further clarified that sign A has changed over time.

Commissioner Wallace noted that in general the other signs for this business are not typical New Albany signs and there was further discussion of the timing of the installation of the signs, and the awning.

Commissioner Briggs added that she was not overly thrilled with these applications, however she appreciated that the applicant addressed the issue head-on and apologized. She further noted that these code violations went further than others had over the years.

Chair Kirby asked whether there was anyone from the public present who wished to comment on the signs.

Hearing none, Chair Kirby made a motion to accept the staff reports and related documents into the record for VAR-41-2024. Commissioner Briggs seconded the motion.

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

Upon roll call: Mr. Kirby yes, Ms. Briggs yes, Mr. Schell yes, Mr. Wallace yes. Having four yes votes, the motion passed and the staff reports and related documents were admitted into the record for VAR-41-2024.

The commission determined that they would vote on part A and part B of the variances separately. They further clarified with Law Director Albrecht that separate votes were appropriate.

Chair Kirby moved for approval of VAR-41-2024A based on the findings in the staff report with the conditions in the staff report with the clarification that exactly 2 colors, red and green, are in the color palette and that they are only visible one at a time, and that the brightness is adjusted at night if possible. And the additional condition as follows:

- Additional screening may be required, subject to staff approval.

Commissioner Schell seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Ms. Briggs yes, Mr. Wallace yes. Having four yes votes, the motion passed and VAR-41-2024A was approved subject to the conditions as stated above.

Chair Kirby moved for approval of VAR-41-2024B based on the findings in the staff report, based on the conditions in the staff report and with the additional condition as follows:

- Additional screening may be required, subject to staff approval.

Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby no, Mr. Wallace no, Mr. Schell no, Ms. Briggs no. Having 0 yes votes and four no votes, the motion failed unanimously.

Chair Kirby explained that variance B went against the zoning code, and that it did not meet the *Duncan* criteria.

Commissioner Wallace concurred and further found that approval would set an unfavorable precedent.

Commissioner Schell concurred and further noted that if this had been presented at final development, it would have been rejected.

Commissioner Briggs concurred with all of the previous statements.

The commission wished the applicant good luck.

TM-47-2024 Zoning Text Modification

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

Applicant: All Saints Episcopal Church c/o Hank Fresch

Planner II Christian delivered the staff report.

Chair Kirby asked to hear from the applicant.

Applicant Henry Fresch on behalf of All Saints Episcopal Church stated that the church was requesting approval to install solar panels on the roof.

Chair Kirby asked whether the applicant would agree to a condition that the panels be installed at the same angle as the roof.

Mr. Fresch agreed.

There was further discussion regarding the placement of the panels.

Chair Kirby asked whether there was anyone from the public present to speak about the panels. Hearing none, he moved to admit the staff reports and related documents into the record for TM-47-2024. Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Wallace yes, Ms. Briggs yes, Mr. Schell yes. Having four votes, the motion passed and the staff reports and related documents were accepted into the record for TM-47-2024.

Chair Kirby moved for approval of TM-47-2024 based on the findings in the staff report, subject to the conditions in the staff report and the following additional condition:

- That the panels be roughly conforming to the angle of the roof with minimal standoff.

Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Wallace yes, Ms. Briggs yes, Mr. Schell yes. Having four yes votes, the motion passed and TM-47-2024 was approved subject to the condition as stated above.

The commission wished the applicant good luck.

Council Member Wiltout thanked Mr. Fresch and All Saints Episcopal Church for promoting sustainability which is one of the pillars of New Albany.

VII. Other business

- **Appointment of CRAHC representative**
Planning Manager Mayer stated that it was time for the Planning Commission to make an appointment to the Community Reinvestment Area Housing Council (CRAHC).

Commissioner Wallace stated that he would be pleased to be reappointed.

Chair Kirby nominated Commissioner Wallace to represent the Planning Commission on the Community Reinvestment Area Housing Council. Commissioner Schell seconded the nomination.

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

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Wallace yes, Ms. Briggs yes. Having four yes votes, the motion passed and Commissioner Wallace was reappointed as the commission's representative to the CRAHC.

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

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

Aaron Underhill and Tom Rubey provided an informal review of the Ganton C-PUD Rezoning Comprehensive Plan. They explained that this project went back years. The entire parcel is just over 100 acres in size and has been farmed for many years, most recently by Whitebarn Organics. They explained the existing conditions and indicated the locations of the utility and conservation easements. They indicated the location of the headwaters of Rose Run Creek and stressed that the headwaters of the creek need to be protected and enhanced. They also indicated the location of a stand of trees and a historical structure. They explained that these, and other factors need to be taken into consideration when determining the alignment of the road. The proposed rezoning will have three subareas. Subarea one is about 25 acres and they anticipate a medical use for that area. Subarea two is just shy of 16 acres and will be office campus district uses. Subarea three is about 65 acres and it will include civic, institutional uses, city park areas. This area is within the Urban Center and development will not require dipping into the bank to meet the parkland requirements. There may be some single family homes in this area, residential development will not be like Windsor. They plan to maintain a healthy setback along Dublin Granvill Road and Planning Manager Mayer has already asked for installation of a leisure trail there. They stated that they will keep the schools updated and that there will be substantial review along the way. They concluded that they are thrilled to be presenting this informal review and will return with more details.

The commission thanked Mr. Underhill and Mr. Rubey and stated that they looked forward to further discussions.

Having no further business, Chair Kirby polled the commission members for comment.

VIII. Poll members for comment

Commissioner Wallace thanked the commission for his appointment to the CRAHC board and stated that he will try to remember to update the commission after the next CRAHC meeting.

IX. Adjournment

Thereafter, Chair Kirby adjourned the June 17, 2024 meeting of the New Albany Planning Commission at 8:29 p.m.

Submitted by Deputy Clerk Madriguera, Esq.

Appendix

FDM-08-2024

Staff Report

Record of Action

FDP-36-2024

Staff Report

Record of Action

FDP-37-2024

Staff Report

Record of Action

CU-43-2024

Staff Report

Record of Action

VAR-41-2024

Staff Report

Record of Action

TM-47-2024

Staff Report

Record of Action



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

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

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

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

Staff report completed by Sierra Cratic-Smith, Planner

I. REQUEST AND BACKGROUND

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

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

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

LAW DIRECTOR'S COMMENTS

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

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

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

II. SITE DESCRIPTION & USE

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

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

III. PLAN REVIEW

The Planning Commission’s review authority of the zoning amendment application is found under C.O. Chapters 1107.02. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to city council. The staff’s review is based on city plans and studies, proposed zoning text, and the codified ordinances. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

Per Codified Ordinance Chapter 1159.08 the basis for approval of a final development plan in an C-PUD shall be:

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

A. Engage New Albany Strategic Plan

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

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

B. Use, Site and Layout

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

C. Access, Loading, Parking

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

D. Architectural Standards

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

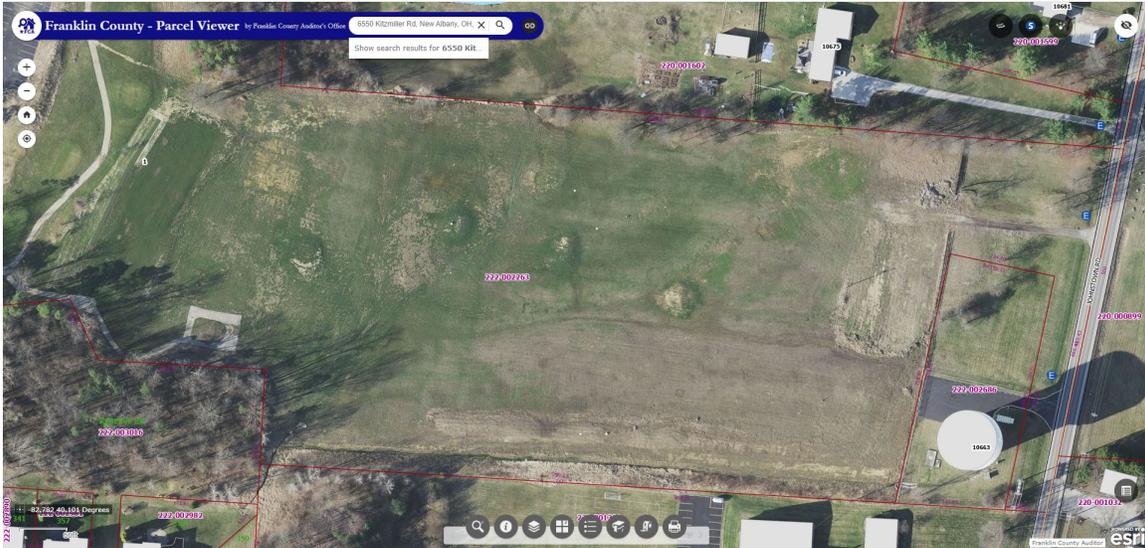
E. Parkland, Buffering, Landscaping, Open Space, Screening

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

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

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

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



August 2023 (Figure 1)



2009 (Figure 2)

F. Lighting & Signage

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

IV. ENGINEER'S COMMENTS

There are no comments from engineering.

IV. SUMMARY

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

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

V. ACTION

Suggested Motion for FDM-08-2024:

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

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

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

Approximate Site Location:



Source: Near Map



Community Development Department

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

Dear Luke Bowersock, Kemper Sports,

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Tuesday June 18, 2024

The New Albany Planning Commission took the following action on 6/17/2024 .

Final Development Plan Modification

Location: 7100 NEW ALBANY LINKS DR

Applicant: Luke Bowersock, Kemper Sports,

Application: PLFDM20240008

Request: To table until the next scheduled Planning Commission Meeting on July 15, 2024.

Motion: To table

Commission Vote: Motion Tabled, 4-0

Result: Final Development Plan Modification, PLFDM20240008 was Tabled, by a vote of 4-0.

Recorded in the Official Journal this June 18, 2024

Condition(s) of Approval: N/A

Staff Certification:

Sierra Cratic-Smith

Sierra Cratic-Smith
Planner



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

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

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

Review based on: Application materials received May 17, 2024

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

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

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

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

II. SITE DESCRIPTION & USE

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

III. EVALUATION

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

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

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

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

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

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

Engage New Albany Strategic Plan Recommendations

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

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

A. Use, Site and Layout

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

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

B. Access, Loading, Parking

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

C. Architectural Standards

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

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

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

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

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

E. Lighting & Signage

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

Wall Signs

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

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

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

The proposed wall sign reads “Donatos Pizza.”

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

Ground Mounted Signs

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

IV. ENGINEER'S COMMENTS

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

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

V. SUMMARY

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

V. ACTION

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

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

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

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

Approximate Site Location



Source: NearMap

Development Review

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

COMMENTS

Site Plan

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

Planting Plan

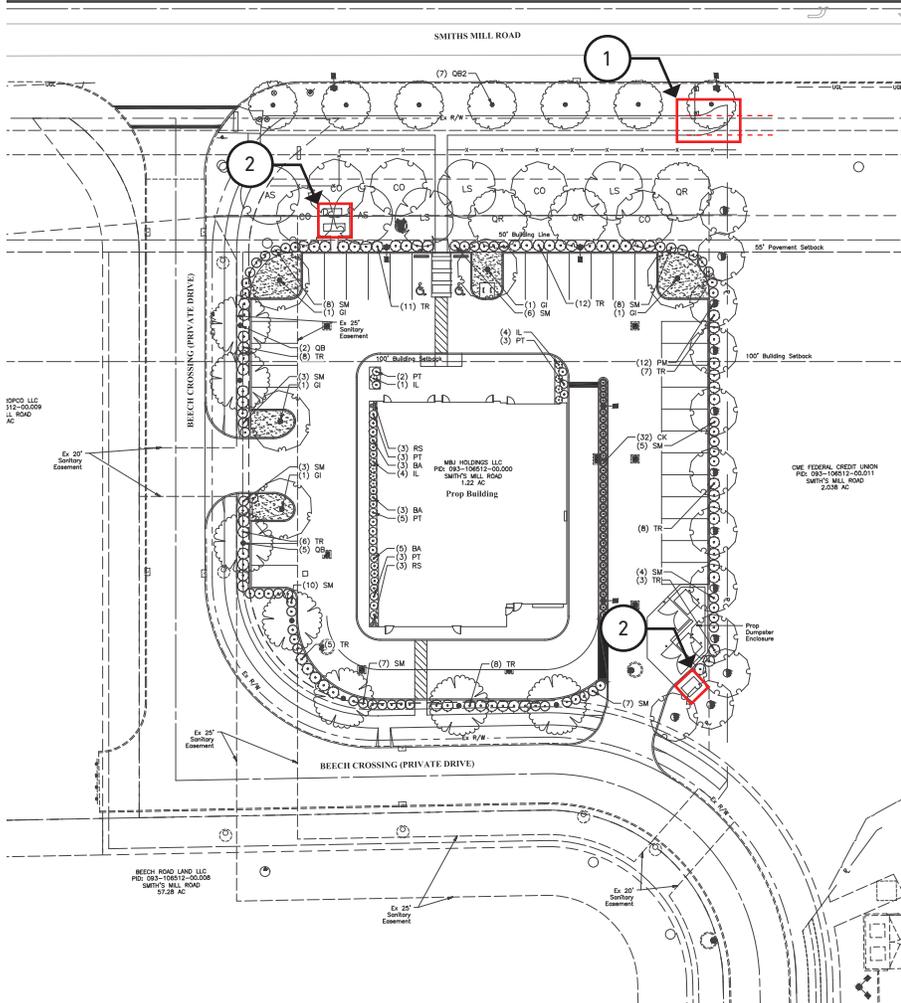
2. Provide evergreen shrubs (36" in ht.) to screen utilities, as marked. See diagram.

*NOTES:

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

Development Review

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



SITE AND PARKING PLANTINGS PLANT SCHEDULE

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

SMITH'S MILL ROAD FRONTAGE PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
SETBACK TREES						
	AS	2	Acer saccharum	Sugar Maple	3" Cal.	B&B
	CO	5	Celtis occidentalis	Common Hackberry	2" Cal.	B&B
	LS	3	Liquidambar styraciflua	American Sweet Gum	2" Cal.	B&B
	OR	3	Quercus rubrum	Red Oak	3" Cal.	B&B
STREET TREES PLANT SCHEDULE						
STREET TREES						
	OB	7	Quercus bicolor	Swamp White Oak	3" Cal.	B&B

LANDSCAPE CALCULATIONS

Treatment Along Smith Mill Road
 6 Trees per 100 LF of Frontage
 218 LF. of frontage /100 x 6 tree = 13 Trees Required
 13 Trees Provided

Treatment Along East Property Line
 4 Trees per 100 LF of Frontage
 285 LF. of frontage /100 x 4 tree = 12 Trees Required
 12 Trees Provided

1171.06 - Parking Lot Landscaping:
 1171.06(a)(2): 8% of the parking area shall be landscaped:
 16,138 S.F. parking area x .08 = 1,291 S.F. landscape area required
 1,240 S.F. landscape area provided

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

1171.05(e) - Landscape Screening-Minimum Trees:
 (2) Between twenty thousand (20,000) and fifty thousand (50,000) square feet: A minimum of one tree for every five thousand (5,000) square feet of ground coverage and a total tree planting equal to ten (10) inches plus one-half inch in tree trunk size for every ten thousand (2,000) square feet over twenty thousand (20,000) feet in ground coverage.

±35,789 S.F. Total Ground Coverage
 ±35,789 / 5000 = 7 Trees
 ±35,789 - 20,000 = ±15,789
 ±15,789 / 2000 x .5" = 3.95" x 10" = 13.95"
 7 Trees and 14" Required
 7 Trees and 30" Provided

APPROVALS:

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

GRAPHIC SCALE
 1 inch = 30 feet

PRELIMINARY
 NOT TO BE USED FOR CONSTRUCTION
 PLAN SET DATE: May 17, 2024

Proposed Landscape Plan

404.685-01
June 5, 2024
(Revised)

To: Sierra Saumenig
City Planner

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

Re: Donato's Multi Tenant Bld. FDP

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

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

MEF/JMH

cc: Josh Albright, Development Engineer



Community Development Department

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

Dear J. Carter Bean Architect,

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, June 18, 2024

The New Albany Planning Commission took the following action on 06/17/2024 .

Final Development Plan

Location: 093-016512-00.000 southwest corner of Beech Road and Smith's Mill Road

Applicant: J. Carter Bean Architect,

Application: PLFDP20240036

Request: Final Development Plan for a multi-tenant building

Motion: To approve with conditions

Commission Vote: Motion Approved with Conditions, 4-0

Result: Final Development Plan, PLFDP20240036 was Approved with Conditions, by a vote of 4-0

Recorded in the Official Journal this June 18, 2024

Condition(s) of Approval:

1. The city's landscape architect comment shall be addressed as part of permitted, subject to staff approval:
 - a. That the applicant modifies the proposed leisure trail along Smith's Mill Road to align with the adjacent site.
 - b. Provide evergreen shrubs that are 36" in height to screen utilities.
2. That staff can review changes or modifications to the proposed patio that would not include changing the size or location.
3. That the applicant revises the landscape plans to be consistent with the approved master landscape plan.
4. The final copy of the proposed signs and future signage is subject to staff approval.
5. The city engineer comments must be addressed, subject to staff approval.
 - o Remove the "Preliminary Not for Construction" note block from all sheets when resubmitting the plans.
 - o Revise the Site Data Table by adding a line indicating "Parking Required".
 - o Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
 - o Show the recorded instrument number on the plans for all existing easements shown on the FDP.
 - o Show the location of the stop bar/signs on the landscape plan at both curb cuts and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.

- o Provide a fire truck turning analysis using the template for the 48' Plain Township fire truck.
 - o Engineering staff will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available.
6. That the exterior light poles' pedestal heights will be six inches rather than 36 inches.

Staff Certification:

Sierra Saumenig

Sierra Saumenig
Planner



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

**WRIGHT PATT
FINAL DEVELOPMENT PLAN**

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

Review based on: Application materials received May 17, 2024

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

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

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

II. SITE DESCRIPTION & USE

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

III. EVALUATION

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

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

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

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

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

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

Engage New Albany Strategic Plan Recommendations

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

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

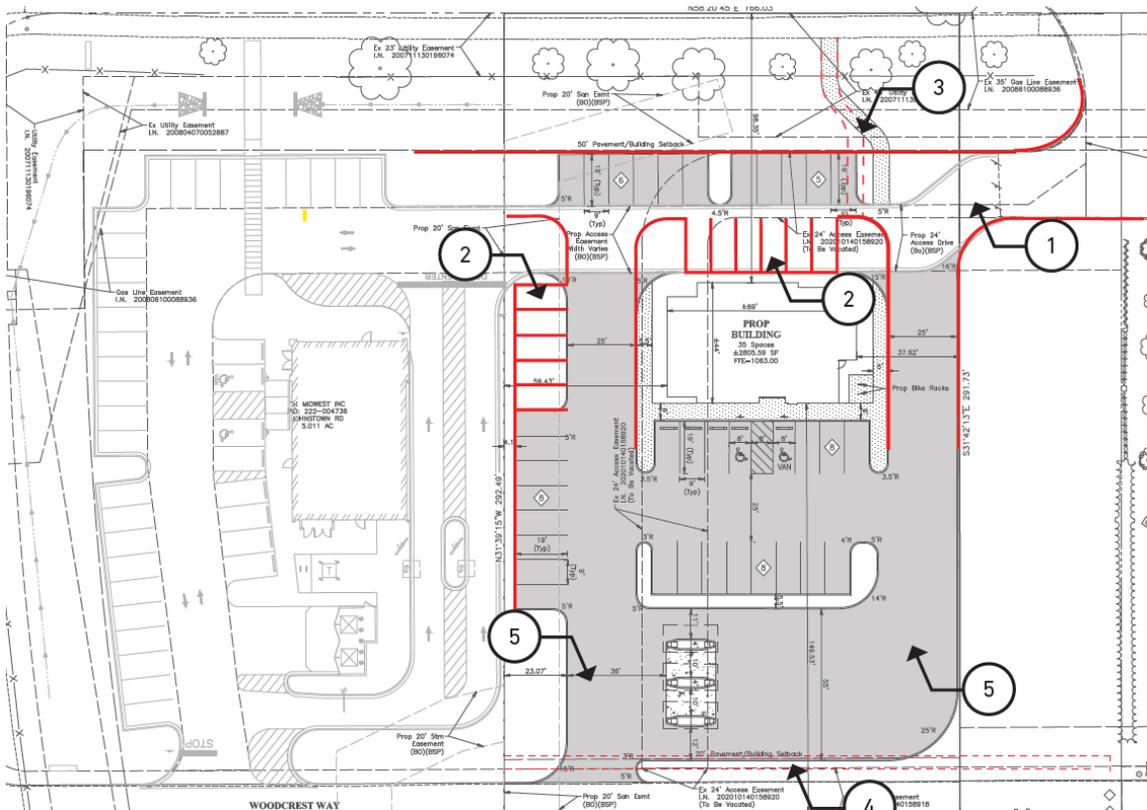
A. Use, Site and Layout

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

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

B. Access, Loading, Parking

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



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

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

C. Architectural Standards

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

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

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

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

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

4. **Street Tree Landscaping Requirement:**

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

5. **US 62/Johnstown Road Buffer Landscaping Requirement:**

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

6. The zoning text requires a minimum of 8% interior parking lot landscaping on the site. The landscape plan meets this requirement.

7. The applicant proposes to use ornamental trees for buffer trees that are required per code. The plan also proposes that the buffer ornamental trees be planted at 2.5" CAL. This requirement is met.

8. Staff recommends a condition of approval that all City Landscape Architect's comments are met at the time of engineering permits, subject to staff approval.

E. Lighting & Signage

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

2. Wall Signs

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

Johnstown Road Elevation Wall Sign

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

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

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



Woodcrest Way Elevation Wall Sign

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

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

IV. ENGINEER'S COMMENTS

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

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

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

V. SUMMARY

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

V. ACTION

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

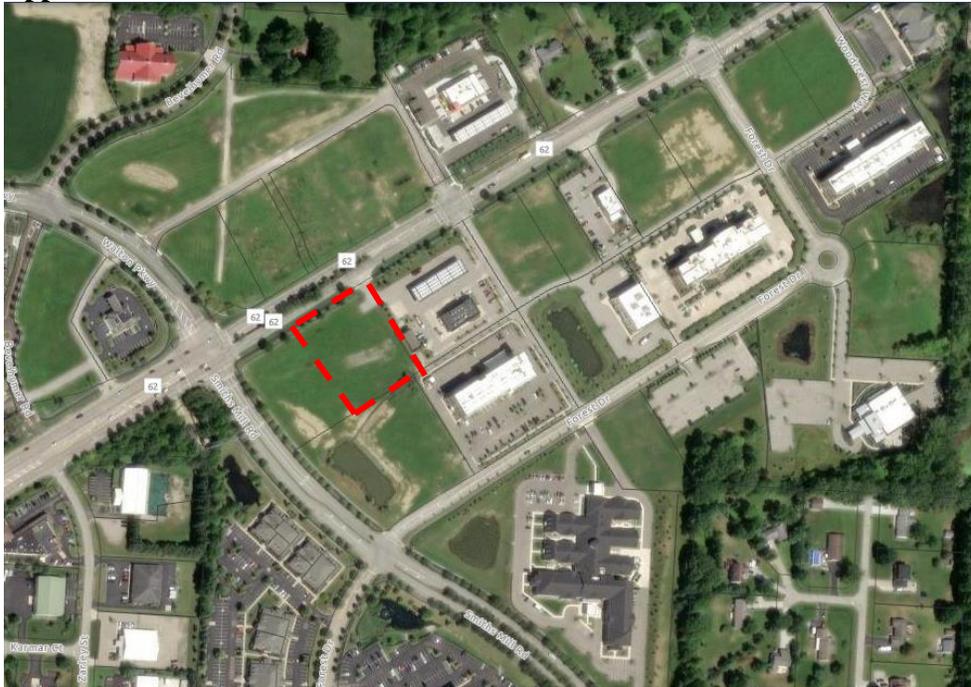
Move to approve final development plan application **FDP-37-2024**, subject to the following conditions:

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

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

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

Approximate Site Location:



Source: Nearmap

Development Review

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

COMMENTS

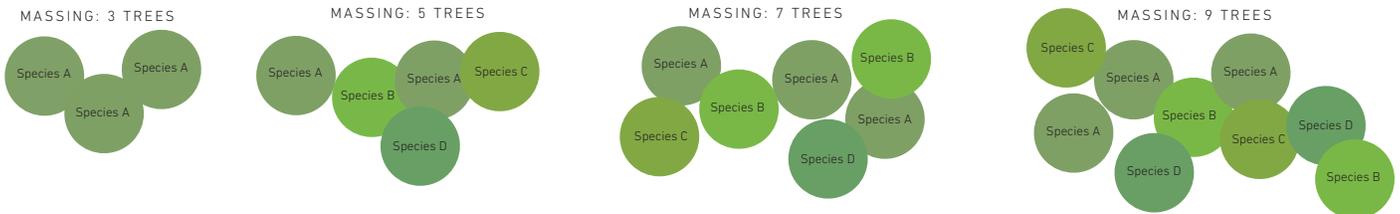
Site Plan

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

Planting Plan

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

Tree Grouping Standards

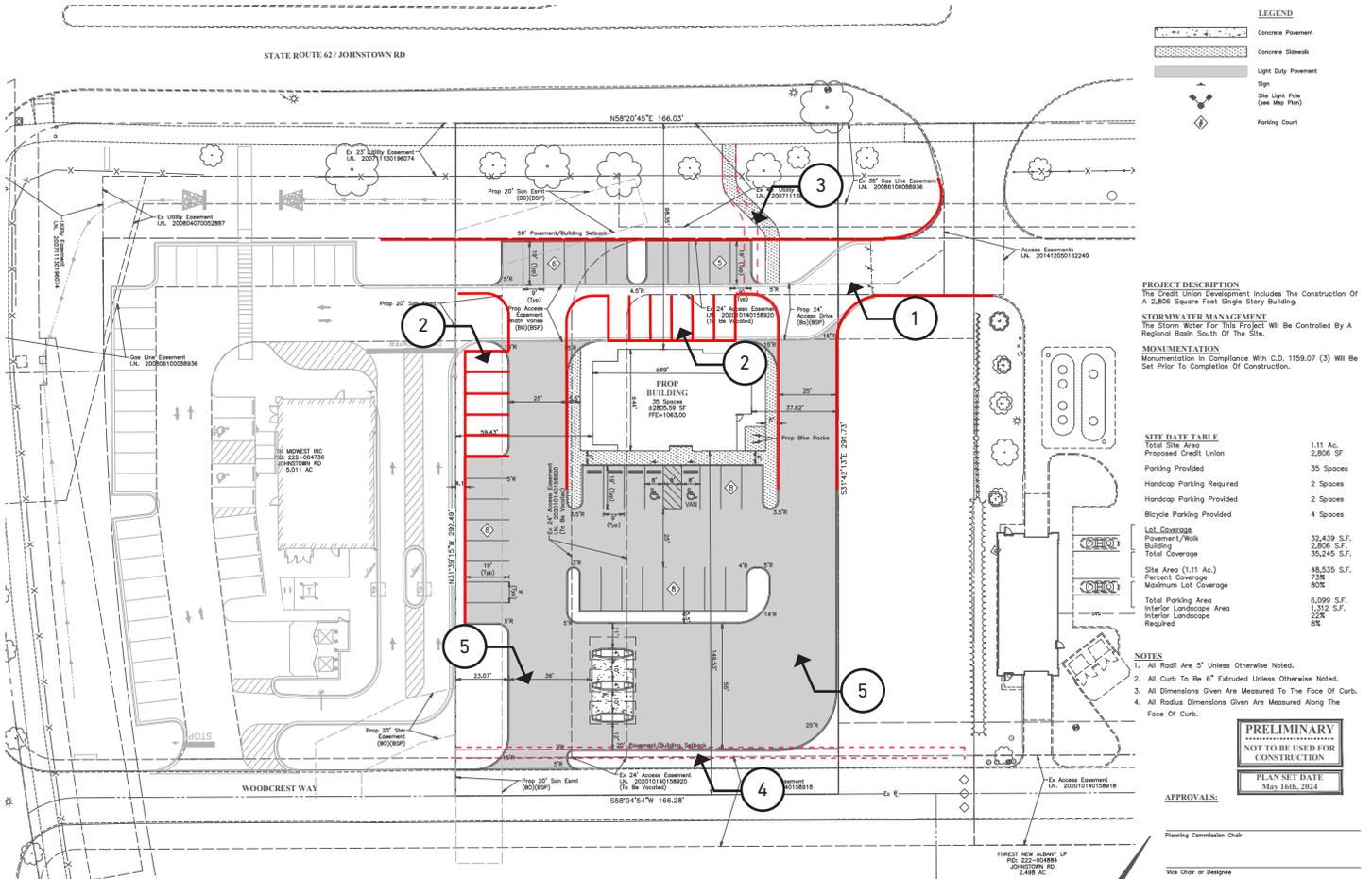


*NOTES:

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

Development Review

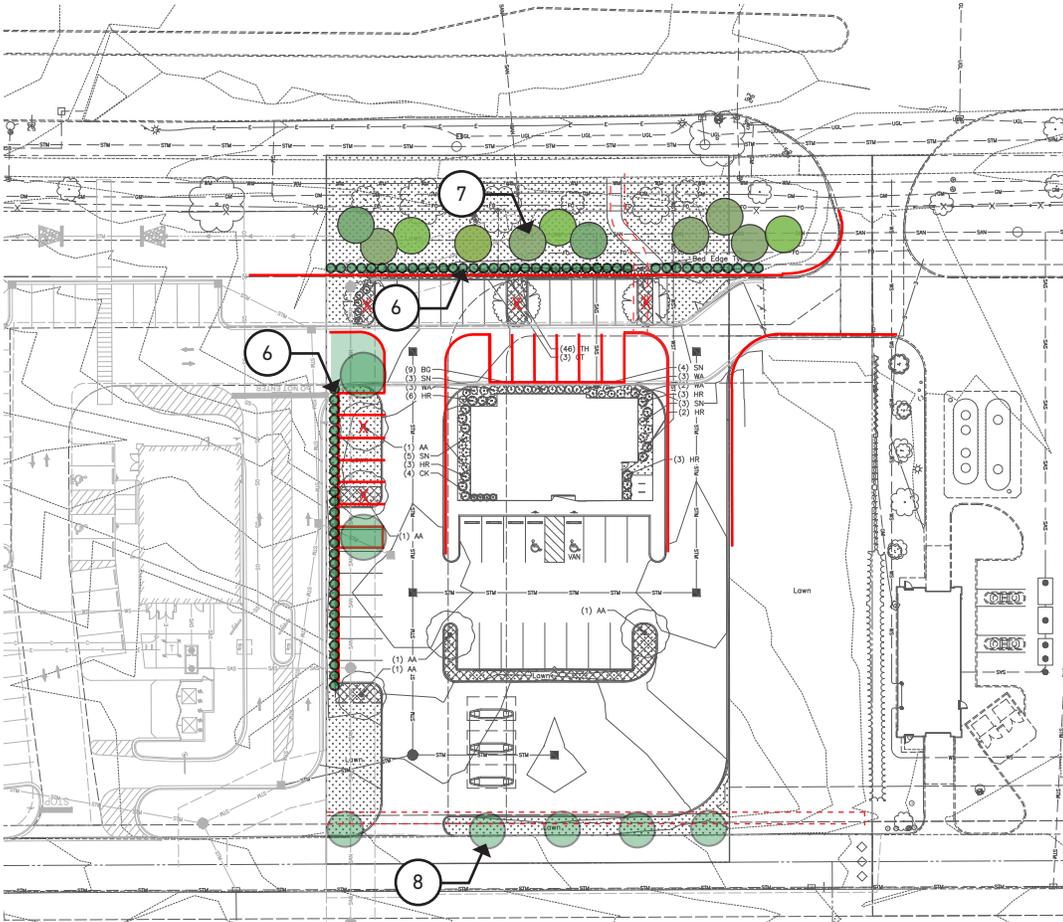
project name Wright Pratt
 prepared for City of New Albany
 date May 24, 2024
 date received May 17, 2024



Proposed Site Plan

Development Review

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



Notes and Calculations

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

1171.05 Minimum Trees

The following minimum is required, based upon total ground coverage of structures and vehicular use areas:

Between 20,000 and 50,000 Square Feet: A minimum of one tree for every five thousand (5000) square feet of ground coverage and a total tree planting equal to ten (10) inches plus one half inch in tree trunk size for every two thousand (2000) square feet over twenty thousand (20,000) feet in ground coverage.

Total Internal ground coverage = ±35,245 Sq. Ft.
 Total Square feet Above 20,000 = ±15,245 Sq. Ft.

$35,245 / 5,000 = 7,049 = 8$
 $15,245 / 2,000 = 7,622.5 = 3,831 + 10" = 13.83 = 14"$

8 Trees and 14" Required
 8 Trees and 20" Provided

1171.06 Parking Lot Landscaping

Parking Lot Islands - For each one hundred (100) square feet, or fraction thereof, of parking area, a minimum total of eight (8) square feet of landscaped area shall be provided (8%).

Total Parking Area = 6,099 Sq. Ft.
 Interior Landscape Area Required = 488 Sq. Ft.
 Interior Landscape Area Provided = ±1,312 Sq. Ft. (22%)

Landscaped Area Parking Landscape Area

3. Parking areas should contain a minimum of one deciduous canopy tree for every ten (10) parking spaces.

Parking Spaces: 35 Spaces
 Trees Required: 4 Trees
 Trees Provided: 8 Trees

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

Screening Hedge Provided along Johnstown Road Parking

PLANT SCHEDULE OVERALL

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

Proposed Landscape Plan

404.684-01
June 5, 2024

To: Sierra Saumenig
City Planner

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

Re: Wright Patt Credit Union FDP

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

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

MEF/JMH

cc: Josh Albright, Development Engineer



Community Development Department

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

Dear Brandon Anderson,

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, June 18, 2024

The New Albany Planning Commission took the following action on 06/17/2024 .

Final Development Plan

Location: 9880 Johnstown Rd.

Applicant: Brandon Anderson,

Application: PLFDP20240037

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

Motion: To approve with conditions

Commission Vote: Motion Approved with Conditions, 4-0

Result: Final Development Plan, PLFDP20240037 was Approved with Conditions, by a vote of 4-0.

Recorded in the Official Journal this June 18, 2024

Condition(s) of Approval:

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

and add brick panels.

6. The additional signage on the ATM be eliminated to avoid over-signage.
7. The City Engineer's comments must be addressed, subject to staff approval;
 - o Remove the "Preliminary Not for Construction" note block from all sheets when resubmitting plans.
 - o Revise the Site Data Table by adding a line indicating "Parking Required."
 - o Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
 - o A 6-inch sanitary sewer is shown as "By Others" on sheet 2. Note that mainline sanitary sewers must be a minimum of 8 inches per the COC/DOSD Design Manual.
 - o Provide more information regarding lighting and photometrics.
 - o Add one-way directional arrows to the drive through lanes.
 - o Show the location of the stop bar/sign on the landscape plan at the Woodcrest Way curb cut and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.
 - o Provide a fire truck turning analysis using the template for the 48' Plain Township fire truck.
 - o Engineering staff will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available
8. That the proposal is contingent upon approval of CU-37-2024

Staff Certification:

Sierra Saumenig

Sierra Saumenig
Planner



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

**WRIGHT PATT DRIVE-THROUGH
CONDITIONAL USE**

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

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

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

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

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

II. SITE DESCRIPTION & USE

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

III. EVALUATION

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

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

Uses:

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

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

Architecture:

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

Parking & Circulation:

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

Landscaping:

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

III. SUMMARY

The overall proposal is consistent with the code requirements for conditional uses. The proposed use is appropriate for the site based on the current zoning and the Engage New Albany Strategic Plan land use recommendations. Retail has historically been approached in a thoughtful and prescribed way that promotes a planned amount of land being dedicated to this use. Due to the 24 0617 Wright Patt Conditional Use CU-43-2024

close proximity of this site to State Route 161 and this portion of the business park, the drive-through is appropriate in this location.

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

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

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

ACTION

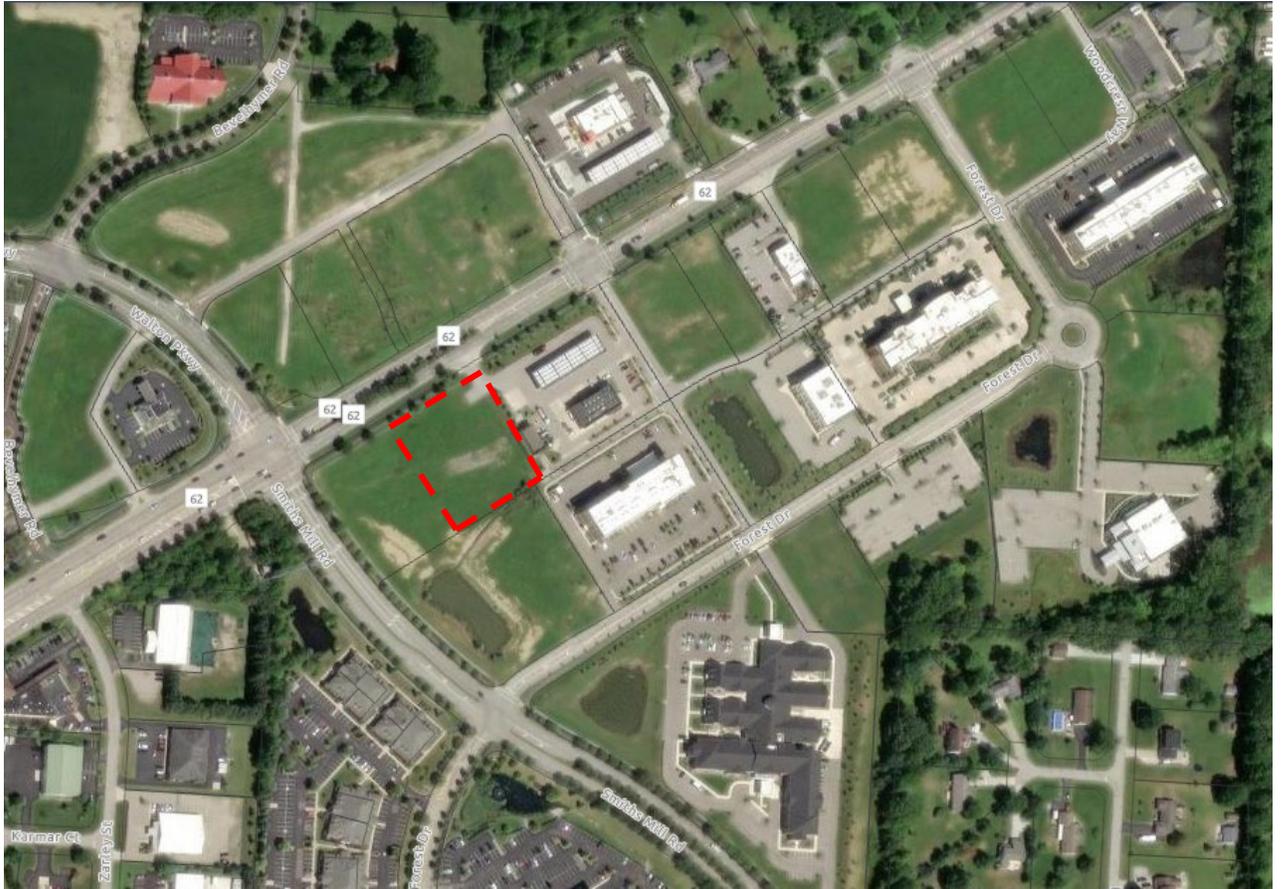
The Commission shall approve, approve with supplementary conditions, or disapprove the application as presented. If the application is approved with supplementary conditions, the Planning Commission shall direct staff to issue a zoning permit listing the specific conditions listed by the Planning Commission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

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

Move to approve application CU-43-2024 with the following conditions:

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

Approximate Site Location:



Source: Nearmap



SHREMSHOCK

Architects & Engineers
7775 Walton Parkway
Suite 250
New Albany, OH 43054

t 614 545 4550
888 373 4130
f 614 545 4555
www.shremshock.com

05/17/2024

City of New Albany, Ohio
99 W Main St, New Albany, OH 43054

Attn: Chris Christian

Application for Conditional Use.

1. Applicant:
Brandon Anderson
Shremshock Architects
775 Walton Parkway Suite 250
New Albany, OH 43054
2. Legal Description of Property:
JOHNSTOWN RD
R16 T2 1/4T1
5.011 acres
3. Description of existing use:
Vacant Lot
4. Present Zoning District:
IPUD "Infill Planned Unity Development"
5. Description of Proposed conditional use:
ATM and Drive-Thru Canopy is proposed.
6. Plan of proposed site:
See attached site plan of proposed conditional use showing locations of buildings, parking, etc.
7. Narrative statement evaluating effects of adjoining property:
It is anticipated that the proposed ATM drive-thru canopy design will elicit no impact on any adjoining properties. The lighting of the ATM canopy will be primarily downlit and will not cause any light pollution. The proposed ATM drive-thru canopy design will be compatible with neighboring properties, see attached elevations.

8. Names and addresses of all property owners within 200 feet, contiguous to, and directly across the street from the project.

Parcel ID	Owner	Address
222-005174-00	GOC REALCO LLC	9855 JOHNSTOWN RD
222-005176-00	JNBG LAND HOLDINGS LLC	9875 JOHNSTOWN RD
222-005177-00	ALDI INC (OHIO)	9895 JOHNSTOWN RD
222-000347-00	SMITH MILL VENTURES LLC	10000 JOHNSTOWN RD
222-004884-00	FOREST NEW ALBANY LP	5095 FOREST DR
222-000617-00	NEW ALBANY COMPANY LLC	9887 JOHNSTOWN RD
222-005377-00	ECC JOHNSTOWN LLC	No address
222-005378-00	ECC JOHNSTOWN LLC	No address



Community Development Department

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

Dear Brandon Anderson,

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

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

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, June 18, 2024

The New Albany Planning Commission took the following action on 06/17/2024 .

Conditional Use

Location: 9880 Johnstown Rd.

Applicant: Brandon Anderson

Application: PLCU20240043

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

Motion: To approve with conditions

Commission Vote: Motion Approved with Conditions, 4-0

Result: Conditional Use, PLCU20240043 was Approved with Conditions, by a vote of 4-0.

Recorded in the Official Journal this June 18, 2024

Condition(s) of Approval:

1. The conditional use permit will become void if a different kind of business, other than a bank, occupies this tenant space.
2. That the conditional use is contingent upon approval of the final development plan (FDP-37-2024).

Staff Certification:

Sierra Saumenig

Sierra Saumenig
Planner

NEW ALBANY
COMMUNITY CONNECTS US
Planning Commission Staff Report
June 17, 2024 Meeting

MOO MOO CAR WASH
SIGN VARIANCES

LOCATION: 10000 Johnstown Road (PID: 222-05375)
APPLICANT: Moo Moo New Albany Forest Drive LLC
REQUEST: (A) Variance to C.O. 1169.04 to allow an existing directional sign to be electronic where city code prohibits electronic signs.
(B) Variance to zoning text section III(I)(2) to allow an existing monument sign design to deviate from the 2013 Trust Corp Signage Recommendations Plan where the zoning text requires compliance with the plan. And variances to allow a monument sign to be digital and to exceed the maximum number of four colors on the sign.

ZONING: Canini Trust Corp I-PUD: Subarea 8D
STRATEGIC PLAN: Retail
APPLICATION: VAR-41-2024

Review based on: Application materials received on May 17, 2024.

Staff report completed by Chris Christian, Planner II.

I. REQUEST AND BACKGROUND

The applicant requests variances related to existing, directional and monument signs for Moo Moo car wash. On June 20, 2022, the Planning Commission reviewed and approved a final development plan and variance application for Moo Moo car wash. During construction, the property owner installed three signs that were not presented for review at the time of the final development plan application. The signs were installed without a sign permit issued by city staff. Two of the signs do not meet zoning regulations therefore, variances are necessary to allow them to remain on the property. The three signs, and related variance requests, are described below.

Sign A:



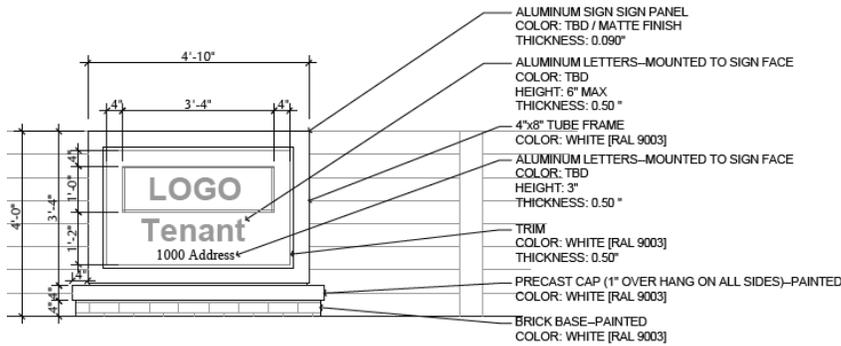
EXAMPLE



This is a monument sign that is installed at the site entrance along Woodcrest Way. Zoning text section III(I)(2) states that the permitted sizes, designs, colors, shapes, and other specifications for ground signs shall be consistent with the 2013 Trust Corp Signage Recommendations Plan. The existing sign does not meet the design standards for monument signs therefore, a variance is necessary in order to allow the sign to remain on the property. The city code prohibits electronic signs and the sign exceeds the maximum number of colors allowed per city code (4). Therefore, three variances are necessary to allow the sign as installed:

1. Variance to allow a monument sign to deviate from the Trust Corps Sign Standards Plan
2. Variance to allow a monument sign to be digital, and
3. Variance to allow the sign to exceed the maximum number of four colors on the sign.

The 2013 Trust Corp Signage Recommendations Plan provides the following standards for monument signs that are interior to the Canini Trust Corp site.

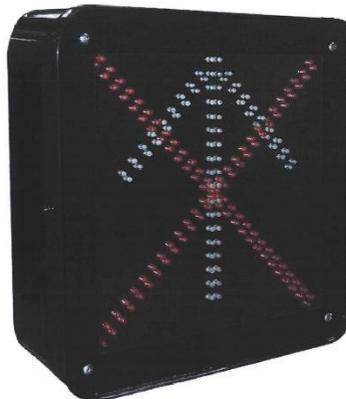


Sign B:

QTY (3) LED Arrow Signs - 13"W X 13"H
LED Arrow signs installed on 3 different existing canopies as shown.



EXAMPLE



The applicant installed additional directional signage on the clearance bars which are above lanes leading to the car wash. These signs were not submitted for review as part of the final development plan application and are considered unregulated. One component of these directional signs are three electronic arrows as shown in the image above. C.O. 1169.04 states that electronic signs are a prohibited sign type therefore, a variance is necessary in order to allow the signs to remain on the site.

Sign C:



EXAMPLE

The applicant installed an additional electronic drive-thru menu board sign on the site which was not included in the original final development plan application. This sign meets all code requirements for drive-thru menu board signs and there are no variances needed.

II. SITE DESCRIPTION & USE

The site is located on the southwest corner of US-62 and Forest Drive within the Canini Trust Corp zoning district. The site is 1.10+/- acres and currently contains an automatic car wash and self-serve vacuums.

III. EVALUATION

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

Criteria

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

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

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

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

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

Considerations and Basis for Decision

(A) Variance to C.O. 1169.04 to allow “Sign B” to be electronic where city code prohibits electronic signs.

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

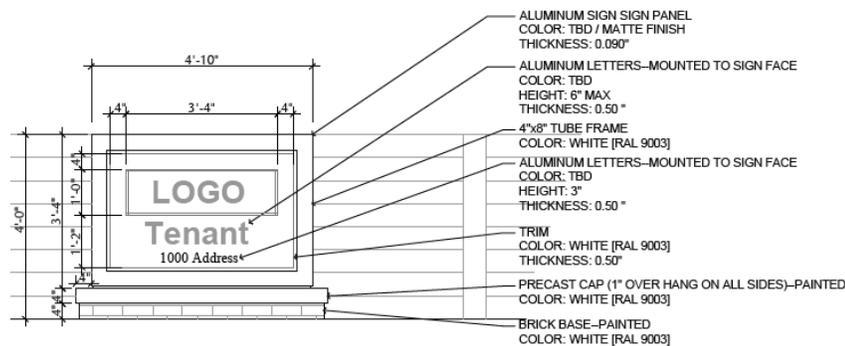
1. C.O. 1169.04 states that digital/electronic signs are a prohibited sign type. The applicant installed three electronic, directional arrow signs above the three pay stations for the car wash therefore, a variance is required. These signs are identified as “Sign B” in the request and background section of this staff report.
2. The Planning Commission has approved variances to allow electronic/digital menu board signs for this site and others in the immediate area, following some general principles. In 2023, these design principles were adopted in city code and apply to all new electronic/digital menu board signs that are installed in the city. It appears that some of these design principles may be applicable to the proposed electronic, directional signs as described below. With the proposed conditions, the signs appear to meet the spirit and intent of the city sign code and are not substantial.
3. The city’s codified ordinances state the purpose of the sign regulations are to are intended to provide design regulations for sign types so that they may fit harmoniously with structures and their surroundings. It is the intent of these regulations to prevent signs from becoming a distraction or obstruction to the safe flow of pedestrian and vehicular traffic, to prevent signs from becoming a nuisance factor to adjacent properties or uses, to protect and encourage a healthful economic and business environment in the community, and thereby protect the general health, safety, and welfare of the community
4. Accordingly, the city’s sign code codified ordinance chapter 1169.04 lists flashing, animated, and electronic signs as prohibited sign types. Staff recommends a condition of approval requiring the signs to remain static and not employ any animated or flashing features (condition 1).
5. To prevent the signs from becoming a nuisance factor to adjacent properties or uses at night, staff recommends a condition of approval that the signs must be turned off outside of normal business hours (condition 1).
6. There is landscaping installed in between the location of the signs and US-62. This additional landscaping will provide buffering in order to limit the view of them from off-site.
7. It does not appear that the variance would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the

proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

(B) Variance to zoning text section III(I)(2) to allow “Sign A” to deviate from the 2013 Trust Corp Signage Recommendations Plan where the zoning text requires compliance with the plan. And variances to allow a monument sign to be digital and to exceed the maximum number of four colors on the sign.

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

1. Canini Trust Corp Subarea 8D zoning text section III(I)(2) states that the permitted sizes, designs, colors, shapes, and other specifications for ground signs shall be consistent with the 2013 Trust Corp Signage Recommendations Plan. The applicant installed a monument sign near the site entrance on Woodcrest Way that does not meet the standards of the sign plan therefore, a variance is required. This sign is identified as “Sign A” in the request and background section of this staff report.
2. The proposal does not meet the spirit and intent of the zoning text requirement. In 2013, the city adopted the Trust Corp Signage Recommendations plan to ensure that the design of monument signs is consistent throughout the entire development. Since then, many monument signs have been installed within this area, meeting the requirements of the sign plan. The plan includes requirements for size, color and location. An illustration of the required design for this site is included below.



3. Approving the variance may substantially alter the essential character of the neighborhood since this is a different monument sign design than the other sits at the Trust Corps.
4. The variance appears to be substantial. No variances to the sign plan have been applied for or granted by the Planning Commission. All other sites along Woodcrest Way and US-62, within the Canini Trust Corp development, comply with the sign plan requirements for monument signs. The sign also features an electronic component which indicates if the car wash is open or closed. Per C.O. 1169.04, electronic signs are a prohibited sign type.
5. In addition, C.O. 1169.12(f) states that signs shall be limited to a maximum of four colors. The sign exceeds this limitation with a total of 6 colors (yellow, white, black, red, green, and blue).
6. It does not appear that there are any special conditions and circumstances related to the property, that do not result from the action of the applicant.
7. It does not appear that the variance would adversely affect the delivery of government services, affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

IV. SUMMARY

The variance request to allow “Sign B” to be electronic appears to be appropriate, with the condition that they are to remain static, turned off outside of business hours, and not employ any flashing or animated features. These same standards have been successfully applied to digital menu board signs in the surrounding area.

The variance request to allow “Sign A” to deviate from the standards of the 2013 Trust Corp Signage Recommendations Plan does not appear to meet the spirit and intent of the zoning requirement. Adherence to the sign plan results with consistent signage throughout the Canini Trust Corp and a variance to these standards has never been granted by the Planning Commission. The deviation also results in additional variances being necessary to allow the monument sign to have an electronic component and contain 6 colors. While there are digital menu board signs used at drive-throughs, digital signs have not been used at business entrances along public or private streets.

V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motions would be appropriate (The Planning Commission can make one motion for all variances or separate motions for each variance request):

Move to approve application VAR-41-2024, subject to the following conditions (additional conditions of approval may be added):

1. “Sign B” is required to remain static, must be turned off outside of business hours, and may not employ any flashing or animated features.

Approximate site Location:



Source: NearMap



Community Development Department

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

Dear MooMoo New Albany Forest Drive LLC,

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Monday, July 01, 2024

The New Albany Planning Commission took the following action on 06/17/2024 .

Variance

Location: 10000 Johnstown Road

Applicant: MooMoo New Albany Forest Drive LLC,

Application: PLVARI20240041

Request: (A) Variance to C.O. 1169.04 to allow "Sign B" to be electronic where city code prohibits electronic signs.

(B) Variance to zoning text section III(I)(2) to allow "Sign A" to deviate from the 2013 Trust Corp Signage Recommendations Plan where the zoning text requires compliance with the plan. And variances to allow a monument sign to be digital and to exceed the maximum number of four colors on the sign.

Motion: Move to approve with conditions

Commission Vote: See the results below

Result: See the results below

Recorded in the Official Journal this July 7, 2024

Results and Conditions of Approval

- The variance related to "Sign B" was approved by a vote of 4-0 with the following conditions:
 1. "Sign B" is required to remain static, must be turned off outside of business hours, and may not employ any flashing or animated features.
 2. "Sign B" is permitted to use a maximum of two colors, only one being visible at a time.
 3. "Sign B" brightness must be adjusted at night, if possible.
 4. Additional landscaping is required to be installed along US-62 frontage, to screen "Sign B" signs, subject to staff approval.
- The variances related to "Sign A" were denied by a vote of 0-4.

Per Codified Ordinance section 159.06(c), if the circumstances affecting the subject property or item

under consideration have substantially changed or new information is available that could not with reasonable diligence have been presented at this hearing, a request can be made that the Planning Commission reconsider the variance request no later than the next second regularly scheduled meeting on August 19, 2024.

Per Codified Ordinance section 1113.08, if no reconsideration request is made, any appeal to the decision made by the Planning Commission would have to be made through the Franklin County Court of Common Pleas.

Staff Certification:

Chris Christian

Chris Christian
Planner II



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

**ALL SAINTS EPISCOPAL CHURCH
ZONING TEXT AMENDMENT**

LOCATION: 5101 Johnstown Road
APPLICANT: All Saints Episcopal Church c/o Hank Fresch
REQUEST: Limited Community Facilities (L-CF) Zoning Text Amendment
ZONING: All Saints Episcopal Church L-CF Zoning District
STRATEGIC PLAN: Residential
APPLICATION: TM-47-2024

Review based on: Application materials received May 31, 2024

Staff report completed by Chris Christian, Planner II.

I. REQUEST AND BACKGROUND

The applicant requests a modification to the All Saints Episcopal Church limitation zoning text. This modification intends to clarify that the zoning text requirements for roof and ground mounted mechanical equipment screening do not apply to solar panels. There are no other proposed changes to the zoning text.

All Saints Episcopal Church zoning text section VII(1) states:

“Any external mechanical equipment shall be totally screened from all public roads and/or adjacent properties at ground level with materials that are similar to or the same as used on the majority of the building or, if screened by landscaping, providing that the same shall provide 100% opacity. This shall include any roof top equipment, satellite dishes (excluding communication devices), as well as ground mounted mechanical equipment. The screening of the mechanical equipment shall be coordinated with the rest of the architecture so as to avoid being seen as an “add-on”.”

The property owner submitted a permit to install solar panels on their building. Due to the zoning text requirements, the permit was denied. If this application is approved, the permit can be issued and the solar panels may be installed.

II. SITE DESCRIPTION & USE

According to the Franklin County Auditor’s website, the property contains a religious building that was constructed in 2005. The building is approximately 20,000 square feet in size.

III. ENGAGE NEW ALBANY STRATEGIC PLAN

The site is located in the Residential future land use district of the Engage New Albany Strategic Plan, however, the site contains an institutional use.

IV. ASSESSMENT

Review is based on the city's Strategic Plan, existing zoning text, and city zoning regulations, including the design standards. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

Per Codified Ordinance Chapter 1111.06 in deciding on the change, the Planning Commission shall consider, among other things, the following elements of the case:

- (a) *Adjacent land use.*
- (b) *The relationship of topography to the use intended or to its implications.*
- (c) *Access, traffic flow.*
- (d) *Adjacent zoning.*
- (e) *The correctness of the application for the type of change requested.*
- (f) *The relationship of the use requested to the public health, safety, or general welfare.*
- (g) *The relationship of the area requested to the area to be used.*
- (h) *The impact of the proposed use on the local school district(s).*

V. EVALUATION

1. The applicant requests a modification to All Saints Episcopal Church Limited-Community Facilities zoning text. The applicant submitted a building permit to install solar panels on the roof of their building. The All Saints Episcopal Church zoning text states that all rooftop and ground mounted equipment must be screened from all public roads and/or adjacent properties with 100% opacity.
 - a. The applicant proposes to modify the zoning text to state that the screening requirements do not apply to solar panels.
 - b. There are no other proposed changes to the zoning text.
 - c. If the zoning text modification is approved, it will allow the applicant to install solar panels on the property.
2. The proposed text modification appears to be appropriate and consistent with existing regulations for solar panels in the city. Currently, there are no regulations for solar panels in the city code.
 - a. There are several zoning texts throughout the city which state that similar mechanical screening requirements do not apply to solar panels.
 - b. Additionally, the site is zoned Limited-Community Facilities (L-CF) and is therefore more restrictive than the base development standards for the Community Facilities (CF) zoning district as described in city code. The property owner desires to remove the more restrictive language in order to install solar panels, similar to other sites in New Albany.
 - c. The New Albany Public Service Department property is zoned CF and solar panels have been installed on the roof of that structure since there are no regulations in city code for solar panels.
3. The city staff does not believe that the intent of the existing zoning text regulation was to limit the applicant's ability to install solar panels on the property since the intent of this type of requirement is typically to provide visual and auidial screening for more traditional pieces of equipment such as generators and HVAC systems. The Planning Commission and city council meeting minutes from the rezoning hearings do not include any mention of solar panels or the intent of this regulation.
4. The zoning text was adopted in the early 2000s and since then the installation solar energy systems have become more common. The city code has not been updated to distinguish solar panels from all other rooftop and ground mounted mechanical equipment.
5. Approving the zoning text modification accomplishes one of the recommendations of the Engage New Albany Strategic Plan. The plan states that the city should promote the use of solar panels in the city and adjust regulations to appropriately permit them. Approving the application will allow solar panels to be installed on the property.
6. If approved, this new regulation will not negatively affect public health, safety, or general welfare.

VI. SUMMARY

Sustainability is one of the Four Pillars of the New Albany community and a long-standing planning principle that guides decision making. The Engage New Albany Strategic Plan highlights the importance of sustainability in the community and includes a recommendation that the city adjust regulations to allow solar panels and other energy efficient systems to be installed. Approving the proposed zoning text modification will accomplish that recommendation for this property, consistent with other properties in New Albany.

VII. ACTION

Suggested Motion for TM-47-2024:

Move to approve zoning text modification application TM-47-2024 (conditions of approval may be added):

Approximate site location:



Source: NearMap



Community Development Department

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

Dear All Saints Episcopal Church,

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Friday, June 21, 2024

The New Albany Planning Commission took the following action on 06/17/2024 .

PUD Zoning Text Modification

Location: 5101 Johnstown Rd

Applicant: All Saints Episcopal Church,

Application: PLTM20240047

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

Motion: Move to approve with conditions

Commission Vote: Motion Approved with Conditions, 4-0

Result: PUD Zoning Text Modification, PLTM20240047 was Approved with Conditions, by a vote of 4-0.

Recorded in the Official Journal this June 19, 2024

Condition(s) of Approval:

1. Solar panels must roughly conform to the angle of the roof, with minimal standoff from the roof, subject to the approval of city staff.

Staff Certification:

Chris Christian

Chris Christian
Planner II