

#### New Albany Planning Commission Meeting Agenda Monday, October 21, 2024 at 7:00 p.m.

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

- I. Call to order
- II. Roll call
- III. Action on minutes: September 16, 2024
- IV. Additions or corrections to the agenda Administration of oath to all witnesses/applicants/staff who plan to speak regarding an application on tonight's agenda. "Do you swear to tell the truth and nothing but the truth."
- V. Hearing of visitors for items not on tonight's agenda
- VI. Cases:

#### **CU-72-2024 4761 Kitzmiller Road Cell Tower Extension** Conditional Use to allow for a 34' extension on an existing cell tower on 3.68 acres located at 4761 Kitzmiller Road (PID: 222-000580). **Applicant: Fullerton Engineering c/o Nora Geci**

*Motion of Acceptance of staff reports and related documents into the record for CU-72-2024.* 

Motion of approval for application CU-72-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

#### VAR-68-2024 3805 Coldicott Leys

A variance to codified ordinance chapter 1165.04(a)(1) to allow a detached garage to be 995 square feet at 3805 Coldicott Leys (PID: 222-004765). Applicant: F5 Design, Todd Parker

Motion of Acceptance of staff reports and related documents into the record for VAR-68-2024.

Motion of approval for application VAR-68-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

#### VII. Other business

- Informal review of the NACC Section 30 rezoning and preliminary plat application
- Attendance of Members Rule Update Amendments to C.O. 159.02(d)

- VIII. Poll members for comment
- IX. Adjournment



#### DRAFT Meeting Minutes New Albany Planning Commission

### I. Call to order

The New Albany Planning Commission held a regular meeting on Monday, September 16, 2024 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:01 p.m. and asked to hear the roll.

## II. Roll call

Those answering roll call:

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

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

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

#### **III.** Action on minutes: August 19, 2024

Chair Kirby asked if there were any corrections to the minutes from the August 19, 2024 meeting.

Hearing none, Commissioner Schell moved for approval of the August 19, 2024 meeting minutes. Chair Kirby seconded the motion.

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

Upon roll call: Mr. Schell yes, Mr. Kirby yes, Ms. Briggs abstained from the vote, Mr. Larsen yes. Having three yes votes, the motion passed and the August 19, 2024 meeting minutes were approved as submitted.

#### IV. Additions or corrections to the agenda

Chair Kirby asked how many people in the chamber were present for deliberations on FDP-53-2024, the final development plan for the Hamlet. Several people present raised their hands. Chair Kirby then explained that the commission would consider the three variance requests prior to consideration of the Hamlet final development plan.

Chair Kirby administered the oath to all present who would address the commission, and noted that it was a good time to silence all cell phones.

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

Chair Kirby asked if there were any visitors present who wished to address the commission for items not on the agenda.

Hearing none, he introduced VAR-61-2024 and asked to hear from staff.

# VI. Cases:

# VAR-61-2024

A variance request to the Nottingham Trace zoning text Section E(5)(c), to allow a covered porch and fireplace to encroach 12 feet into the 35 rear yard where code allows a maximum of 6 feet into the rear yard setback at 6309 Callaway Square West (PID: 222-005228). Applicant: Suncraft Corporation, Inc. c/o James Knox.

Planner Cratic-Smith delivered the staff report. She clarified that the encroachment would be 4-feet instead of 6-feet as indicated in the staff report.

Chair Kirby asked if there were comments from engineering.

Development Engineer Albright responded that engineering had no comments.

Chair Kirby asked for questions for staff from the commission.

Commissioner Schell asked staff whether staff had received responses from the neighbors.

Planner Cratic-Smith answered no.

Chair Kirby asked whether the applicant had anything to add to the staff presentation.

Applicant Jeff Borovetz from Suncraft stated that the only thing he would add is that the recorded lot number is different from the lot number on the survey.

Planning Manager Mayer explained that homes were constructed in phases and the regulations establish the recorded lot number as the homes were constructed. The separate lot number has to do with zoning regulations.

Commissioner Schell asked Mr. Borovetz if he and the property owner agreed with the staff recommended condition of approval that the fireplace be constructed using brick.

Applicant and property owner Nancy Willis responded that she accepts the condition and is fine with using brick. She also noted that two of her neighbors have similar patios without a roof.

Commissioner Larsen asked if this would still be an encroachment if the fireplace were not attached to the porch.

Planning Manager Mayer answered that the fireplace might be considered separately and staff could check on that.

Chair Kirby clarified that this application is a covered patio, not just a deck.

Ms. Willis agreed. She confirmed that the neighbors' patios are not covered, and her application is for a covered patio. She continued that she prefers to have a covered space to enjoy.

Planning Manager Mayer added that he was not aware of any other patios with roofs and confirmed that the setback applies to patios, decks, and screened-in porches.

Council Member Wiltrout then remarked that even if this application involved an uncovered patio, Ms. Willis would need to apply for a variance for the encroachment.

Chair Kirby asked whether there were any further questions from the commission or whether anyone from the public was present to comment on the application.

Hearing none Chair Kirby moved to accept the staff reports and related documents into the record for VAR-61-2024. Commissioner Larsen seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Larsen yes, Mr. Schell yes, Ms. Briggs yes. Having four yes votes, the motion passed and the documents were admitted into the record for VAR-61-2024.

Chair Kirby moved for approval of VAR-61-2024 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. Kirby no, Ms. Briggs yes, Mr. Schell no, Mr. Larsen no. Having one yes vote and three no votes, the motion failed and VAR-61-2024 was not approved.

Chair Kirby explained that he voted no because he did not find that this application met the criteria established in *Duncan v. Middlefield*. The relief sought was not particular to this house.

Commissioner Schell agreed. He remarked that he hated to vote no, but a choice other than a variance was available in this case.

Commissioner Larsen agreed and further remarked that this was not a unique condition.

Planning Manager Mayer stated that the planning department would work with the Ms. Willis to find an alternative.

The commission thanked Ms. Willis and wished her good luck.

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

#### VAR-62-2024

A variance request to allow a residential home to be constructed without a front covered porch as required by the Nottingham Trace zoning text section H(5)(a)(i) at 7550 Parkside Drive (PID:222-005275).

#### Applicant: Pulte Homes of Ohio LLC c/o Nicki Martin

Planner Cratic-Smith delivered the staff report

Chair Kirby asked if there were any comments from engineering.

Development Engineer Albright responded that there were no comments from engineering.

Chair Kirby asked to hear from the applicant.

Applicant Nicki Martin of Pulte Homes 475 Metro Place Dublin, spoke in support of the application. She acknowleged that the home had not yet been contructed and explained that the lots are unique in that they face other homes and do not face an open space or the clubhouse. She

further stated that the lot is 120 feet deep and that this is the standard sunroom that is offered on this particular home product and is an amenity that is commonly enjoyed.

Chair Kirby asked whether there were any questions from the commission or 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 including the letter from property owner Laurie Nolta. Commissioner Schell seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Ms. Briggs yes, Mr. Larsen yes. Having four yes votes the motion passed and the documents including the letter from Ms. Nolta were admitted into the record for VAR-62-2024.

Chair Kirby moved for approval of VAR-62-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval. Commissioner Larsen seconded the motion.

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

Upon roll call: Mr. Kirby no, Mr. Larsen no, Mr. Schell no, Ms. Briggs no. Having zero yes votes and four no votes the motion failed unanimously and VAR-62-2024 was not approved.

Chair Kirby explained that he voted no because he found that the application failed on all of the *Duncan v. Middlefied* criteria except for four and 12.

Commissioner Schell concurred. Commissioner Larsen concurred. Commissioner Briggs concurred.

The commission thanked the applicant and wished her good luck.

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

#### VAR-63-2024

A variance request to the city codified ordinance Chapter 1165.04(b)(3)(B) to allow a rear deck to encroach 2 feet into a drainage easement at 8355 Woodhaven Loop South (PID: 222-005346-00). **Applicant: Bob Webb Woodhaven, LLC c/o Kirk Denyes** Planner Saumenig delivered the staff report.

Chair Kirby asked if there were any comments from engineering.

Development Engineer Albright responded that there were no comments from engineering.

Chair Kirby asked whether the commission had questions for staff.

Commissioner Schell asked staff whether there had been any response from the neighbors.

Planner Saumenig responded no, and further noted that because this is a new development, the applicant is the neighbor(s).

Hearing no further questions for staff, Chair Kirby asked to hear from the applicant.

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Applicant from Bob Webb Woodhaven, LLC explained that the two-foot encroachment was a misunderstanding on their part of New Albany's rules. He further stated that the surface water will still drain as planned.

Commissioner Schell asked what would happen if the rear deck was reduced by two feet.

Applicant Kirk Deynes of Bob Webb explained the dimensions of the deck and that there is a covered and uncovered portion of the deck. Reducing the deck would affect the uncovered portion only and it would make it more difficult to accommodate the desired amount of furniture.

Council Member Wiltrout asked whether the deck would still be usable if it was two feet smaller.

Mr. Deynes responded that it would be harder to fit all of the desired seating on the uncovered portion if it was two-feet smaller.

Chair Kirby asked whether anyone from the public was present to comment on the application or whether there were further questions from the commission.

Hearing none he moved to accept the staff reports and related documents into the record for VAR-63-2024. 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 role call: Mr. Kirby yes, Ms. Briggs yes, Mr. Larsen yes, Mr. Schell yes. Having four yes votes, the motion passed and the documents were admitted into the record.

Commissioner Larsen moved for approval of VAR-63-2024 based on the findings in the staff report with the condition in the staff report. 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. Larsen no, Ms. Briggs no, Mr. Kirby no, Mr. Schell no. Having zero yes votes and four no votes, the motion failed.

Commissioner Larsen explained that he voted no because there was a solution available that would not require a variance, and he also voted no because of the precedent that granting this variance would establish.

Commissioner Schell agreed and noted that the precedential value of granting this variance would be substantial.

Chair Kirby agreed and further found that this application does not meet the criteria as established in *Duncan*. He further noted that granting this variance would give this resident something not provided to others.

Commissioner Briggs agreed and noted that granting or denying this variance did not affect the usability of the covered portion of the deck.

The commission thanked the applicant and wished him good luck.

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

# FDP-53-2024 Hamlet Final Development Plan and Waivers

Review of the Hamlet final development plan application, and associated waivers, generally located at the southwest and southwest corners of New Albany Condit Road and Central College Road (PIDs: 222-000675, 222-000685, 222-000686, 222-000670, 222-000676, 222-000678, 222-

000313, 222-000664, 222-000671, 222-000672, 222-000654, 222-000669, 222-000549, 222-000668, 222-001167, 222-000688, 222-000375, 222-000314, 222-000673, and 222-000376). Applicant: NONA Master Development LLC, c/o Aaron Underhill, Esq.

Planner II Christian delivered the staff report.

Chair Kirby asked if there were any comments from engineering.

Development Engineer Albright responded that the applicant has addressed all of the engineering comments.

Chair Kirby asked whether there were questions from staff for the commission.

Hearing none, he aske to hear from the applicant.

Applicant Justin Leyda from Steiner and Associates spoke in support of the application. He recounted the procedural history including the informal hearing before the commission and the New Albany Architectural Review Board's informal and formal hearing and approval. He introduced the team in attendance at the commission meeting.

Hayley Deeter with Hayley Gallery in New Albany explained the public art program. She told the commission that she was so pleased to be a part of the Hamlet project. She explained that she has reached out to several local artists so that they could respond to the request for proposal to design sculptures for consideration. Each sculpture will celebrate one of the four pillars in New Albany. The artists will design and propose sculptures. The proposed sculptures will be reviewed and selections will be made. Each sculpture will have a cardinal on it, as inspired by Bill Resch. The sculptures will have a qr code to explain it and will be part of an artwalk. Artwalkers will include Hamlet residents and visitors, the NAPLS students and teachers, and residents of senior centers.

Mr. Leyda continued and indicated the location of the sculptures.

Brian O'Looney continued the presentation. He discussed the vision of the project. He explained that it comes from the Engage New Albany Plan. This will be manmade neighborhood that embraces nature and it is designed to establish a network of memorable destinations. He also explained and referred to the pattern book which contains the designs and finishes to be used in the subareas.

Aaron Underhill, attorney for the applicants addressed the commission's standard of review for waivers. The standard of review of a request for waiver is much looser and there are fewer criteria than for a request for variance.

Mr. Leyda discussed the requested waivers.

Chair Kirby noted that some of the buildings have half story dormers and asked whether that was habitable space.

Mr. Leyda responded no, they are currently vents and decorative features that look like windows.

Chair Kirby continued that he had to ask that because of Keswick, noting that a third floor view in Keswick would be stunning.

Chair Kirby next strongly suggested that the applicant tighten up the tree spacing to closer than 30. He remarked that due to tight tree spacing on roads such as Head of Pond, there are a couple

of places where the trees touch each other on the same side and they also touch each other across the street, and that this is a great amenity.

Applicant Landscape Architect Franco Manno agreed.

Commissioner Schell confirmed that this final development plan included the planting of more than 500 trees.

Mr. Leyda agreed and added that a specimen retention strategy would be employed.

Chair Kirby directed the Mr. Leyda nd Mr. Manno to the Reserves in New Albany. In that development only the minimum cuts were made and extra measures were taken to ensure the trees were protected. He continued by observing the street lights; one is a stick and one is a candy cane. Referencing the penultimate page in the larger binder, he asked whether the developer could do without the stick because it as a potential of uplighting.

Mr. Manno responded that the applicants are seeking more of a dark-sky cutoff and asked Chair Kirby whether he was seeking the same.

Chair Kirby responded yes, he was interested in more of a dark sky. He confirmed that the applicant would agree with a condition that specified usage of street lights with better downcasting subject to staff approval.

Commissioner Larsen confirmed that the applicant would agree with a condition specifying that the dimensions of the houses fronting SR 605 should be similar to the adjacent townhomes.

Chair Kirby noted the wealth of material submitted by the applicant and confirmed that the applicant would agree with a condition specifying that the material could be used as source material for the final development.

Chair Kirby asked about access for wheelchairs and whether there would be sufficient room if a ramp needed to be added for the homes with two steps.

Mr. O'Looney explained that all the homes fronting 605 had plenty of room for a ramp.

Planner II Christian added that there have been situations where staff is concerned about ADA accessibility and development staff are willing to work with the applicant to ensure proper access.

Council Member Wiltrout remarked that four steps would be harder to meet than two steps so this seems to improve ADA accessibility.

Chair Kirby agreed.

Commissioner Larsen confirmed that, regarding the 10,000 square foot waiver, at least 50% would be on the ground level.

Commissioner Briggs further confirmed, regarding the same waiver [waiver E], that some of the office space could be on the first floor. She further asked whether any of the residences would have basements or whether they would all be slabs.

Mr. Leyda responded they were all slabs but there could be basements in the future.

Chair Kirby remarked that there are some homes in Ealy with multiple sump pumps and that those homes should not have basements.

Commissioner Larsen asked about site circulation. He noted the Taco Bell to the west and asked whether there could be connections.

Mr. Leyda he indicated the jurisdictional line between New Albany and Columbus. He explained that currently there was no circulation agreement, but an agreement could be reached in the future.

Commissioner Larsen asked about the timing for traffic slowing, and that the commission could recommend that it be prioritized.

Planner II Christian responded that it is up to the city council.

Planning Manager Mayer added that the city has committed to improvements and to decreasing the speed limits.

Chair Kirby asked whether there were any further questions from the commission or whether anyone from the public wished to comment on the application.

Hearing none, Chair Kirby moved to accept the staff reports and related documents into the record for FDP-53-2024. Commissioner Larsen seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Larsen yes, Mr. Schell yes, Ms. Briggs yes. Having four yes votes, the motion passed and the staff reports and related documents were accepted into the record for FDP-53-2024.

Chair Kirby moved for approval of FDP-53-2024 based on the findings in the staff report with the conditions in the staff report and the following additional conditions:

4. Additional items submitted by the applicant can be used as a guide if staff wishes;

5. Street lights with better downcasting than a stick, subject to staff approval;

6. Regarding Waiver B. Clear delineation of public/private boundary on the house yard;

7. Regarding Waiver B. Scale of the houses be matched with SR 605 frontage;

8. \*Regarding Waiver D. The two-step minimum can be relaxed to accommodate accessibility for wheelchairs;

9. The following conditions imposed by the New Albany Architectural Review Board on September 9, 2024 as amended at this meeting by the New Albany Planning

Commission\* [see condition 8 supra and waiver D infra], are expressly incorporated into these conditions:

1. In Subarea 1, no more than three roof colors may be used and red is not a permitted color. Metal is not a permitted roofing material.

2. In Subarea 1, synthetic shake siding must be used instead of the natural shake siding material.

3. For Building 26, the siding color must be Litchfield gray, or similar, and the trim color shall be darker.

4. For Building 26, the proportions and scale of the columns, frieze and fascia must be architecturally appropriate.

5. In Subarea 2, Building 11 and similar buildings must employ more vertical variety in the architecture.

6. The north elevation of Building 15, south elevation of Building 17, and east elevation of Building 14, more architectural details shall be added.

7. In Subareas 2 and 3, the garage doors must conform with the regulations in the zoning text.

8. In Subareas 2 and 3, the building trim colors must be lightened to provide more contrast.

9. In Subarea 3, overlapping architectural roof forms are discouraged.10. In Subarea 2, the rear building elevations shall have a common/consistent head height for windows and doors.

Waiver A. No additional conditions imposed.

Waiver B. Additional landscaping must be added to the south and east property lines of the parcel.

Waiver C. All buildings in Subarea 2 are limited to 44-feet in height and the applicant forgoes their right to develop 50-foot tall buildings in this subarea.

\*Waiver D. There must be at least two steps at each residential entrance and the perimeter building grade must slope away from the building to the nearest public right of way.

Waiver E. 80% of ground floor uses in commercial buildings must be active and open to the public for the sale or offering of goods and services.

Commissioner Briggs seconded the motion.

Chair Kirby confirmed that the commission would handle the final development plan and all of waivers with a single vote. Law Director Albrecht agreed that it was within the commission's discretion to do so.

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. Larsen yes. Having four yes votes the motion passed and FDP-53-2024 was approved subject to the conditions in the staff report and the additional conditions as stated above.

The commission thanked the applicants and wished them good luck.

Council Member Wiltrout stated that she wanted to thank all of the residents who came out to make this project better. This process and the high degree of citizen involvemen, particularly by residents such as Tricia Segnini who was at the hearing, has made New Albany a better community.

#### VII. Other business

Chair Kirby asked whether there was any other business before the commission.

Planning Manager Mayer answered none from staff.

#### VIII. Poll members for comment and adjournment

Chair Kirby polled the members for comment.

Hearing no comment and without objection, Chair Kirby adjourned the September 16, 2024 regular meeting of the New Albany Planning Commission at 9:00 p.m.

Submitted by: Deputy Clerk Madriguera

#### Appendix

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VAR-61-2024 Staff Report Record of Action VAR-62-2024 Staff Report Applicant Letter Record of Action VAR-63-2024 Staff Report Record of Action FDP-53-2024 Staff Report Record of Action



#### 6309 CALLAWAY SQUARE WEST COVERED PORCH & FIREPLACE ENCROACHMENT VARIANCE

LOCATION:	6309 Callaway Square West (PID: 222-005228-00)
APPLICANT:	Suncraft Corporation, Inc.
<b>REQUEST:</b>	Variance to allow a covered porch and fireplace to encroach 6 feet into the
	29 foot rear yard setback
ZONING:	I-PUD (Planned Unit Development)
STRATEGIC PLAN:	Residential
APPLICATION:	VAR-61-2024

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

Staff report prepared by Sierra Cratic-Smith, Planner.

## I. REQUEST AND BACKGROUND

The applicant requests a variance to allow a new covered porch and fireplace to encroach approximately 6 feet into the 29-foot rear yard setback that is required by the Nottingham Trace zoning text Section E(5)(c). The zoning text allows for decks, screened porches and patios to encroach into the building setback a maximum of 6 feet. In this case, the minimum rear yard setback for this covered porch with a fireplace (considered to be part of the porch since it is attached to it) is 29 from the rear lot line. The applicant proposes a setback of 23 feet from the rear lot line.

#### **II. SITE DESCRIPTION & USE**

The property is 0.16 acres and contains a single-family home. The lot is west of New Albany Conduit Road and south of Walnut Street. The property is located within the Nottingham Trace subdivision. All the neighboring properties are residential.

#### **III. ASSESSMENT**

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. In accordance with C.O. 1113.05(b), all property owners within 200 feet of the subject property in question have been notified of the request via mail.

#### 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.

# IV. EVALUATION

# Variance to allow a covered porch and fireplace to encroach 6 feet into the 29 foot rear yard setback that is required by the Nottingham Trace zoning text Section E(5)(c).

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

- 1. The applicant requests a variance to allow a 25-foot wide by 12-foot deep covered porch and two-foot deep fireplace to encroach approximately six feet into the 29-foot rear yard setback that is required by the Nottingham Trace zoning text Section E(5)(c). The homeowner proposes to construct a covered patio using columns with a fireplace attached to the end of it.
- 2. The rear yard primary building setback for this property is 35 feet. The home is located 37 +/- feet from the rear property line. The zoning text allows for decks, screened porches and patios to encroach into the primary building setback a maximum of six feet. Therefore, the minimum rear yard setback for decks, screened porches and patios is 29 feet. As a result, the property owner has eight feet of developable space for decks, screened porches and patios. The homeowner proposes to encroach the 29 foot setback by six feet.
- 3. There do not appear to be special conditions and circumstances exist which are peculiar to this property. All of the lots along this western boundary of the subdivision have the same setback. However, the subdivision has varying building setback requirements. Interior lots typically have a 15 to 20 foot primary building setback. Lots located on the periphery of the subdivision, such as this one, have larger setbacks since they are adjacent to existing township or Columbus residences.
- 4. The rear of the property beyond the covered porch is a swale condition with a large dropoff in grade that conveys stormwater runoff. The drainage easement is 20 feet in width and the applicant is not proposing to encroach into the easement. While not required, it appears landscape buffering cannot be installed between the covered patio and rear lot line due to the drainage easement.

- 5. The variance does not appear to be substantial. The zoning contemplates rear yard amenities such as this to encroach the setbacks. Additionally, the applicant does not propose to encroach into the drainage easement. The house located behind this property is over 220 feet away from the property line and there appears to be an existing tree line to provide buffering.
- 6. The proposed addition does not appear to alter the neighborhood's essential character because the addition style is similar to other additions in the subdivision. In addition, the design of the columns for the porch will match the front elevation.
  - a. <u>The proposed fireplace includes siding on the exterior. According to the Nottingham Trace zoning text, only brick is permitted as an exterior material for fireplaces. Therefore, city staff recommends a condition of approval requiring the fireplace chimney material be changed to brick (condition #1).</u>
- 7. It appears the variance can be solved in some other manner by reducing the covered patio's size. The zoning text contemplates encroachments and permits a 6-foot encroachment into the rear yard setback for all lots. If the size of the patio and fireplace were reduced by 6 +/- feet, there would be no need for a variance.
- 8. The variance will not adversely affect the delivery of government services, 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 lot has a larger rear yard setback than a typical home within the subdivision since it is located on the boundary of the subdivision and is adjacent to a township residence. The existing house (outside of the subdivision) behind the subject property is over 220 feet away and there is an existing tree line. The covered patio will not impact any public or private utilities or stormwater conveyance.

# V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motion is appropriate.

Move to approve application VAR-61-2024 based on the findings in the staff report (conditions of approval may be added).

1. The exterior of the fireplace shall be brick.

# Approximate Site Location:



Source: NearMap



# **Community Development Department**

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

Dear Suncraft Corporation Inc.,

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, September 17, 2024

The New Albany Planning Commission took the following action on 09/16/2024 .

# Variance

**Location:** 6309 Callaway Square W, Unit:107 **Applicant:** Suncraft Corporation Inc.,

Application: PLVARI20240061
 Request: A variance request to the Nottingham Trace zoning text Section E(5)(c), to allow a covered porch and fireplace to encroach 4 feet into the 29 foot rear yard setback.
 Motion: To approve

Commission Vote: Motion Denied, 1-3

**Result:** Variance, PLVARI20240061 was Denied, by a vote of 1-3.

Recorded in the Official Journal this September 17, 2024

#### Condition(s) of Approval: N/A

Staff Certification:

Sierra Cratic-Smith

Sierra Cratic-Smith Planner



#### 7550 PARKSIDE DRIVE FRONT PORCH VARIANCE

LOCATION:	7550 Parkside Drive (PID: 222-005275)
APPLICANT:	Pulte Homes of Ohio LLC
REQUEST:	Variance a residential home to be constructed without a front covered
	porch as required by the Nottingham Trace zoning text.
ZONING:	I-PUD (Planned Unit Development)
STRATEGIC PLAN:	Residential
APPLICATION:	VAR-62-2024

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

Staff report prepared by Sierra Cratic-Smith, Planner.

# I. REQUEST AND BACKGROUND

The applicant requests a variance to allow a residential home to be constructed without a front covered porch as required by the Nottingham Trace zoning text section H(5)(a)(i). The zoning text requires that all of the homes that front on the street Parkside Drive have front porches. During the city Planning Commission's review of the rezoning, it required the construction of front porches on the most prominent and visible streets within the subdivision and face a public park.

All of the approved building footprints for homes within the subdivision have a recessed front doors which are not in keeping with traditional American architectural styles. The Planning Commission established that a front porch is required for every home on Parkside Drive to frame and emphasize the front entryway and to mitigate the visual impact of the front-facing, double bay garage doors, that don't meet the city standards, on the streetscape.

#### **II. SITE DESCRIPTION & USE**

The property is a 0.15-acre vacant lot. The lot is west of Nottingham Loop and north of Parkside Drive. The property is located within the Nottingham Trace subdivision. All the neighboring properties are residential.

#### III. ASSESSMENT

The application complies with application submittal requirements in C.O. 1113.03 and is considered complete. In accordance with C.O. 1113.05(b), all property owners within 200 feet of the subject property in question have been notified of the request via U.S. mail.

#### 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.

# IV. EVALUATION

# A variance request to allow a residential home to be constructed without a front covered porch as required by the Nottingham Trace zoning text section H(5)(a)(i).

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

- 1. The applicant requests a variance to allow a residential home to be constructed without a front covered porch as required by the Nottingham Trace zoning text section H(5)(a)(i).
- 2. This variance is to allow for home design that includes a larger sunroom. Due to the larger sunroom, the applicant states there isn't enough room on the lot to accommodate a covered front porch. If a covered front porch were to be added to the home, it would encroach the setbacks and utility easements. Buildings are not permitted to be constructed in utility easements and historically the city board and commissions have not approved variance requests to allow a building to be constructed in public utility easement.
- 3. It appears the essential character of the neighborhood would be substantially altered. The property abuts Parkside Drive which is the primary collector street in the subdivision that requires front porches. The Planning Commission established that a front porch is required for every home on Parkside Drive to frame and emphasize the front entryway and to mitigate the visual impact of the front facing, double bay garage doors, that don't meet the city standards, on the streetscape. By removing the front porch, the design of the home is inconsistent with adjoining properties and disrupts the quality of the street and architecture.
- 4. It does not appear the 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. This variance is to allow for home design that includes a larger sunroom. The homeowner is adding an enlarged sunroom to the rear of the primary building. The sunroom extends 13 feet from the rear of the house. The applicant states that 79% of homes within Nottingham include a sunroom. This property could still have a sunroom without the extension. The typical sunroom projects 7 feet from the rear of the house. The enlarged sunroom extends 20 feet from the rear of the house (an additional 13 feet than what is typical).

- 5. According to city records, there is only one other built home that matches the proposed floor plan within the subdivision that contains a 20 foot deep sunroom and no covered front patio. The home is located on an interior lot where the covered front porch is not required.
- 6. The variance appears to be substantial in changing the street design of the subdivision. The zoning text designates this property as a "high impact" home, emphasizing the importance of maintaining its character and design due to its location on a primary collector street. Altering the design would consequently change the character of the street.
- 7. There do not appear to be any special conditions and circumstances exist which are peculiar to the land or structure.
  - a. The applicant mentions mention this lot is smaller than typical home lots within the subdivision. This lot is 120 feet deep and 53 feet wide. The typical lot size throughout the entire subdivision is 125 feet deep and 52 feet wide. However, this lot size is typical for all other homes along Parkside Drive.
  - b. The property has similar characteristics as other neighboring properties with easements and utilities that prohibit encroachments.
- 8. It appears the variance could be solved in another manner by changing the floor plan design. The Nottingham Trace subdivision has numerous pre-approved building and floor plan designs. The sunroom could be designed so that it is wider and deeper. There is a rear patio and other unused backyard space that could accommodate a larger sunroom of the same portions. This could allow for the sunroom and the covered front patio.
- 9. The spirit and intent of the zoning text are not met. The zoning text contemplates quality streetscape and architectural design by incorporating architectural features to create a "presence" such as front-covered porches and 1 ½ story appearance to enhance the design of the neighborhood. The removal of the front covered porch causes the front-facing garage to be the primary focus of the home which does not meet the spirit and intent of the architectural requirements.
- 10. The granting of the variance will not adversely affect government services.
- 11. The granting of 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.

# IV. SUMMARY

The developer is designing homes for a certain age group whose form and function does not meet the architectural standards of the city DGRs so the zoning exempts the residential subdivision from the city's codified architectural requirements known as the DGRs. To help ensure this departure does not become the norm and to ensure the design meet the spirit and intent of the city DGRs, specific architectural and landscaping requirements were established as the time of the zoning. For example, only 20% of all of the homes are allowed to have garages that extend past the front façade of the home. Plus all of the homes that face Parkside Drive and State Route 605 must have front porches. 50% of all other homes within the subdivision must have a front porch.

All of the approved building footprints for homes within the subdivision have recessed front doors which are not in keeping with traditional American architectural styles. The Planning Commission established that a front porch is required for every home on Parkside Drive to frame and emphasize the front entryway and to mitigate the visual impact of the front-facing, double-bay garage doors, that don't meet the city standards, on the public streetscape.

It appears that a smaller sunroom, which is typical in the subdivision, could still be accommodated on the lot. The smaller sunroom would allow for the construction of a front, covered patio.

# V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, finding the following motion is appropriate.

Move to approve application VAR-62-2024 based on the findings in the staff report (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 Pulte Homes of Ohio, 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, September 16, 2024

The New Albany Planning Commission took the following action on 09/16/2024 .

# Variance

**Location:** 7550 Parkside Dr, Unit:145 **Applicant:** Pulte Homes of Ohio, LLC,

Application: PLVARI20240062Request: A variance request to allow the removal of a front porch on a high-impact home.Motion: To approve

Commission Vote: Motion Denied, 0-4

**Result:** Variance, PLVARI20240062 was Denied, by a vote of 0-4.

Recorded in the Official Journal this September 17, 2024

Condition(s) of Approval: N/A

Staff Certification:

Sierra Cratic-Smith

Sierra Cratic-Smith Planner



## 8355 WOODHAVEN LOOP SOUTH DECK VARIANCE

LOCATION:8355 Woodhaven Loop South (PID: 222-005346)APPLICANT:Bob Webb Woodhaven, LLCREQUEST:Variance to Woodhaven Recorded Plat Drainage EasementZONING:Woodhaven I-PUDSTRATEGIC PLAN:ResidentialAPPLICATION:VAR-63-2024

Review based on: Application materials received on August 16, 2024 *Staff report prepared by Sierra Saumenig, Planner.* 

# I. REQUEST AND BACKGROUND

The applicant requests a variance to the Woodhaven subdivision plat to allow an existing deck to encroach 2 feet into a platted utility and drainage easement. The subdivision plat establishes this drainage easement along the rear property line for the conveyance of surface stormwater. The city codified ordinance chapter 1165.04(b)(2)(B) prohibits decks from being located in easements.

The Woodhaven subdivision recorded plat states no above grade structures, dams or other obstructions to the flow of stormwater runoff are permitted within the drainage easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. The city engineering staff have reviewed the deck and have no concerns with the two foot overhang.

The homeowner received approval for a deck that meets code requirements on March 19, 2024. During construction, the homeowner extended the deck without approval by the city. After the deck overhang was constructed, the homeowner submitted revised plans showing the as-built conditions. The city denied the revised permit and notified the homeowner that a variance is required to allow the deck to remain as constructed.

# II. SITE DESCRIPTION & USE

The 0.22-acre property is located the Woodhaven subdivision and contains a single-family residential home that was built in 2024. This corner lot is bordered by lots designated for future single-family homes to the north and west, a reserve to the east, and an existing single-family home to the south.

# III. ASSESSMENT

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

# 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):

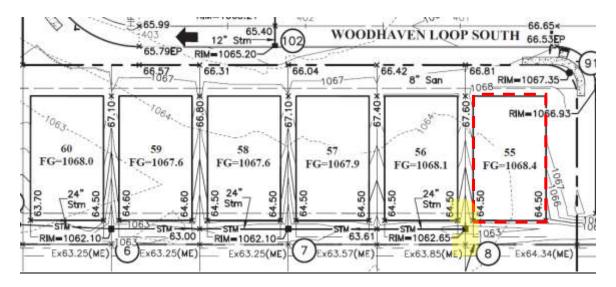
- 8. That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.
- 9. That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of 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.

# **IV. EVALUATION**

#### Variance to allow a deck to be constructed within a platted drainage easement.

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

- 1. The property's rear yard is encumbered with a 20 foot utility and drainage easement. The easement may be used by city and public utility providers (i.e. phone, internet, cable, etc.). The plat states "within those areas designated, 'Drainage Easement' on this plat, an additional easement is hereby reserved for the purpose of constructing, operating, and maintaining major stormwater drainage swales and/or other above ground stormwater drainage facilities. No above grade structures, dams or other obstructions to the flow of stormwater runoff are permitted within drainage easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved."
- 2. The variance request does not appear to be substantial. The city engineering staff reviewed the application and confirmed there aren't public utilities installed in the easement that is on the property. According to the approved engineering plans (shown below) for the subdivision, this easement runs along the rear property line of 6 homes along this section of Woodhaven Loop South.



- According to these plans, all of the lots along this portion of Woodhaven Loop South use the drainage easement for surface water runoff to convey stormwater to catch basins along their rear lots. A portion of the stormwater (surface runoff) on lot 55 drains to catch basin structure eight (highlighted above).
- The deck's footers are not within the existing drainage easement, therefore, the two feet encroaching into the drainage easement is simply an overhang of the deck (as shown below) and will not impact the surface flow of stormwater.



- The applicant states that the deck will sit four feet above grade on posts in order to not impact surface stormwater drainage. C.O. 1165.04 requires the area under decks to be screened if they are more than two feet above grade to provide additional screening from offsite view. <u>Staff recommends a condition of approval</u> that the applicant provide screening underneath the deck, outside of the drainage easement.
- 3. The variance request appears to meet the spirit and intent of the zoning requirement which is to provide protection for property owners in the event that the city or a private utility provider must gain access to the easement. While the applicant expanded the deck within the easement, the footers are out of the easement and it will not be installed above any existing public utility lines. Given the limited encroachment of two feet into the

easement, plus the deck being four feet above grade likely allows for equipment to access the area without removal of the deck. However, if approved, the city will stamp the construction plans with a hold harmless notifying the property owner that they are responsible for the expense of replacing or repairing the structure if a utility provider should remove it.

- 4. It appears that granting the variance will not adversely affect the health and safety of persons residing in the vicinity.
- 5. Granting the variance would not adversely affect the delivery of government services. The city's engineering staff reviewed the application and determined that there are no public utilities installed in the easement area. Additionally, the hold harmless agreement will ensure that the city bears no responsibility for any damages to the deck if utilities need to be installed within the easement area in the future.

## V. SUMMARY

The request is to allow an existing deck to overhang two feet within a drainage easement. There are no public utilities installed in the easement. In addition, the entire surface of the 20 foot-wide drainage easement is unencumbered to allow for the conveyance of stormwater. The variance does not appear to be substantial as the footers of the deck are not located within the easement and therefore, no part of the structure occupies the easement area on the ground.

## VI. ACTION

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 VAR-63-2024 with the following conditions (conditions of approval may be added).

1. That the applicant provides screening underneath the deck, outside of the drainage easement, to meet the requirements of C.O. 1165.04.

# **Approximate Site Location:**



Source: NearMap



# **Community Development Department**

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

Dear BOB WEBB HOMES CO, INC.,

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, September 17, 2024

The New Albany Planning Commission took the following action on 09/16/2024 .

# Variance

Location: 8355 Woodhaven Loop S, Unit:55 Applicant: BOB WEBB HOMES CO, INC.,

Application: PLVARI20240063

Request: A variance request to the city codified ordinance Chapter 1165.04(b)(3)(B) to allow a rear deck to encroach 2 feet into a drainage easement at 8355 Woodhaven Loop South (PID: 222-005346-00).
 Motion: To approve

Commission Vote: Motion Denied, 0-4

**Result:** Variance, PLVARI20240063 was Denied, by a vote of 0-4.

Recorded in the Official Journal this September 17, 2024

**Condition(s) of Approval:** 

Staff Certification:

Sierra Saumenig

Sierra Saumenig Planner



## Planning Commission Staff Report September 16, 2024 Meeting

## HAMLET AT SUGAR RUN FINAL DEVELOPMENT PLAN & WAIVERS

LOCATION: APPLICANT:	Generally located at the southwest and southeast corners of New Albany Condit Road and Central College Road (PIDs: 222-000675, 222-000685, 222-000686, 222-000670, 222-000676, 222-000678, 222-000313, 222- 000664, 222-000671, 222-000672, 222-000654, 222-000669, 222- 000549, 222-000668, 222-001167, 222-000688, 222-000375, 222- 000314, 222-000673, and 222-000376). NoNA Master Development LLC c/o Aaron Underhill, Esq.
REQUEST:	Final Development Plan with Waivers
ZONING:	Infill-Planned Unit Development (I-PUD)
STRATEGIC PLAN: APPLICATION:	Hamlet Focus Area FDP-53-2024

Review based on: Application materials received on August 30, 2024.

Staff report completed by Sierra Saumenig and Chris Christian, City Planners.

#### I. OVERVIEW

Due to the scale of the proposed development, this staff report provides a high-level analysis of the requirements listed below. This analysis is provided for the development as a whole, rather than on a subarea by subarea basis. The city staff fully evaluated every individual requirement (i.e. lot coverage, setbacks, lot dimensions, lighting, etc.) within each subarea. During the review process, several waivers were identified and are evaluated in Section VI of the report. All other requirements for this site are met.

- Use and Density Standards
- Site Layout, Access and Parking
- Parkland and Open Space Requirements
- Architecture
- Landscaping

In order to summarize the material and staff's analysis, several city exhibits are referenced throughout the staff report. The city exhibits were created using the applicant's submittal material, where more detailed information may be found.

Exhibit A: Final Development Plan Submittal Requirements
Exhibit B: Engage New Albany Strategic Plan Hamlet Focus Area Standards
Exhibit C: Subarea Maps
Exhibit D: Road Network and Streetscape Treatments
Exhibit E: City Engineer Comments
Exhibit F: Parkland and Open Space
Exhibit G: City Landscape Architect Comments
Exhibit H: Waiver Map

# II. REQUEST AND BACKGROUND

The application is for the Hamlet final development plan on 32.6+/- acres generally located at the southwest and southeast corners of the New Albany-Condit Road and Central College Road intersection.

Per C.O. 1157.07 and the Hamlet I-PUD zoning text, a Hamlet final development plan application is required to be reviewed by the Architectural Review Board (ARB) and the board shall make a recommendation to the Planning Commission (PC) which takes final action. The Parks and Trails Advisory Board (PTAB) reviewed the application during their August 5<sup>th</sup> meeting and recommended approval regarding the proposed open space and parkland dedication within the development, by a vote of 5-0. The PTAB included a condition of approval that trash, recycling and dog waste stations must be installed within the parkland and open space, subject to the approval of the city landscape architect. This condition of approval has been addressed. The ARB is scheduled to review the application during their meeting on September 9, 2024.

On December 6, 2022, City Council approved the Hamlet I-PUD rezoning application (O-40-2022). The Hamlet concept is envisioned in the Engage New Albany Strategic Plan to be a development containing a mixture of residential, commercial, retail, parkland and open space land uses. The zoning includes a zoning text and preliminary development plan that is specific to this Hamlet site.

Hamlet zoning text section II(D) states that the preliminary development plan may be modified as part of the final development plan application due to the unique nature of the proposed mixed-use development. This final development plan application serves as a modification to the preliminary development plan, as permitted in the zoning text.

As part of the final development plan application, the applicant requests the following waivers which are evaluated in Section VI of this staff report.

- (A) Waiver to Hamlet zoning text sections IV(C)(4), V(C)(3) and VII(E)(2) to allow public sidewalks to be 4 feet wide in Subareas 2, 3 and 5 where the text requires a 5-foot width.
- (B) Waiver to Hamlet zoning text section V(B) to allow two single family, detached homes to front on New Albany-Condit Road, in Subarea 3, where the text only allows townhomes to front onto this roadway.
- (C) Waiver to Hamlet zoning text section IV(E)(3) and New Albany DGR Section 5(II)(D)(1) to allow townhomes in Subarea 2 to be 44 feet tall and 3 ½ stories where there is a maximum height limitation of 40 feet tall and 3 stories.
- (D) Waiver to New Albany DGR Section 5(II)(D)(2) to eliminate the requirement that residential building entrances must be 2 feet above grade.
- (E) Waiver to Hamlet zoning text section III(B)(2) to allow non-retail tenant spaces to be larger than 10,000 square feet in size, within Subarea 1.

# III. SITE DESCRIPTION & USE

The 32.6+/- acre zoning area is located in Franklin County and is made up of 20 currently vacant properties. All of the properties were rezoned to allow for the proposed development.

# IV. PLAN REVIEW CRITERIA AND ENGAGE NEW ALBANY STRATEGIC PLAN

The Architectural Review Board (ARB) and Planning Commission (PC) review authority is found under C.O. Chapters 1159.0, 1157.07, and the requirements of the Hamlet I-PUD zoning text.

C.O. 1159.10(e) states that the Planning Commission shall approve a final development plan application if it complies with the regulations of city code, the previously approved preliminary development plan, and associated zoning text. To facilitate this review, C.O. 1159.07(b)(3) PC 24 0916 Hamlet at Sugar Run FDP-53-2024 Page 2 of 14

requires several items to be included in the final development plan application which are included in **Exhibit A.** 

The site is located in the Hamlet future land use district and focus area of the strategic plan. The Engage New Albany Strategic Plan includes focus areas to demonstrate how the recommendations outlined in the other sections of the strategic plan can be applied in the built environment. The Hamlet Focus Area identifies this exact site as the ideal location for a hamlet-style mixed-use development in the city. The strategic plan is a guiding policy document that contains recommendations for future development, including recommended development standards for a hamlet development. The essential Hamlet Focus Area components and associated development standards are included in **Exhibit B**.

# V. FINAL DEVELOPMENT PLAN REVIEW

## **Use and Density Standards**

- 1. The site is zoned Infill-Planned Unit Development (I-PUD) that permits the construction of a hamlet style development as envisioned in the city strategic plan. The zoning text permits a variety of commercial, retail, and residential (flats, townhomes and a single family) uses. These permitted uses are broken up into 5 different subareas illustrated in **Exhibit C.**
- 2. The table below provides a summary of the uses permitted in each subarea along with proposed uses.

Subarea	Acreage	Permitted Uses	Proposed Uses
1	8+/- acres	C-3 Uses	52,500 sq. ft. of commercial space
		Multi-family residential units configured as "flats",	40 flats
			<u>Waiver Request E applies to this</u> subarea. Please see Section VI of
			the staff report.
2	7.2+/-	Single family attached or detached	108 townhomes
	acres	townhomes and single family	
		detached homes.	
		Limited number of multi-family	
		units	
3	4.44+/- acres	Single attached townhomes and single family detached homes.	8 single family homes
	acres	single raining detached nomes.	20 townhomes
			Waiver Request B applies to this
			subarea. Please see Section VI of
			the staff report.
4	8+/-	Parkland/Open space, recreation	Parkland and Open Space
	acres	facilities, outdoor markets, food	
		trucks and outdoor performance areas.	
5	5+/-	Senior Living Facility Uses and	19 single family homes
	acres	supportive uses	
		Maximum of 55 single family,	
		attached townhomes if no senior	
		living uses are developed	

	Maximum of 25 detached, single	
	family homes if no senior living	
	facilities are developed	

3. The zoning text permits a maximum density of 6 residential units per gross acre. This requirement is met as 195 residential units are proposed to be developed on 32.6 acres (gross acreage) resulting in a density of 5.98 units per acre.

# Site Layout, Access and Parking

## Site Layout and Access

- The proposed development is accessed via five curb cuts including two along Central College Road and three along New Albany-Conduit Road. The text requires all new major roads and alleys within the zoning district to be dedicated as public streets. There are provisions in the text which would allow for some drives to be privately owned where there are parking lots and associated drive aisles. The locations of these roadways are illustrated in **Exhibit D** along with their respective streetscape treatments. There are multiple requirements in city code and the zoning text related to roadway dimensions and streetscape treatments, all of which are being met on this site.
- 2. The city engineer reviewed the application and provided comments which can be found in **Exhibit E.** All of the previous comments related to the traffic impact study, submitted with the rezoning, have been addressed. Right-of-way dedications are shown on the final development and will be evaluated at the time of a final plat. The proposed intersections include crosswalks and the city will continue reviewing the designs as part of the permitting process to ensure safe pedestrian access is provided throughout the development.
- 3. The overall site is well designed from a site layout and planning perspective. The street network is lined with buildings and shared parking is consolidated behind them. The buildings front onto public streets as well as provide an architectural presence along green spaces. The mixed-use, commercial plaza is well integrated with surrounding green space and appropriately located near the shared parking lot.

#### Leisure Trail and Sidewalk

- 1. The zoning text requires the applicant to install a public sidewalk within the right-of-way on each internal subdivision street (with the exception of alleys). The applicant meets this requirement and proposes additional sidewalks to connect parkland and open space through select public alleys. In total, 2.08 miles of new sidewalk is included throughout the development.
  - The applicant requests a waiver (Waiver Request A) for subareas 2, 3, and 5 to allow portions of the public sidewalk to be 4 feet in width when the text requires a minimum of 5 feet in width. This waiver is evaluated in Section VI of the staff report.
- 2. The zoning text requires the applicant to install an 8-foot-wide, asphalt leisure trail along the southern side of Central College Road, and the east and west sides of New Albany-Condit Road and this requirement is met. In total, 1.37 miles of new leisure trail is included throughout the development.
- 3. City code requires the applicant to install an 8-foot-wide, asphalt leisure trail within Sugar Run Park and this requirement is met. This new trail is designed as a 2/3-mile loop (.73 miles) within this area.

#### Parking

1. Given the integrated development program for this site, the zoning text requires the applicant to submit a comprehensive shared parking model. The applicant submitted a shared parking model which concludes that the proposed parking supply of 344 spaces —

comprising of surface spaces and parallel spaces—will adequately serve the site. The parking will serve the commercial spaces, guest parking, and parkland.

- 2. As required in the zoning text, all residential unit will independently park themselves with off-street garage spaces and private driveways, where present.
- 3. Per C.O. 1167.03(a), the proposed parking spaces in the west and east parking lots are required to be 9 feet wide and 19 feet long. Additionally, the drive aisles are required to be 22 feet wide. These requirements are met.

## Parkland and Open Space Requirements

- Per the zoning text and city code, 25% of the total gross area within the hamlet development must be common open space and parkland. This requirement is evaluated for the development as a whole, rather than each subarea. The site is 32.6+/- acres in size therefore a minimum of 8.15 acres of parkland and open space is required. The applicant exceeds this requirement by providing 10.61 acres (33% of the total development area). The proposed parkland and open space areas are shown on Exhibit F.
- 2. The development is bisected by the Sugar Run Creek. The applicant activates the parkland/open space around Sugar Run Creek and utilizes it as a organizational element for the development, known as the Sugar Run Park. This park space has several amenities including neighborhood playground equipment, natural play elements, benches, sculptures/artwork, and birdhouses.
  - The creation of this park space allows the Sugar Run Creek stream corridor to be preserved and protected, meeting a recommendation of the Engage New Albany Strategic Plan. Additionally, bioswales are utilized for stormwater management. Bioswales are a form of green infrastructure and an aesthetically- pleasing alternative to traditional stormwater basins. Habitats for birds, butterflies or other wildlife are created in these spaces through the use of native plants. Where there are natural play elements and playground equipment, the applicant proposes to install a bonded rubber mulch material to ensure these areas are accessible to people of all abilities.
  - Trash, recycling, and dog waste stations have been added throughout the parkland and open space as recommended by the Parks and Trails Advisory Board.
  - The applicant proposes to use Earthscapes playground equipment, the same equipment line that the city has installed in recent pocket park upgrades. Two character images were included in the application showing the intended types of equipment.



Neighborhood Playground - Moku Yama 7.1

Neighborhood Playground - M7 Log Jam

• The city engineer reviewed and approved the playground equipment, leisure trail, and other amenities that are located within the floodplain and stream corridor protection zone and confirmed they are permissible activities/uses described in C.O. 1155.04(a)(1) and 1171.03. A floodplain permit is required to be reviewed and approved prior to installation by city staff. As part of the review, the equipment and amenities may need to be slightly shifted within the same general area.

- 3. There are 12 other parkland and open spaces areas throughout the development site. These spaces are used as an organizational element in a way that development may front onto them which contributes to pedestrian activity and a high-quality built environment.
- 4. The applicant proposes to install sculptures/artwork in different parkland and open spaces throughout the development and birdhouses in the Sugar Run Park area. Some character images were included in the application, shown below.



Artistic Bird Boxes in the Meadow

Sculpture in Neighborhood Setting

5. The proposed parkland and open spaces areas are listed in the table below, along with the ownership and maintenance obligations. The entire development is within 1,200 linear feet of parkland/open space areas.

Parkland and Open Space Area	Size	Ownership and Maintenance
Reserve A	.50 acres	City ownership and maintenance
Reserves B1 & B2	.24 acres	City ownership and maintenance
Reserve C1 & Open Space C2	.19 acres	City ownership and maintenance (C1)
		HOA ownership and maintenance (C2)
Open Space D1 & D2	.19 acres	HOA ownership and maintenance
Open Space E	.24 acres	HOA ownership and maintenance
Open Space F	.43 acres	HOA ownership and maintenance
Reserve G	.15 acres	City ownership and maintenance
Reserves H1 and H2	.21 acres	HOA ownership and maintenance
Sugar Run Park	8.46 acres	City ownership and

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#### Architecture

- 1. For all subareas, the Hamlet zoning text states that the design of buildings shall be derived from examples of traditional American architecture, vernacular architecture, or any complementary style. Additionally, four-sided architecture is required throughout the development and the New Albany Design Guidelines and Requirements (DGRs) apply to the site, unless deviations are approved as part of a final development plan application.
- 2. The zoning text requires detailed building elevations to be submitted as part of the final development plan application for all subareas, except Subarea 5.
  - Detailed building elevations where provided for Subareas 1, 2, and 3 as required.
  - The applicant submitted images and the general design intent for homes in Subarea 5 as required by C.O. 1159.07(3)(P). Homes within this subarea will be custom, with designs similar to the homes in the Ealy Crossing and Ashton Grove neighborhoods.
  - All of the proposed buildings will continue to be evaluated as part of the building permit process to ensure compliance with the architectural standards presented as part of the final development plan, the zoning text, and the DGRs. The city architect will continue to review the building elevations as part of this process.
- 3. A detailed architectural narrative was also submitted for Subareas 1, 2, and 3. The applicant states that the buildings in these subareas will utilize a more informal version of Neo-Federal/Neo-Georgian architecture in order to achieve the Hamlet style of development, as envisioned in the Engage New Albany Strategic Plan. The applicant met with the city architect on several occasions during their design process to ensure that the architecture is derived from a traditional American architectural precedent. The city architect has reviewed the narrative statement and all of the proposed building elevations, and is supportive of the commercial and residential building designs.
- 4. The zoning text states that there is a maximum building height of 40 feet for buildings that are generally within 250 feet of New Albany-Condit Road and Central College Road, except Subarea 1. In addition, DGR Section 5(II)(D)(1) states that townhomes are permitted to be a maximum of 3 stories.
  - The applicant requests a waiver to these requirements to allow townhomes to be 44 feet tall and 3 ½ stories, within Subarea 2. This waiver is evaluated in Section VI of the staff report (Waiver C). All other buildings meet the maximum height requirements of the zoning text and the DGRs.
- 5. <u>New Albany DGR Section 5(II)(D)(2)</u> requires all residential building entrances to be 2 feet above grade and the applicant requests a waiver to eliminate this requirement. This waiver is evaluated in Section VI of the staff report (Waiver D).
- 6. The text permits the use of the following building materials and prohibits exposed concrete foundations and the use of vinyl as a building material. The proposed building elevations match these permitted materials:
  - Brick and brick veneer
  - Wood
  - Cementitious or composite siding
  - Metal panels, EIFS, wood and aluminum are permitted as trim or accent elements
- 7. The zoning text requires full screening of all rooftop and ground mounted equipment. The text states that solar panels are exempt from this requirement to the extent that screening would impact functionality. Mechanical equipment details were not provided and will be evaluated during the building permitting process to ensure these requirements are met.

#### Landscaping

1. There are many zoning text and city code requirements, related to landscaping, that are applicable to the site. City staff reviewed the proposed landscape plan and the applicant

meets, and in some cases, exceeds all of the landscape requirements for the site. Several of these requirements are outlined in this section of the staff report.

- 2. The zoning text requires a master landscape plan to be provided for the entire site as part of the final development plan application. The city landscape architect, MKSK, reviewed the application and provided comments which can be found in **Exhibit G.** <u>City staff</u> recommends a condition of approval that the city landscape architect comments are addressed, subject to staff approval (Condition #1).
- 3. Hamlet zoning text section II(C)(5) states that street trees are required to be planted on both sides of all major public streets at a rate of 1 tree for every 30 feet and shall be a minimum size of 3 caliper inches. The text permits deviations from these spacing requirements in order to achieve the desired streetscape. The applicant exceeds these requirements as demonstrated in the table below.

Street	Frontage (feet)	<b>Required Trees</b>	Proposed Trees	Met?
Central College	1,390	46	47	1
Road				•
New Albany	1,134	38	45	1
Condit Road				•
Public Street A	1,023	34	56	$\checkmark$
Public Street B	419	14	25	$\checkmark$
Public Street C	582	19	37	$\checkmark$
Public Street D	1,048	35	47	$\checkmark$
Public Street E	671	22	43	$\checkmark$

- 4. C.O. 1171.06(a)(2) states that parking lots shall contain a minimum 5% of landscaped area, in the form of parking lot islands. The applicant exceeds this requirement by providing 7% landscaped area in the west parking lot and 11% in the east parking lot.
- 5. C.O. 1170.06(a)(3) requires one tree to be installed in parking lot areas for every 10 parking spaces. The applicant meets this requirement with 26 trees planted in the west parking lot and 4 in the east parking lot.
- 6. C.O. 1171.06(b) requires parking lots to be screened from primary streets, residential areas, and open space with a minimum 3.5-foot-tall evergreen hedge, masonry wall or combination of wall and plantings and this requirement is met.

#### VI. WAIVER REQUESTS

Hamlet zoning text section VIII(N)(3)(a) states that the applicant must apply for a waiver if they desire to have a zoning requirement waived. The applicant submitted a request for 5 waivers as part of the final development plan application. The locations of these waivers are identified in **Exhibit H.** Waiver requests are to be reviewed by the ARB who shall make a recommendation to the PC. The PC shall make the final decision regarding the waiver request. The PC shall either approve, approve with conditions, or disapprove the waiver. The applicant is required to demonstrate the nature of the waiver and provide a statement explaining why the waiver should be granted. The PC shall only approve a waiver (with or without supplementary conditions) if they find that the waiver, if granted, would:

- 1. Provide an appropriate design or pattern of development considering the context in which the development is proposed and the purpose of the particular standard. In evaluating the context as it is used in the criteria, the reviewing body may consider the relationship of the proposed development with adjacent structures, the immediate neighborhood setting, and a broader vicinity to determine if the waiver is warranted;
- 2. Substantially meet the intent of the standard that the applicant is attempting to seek a waiver from, and fit within the goals of the City's Strategic Plan;
- 3. Be necessary for reasons of fairness due to unusual building, structure, or site-specific constraints; and
- 4. Not detrimentally affect the public health, safety or general welfare.

PC 24 0916 Hamlet at Sugar Run FDP-53-2024

# (A) Waiver to Hamlet zoning text sections IV(C)(4), V(C)(3) and VII(E)(2) to allow public sidewalks to be 4 feet wide in Subareas 2, 3 and 5 where the text requires a 5-foot width.

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

- 1. The Hamlet zoning text requires 5-foot wide sidewalks to be constructed on both sides of all public streets within the development. The applicant proposes 4-foot wide sidewalks within certain locations in Subarea 2, 3, and 5 therefore a waiver is required. The sidewalk locations related to this waiver are identified in **Exhibit H.**
- 2. The intent of the requirement is to ensure that sidewalks are provided throughout the development in order to foster the creation of a walkable, pedestrian-oriented environment. While the applicant proposes a smaller sidewalk in certain locations, the intent of the requirement is still met as sidewalks are provided on both sides of all public streets.
- 3. The request appears to provide an appropriate design or pattern of development considering the context in which the development is proposed. The typical sidewalk width requirements are more easily achieved in a typical suburban neighborhood where there are larger lots, increased setbacks and space to provide a 5-foot wide sidewalk within the streetscape. The Hamlet concept, as envisioned in the Engage New Albany Strategic Plan, is a departure from a typical suburban subdivision design with smaller lots, reduced setbacks and therefore less space to provide larger streetscape sections which include sidewalks. There are other, similar neighborhoods in New Albany where 4-foot sidewalks have been approved and constructed given the pattern of development including Ealy Crossing, Ashton Grove, and other sections of the New Albany Country Club. A reduced sidewalk width is appropriate in this development pattern.
- 4. It appears that granting the waiver is necessary for reasons of fairness due to unusual sitespecific constraints and characteristics. The 5-foot width requirement is a one-size fits all approach to pedestrian connectivity in the city. As stated, there is precedent for allowing a reduced sidewalk width in dense neighborhoods with reduced lot sizes and setbacks. The applicant intends to achieve a similar development pattern on this site. Additionally, the waiver only applies to a limited number of sidewalks in the development, are not located along primary streets, and a majority of the sidewalks meet the width requirement.
- 5. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare. While the sidewalks may be smaller in width, the applicant is still required to meet any applicable ADA requirements.
- (B) Waiver to Hamlet zoning text section V(B) to allow 2 single family, detached homes to front on New Albany Condit Road, in Subarea 3, where the text only allows townhomes to front onto this roadway.

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

- 1. The Hamlet zoning text states that single family, detached homes are not permitted to front onto New Albany Condit Road and only allows townhomes to front onto it. The applicant proposes to develop two single family homes that front onto this road in Subarea 3 therefore a waiver is required. The location of this waiver is identified in **Exhibit H.**
- 2. The intent of code requirement is to ensure a strong, consistent building presence is provided along New Albany-Condit Road. It is typically easier to achieve this intent with townhomes where a wider, unbroken stretch of building elevation is common. While the applicant proposes to allow two single family homes onto this road, they maintain a consistent setback along the road compared to the townhomes. Additionally, there are minimal side yard setbacks between structures on this road which allows a strong building presence to be achieved, regardless of the housing type.
- 3. The request appears to provide an appropriate design or pattern of development considering the context in which the development is proposed. As envisioned in the

PC 24 0916 Hamlet at Sugar Run FDP-53-2024

Engage New Albany Strategic Plan, the Hamlet development is designed to be a dense, walkable, pedestrian oriented environment. To achieve this design, the strategic plan states that public streets should be lined by buildings and placed in locations that encourage pedestrian activity. With careful planning and design, this goal can be achieved regardless of the building type and the applicant demonstrates this successfully while allowing the two single family homes to be placed along New Albany Condit Road. The homes provide a prominent, architectural presence at the entrance of this subarea.

- 4. It appears that granting the waiver is necessary for reasons of fairness due to unusual sitespecific constraints and characteristics. The two single family homes are located on both sides of a new public street that is required to be constructed in Subarea 3. Due to the location of the road and the remaining developable space, it would be difficult to place a stretch of townhomes on these lots without disrupting the remaining buildings that front onto New Albany Condit Road and the park space. The road cannot be shifted south into Sugar Run Park and if it were to be shifted north, it could create the same issue for other buildings in the subarea. The absence of a building presence in these locations may detract from the desired aesthetic of the subarea.
- 5. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.
- (C) Waiver to Hamlet zoning text section IV(E)(3) and New Albany DGR Section 5(II)(D)(1) to allow townhomes in Subarea 2 to be 44 feet tall and  $3\frac{1}{2}$  stories where there is a maximum height limitation of 40 feet tall and 3 stories.

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

- The Hamlet zoning text states that townhomes in Subarea 2 are permitted to be a maximum of 40 feet tall and the DGRs limit the number of stories to 3. The applicant proposes to develop 44-foot-tall, 3 ½ story townhomes in certain locations of Subarea 2 therefore a waiver is required. The location of these townhomes is identified in Exhibit H.
- 2. The intent of these code requirements is to ensure that a human scaled built environment is achieved throughout the Hamlet development. While the applicant proposes taller townhomes, a consistent building height is achieved throughout this subarea. While the applicant proposes 3 ½ story townhomes, the city architect states that the building design is appropriate with pitched roofs and dormers which is a desired form of architecture in the city.
- 3. The zoning text allows the applicant to develop townhomes that are 50 feet tall in certain areas of Subarea 2. In order to achieve consistent, human scaled architecture throughout the subarea, the applicant proposes to only develop 44 tall buildings. It appears that the intent of the requirement is met however, staff recommends a condition of approval that no buildings are to be no taller than 44 feet in Subarea 2 and the applicant must forgo the right to develop 50-foot-tall buildings in this subarea where otherwise permitted, if the waiver is approved (Condition #2).
- 4. The request appears to provide an appropriate design or pattern of development considering the context in which the development is proposed. The Central College Road corridor serves as a transitional area between denser residential and commercial development to the west and north to less dense, smaller scale residential development east of New Albany Condit Road. As stated, the zoning text allows 50-foot-tall buildings to be developed in Subarea 1 and the western portion of Subarea 2. As you move east on the site, the zoning text requires a transition down to a 40-foot building height close to the Central College Road and New Albany Condit Road intersection and further east into Subarea 3 as well. While the applicant proposes taller townhomes in certain portions of Subarea 2, an appropriate pattern of development is still achieved considering the surrounding context. If the waiver is approved, an appropriate building height transition will be achieved from 50 feet in Subarea 1, 44 feet in certain portions of Subarea 2, and

40 feet in the remaining portion of Subareas 2 and 3 as you travel west to east on Central College Road.

- 5. It appears that granting the waiver is necessary for reasons of fairness due to unusual sitespecific constraints and characteristics. The site slopes down from Central College Road and New Albany Condit Road as you move inward within Subarea 2.
  - The townhomes that front directly onto these roadways meet the maximum height and number of stories requirements because the bottom level of those units is able to be partially buried. Per city code, height calculations are measured based on average grade of all four corners of the building and the number of stories is calculated from the front door. Due to this, those townhomes are able to meet the requirements.
  - The applicant proposes to develop the exact same townhome building throughout the portions of the subarea where the waiver is requested. Due to the grade change, the bottom levels of the remaining townhomes are not able to be buried which results in the need for a waiver. Visually, all townhomes in Subarea 2 will have the same height as viewed along New Albany Condit Road and Central College Road.
- 6. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.
- (D) Waiver to New Albany DGR Section 5(II)(D)(2) to eliminate the requirement that residential building entrances must be 2 feet above grade.

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

- 1. The New Albany DGRs require all residential building entrances to be 2 feet above grade and the applicant requests a waiver to eliminate this requirement through the entire zoning district. The intent of this requirement is to provide a prominent front door on home elevations, contributing to a strong architectural design. While the applicant requests a waiver from this requirement, they commit to providing at least two steps at the entrance to each home. The intent of the requirement is still met if the waiver is granted.
- 2. The request appears to provide an appropriate design or pattern of development considering the context in which the development is proposed. The applicant states that the proposed compact development pattern will be attractive to an older demographic, making accessibility a key design factor for the homes. This requirement is challenging to meet while they ensure that the homes are still accessible to residents of all ages and abilities.
- 3. It appears that granting the waiver is necessary for reasons of fairness due to unusual building, structure, or site-specific constraints and characteristics. There is a precedent in other New Albany neighborhoods where this requirement has been waived including Nottingham Trace, Woodhaven, and Courtyards at New Albany, all of which are 55 and older communities. Additionally, there are several examples in the Village Center including the Market and Main apartment building where this requirement is not met. In all of these examples, accessibility was key factor in the building designs similar to what the applicant proposes.
- 4. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.
- (E) Waiver to Hamlet zoning text section III(B)(2) to allow non-retail tenant spaces to be larger than 10,000 square feet in size, within Subarea 1.

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

1. The Hamlet zoning text states that each commercial tenant space in Subarea 1 is limited to a maximum size of 10,000 square feet. The applicant requests a waiver to this requirement for all non-retail tenant spaces (i.e. office, administrative and professional services).

- 2. The intent of the code requirement is to ensure an appropriate scale of development with active first floor uses is provided in the commercial area, contributing to a vibrant mixed-use environment with activity throughout the day. To meet this goal, the requirement was included in the zoning text to prohibit large scale retailers and other large users from taking up all the available commercially zoned space on site. The applicant states that they desire to meet the intent of the requirement while allowing non-retail users to have a larger tenant space as long as 80% of the ground floor uses must be active and open to the public for the sale or offering of goods and services. If the waiver is approved, staff recommends this as a condition of approval (Condition #3).
- 3. The request appears to provide an appropriate design or pattern of development considering the context in which the development is proposed. The goal of the Hamlet development is to create a vibrant community with a mixture of uses, including commercial office space. Office space is a strong source of income tax revenue for the city however, this market is challenging in Central Ohio and throughout the country as hybrid work models have become the new norm. The demand for new office space is low however, this arbitrary restriction may dissuade new office users from locating on the site which was never the intent. The applicant states that they have received concerns about the tenant space restriction from potential office users. Waiving this requirement for commercial office users will help ensure there is the critical mass of day time population necessary to support the retail development on site.
- 4. It appears that granting the waiver is necessary for reasons of fairness due to unusual site-specific constraints and characteristics. The city's Economic Development division contacted One Columbus and Colliers for additional insight on this waiver request as it relates to office space. These groups state that the demand for new office space is still low in Central Ohio but this zoning restriction will only limit potential office opportunities that may arise. Development Strategies, the city's market analysis consultant, states that office tenants desire to locate in mixed use environments rather than typical, suburban style development patterns. Granting the waiver request will allow the city to remain competitive by providing attractive options at the Hamlet in this challenging office environment. This limitation does not exist for any other office space in the city.
- 5. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.

#### VII. SUMMARY

The Engage New Albany Strategic Plan states that the goal and objective for a Hamlet is to create a walkable, mixed-use master planned environment that is connected into surrounding neighborhoods, achieves high quality architectural design, and is integrated into open space networks. The proposal accomplishes this goal, meeting all the essential components of a Hamlet development as listed in the Engage New Albany Strategic Plan.

Essential Components of a Hamlet

- **Compact, walkable neighborhood pattern** A key feature of hamlets is walkability, which is achieved through more compact development patterns, connected streets and pathways, and pedestrian-oriented design of blocks and buildings.
- Central, organizing public space framed by streets and buildings Public space is at the heart of a New Albany hamlet. This can take the form of an activated open space, plaza, or square. This space should be bordered by streets and buildings on at least two sides to frame the public and create a center of activity for the hamlet.
- Active ground floor uses A vibrant pedestrian experience in a hamlet is achieved through various means, including by the creation of an active first floor. In mixed-use buildings, the ground floor should be occupied by restaurants, shops, service businesses, and other similar uses that promote pedestrian activity throughout the day.

- **Prioritization of streets, sidewalks, and pedestrian/bike connections** A connected mobility network of streets, sidewalks, and leisure trails is an essential component to move people to, from, and within a hamlet.
- Contains a mix of two or more uses By incorporating more than one land use, a hamlet can become a community destination rather than simply a development. A mix of uses creates a multi-functional place where people can live, work, shop, explore, relax, and more.
- Memorable architecture, public spaces, and placemaking elements Components of the public realm, such as architecture, signage, public spaces, site furnishings, and public art should be utilized in a New Albany hamlet to create a strong sense of place.
- **Emphasizes a discipline of materiality** New Albany is known for its high-quality development and a hamlet should be no exception. A hamlet should utilize materials that are of a uniquely New Albany vernacular.
- **Integrated parking on-street and behind buildings** Parking should be intermixed with the rest of the built environment in a hamlet. Streetscape design can include on-street parking spaces, which provide a buffer between vehicular traffic and the pedestrian realm. Larger surface parking areas that are adequately screened and located behind buildings can blend seamlessly with the rest of a development.
- **Context sensitive design that leverages surroundings** A New Albany hamlet is not a cookie cutter development, but rather is a bespoke place with a character that is distinctly New Albany. By utilizing the surrounding context and natural features in the site design, a hamlet can become seamlessly embedded into the community.

The Engage New Albany strategic plan emphasizes the importance of providing greenspace and promoting sustainability by protecting, preserving and enhancing natural features in these mixed-use areas. The development is bisected by the Sugar Run Creek which is used as an organizational element for the entire site. Sugar Run Park creates a new park destination for the entire New Albany community and satisfies the needs of a variety of user groups with both active and passive recreation options. Users of this space have access from other areas of the community via new leisure trail additions along Central College Road and New Albany Condit Road as well as new sidewalk connections within the development.

The final development plan application meets nearly all of the zoning text and city code requirements for the site. Each waiver request appears to meet the intent of the requirements, provide an appropriate pattern of development, are necessary for reasons of fairness and will not detrimentally affect the public health, safety or general welfare. Additionally, these requests do not compromise any of the essential components of a Hamlet and contribute to good design.

### VIII. ACTION

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

Move approve final development plan application FDP-53-2024 based on the findings in the staff report with the following conditions (additional conditions of approval may be added). <u>The waiver requests can be included in the motion to approve the final development plan application or separate motions can be made for each waiver.</u>

- 1. The city landscape architect's comments must be addressed, during the permit review process, subject to staff approval.
- 2. If Waiver C is approved, all buildings in Subarea 2 are limited to 44 feet in height and the applicant forgoes their right to develop 50-foot-tall buildings in this subarea.
- 3. If Waiver E is approved, 80% of ground floor uses in commercial buildings must be active and open to the public for the sale or offering of goods and services.

Approximate Site Location:



Source: NearMap



404.692-01 August 21, 2024 (Revised 8/28/24)

To: Christopher Christian City Planner

Re: Hamlet FDP

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

We reviewed the referenced submittal in accordance with Code Section 1159.07 (b)(3) FDP and provided preliminary review comments to staff. All of these comments have been addressed.

MEF/JMH

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







# **Community Development Department**

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

Dear NONA Master Development LLC, c/o Aaron Underhill, Esq.

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, September 23, 2024

The New Albany Planning Commission took the following action on 09/16/2024 .

## **Final Development Plan**

- Location: Generally located at the southwest and southwest corners of New Albany Condit Road and Central College Road (PIDs: 222-000675, 222-000685, 222-000686, 222-000670, 222-000676, 222-000678, 222-000313, 222-000664, 222-000671, 222-000672, 222-000654, 222-000669, 222-000549, 222-000668, 222-001167, 222-000688, 222-000375, 222-000314, 222-000673, and 222-000376).
- Applicant: NONA Master Development LLC, c/o Aaron Underhill, Esq.

Application: PLFDP20240053

**Request:** Review of the Hamlet final development plan application, and associated waivers. **Motion:** Move to approve with conditions

Commission Vote: Motion Approved with Conditions, 4-0

Result: Final Development Plan, PLFDP20240053 was Approved with Conditions, by a vote of 4-0.

Recorded in the Official Journal this September 23, 2024

#### **Condition(s) of Approval:**

- 1. The city landscape architect's comments must be addressed, during the permit review process, subject to staff approval.
- 2. With the approval of Waiver C, all buildings in Subarea 2 are limited to 44 feet in height and the applicant forgoes their right to develop 50-foot-tall buildings in this subarea.
- 3. With the approval of Waiver E, 80% of ground floor uses in commercial buildings must be active and open to the public for the sale or offering of goods and services.
- 4. For all items that are subject to staff approval, the materials submitted can be used as a guide for future plan review, if desired by staff.
- 5. Street lights shall be downcast, subject to staff approval.
- 6. This condition relates to Waiver B. There must be a clear delineation between public and private property in the side and rear yards, subject to staff approval.
- 7. This condition relates to Waiver B. The scale of the single-family homes, fronting onto 605, must be similar to the townhomes, subject to staff approval.
- 8. This condition related to Waiver D. The requirement to have two steps at the entry of each home may be relaxed for accessibility concerns, subject to staff approval.
- 9. All of the ARB conditions of approval (September 9th meeting) apply, subject to staff approval.

Staff Certification:

Chris Christian

Chris Christian Planner II



#### Planning Commission Staff Report October 21, 2024 Meeting

#### 4761 KITZMILLER RD CELL TOWER EXTENSION CONDITIONAL USE

LOCATION:	4761 Kitzmiller Road (PID: 222-000580)
APPLICANT:	Fullerton Engineering c/o Nora Geci
REQUEST:	Conditional Use
ZONING:	Comprehensive Planned Unit Development (C-PUD): 1998 NACO C-
	PUD Subarea 2
STRATEGIC PLAN:	Residential
APPLICATION:	CU-72-2024

Review based on: Application materials received September 24, 2024

Staff report prepared by Sierra Saumenig, Planner

#### I. REQUEST AND BACKGROUND

The applicant requests approval of a conditional use to extend the height of an existing cell tower by 34 feet, increasing it from 75 feet to 109 feet. Codified ordinance section 1179.06(c) and (f) states that the tower extension requires a conditional use application to be heard by the Planning Commission.

#### **II. SITE DESCRIPTION & USE**

The 40.39-acre site is located on the west side of Kitzmiller Road, within the 1998 NACO C-PUD Subarea 2 zoning district. The site is heavily wooded with a pond. Surrounding uses include wooded and vacant lots to the north, residential to the south and west, and residential and a golf course to the east.

#### **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 requirements below. Per Codified Ordinance Section 1113.05, the property owners within 200 feet of the property in question have been notified.

(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 extend an existing cell tower by 34 feet, increasing its height from 75 feet to 109 feet.
- The existing total site size is 40.39 acres.
- The existing cell tower is located on a heavily wooded portion of a lot that is used for agricultural purposes. The tower is setback approximately 835 feet setback from Kitzmiller Road.

- The applicant states the reasoning for the extension is this is the only tower in the area that will allow T-Mobile to mount its antennas at a height necessary to fulfill the community's coverage needs. The alternative option would be to construct a new tower.
- It does not appear that the proposed extension use will alter the character of the surrounding area. The cell tower is already in place and sits a significant distance from Kitzmiller Road.

#### Landscaping:

- The site is already heavily wooded and the cell tower is existing therefore, landscaping requirements are met as the cell tower is screened by existing trees.
- (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. The cell tower is already existing and adding 34 feet will not alter the character of the general vicinity. Additionally, it is set back over 800 feet from Kitzmiller Road and surrounded by a wooded area.
  - The proposed extension is appropriate as it achieves what T-Mobile needs for coverage without the need to install an additional cell tower in the surrounding area.
    - i. The city code promotes shared use/collocations of towers and wireless support structures as a primary option rather than construction of additional single use towers.
- (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.
- (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.
  - While this standard is not applicable as the site does not include any development, it's important to note access for maintenance of the cell tower is existing.
- (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.
- (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. The cell tower is already existing and will not produce excessive traffic or any other off-site impacts.
- (g) Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.
  - The lot does not have any curb cuts or public access along Kitzmiller Road however, there is appropriate access for maintenance of the cell tower.

#### III. SUMMARY

The overall proposal is consistent with the code requirements for a wireless telecommunication facility conditional use. The cell tower is already existing and therefore, the applicant is only requesting to add 34 feet, increasing its height from 75 feet to 109 feet. The request is to use an existing cell tower rather than building a new one in the area, promoting the collocation of 24 1021 4761 Kitzmiller Road Conditional Use CU-72-2024

equipment on a current tower. Additionally, the lot is large in size and is developed with a densely wooded area that assists in screening the cell tower.

#### 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-72-2024

# Approximate Site Location:



Approximate location of cell tower Source: Nearmap





October 1, 2024

New Albany Planning Division 99 West Main Street, P.O. Box 188 New Albany, OH 43054

#### RE: Planning Division – Narrative Statement – 307501/14483463

Dear Planning Department,

Cellular carrier T-Mobile is proposing to extend the height of the tower located at: **4761 Kitzmiller Rd., New Albany, OH 43054, parcel ID 1-222-000580-00.** I am the agent representing the tower owner, American Tower Corporation (ATC) and the carrier, T-Mobile, responsible for completing the zoning and permitting approvals for the above-mentioned scope of work on this tower.

The project will be comprised of changes to the existing tower with a 75' Monopole modification and a proposed 32' tower extension, increasing the height from 75' to 109'. The final height of the tower will be 109'. This proposed T-Mobile project doesn't require a Variance, however it will require a Conditional Use Application due to the proposed increase in tower height.

T-Mobile's radiofrequency engineers have chosen this specific tower location after determining the need for enhanced cellular coverage in the local community. This tower is the only available structure in the area that will allow T-Mobile to mount its antennas at the height necessary to fulfill the community's coverage needs. It is always preferable for carriers to install their equipment on existing structures. The alternative would be to construct a new tower to provide service to the surrounding area.

This is in accordance to Ordinance C.O. 1179.06(c) and (f) that states that the tower extension requires a conditional use application to be heard by the city Planning Commission.

1179.06(c) Wireless Telecommunications Facilities attached to existing buildings or wireless support structures within such residential zoning districts may be allowed as a conditional use. In applying for a conditional use approval in any district, the Applicant must present sufficient evidence as to why it is not technically feasible to locate in a more appropriate nonresidential zone.

1179.06 (f) Tower-Located on an Agricultural Use or Institutional Use Property. A Tower to support a Wireless Telecommunications Facility may be constructed on a property with an agricultural use or institutional use that is a permitted use within the district, including, but not limited to, religious, school, and a municipal or government building, facility or structure, subject to the following conditions and approval of a conditional use application by the City's planning commission:

(1) A Tower greater than fifty (50) feet in height, Tower shall be set back from any property line abutting a singlefamily or two-family residential lot by two hundred (200) feet. A Tower that is equal to or less than fifty (50) feet in height shall be set back from any property line abutting a single-family or two-family residential lot by an amount equal to the height of the Tower plus twenty (20) feet.

(2) The maximum size of the equipment shelter shall not exceed four hundred (400) square feet, or, if there is more than one (1), eight hundred (800) square feet.

(3) Vehicular access to the Tower and equipment shelter shall, whenever feasible, be provided along the circulation driveway of the existing use.

(4) In order to locate a Tower on a property that is vacant or with an agricultural use, the tract shall be at least two and one-half (2.5) acres, or as otherwise determined by the planning commission, unless the Tower is equal to or less than fifty (50) feet in height, then the tract shall be at least one-quarter (.25) acre, or as otherwise determined by the planning commission.

Per 1179.07 - CRITERIA FOR A CONDITIONAL USE, section (a)(3) The Applicant shall present a site/landscaping plan showing the specific placement of the Wireless Telecommunications Facility on the site; showing the location of existing structure(s), trees and other significant site features; and indicating type and locations of plant materials used to screen the facility, and the proposed color of the facility. As discussed with the Planner, a landscaping plan is not required around the existing tower as the area is already wooded. The existing trees provide enough screening to fulfil this requirement.

Please feel free to reach out to me if you have any questions at 217-636-4468 or ngeci@fullerton-us.com.

Thank you,

Nora Geci Project Lead Fullertion DESIGN DEVELOP CONSTRUCT

Office Number: 217-636-4468 ngeci@fullerton-us.com

Permit #	
Board	
Mtg. Date	

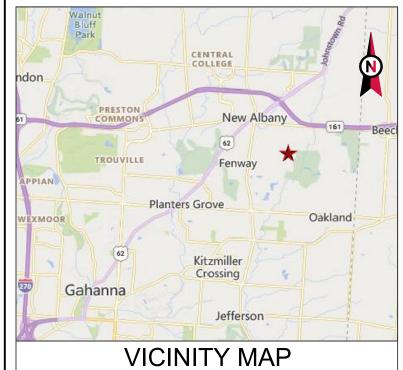


#### **Community Development Planning Application**

	Site Address 4761 Kitzmiller Rd., New Albany, OH 43054					
	Parcel Numbers 222-000580-00					
	Acres # of lots created					
<b>Project Information</b>	Choose Application Type       Circle all Details that Apply         □ Appeal       □         □ Certificate of Appropriateness       ×         X □ Conditional Use       Comprehensive         □ Development Plan       Preliminary         □ Plat       Preliminary         □ Lot Changes       Combination         □ Minor Commercial Subdivision       Split         □ Vacation       Easement         □ Variance       Image: Consistence         □ Extension Request       Amendment (rezoning)         □ Description of Request:       We will be proposing a 34' tower extension					
	Property Owner's Name: The New Albany Company LLC Address: 4761 Kitzmiller Rd. City, State, Zip: New Albany, OH 43054					
Contacts	Phone number:       614-939-8000       Fax:         Email:       TRubey@newalbanycompany.com       Fax:         Applicant's Name:       Nora Geci         Address:       1100 E. Woodfield Rd., #500         City, State, Zip:       Schaumburg, IL 60173         Phone number:       217-636-4468         Email:       ngeci@fullerton-us.com					
Signature	Site visits to the property by City of New Albany representatives are essential to process this application.The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.Signature of Owner Signature of ApplicantDifference Difference09/24/2024 09/24/2024					

Ap	peal			250.00	
	tificate of App	opriateness			
	11	ARB – single and ty	wo family residential	100.00	
			idential or commercial	300.00	
		ARB - Signage		75.00	
Coi	nditional Use			600.00	
Dev	elopment Plan	- Preliminary PUD o		-	
		Planning fee	First 10 acres	750.00	
			Each additional 5 acres or part thereof	50.00 / each	
		Engineering fee	1-25 lots	155.00 / each	
			Minimum fee	1000.00	
		Engineering fee	26 – 50 lots	3875.00	
			Each additional lot over 26	75.00 / each	
		Engineering fee	Over 51 lots	5750.00	
			Each additional lot over 51	50.00 / each	
Dev	elopment Plan			_	
		Planning fee	First 10 acres	650.00 _	
			Each additional 5 acres or part thereof	50.00	
		Engineering fee	1-25 lots		
			(minimum fee \$1,000.00)	155.00 / each	
		Engineering fee	26 – 50 lots	3875.00	
			Each additional lot over 26	75.00 / each	
		Engineering fee	Over 51 lots	5750.00	
	1 (51		Each additional lot over 51	50.00 / each	
	elopment Plan			300.00	
	-	/ Text Amendment		600.00 _	
Plat	– Road Prelim	-		250.00	
		Planning fee	us late an aith an aide of stugat	350.00 1.00 / LF	<u>.</u>
		Engineering fee	no lots on either side of street lots on one side of street	.50 / LF	
DL.	Decletion		Minimum fee	1,000.00	
Plat	– Road Final	Dianaina foo		350.00	
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		Engineering fee	lots on one side of street	.50 / LF	
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DI-4	Cut distates i	Dualination	Minimum fee	1,000.00 _	
Plat	- Subdivision	Planning		650.00	
		Flammig	Plus each lot	50.00 / each	
		Engineering fee	1-25 lots	JU.00 / Cacil _	
		Engineering ree	(minimum fee \$1,000.00)	155.00 / each	
		Engineering fee	26 - 50 lots	3875.00	
			Each lot over 26	75.00 / each	
		Engineering fee	Over 51 lots	5750.00	
		2	Each lot over 51	50.00 / each	

Plat – Subdivision	Planning		(50.00	
	rianning	Plus each lot	650.00	
	Engineering fee	1-25 lots	15.00 / each	
	Engineering ree	(minimum fee \$1,000.00)	155.00 /each	
	Engineering fee	26-50 lots	3875.00	
	Engineering ree	Each lot over 26	75.00 / each	
	Engineering fee	Over 51 lots	5750.00	
	Engineering ree	Each lot over 51	50.00 / each	
Lot Changes			200.00	
Minor Commercial	Subdivision		200.00	
Vacation (Street or			1200.00	<u> </u>
Vaciance	Easement)		1200.00	
	le family commercia	al, subdivision, multiple properties	600.00	
	mily residence	i, subdivision, multiple properties	250.00	
		on of Appropriateness	100.00	**************************************
Extension Request		on of Appropriateness	0.00	·
Extension request			0.00	
Zoning				
8	Rezoning - First 10	acres	700.00	
		Each additional 5 acres or part thereof	50.00 / each	
	Rezoning to Rocky	Fork Blacklick Accord	250.00	
	Text Modification		600.00	
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Easement Encroact	iment		800.00	
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**AMERICAN TOWER®** 

SITE NAME: NEW ALBANY OH 6 SITE NUMBER: 307501 ATC PROJECT NUMBER: 14483463\_C6\_05 SITE ADDRESS: 4765 KITZMILLER RD NEW ALBANY, OH 43054



# **75 FT MONOPOLE MODIFICATIONS** W/ PROPOSED 34 FT EXTENSION

PROJECT TEAM	PROJECT INFORMATION	SHEET	SHEET TITLE	REV			
	1. THE PROJECT DEPICTED IN THESE PLANS IS BASED ON THE	G-001	COVER	0			
TOWER OWNER	RECOMMENDATIONS MADE BY ATC ENGINEERING, DERIVED FROM THE RESULTS OF THE STRUCTURAL ANALYSIS COMPLETED UNDER ENGINEERING	G-002	IBC GENERAL NOTES	0			
AMERICAN TOWER	PROJECT NUMBER 14483463_C3_04 DATED 03/01/24. SATISFACTORY COMPLETION OF THE WORK INDICATED IN THESE PLANS WILL RESULT IN THE	G-003	SPECIAL INSPECTION CHECKLIST	0			
10 PRESIDENTAL WAY	STRUCTURE MEETING THE REQUIREMENTS OF THE SPECIFICATIONS UNDER WHICH THE STRUCTURAL WAS COMPLETED.	G-004	BILL OF MATERIALS	0			
WOBURN, MA 01801	2. SEE SHEET S-201 FOR MODIFICATION SCOPE OF WORK (SOW) AND ANY	C-101	DETAILED SITE PLAN	0			
	ADDITIONAL WORK TO BE COMPLETED.	S-201	MODIFICATION PROFILE				
ENGINEERED BY		S-501	FOUNDATION DETAILS	0			
ATC TOWER SERVICES	PROJECT NOTE	S-502	REINFORCEMENT INSTALLATION DETAILS (1 OF 2)	0			
1 FENTON MAIN STREET, SUITE 300	THE PROJECT DEPICTED IN THESE PLANS QUALIFIES AS AN ELIGIBLE	S-503	REINFORCEMENT INSTALLATION DETAILS (2 OF 2)	0			
	FACILITIES REQUEST ENTITLED TO EXPEDITED REVIEW UNDER 47 U.S.C. § 1455(A) AS A MODIFICATION OF AN EXISTING WIRELESS TOWER THAT	S-504	#20 STEP BOLT BRACKET INSTALLATION DETAILS	0			
CARY, NC 27511	INVOLVES THE COLLOCATION, REMOVAL, AND/OR REPLACEMENT OF TRANSMISSION EQUIPMENT THAT IS NOT A SUBSTANTIAL CHANGE UNDER	S-505	TOP FLANGE PLATE INSTALLATION DETAILS	0			
	CFR § 1.6100 (B)(7).	S-506	INTERFACE WELDMENT INSTALLATION DETAILS	0			
CARRIER INFORMATION	COMPLIANCE CODE	S-507	20 FT MONOPOLE EXTENSION INSTALLATION DETAILS	0			
CARRIER: T-MOBILE		S-508 12 FT MONOPOLE EXTENSION INSTALLATION DETAILS	12 FT MONOPOLE EXTENSION INSTALLATION DETAILS	0			
CARRIER SITE NAME: A6C1157	ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS	Z-501	TOP FLANGE PLATE & CAP PLATE FABRICATION DETAILS	0			
CARRIER SITE NUMBER: A6C1157A	ADOPTED BY THE LOCAL GOVERNMENT AUTHORITIES. NOTHING IN THESE	Z-502	INTERFACE WELDMENT FABRICATION DETAILS	0			
	PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.	Z-503	20 FT MONOPOLE EXTENSION WELDMENT FABRICATION DETAILS	0			
		Z-504	12 FT MONOPOLE EXTENSION WELDMENT FABRICATION DETAILS	0			
	1. ANSI/TIA/EIA: STRUCTURAL STANDARDS (222-H EDITION)	Z-505	MISCELLANEOUS MONOPOLE EXTENSION WELDMENT FABRICATION DETAILS	0			
	2. INTERNATIONAL BUILDING CODE (2015 IBC)						
000	3. OHIO BUILDING CODE (2017)						
	PROJECT LOCATION						
	GEOGRAPHIC COORDINATES						
Know what's below.	LATITUDE: 40.07133333						
Call before you dig.	LONGITUDE: -82.79510000						

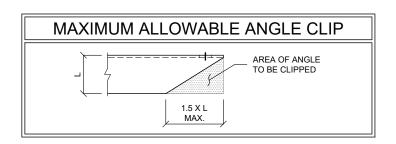
AMERICAN TOW	=R®			
ATC TOWER SERVICES,				
1 FENTON MAIN STREET				
SUITE 300 CARY, NC 27511				
PHONE: (919) 468-0112 COA: Firm.02041				
THESE DRAWINGS AND/OR THE ACCOMPANYING AS INSTRUMENTS OR SERVICE ARE THE EXCLUSI OF AMERICAN TOWER. THEIR USE AND PUBLICAT RESTRICTED TO THE ORIGINAL SITE FOR WHICH T PREPARED ANY USE OR DISCLOSURE OTHER TH- RELATES TO AMERICAN TOWER OR THE SPECIFIE STRICTLY PROHIBITED. ITTLE TO THESE DOCUME REMAIN THE PROPERTY OF AMERICAN TOWER WI THE PROJECT IS EXECUTED. NETHER THE ARCH ENGINEER WILL BE PROVIDING ON SITE CONSTRI OF THIS PROJECT. CONTRACTOR(S) MUST VERIF DIMENSIONS AND ADVISE AMERICAN TOWER OF THIS DIMENSIONS AND ADVISE AMERICAN TOWER OF THIS SUPERSEDE BY THE LATEST VERSION ON FILE Y	VE PROPERTY ION SHALL BE HEY ARE AN THAT WHICH D CARRIER IS NTS SHALL HETHER OR NOT TECT NOR THE ICTION REVIEW ' ALL ICTION REVIEW ' ALL NY WAWING IS			
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	<u>05/28/24</u>			
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ATC SITE NUMBER:				
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ATC SITE NAME:				
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SITE ADDRESS:				
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NEW ALBANY, OH 43054				
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COVER				
SHEET NUMBER:	REVISION:			
	<b>^</b>			
G-001	U			

#### GENERAL

- 1. ALL WORK TO BE COMPLETED PER APPLICABLE LOCAL, STATE, FEDERAL CODES AND ORDINANCES AND COMPLY WITH ATC CONSTRUCTION SPECIFICATIONS FOR WIRELESS TOWER SITES. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING AND ABIDING BY ALL REQUIRED PERMITS.
- 2. ALL WORK INDICATED ON THESE DRAWINGS SHALL BE PERFORMED BY QUALIFIED CONTRACTORS EXPERIENCED IN TOWER AND FOUNDATION CONSTRUCTION.
- THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF RECORD IMMEDIATELY OF ANY INSTALLATION INTERFERENCES. ALL NEW WORK SHALL ACCOMMODATE EXISTING CONDITIONS. DETAILS NOT SPECIFICALLY SHOWN ON THE DRAWINGS SHALL FOLLOW SIMILAR DETAILS FOR THIS JOB.
- 4. ANY SUBSTITUTIONS SHALL CONFORM TO THE REQUIREMENTS OF THESE NOTES AND SPECIFICATIONS, AND SHOULD BE SIMILAR TO THOSE SHOWN. ALL SUBSTITUTIONS SHALL BE SUBMITTED TO THE ENGINEER OF RECORD FOR REVIEW AND APPROVAL PRIOR TO FABRICATION.
- 5. ANY MANUFACTURED DESIGN ELEMENTS SHALL CONFORM TO THE REQUIREMENTS OF THESE NOTES AND SPECIFICATIONS AND SHOULD BE SIMILAR TO THOSE SHOWN. THESE DESIGN ELEMENTS MUST BE STAMPED BY AN ENGINEER PROFESSIONALLY REGISTERED IN THE STATE OF THE PROJECT, AND SUBMITTED TO THE ENGINEER OF RECORD FOR APPROVAL PRIOR TO FABRICATION.
- 6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH LOCAL CODES AND OSHA SAFETY REGULATIONS.
- 7. THE CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND EXECUTION OF ALL MISCELLANEOUS SHORING, BRACING, TEMPORARY SUPPORTS, ETC. NECESSARY, PER ANSI/TIA-322 AND ANSI/ASSE A10.48, TO PROVIDE A COMPLETE AND STABLE STRUCTURE AS SHOWN ON THESE DRAWINGS.
- 8. CONTRACTOR'S PROPOSED INSTALLATION SHALL NOT INTERFERE, NOR DENY ACCESS TO, ANY EXISTING OPERATIONAL AND SAFETY EQUIPMENT.

#### STRUCTURAL STEEL

- 1. STRUCTURAL STEEL SHALL CONFORM TO THE LATEST EDITION OF THE AISC "SPECIFICATION FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS."
- a. ALL W-SHAPES: ASTM A572, GRADE 50, UNLESS NOTED OTHERWISE
- b. ALL OTHER ROLLED SHAPES: ASTM A36, UNLESS NOTED OTHERWISE
- c. HSS SECTION (SQUARE, RECTANGULAR, AND ROUND): ASTM A500, GRADE B, UNLESS NOTED OTHERWISE.
- d. ALL BOLTS FOR CONNECTING STRUCTURAL MEMBERS: ASTM A3125 GRADE A325, TYPE SC OR N, UNLESS NOTED OTHERWISE.
- e. ALL ANCHOR RODS: ASTM F1554, GRADE 36, UNLESS NOTED OTHERWISE.
- 2. ALL EXPOSED STRUCTURAL STEEL MEMBERS SHALL BE HOT-DIPPED GALVANIZED AFTER FABRICATION PER ASTM A123. EXPOSED STEEL HARDWARE AND ANCHOR BOLTS SHALL BE GALVANIZED PER ASTM A153 OR B695.
- 3. ALL U-BOLTS SHALL BE ASTM A36 OR EQUIVALENT, WITH LOCKING DEVICE, UNLESS NOTED OTHERWISE.
- 4. FIELD CUT EDGES, EXCEPT DRILLED HOLES, SHALL BE GROUND SMOOTH.
- 5. ALL FIELD CUT SURFACES, FIELD DRILLED HOLES & GROUND SURFACES WHERE EXISTING PAINT OR GALVANIZATION REMOVAL WAS REQUIRED SHALL BE REPAIRED WITH (2) BRUSHED COATS OF ZRC GALVILITE COLD GALVANIZING COMPOUND PER ASTM A780 AND MANUFACTURERS RECOMMENDATIONS.
- 6. ALL STRUCTURAL STEEL EMBEDDED IN THE CONCRETE SHALL BE APPLIED WITH (2) BRUSHED COATS OF POLYGUARD CA-9 MASTIC OR EQUIVALENT. REFER TO THE MANUFACTURER SPECIFICATIONS FOR SURFACE PREPARATION AND APPLICATION. APPLICATION OF POLYGUARD 400 WRAP IS NOT ESSENTIAL.
- 7. CONTRACTOR SHALL PERFORM WORK ON ONLY ONE (1) TOWER FACE AND REPLACE/REINFORCE ONE (1) BOLT/MEMBER AT A TIME.
- 8. ALL FIELD DRILLED HOLES TO BE USED FOR FIELD BOLTING INSTALLATION SHALL BE STANDARD HOLES, AS DEFINED BY AISC, UNLESS NOTED OTHERWISE.



#### TOLERANCES

- 1. TOLERANCES ON ALL INSTALLATIONS ARE ±1", UNLESS NOTED OTHERWISE.
- 2. TOLERANCES ON FABRICATION DIMENSIONS ARE ±0.030" FOR MACHINING AND ±0.060" FOR STRUCTURAL, UNLESS NOTED OTHERWISE.

#### WELDING

- 1. ALL WELDING TO BE PERFORMED BY AWS CERTIFIED WELDERS AND CONDUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE AWS WELDING CODE D1.1.
- ALL WELDS SHALL BE INSPECTED VISUALLY. IF DIRECTED BY ENGINEER OF RECORD, 25% OF WELDS SHALL BE INSPECTED WITH EITHER ULTRASONIC OR MAGNETIC PARTICLE METHODS. (100% IF REJECTABLE DEFECTS ARE FOUND) TO MEET THE ACCEPTABLE CRITERIA OF AWS D1.1. REPAIR ALL WELDS AS NECESSARY. 100% OF ALL FULL PENETRATION WELDS SHALL BE INSPECTED WITH EITHER ULTRASONIC OR MAGNETIC PARTICLE METHODS.
- 3. INSPECTION SHALL BE PERFORMED BY AN AWS CERTIFIED WELD INSPECTOR.
- 4. ALL ELECTRODES TO BE LOW HYDROGEN, MATCHING FILLER AND/OR BASE METAL, PER AWS D1.1, UNLESS NOTED OTHERWISE.
- IN CASES WHERE BASE METAL GRADE IS UNKNOWN, ALL WELDING ON LATTICE TOWERS SHALL BE DONE WITH E70XX ELECTRODES; ALL WELDING ON POLE STRUCTURES SHALL BE DONE WITH E80XX ELECTRODES, UNLESS NOTED OTHERWISE.
- 6. PRIOR TO FIELD WELDING GALVANIZED MATERIAL, CONTRACTOR SHALL GRIND OFF GALVANIZING 1/2" BEYOND ALL FIELD WELD SURFACES. AFTER WELD AND WELD INSPECTION IS COMPLETE, REPAIR ALL GROUND AND WELDED SURFACES WITH ZRC GALVILITE COLD GALVANIZING COMPOUND PER ASTM A780 AND MANUFACTURERS RECOMMENDATIONS.

#### PAINT

1. AS REQUIRED, CLEAN AND PAINT PROPOSED STEEL ACCORDING TO FAA ADVISORY CIRCULAR AC 70/7460-1L.

#### BOLT TIGHTENING PROCEDURE

- 1. STRUCTURAL CONNECTIONS TO BE ASSEMBLED AND INSPECTED IN ACCORDANCE WITH RCSC SPECIFICATIONS.
- 2. ALL BOLTS WHOSE AXES ARE INSTALLED VERTICALLY, UNLESS OTHERWISE NOTED, SHALL BE INSTALLED AND TIGHTENED PER SECTION 8.2.1 THROUGH 8.2.4 OF THE RCSC "SPECIFICATION FOR STRUCTURAL JOINTS USING HIGH-STRENGTH BOLTS" PER THE FOLLOWING GUIDELINES:

#### FOR A325 BOLTS 1" DIAMETER AND LESS:

a. DIRECT TENSION INDICATING (DTI) SQUIRTER WASHERS: WASHERS SHALL BE INSTALLED AND ORIENTED / TIGHTENED PER MANUFACTURER SPECIFICATIONS TO ACHIEVE DESIRED LEVEL OF BOLT PRE-TENSION.

FOR A325 BOLTS EXCEEDING 1" DIAMETER AND ALL OTHER HIGH STRENGTH BOLTS, ONE OF THE FOLLOWING METHODS SHALL BE USED:

- a. DIRECT TENSION INDICATING (DTI) SQUIRTER WASHERS: WASHERS SHALL BE INSTALLED AND ORIENTED / TIGHTENED PER MANUFACTURER SPECIFICATIONS TO ACHIEVE DESIRED LEVEL OF BOLT PRE-TENSION.
- b. RCSC "TURN-OF-THE-NUT" METHOD: PRIOR TO APPLICATION OF TURN-OF-NUT PRETENSIONING, ALL BOLTS IN THE CONNECTION SHALL BE BROUGHT TO A SNUG TIGHT CONDITION AS DEFINED IN RCSC SECTION 8.1, AND MATCH-MARKING OF THE NUTS AND PROTRUDING END OF THE BOLTS MUST BE IMPLEMENTED FOR ALL BOLTS IN THE CONNECTION.

SUBSEQUENTLY, ALL BOLTS SHALL BE ROTATED BEYOND SNUG TIGHT CONDITION USING THE CHART BELOW:

#### BOLT LENGTHS UP TO AND INCLUDING FOUR DIAMETERS

- 1/2" BOLTS UP TO AND INCLUDING 2.0 INCH LENGTH +1/3 TURN BEYOND SNUG TIGHT
- 5/8" BOLTS UP TO AND INCLUDING 2.5 INCH LENGTH +1/3 TURN BEYOND SNUG TIGHT
- 3/4" BOLTS UP TO AND INCLUDING 3.0 INCH LENGTH +1/3 TURN BEYOND SNUG TIGHT
- 7/8" BOLTS UP TO AND INCLUDING 3.5 INCH LENGTH +1/3 TURN BEYOND SNUG TIGHT
- 1" BOLTS UP TO AND INCLUDING 4.0 INCH LENGTH +1/3 TURN BEYOND SNUG TIGHT
- 1-1/8" BOLTS UP TO AND INCLUDING 4.5 INCH LENGTH +1/3 TURN BEYOND SNUG TIGHT
- 1-1/4" BOLTS UP TO AND INCLUDING 5.0 INCH LENGTH +1/3 TURN BEYOND SNUG TIGHT
- 1-3/8" BOLTS UP TO AND INCLUDING 5.5 INCH LENGTH +1/3 TURN BEYOND SNUG TIGHT 1-1/2" BOLTS UP TO AND INCLUDING 6.0 INCH LENGTH +1/3 TURN BEYOND SNUG TIGHT

#### BOLT I ENGTHS OVER FOUR DIAMETERS BUT NOT EXCEEDING FIGHT DIAMETERS

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1/2"	BOLTS 2.25 TO 4.0 INCH LENGTH	+1/2 TURN BEYOND SNUG TIGHT
5/8"	BOLTS 2.75 TO 5.0 INCH LENGTH	+1/2 TURN BEYOND SNUG TIGHT
3/4"	BOLTS 3.25 TO 6.0 INCH LENGTH	+1/2 TURN BEYOND SNUG TIGHT
7/8"	BOLTS 3.75 TO 7.0 INCH LENGTH	+1/2 TURN BEYOND SNUG TIGHT
1"	BOLTS 4.25 TO 8.0 INCH LENGTH	+1/2 TURN BEYOND SNUG TIGHT
1-1/8"	BOLTS 4.75 TO 9.0 INCH LENGTH	+1/2 TURN BEYOND SNUG TIGHT
1-1/4"	BOLTS 5.25 TO 10.0 INCH LENGTH	+1/2 TURN BEYOND SNUG TIGHT
1-3/8"	BOLTS 5.75 TO 11.0 INCH LENGTH	+1/2 TURN BEYOND SNUG TIGHT
1-1/2"	BOLTS 6.25 TO 12.0 INCH LENGTH	+1/2 TURN BEYOND SNUG TIGHT

3. ALL OTHER BOLTED CONNECTIONS SHALL BE BROUGHT TO A SNUG TIGHT CONDITION AS DEFINED IN SECTION 8.1 OF THE SPECIFICATION.

#### BOLT TIGHTENING PROCEDURE (CONT'D)

4. ALL BOLT HOLES SHALL BE ALIGNED TO PERMIT INSERTION OF THE BOLTS WITHOUT UNDUE DAMAGE TO THE THREADS. BOLTS SHALL BE PLACED IN ALL HOLES WITH WASHERS POSITIONED AS REQUIRED AND NUTS THREADED TO COMPLETE THE ASSEMBLY. COMPACTING THE JOINT TO THE SNUG-TIGHT CONDITION SHALL PROGRESS SYSTEMATICALLY FROM THE MOST RIGID PART OF THE JOINT. THE SNUG-TIGHTENED CONDITION IS THE TIGHTNESS THAT IS ATTAINED WITH A FEW IMPACTS OF AN IMPACT WRENCH OR THE FULL EFFORT OF AN IRONWORKER USING AN ORDINARY SPUD WRENCH TO BRING THE CONNECTED PLIES INTO FIRM CONTACT.

#### APPLICABLE CODES AND STANDARDS

- 1. ANSI/TIA: STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORTING STRUCTURES, 222-H EDITION.
- 2. 2015 INTERNATIONAL BUILDING CODE.
- 3. 2017 OHIO BUILDING CODE.
- ACI 318: AMERICAN CONCRETE INSTITUTE, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE. REFERENCE LATEST APPROPRIATE EDITION TO MATCH LOCAL AND/OR INTERNATIONAL BUILDING CODE(S) LISTED ABOVE.
- 5. CRSI: CONCRETE REINFORCING STEEL INSTITUTE, MANUAL OF STANDARD PRACTICE, LATEST EDITION.
- 6. AISC: AMERICAN INSTITUTE OF STEEL CONSTRUCTION, MANUAL OF STEEL CONSTRUCTION, LATEST EDITION.
- 7. AWS: AMERICAN WELDING SOCIETY D1.1, STRUCTURAL WELDING CODE, LATEST EDITION.

#### SPECIAL INSPECTION

- A QUALIFIED INDEPENDENT TESTING LABORATORY, EMPLOYED BY THE OWNER, SHALL PERFORM INSPECTION AND TESTING IN ACCORDANCE WITH 2017 OHIO BUILDING CODE, SECTION 1704 AS REQUIRED BY PROJECT SPECIFICATIONS FOR THE FOLLOWING CONSTRUCTION WORK:
  - a) STRUCTURAL WELDING (CONTINUOUS INSPECTION OF FIELD WELD ONLY).
  - b) HIGH STRENGTH BOLTS (PERIODIC INSPECTION OF A325 EXTENSION FLANGE BOLTS TO BE TIGHTENED PER "TURN-OF-THE-NUT" METHOD)
- 2. THE INSPECTION AGENCY SHALL SUBMIT INSPECTION AND TEST REPORTS TO THE BUILDING DEPARTMENT, THE ENGINEER OF RECORD, AND THE OWNER IN ACCORDANCE WITH 2015 INTERNATIONAL BUILDING CODE, SECTION 1704, UNLESS THE FABRICATOR IS APPROVED BY THE BUILDING OFFICIAL TO PERFORM SUCH WORK WITHOUT THE SPECIAL INSPECTIONS.

AMERICAN TOWER ATC TOWER SERVICES, LLC **1 FENTON MAIN STREET** SUITE 300 CARY, NC 27511 PHONE: (919) 468-0112 COA: Firm.02041 THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OR SERVICE ARE THE EXCLUSIVE PROPERT AS INSTRUMENTS OR SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRUCTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH DELATED TAMERICAN TOWER OF THE DECOMPOSITION ADDRESS RELATES TO AMERICAN TOWER OR THE SPECIFIED CARRIER IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER WHETHER OR NO THE PROJECT IS EXECUTED. NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON-SITE CONSTRUCTION REVIEW OF THIS PROJECT. CONTRACTOR(S) MUST VERIFY ALL DIMENSIONS AND ADVISE AMERICAN TOWER OF ANY DISCREPANCIES. ANY PRIOR ISSUANCE OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN REV. DESCRIPTION BY DATE FIRST ISSUE SEP 05/28/24 ATC SITE NUMBER: 307501 ATC SITE NAME: **NEW ALBANY OH 6** OHIO SITE ADDRESS: 4765 KITZMILLER RD NEW ALBANY, OH 43054 WINDIN EOFO KINGSLEY C. **IGBOANUGO** E-81666 GISTE SIONAL IN Digitally Signed: 2024-05-31 DRAWN BY: SEP APPROVED BY: CLJ DATE DRAWN: 05/28/24 ATC JOB NO: 14483463\_C6\_05 **IBC GENERAL NOTES** SHEET NUMBER: REVISION G-002 0

#### MODIFICATION INSPECTION NOTES

THE SPECIAL INSPECTION (SI) PROCEDURE IS INTENDED TO CONFIRM THAT CONSTRUCTION AND INSTALLATION MEETS ENGINEERING DESIGN, ATC PROCEDURES AND ATC STANDARD SPECIFICATIONS FOR WIRELESS TOWER SITES.

TO ENSURE THAT THE REQUIREMENTS OF THE SI ARE MET, IT IS VITAL THAT THE GENERAL CONTRACTOR AND THE INSPECTOR BEGIN COMMUNICATING AND COORDINATING AS SOON AS A PO IS RECEIVED FROM AMERICAN TOWER CORPORATION (ATC). IT IS EXPECTED THAT EACH PARTY WILL PROACTIVELY REACH OUT TO THE OTHER PARTY. IF CONTACT INFORMATION IS NOT KNOWN, CONTACT YOUR AMERICAN TOWER POINT OF CONTACT.

#### SPECIAL INSPECTOR

THE SPECIAL INSPECTOR IS REQUIRED TO CONTACT THE GENERAL CONTRACTOR AS SOON AS RECEIVING A PO FROM ATC. UPON RECEIVING A PO FROM ATC THE SPECIAL INSPECTOR AT A MINIMUM MUST:

- REVIEW THE REQUIREMENTS OF THE SI CHECKLIST.
- WORK WITH THE GENERAL CONTRACTOR TO DEVELOP A SCHEDULE TO CONDUCT ON-SITE INSPECTIONS, INCLUDING FOUNDATION INSPECTIONS.
- ANY CONCERNS WITH THE SCOPE OF WORK OR PROJECT COMMITMENT MUST BE RELAYED TO THE ATC POINT OF CONTACT IMMEDIATELY.

THE SPECIAL INSPECTOR IS RESPONSIBLE FOR COLLECTING ALL GENERAL CONTRACTOR INSPECTION AND TEST REPORTS, REVIEWING THESE DOCUMENTS FOR ADHERENCE TO CONTRACT DOCUMENTS, CONDUCTING THE IN-FIELD INSPECTIONS, AND SUBMITTING THE SI REPORT TO AMERICAN TOWER CORPORATION.

#### GENERAL CONTRACTOR

THE GENERAL CONTRACTOR IS REQUIRED TO CONTACT THE SI INSPECTOR AS SOON AS RECEIVING A PO FOR THE MODIFICATION INSTALLATION OR TURNKEY PROJECT TO, AT A MINIMUM:

- REVIEW THE REQUIREMENTS OF THE SI CHECKLIST.
- WORK WITH THE SI TO DEVELOP A SCHEDULE TO CONDUCT ON-SITE INSPECTIONS, INCLUDING FOUNDATION
  INSPECTIONS.
- BETTER UNDERSTAND ALL INSPECTION AND TESTING REQUIREMENTS.

THE GENERAL CONTRACTOR SHALL PERFORM AND RECORD THE TEST AND INSPECTION RESULTS IN ACCORDANCE WITH THE REQUIREMENTS OF THE SI CHECKLIST.

INSPECTION DOCUMENT	DESCRIPTION	INSPECTION TESTING REQUIRED	RESPONSIBILITY	PRE CX	DURING CX	
SPECIAL INSPECTION FIELD WORK & REPORT	DOCUMENTATION AND SITE VISIT CONDUCTED BY AN ATC APPROVED SPECIAL INSPECTOR AS REQUIRED BY ATC AND OTHER AUTHORITIES HAVING JURISDICTION. INSPECTION PARAMETERS TO FOLLOW ATC'S STANDARD SPECIFICATION FOR WIRELESS TOWER SITES.	•	SI			
ENGINEERING ASSEMBLY DRAWINGS	GC SHALL SUBMIT DRAWINGS TO SI FOR INCLUSION IN SI REPORT	<b>√</b>	GC	<b>v</b>		
FABRICATED MATERIAL VERIFICATION & INSPECTION	MTR AND OR MILL CERTIFICATIONS FOR SUPPLIED MATERIALS GC SHALL SUPPLY SI WITH REPORTS TO BE INCLUDED IN SI REPORT WHEN REQUIRED BY ATC	•	SI	✓		
CERTIFIED WELD INSPECTION	INSPECTION AND REPORT OF STRUCTURAL WELDING PERFORMED DURING PROJECT COMPLETED BY A CWI AND INCLUDED WITHIN SI REPORT	•	GC / TA	•	~	
FOUNDATION INSPECTION & VERIFICATION	VISUAL OBSERVATION AND APPROVAL OF FOUNDATION EXCAVATION, REBAR PLACEMENT, CASING/SHORING/FORMING PLACEMENT, AND ANCHOR TEMPLATE AND ANCHOR PLACEMENT - TO BE SI APPROVED PRIOR TO CONCRETE POUR AND DOCUMENTED IN THE SI REPORT		SI			
ANCHOR, ROCK ANCHOR OR HELICAL PULL-OUT TEST	PULL TESTING OF INSTALLED ANCHORS TO BE COMPLETED AND DOCUMENTED IN SI REPORT		GC / TA			
CONCRETE INSPECTION & VERIFICATION	CONCRETE MIX DESIGN, SLUMP TEST, COMPRESSIVE TESTING, AND SAMPLE GATHERING TECHNIQUES ARE TO BE PROVIDED FOR INCLUSION IN THE SI REPORT. SI SHALL VERIFY CONCRETE PLACEMENT AS REQUIRED BY THE DESIGN DOCUMENTS (INSPECTION FREQUENCY IS MARKED CONTINUOUS)		GC / TA			
DYWIDAG PLACEMENT/ANCHOR BOLT EMBEDMENT - EPOXY/GROUT INSTALL	ANCHOR/BAR EMBEDMENT, HOLE SIZE, EPOXY/GROUT TYPE, INSTALLATION TEMPERATURE AND INSTALLATION SHALL BE VERIFIED BY THE SI AND INCLUDED IN THE SI REPORT	•	GC / SI		*	
BASE PLATE GROUT INSPECTION & VERIFICATION	BASE PLATE GROUTING TYPE AND PLACEMENT SHALL BE CONFIRMED BY THE SI AND INCLUDED IN THE SI REPORT		GC / SI			
EARTHWORK INSPECTION & VERIFICATION	EXCAVATION, FILL, SLOPE, GRADE AND OTHER EARTHWORK REQUIREMENTS PER PLANS SHALL BE VERIFIED BY THE SI AND INCLUDED IN THE SI REPORT		GC / TA			
COMPACTION VERIFICATION	CONTRACTOR SHALL PROVIDE AN INDEPENDENT THIRD PARTY CERTIFIED INSPECTION WHICH PROVIDES TEST RESULTS FOR COMPACTION TEST OF SOILS IN PLACE TO ASTM STANDARDS.		GC / TA			
GROUND TESTING & VERIFICATION	GC SHALL PROVIDE DOCUMENTATION SHOWING THAT THE GROUNDING SYSTEM SHALL HAVE A MEASURED RESISTANCE TO THE GROUND OF NOT MORE THAN THE RECOMMENDED 10 OHMS. PER THE ATC CONSTRUCTION SPECIFICATION UNDER SECTION 2.15 THIS DOCUMENTATION MUST BE AN INDEPENDENT CERTIFICATION.		GC			
STEEL CONSTRUCTION INSPECTION & VERIFICATION	VISUAL OBSERVATION AND APPROVAL OF STEEL CONSTRUCTION TO BE PERFORMED BY THE SI. INSPECTION TO INCLUDE VERIFICATION OF NEW CONSTRUCTION OR MODIFICATION OF EXISTING CONSTRUCTION PER ENGINEERED PLANS. DETAILED VERIFICATION SHALL BE INCLUDED IN SI REPORT.	•	SI			
ON-SITE COLD GALVANIZING VERIFICATION	SI SHALL VERIFY WITH GC ALL COLD GALVANIZATION TYPE AND APPLICATION AND INCLUDE SUMMARY IN SI REPORT	✓	GC			
GUY WIRE TENSIONING & TOWER ALIGNMENT REPORT	GC SHALL PROVIDE SI EVIDENCE OF PROPER GUY TENSIONING AND TOWER PLUMB PER PLANS. SI SHALL VERIFY AND INCLUDE PLUMB AND TENSION REPORTING IN SI REPORT.		GC			
GC AS-BUILT DRAWINGS WITH CONSTRUCTION RED-LINES	GC SHALL SUBMIT "AS-BUILT" DRAWINGS INDICATING ANY APPROVED CHANGES TO ENGINEERED PLANS TO SI FOR APPROVAL/REVIEW AND INCLUSION IN SI REPORT	•	GC			
SI AS-BUILT DRAWINGS WITH INSPECTION RED-LINES (AS REQUIRED)	SI SHALL SUBMIT "AS-BUILT" DRAWINGS INDICATING ANY APPROVED CHANGES TO ENGINEERED PLANS WITHIN SI REPORT	<b>√</b>	SI			
TIA INSPECTION	SI SHALL COMPLETE TIA INSPECTION AND PROVIDE SEPARATE TIA INSPECTION DOCUMENTATION TO ATC CM		SI			
PHOTOGRAPHS	PHOTOGRAPHIC EVIDENCE OF SPECIAL INSPECTION, ON SITE REMEDIATION, AND ITEMS FAILING INSPECTION & REQUIRING FOLLOW UP TO BE INCLUDED WITHIN THE SI REPORT. COMPLETE PHOTO LOG IS TO BE SUBMITTED WITHIN SI REPORT.	•	GC / SI			
NOTE: SPECIAL INSPECTIONS ARE INTENDED TO BE A COLLABORATIVE EF WORK TO COMPILE EVIDENCE OF PROPER CONSTRUCTION AND LIMIT TH	FORT BETWEEN GC AND SI. WHENEVER POSSIBLE GC IS TO PROVIDE SI WITH PHOTOGRAPHIC OR OTHER ACCEPTABLE EVIDENCE E NUMBER OF SI SITE VISITS REQUIRED.	OF PROPER INSTALLATIO	ON IF PERIODIC INS	PECTION F	REQUENCY IS A	CCEF
TABLE KEY:         SI - ATC APPROVED SPECIAL INSPECTOR       CX - CONSTRUCTION         GC - GENERAL CONTRACTOR       CM - CONSTRUCTION MANA         TA - 3RD PARTY TESTING AGENCY       ATC - AMERICAN TOWER CC						

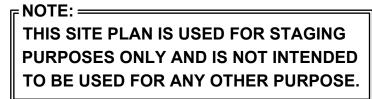
	AMERICAN TOWER® ATC TOWER SERVICES, LLC 1 FENTON MAIN STREET SUITE 300 CARY, NC 27511 PHONE: (919) 468-0112 COA: Firm.02041			
	THESE DRAWINGS AND/OR THE ACCOMPANYIN AS INSTRUMENTS OR SERVICE ARE THE EXCLU OF AMERICAN TOWER. THEIR USE AND PUBLIC. RESTRICTED TO THE ORIGINAL SITE FOR WHICI PREPARED. ANY USE OR DISCLOSURE OTHER I RELATES TO AMERICAN TOWER OR THE SPECIF STRICTLY PROHIBITED. THLE TO THESE DOCUN REMAIN THE PROPERTY OF AMERICAN TOWER THE PROJECT IS EXECUTED. NEITHER THE ARG ENGINEER WILL BE PROVIDING ON-SITE CONST OF THIS PROJECT. CONTRACTORY, MUST VER DIMENSIONS AND ADVISE AMERICAN TOWER O DISCREPANCIES. ANY PRIOR ISSUANCE OF THIS SUPERSEDED BY THE LATEST VERSION ON FILL TOWER.	ISIVE PROPERTY ATION SHALL BE H THEY ARE HAN THAT WHICH FIED CARRIER IS MENTS SHALL WHETHER OR NOT HITECT NOR THE RUCTION REVIEW IFY ALL F ANY S DRAWING IS		
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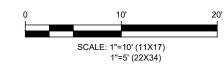
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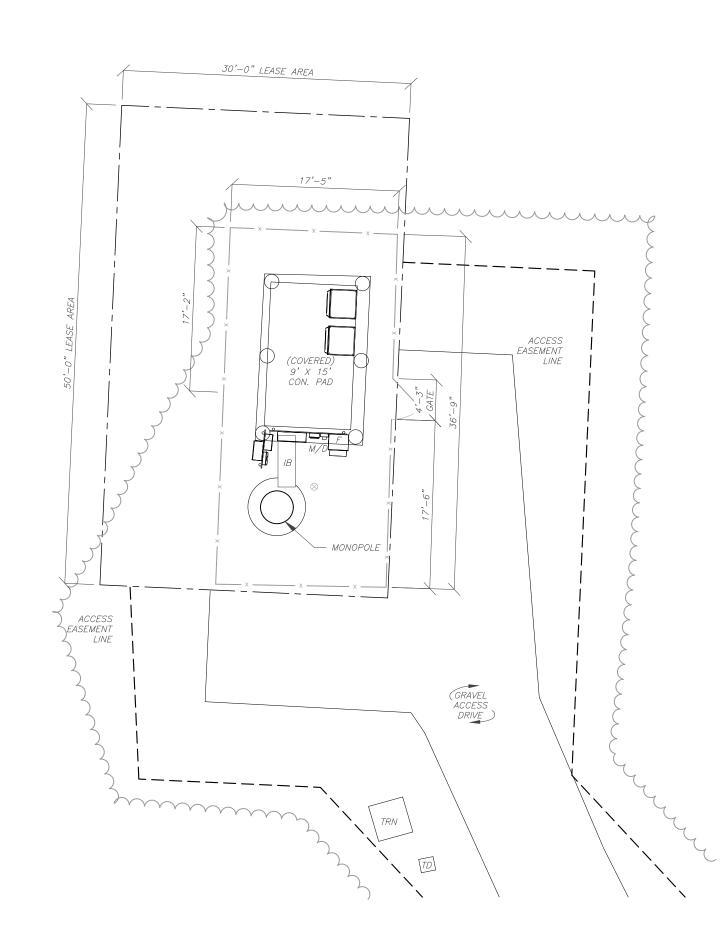
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	QUANTITY PROVIDED	PART NUMBER	DESCRIPTION	LENGTH	SHEET LIST	PART WEIGHT	WEIGHT (Ib)	N
			#20 DYWIDAG REINFORCEMENT MATERIAL & HARDWARE					
8	8	DYD-20-ATR-30	#20 ALL THREAD ROD 30'	30'-0''	S-502	501.0	4008	GALVANIZED
4	4	DYD-20-ATR-PF	#20 ALL THREAD ROD (PER FT)	7'-6"	S-502	125.3	501	GALVANIZED
8	8	DYD-20-COUP-00	#20 COUPLING HDG					GALVANIZED
16	16	DYD-20-HN-00	#20 HEX NUT HDG					GALVANIZED
88	88	BR-20C	L 6" X 3 1/2" X 3/8"	1'-0''	S-502	12.3	1082	CONCENTRIC
4	4	TB-20C-12	L 6" X 3 1/2" X 3/8"	3'-6 3/4"	S-502	43.8	175	CONCENTRIC
264	277	UB-580-3125	U-BOLT ASSEMBLIES FOR #20 ROD					GALVANIZED
204	214	NG-0625-0875-A490	NEXGEN2 BLIND BOLT ASSEMB., M20 W/ SPRING SLEEVE, A490					ALLFASTENERS - 2NG206
40	45	#20SB	STEP BOLT WELDMENT	0'-7 1/4"	S-504	2.5	113	
3	3		STUD MOUNT CABLE GUIDE - 1/2"Ø					ALLFASTENERS - 14AFT
3	3		ROUND LEG INTERMEDIATE BRACKET					ALLFASTENERS - 14AFR
			34 FT EXTENSION MATERIAL & HARDWARE					
1	1	CP18BC	PL 1/8" X 22"	1'-10''	S-508, Z-501	14.1	14	
2	2	370501-1	PL 1 1/2" X 23"	0'-11 1/2"	S-505, Z-501	68.6	137	
3	3	370501-2	INTERFACE WELDMENT	2'-0''	S-506, Z-502	183.4	550	
1	1	370501-3	14" OD PIPE EXTENSION WELDMENT	20'-0''	S-507, Z-503, Z-505	1476.3	1476	
1	1	370501-4	14" OD PIPE EXTENSION WELDMENT	12'-0"	S-508, Z-504, Z-505	953.2	953	
20	20	DK 4000 475 4005		4.0/4!!				
30 30	32 32	BK-1000-475-A325 SW-1000-A325	BOLT, 1"Ø A325 W/ HHN-LKW-FW, GALVANIZED DTI SQUIRTER WASHER, 1"Ø (A325 RATED)	4 3/4"				ALLFASTENERS - 2DTIG1
2	3	BK-1000-350-A325	BOLT, 1"Ø A325 W/ HHN-LKW-FW, GALVANIZED	3 1/2"				ALLFASTENERS - 2DTIGT
			SAFETY CLIMB					
1	1	SC-PM-110-SSC	SAFETY CLIMB (GALVANIZED, STAINLESS STEEL CABLE)	110'-0"				
28	29	SB-625-8250	STEP BOLT					
56	58		LOCK WASHER, 5/8"Ø					GALVANIZED
56	58		HEAVY HEX NUT, 5/8"Ø ASTM A563 DH					GALVANIZED
	1			1		1	1	1

NOTES	AMERICAN TOWER®
	ATC TOWER SERVICES, LLC
	1 FENTON MAIN STREET SUITE 300
	CARY, NC 27511 PHONE: (919) 468-0112
	COA: Firm.02041
2NG2060	THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OR SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AMERICAN TOWER OR THE SPECIFIED CARRIER IS STRUCTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER WHETHER OR NOT THE PROJECT IS EXECUTED. NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON-SITE CONSTRUCTION REVIEW OF THIS PROJECT. CONTRACTOR(S) MUST VERIFY ALL DIMENSIONS AND ADVISE AMERICAN TOWER OF ANY DISCREPANCIES. ANY PRIOR ISSUANCE OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN TOWER.
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	KINGSLEY C. IGBOANUGO E-81666
	Digitally Signed: 2024-05-31
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	APPROVED BY: CLJ
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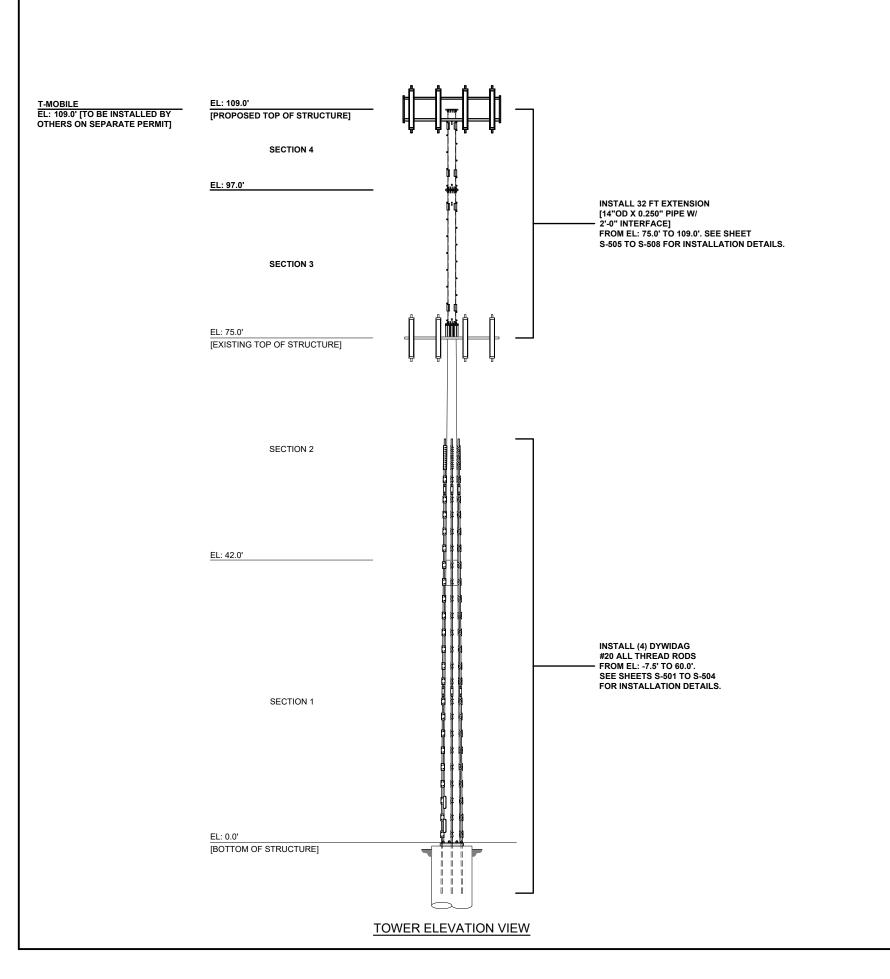


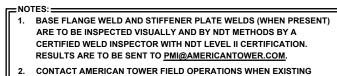






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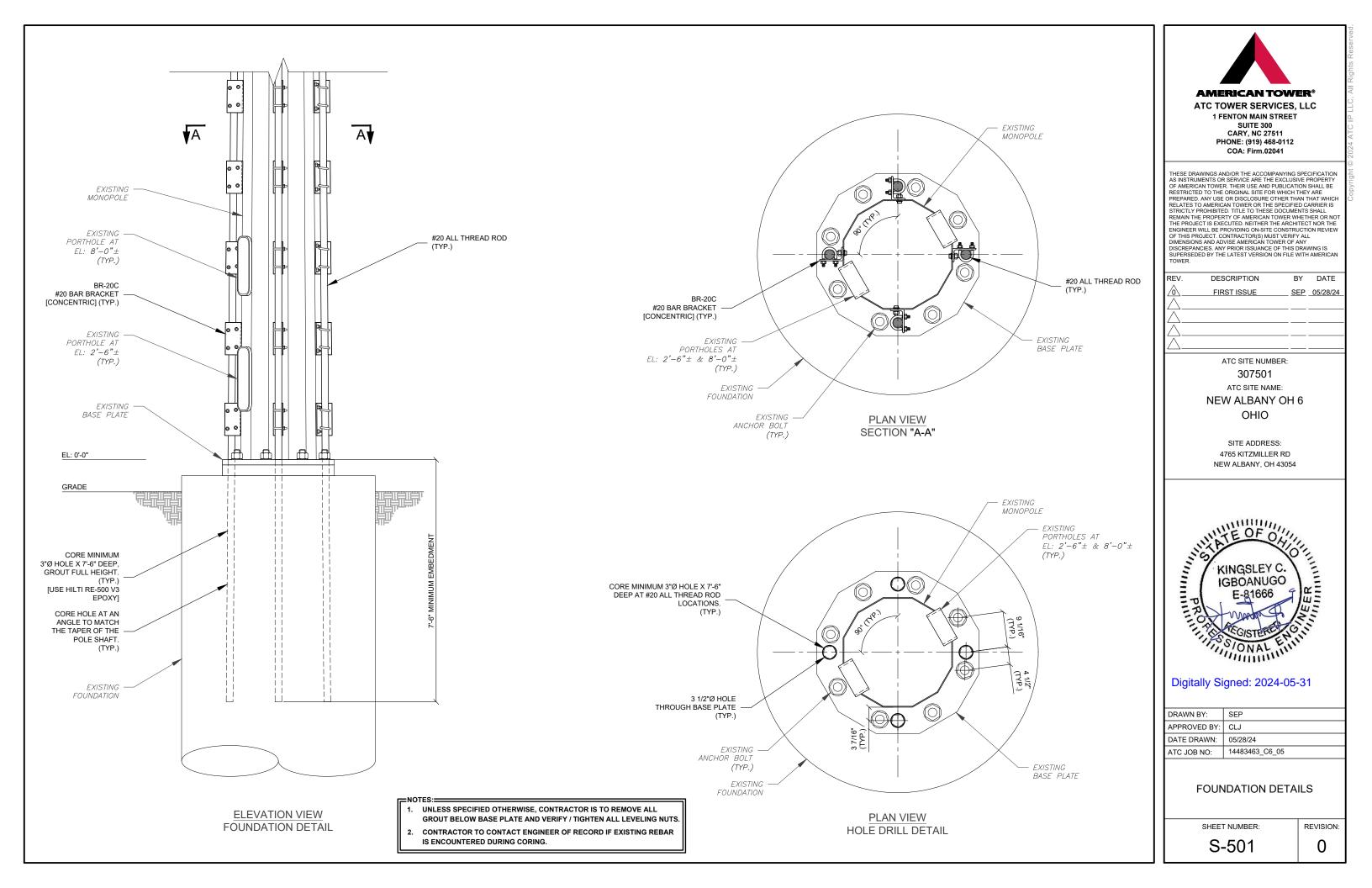


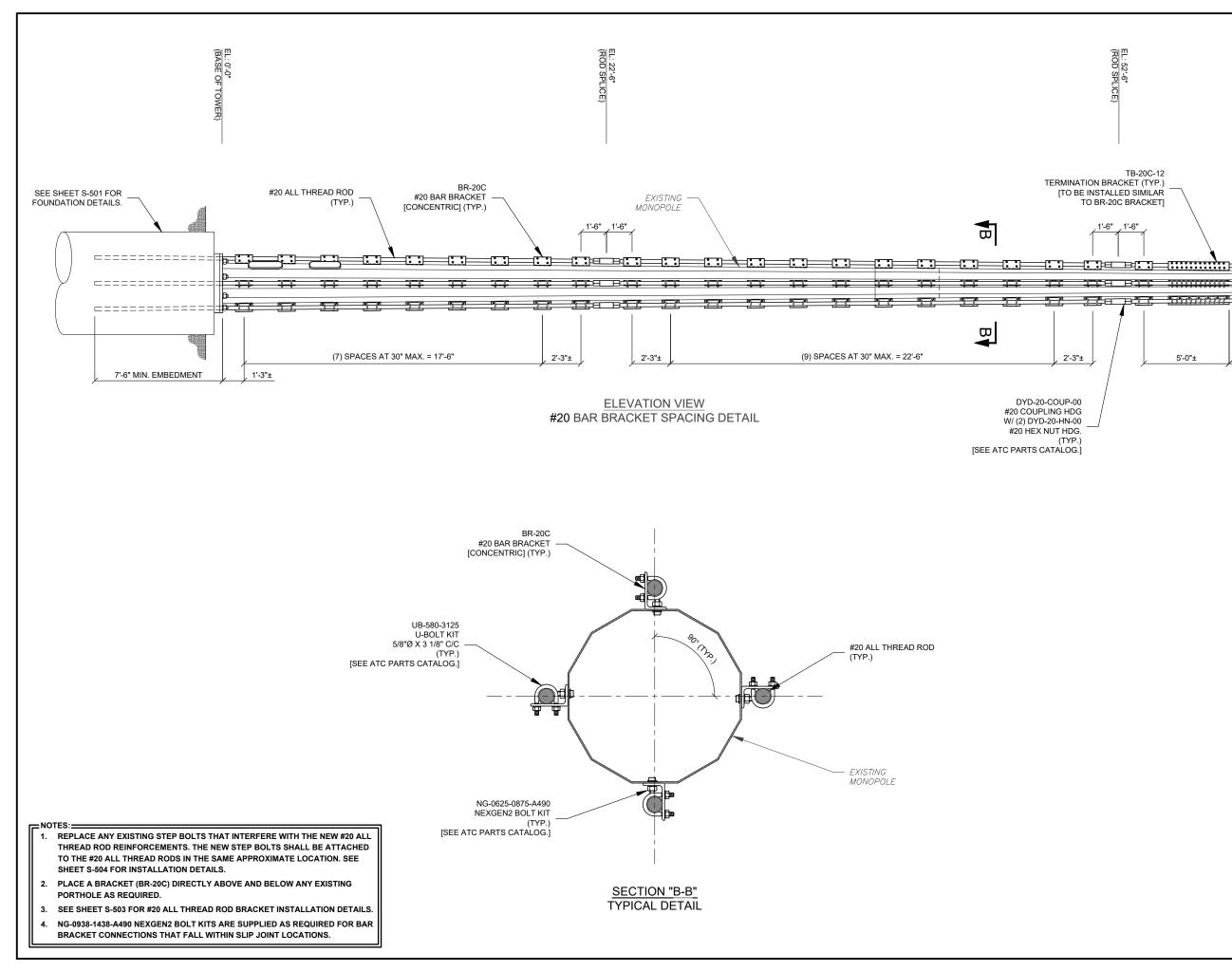


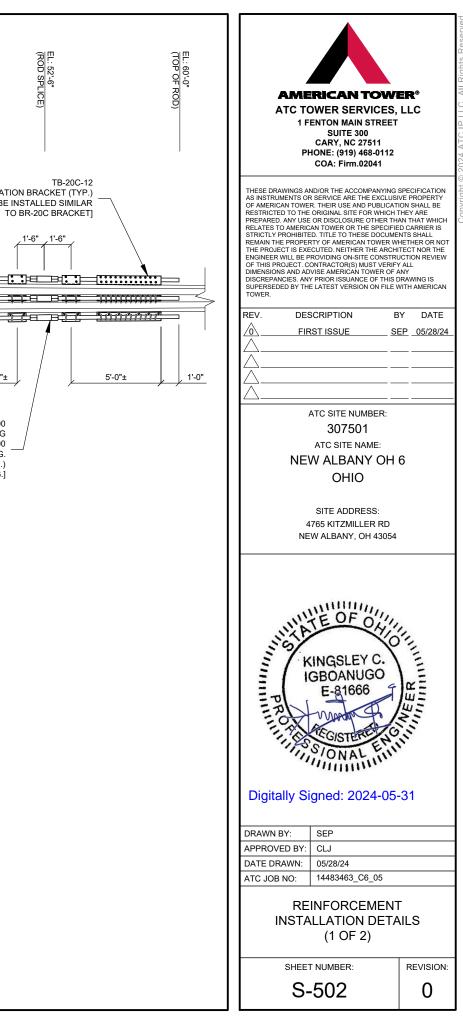
EQUIPMENT INTERFERES WITH INSTALLATION OF MODIFICATIONS. ONCE APPROVED, EXISTING EQUIPMENT MAY BE TEMPORARILY MOVED DURING INSTALLATION & REINSTALLED TO THE ORIGINAL HEIGHT & LOCATION BY CONTRACTOR POST COMPLETION OF MODIFICATIONS.

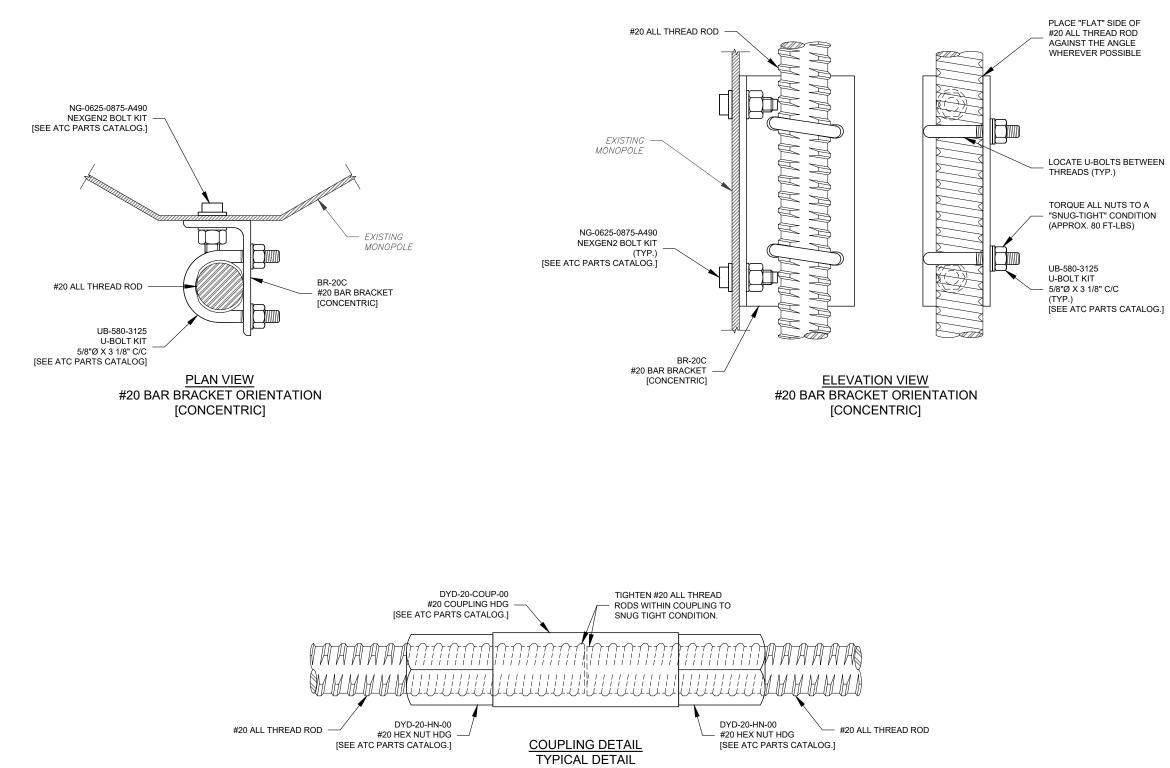
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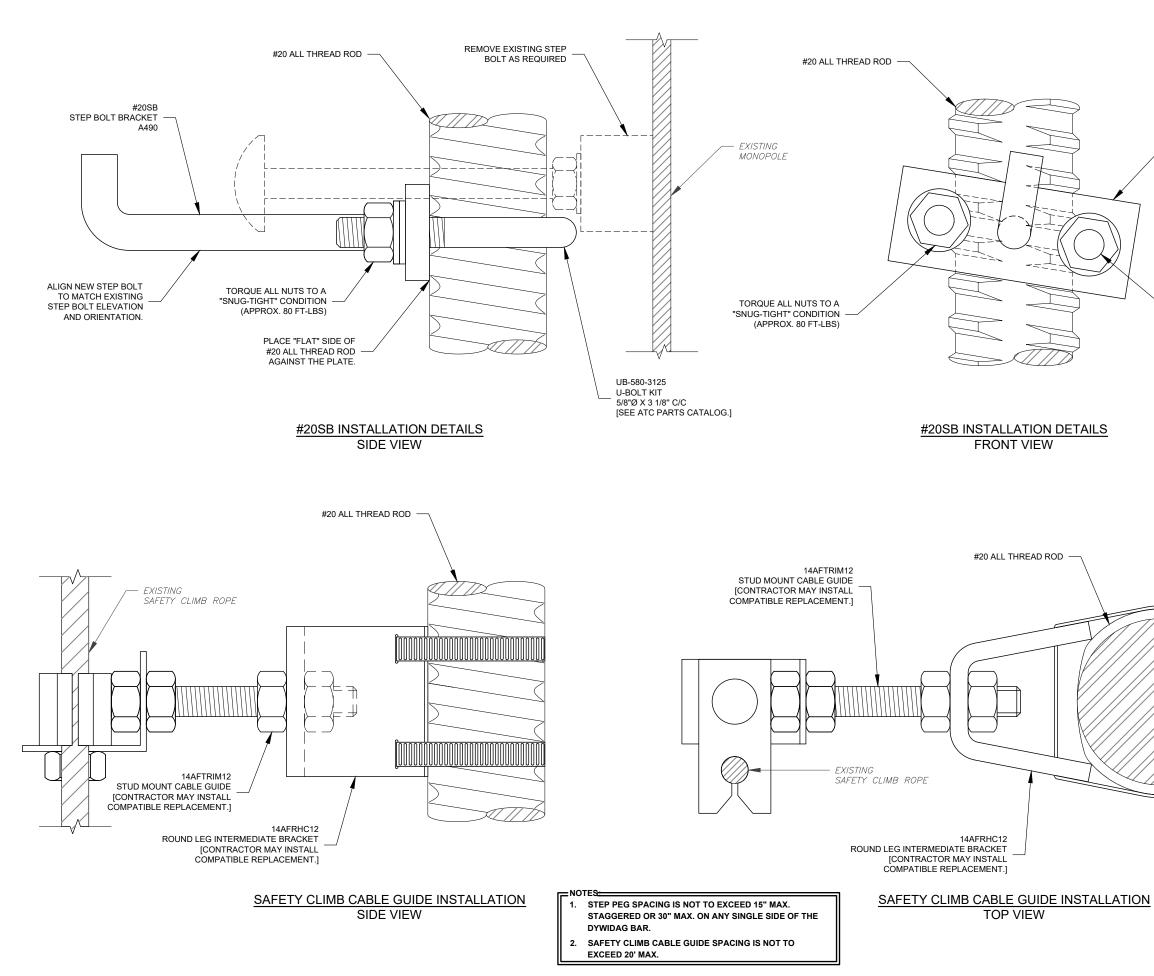


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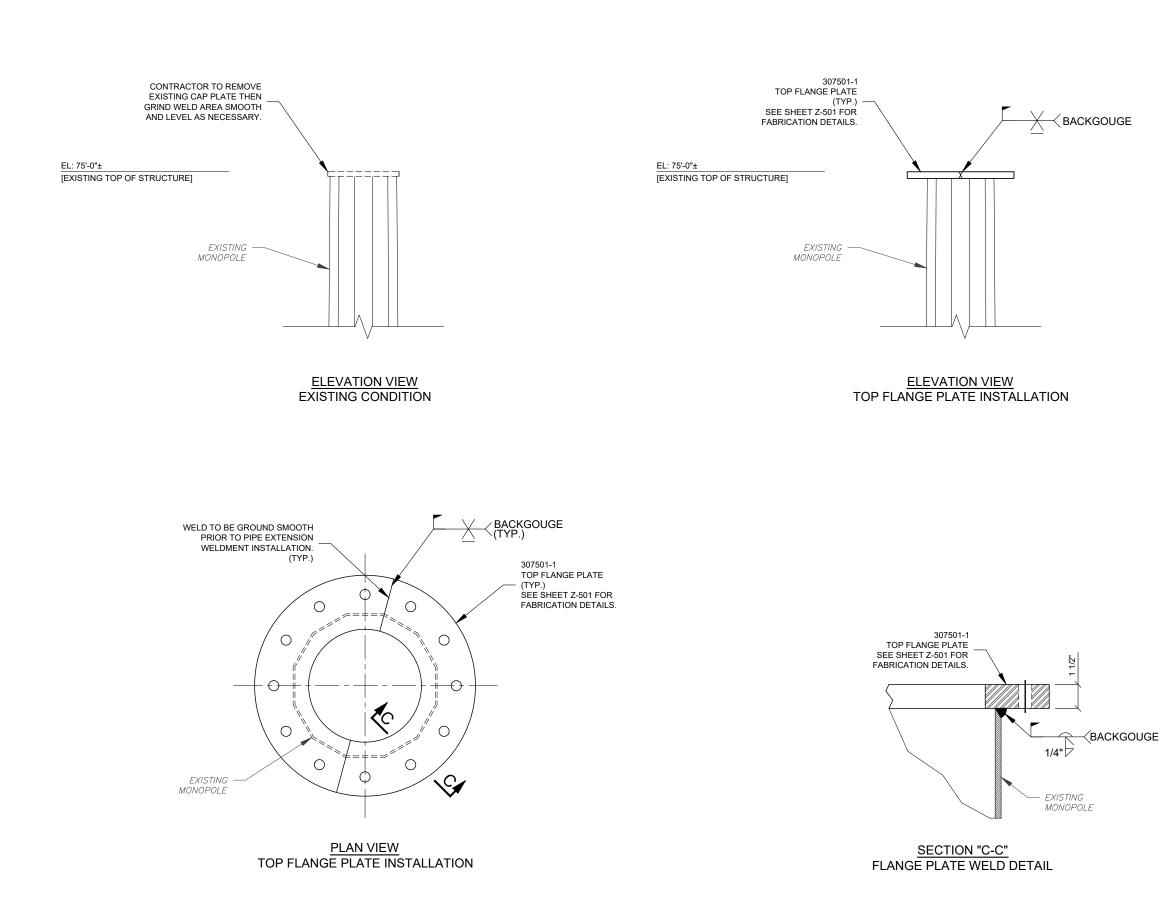
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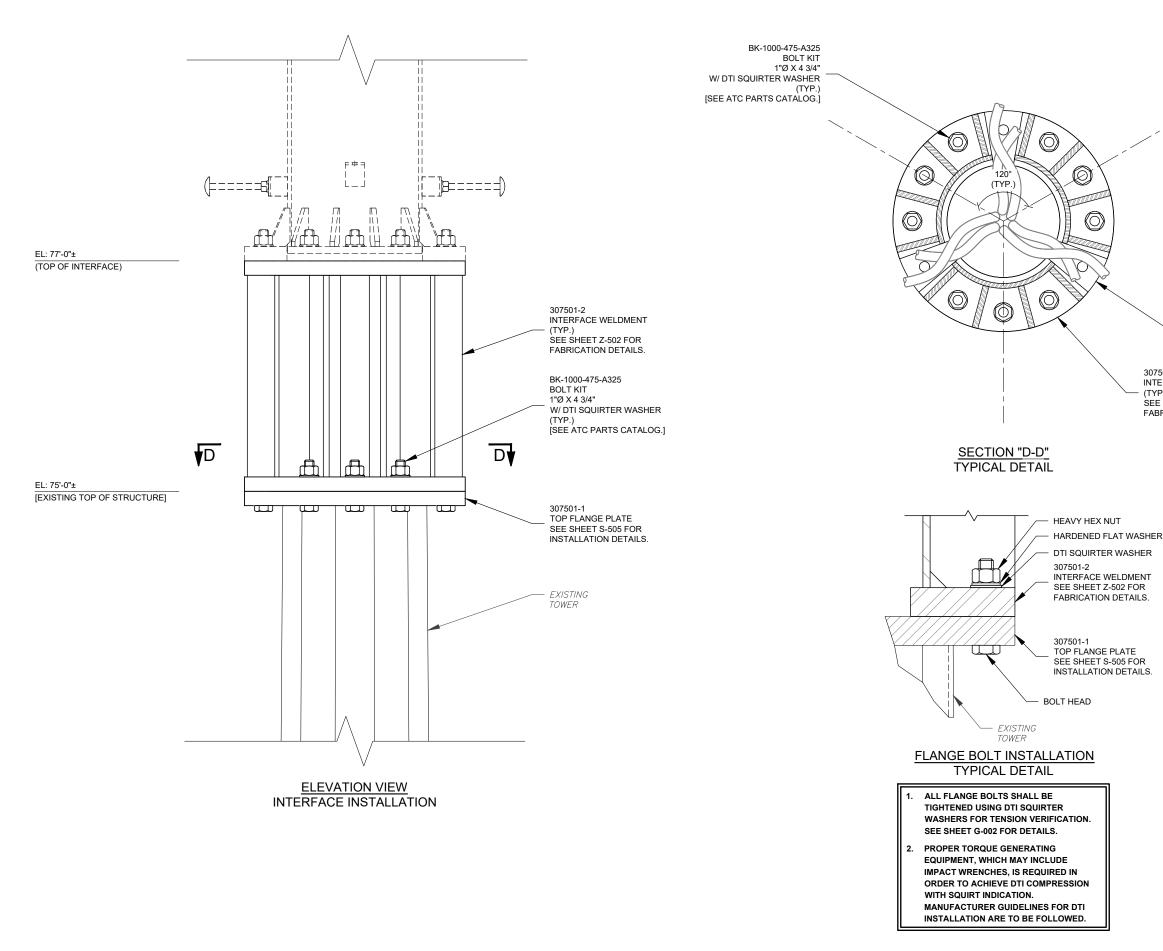
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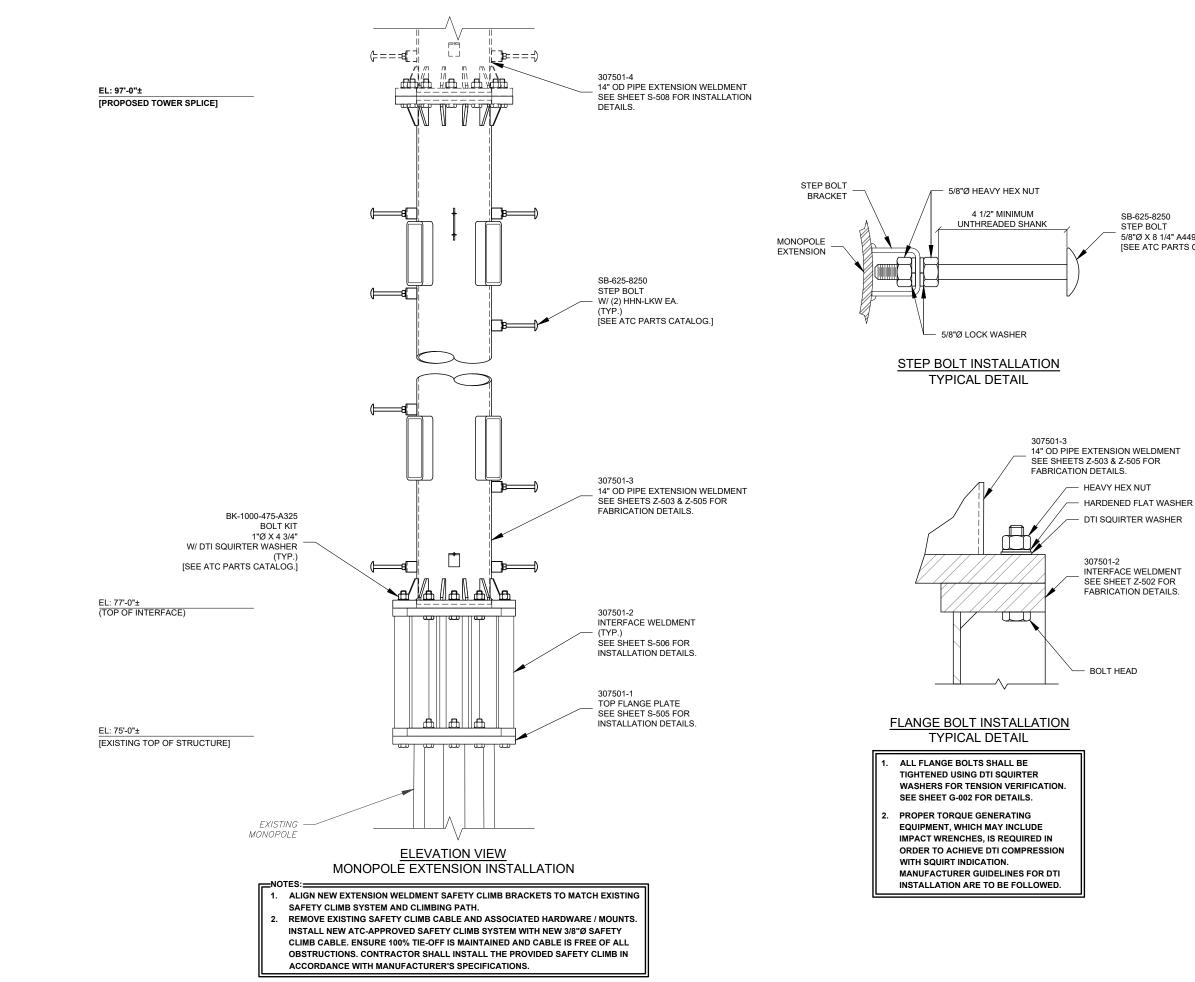
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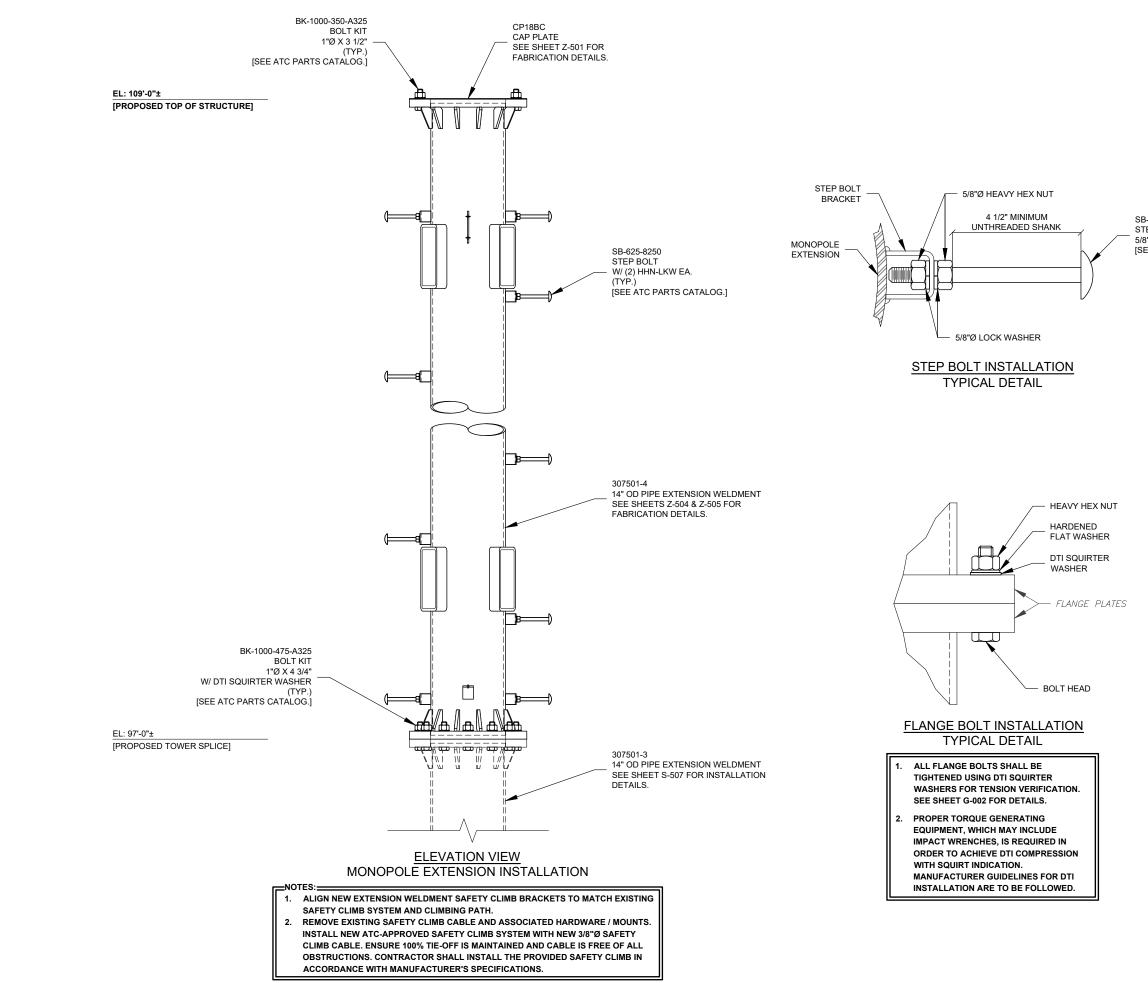


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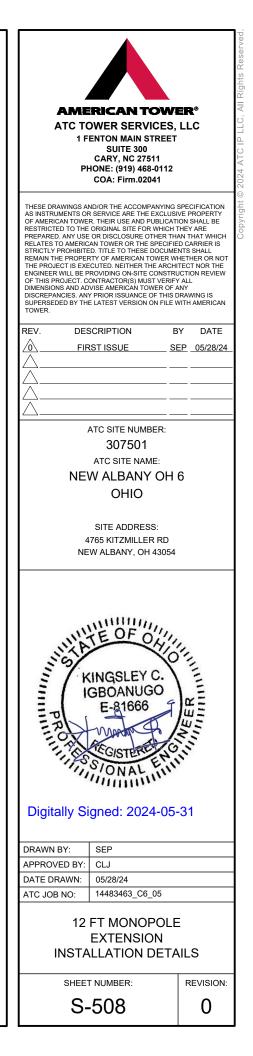


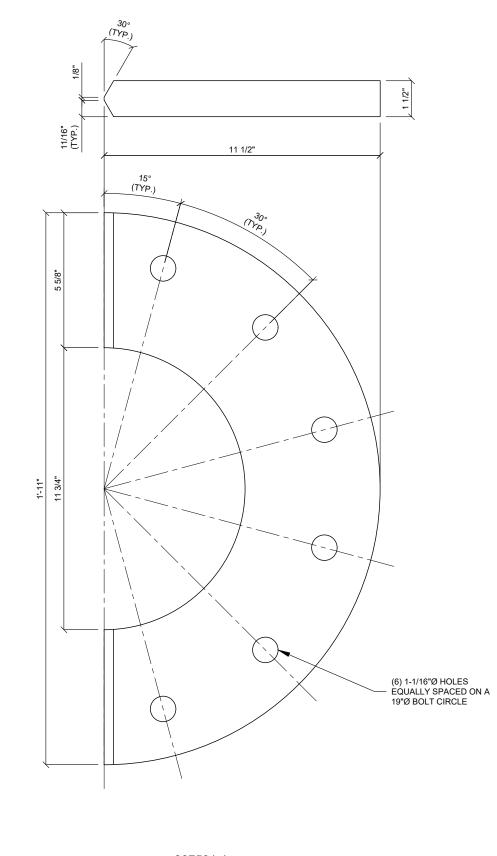
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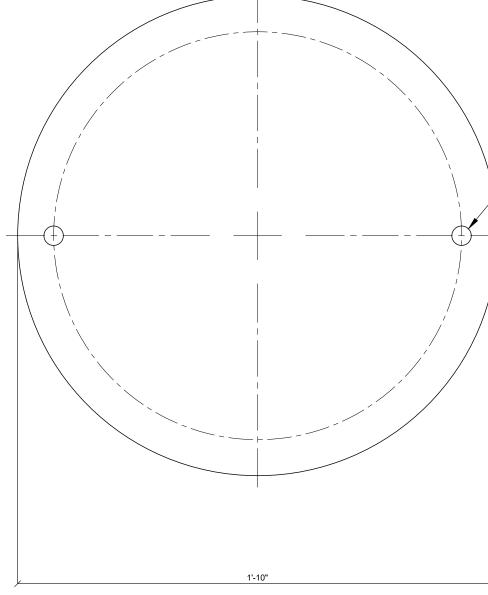
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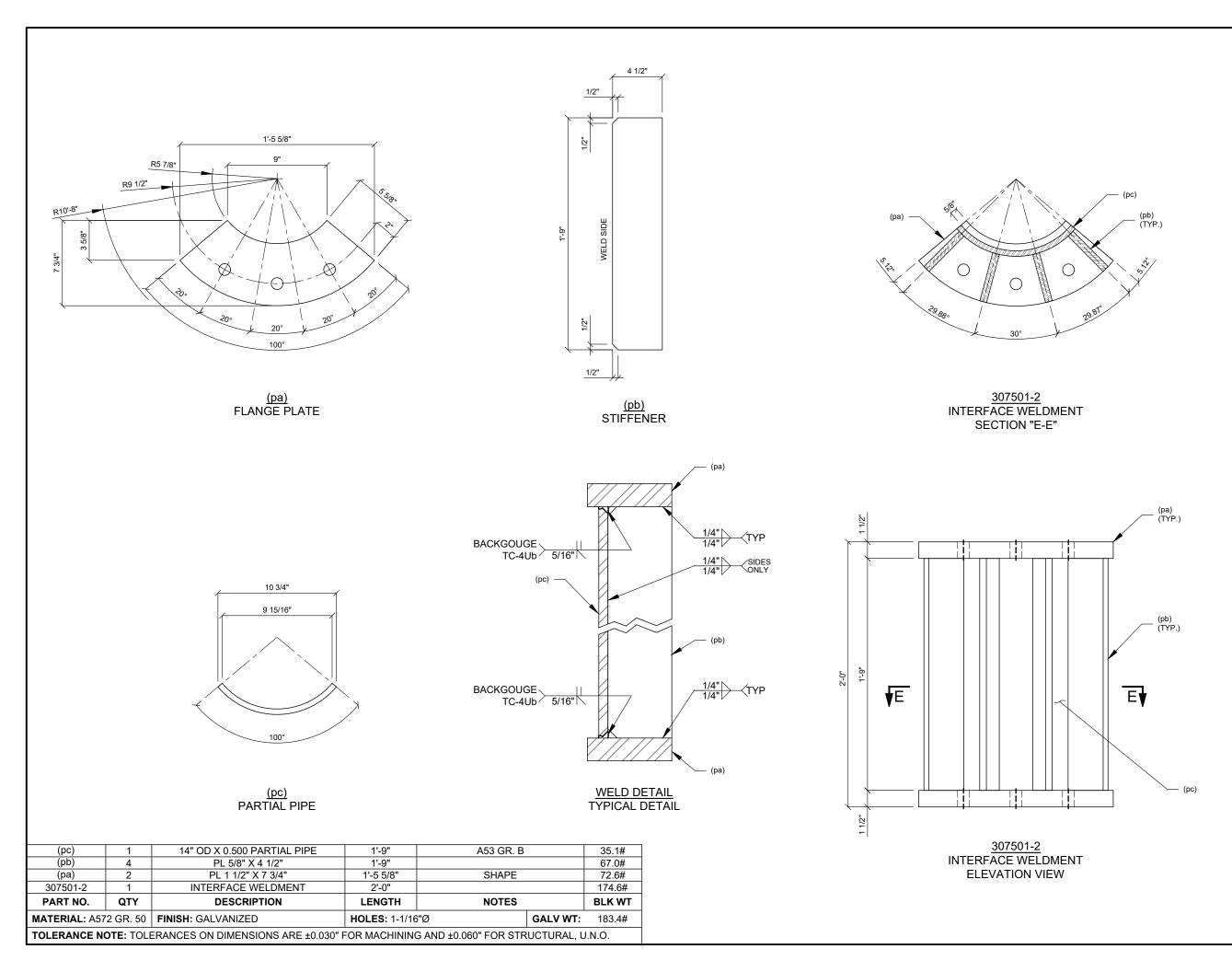


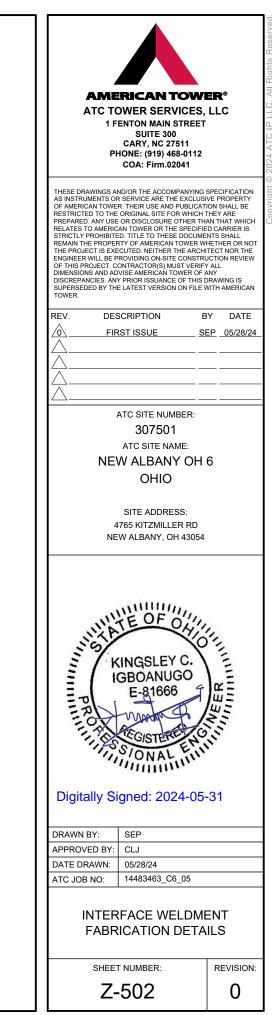
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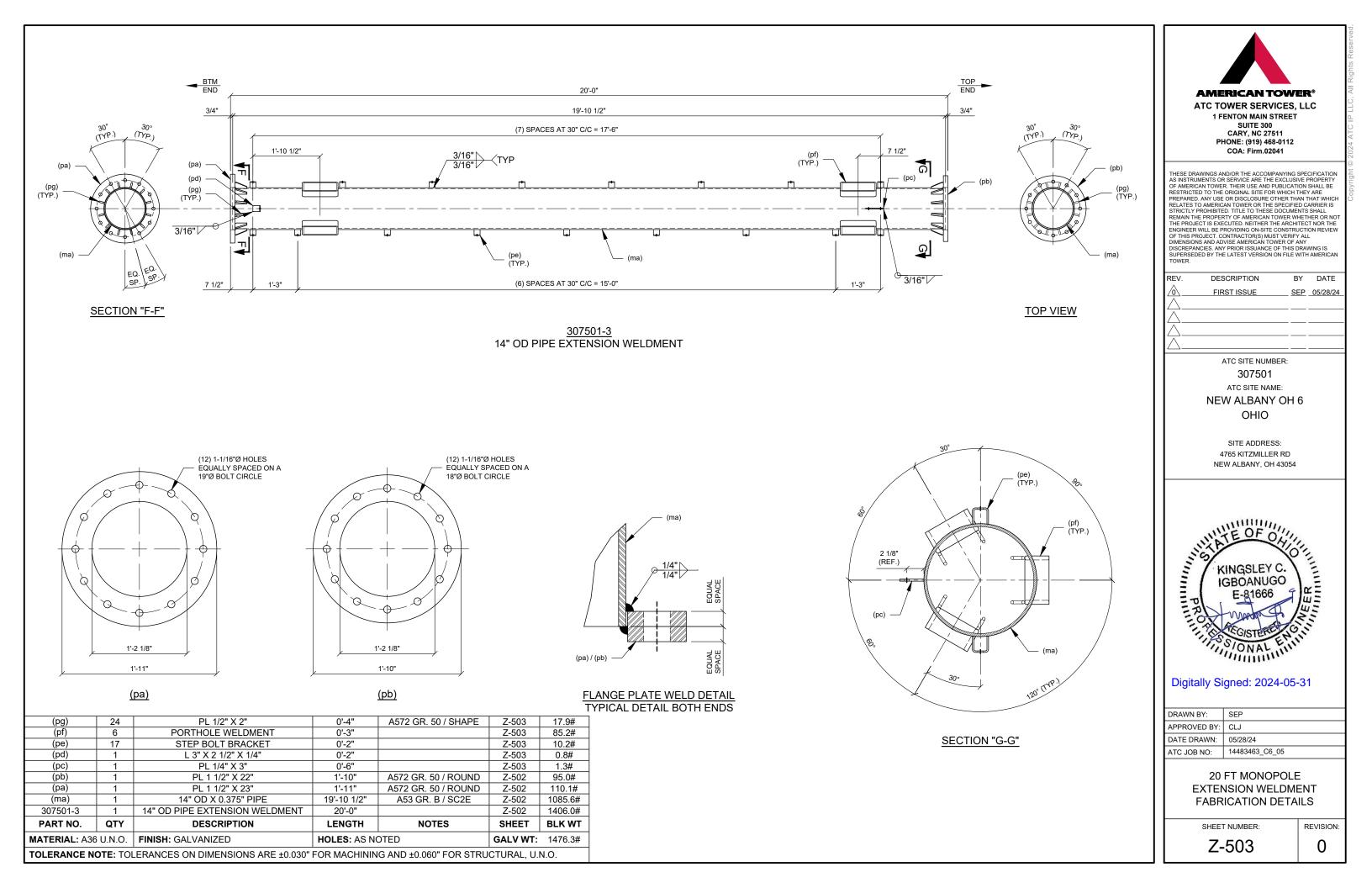
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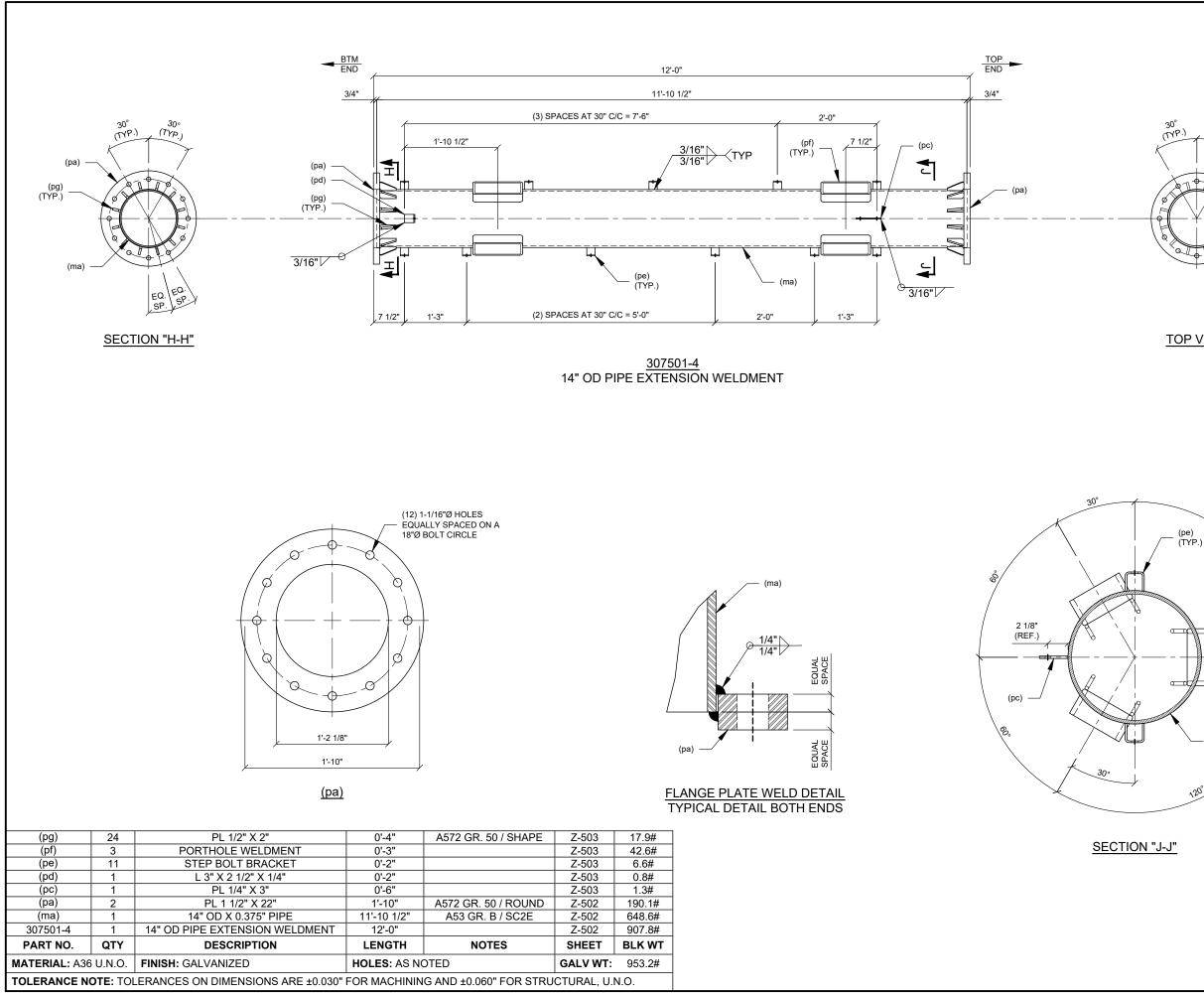
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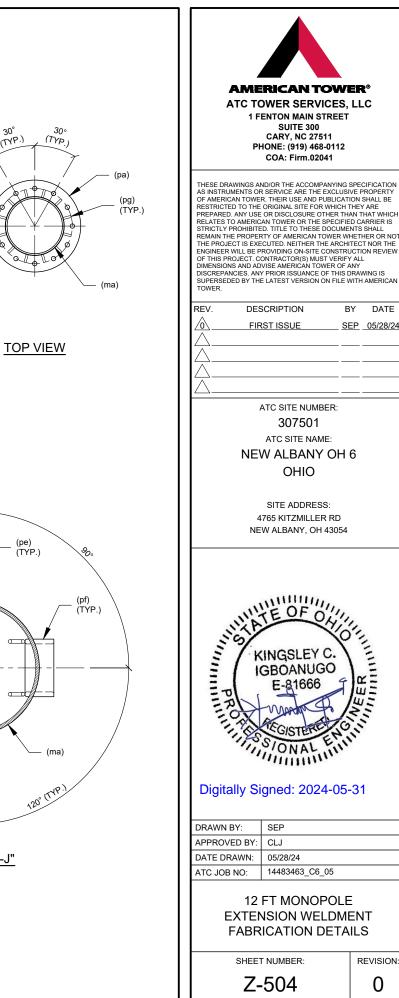
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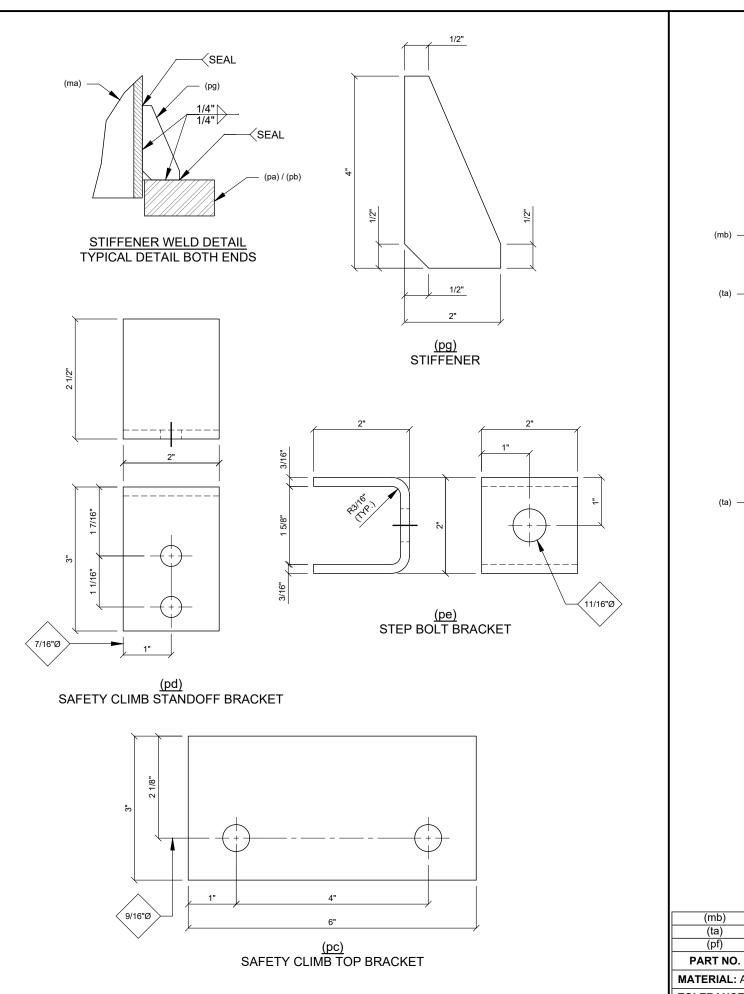


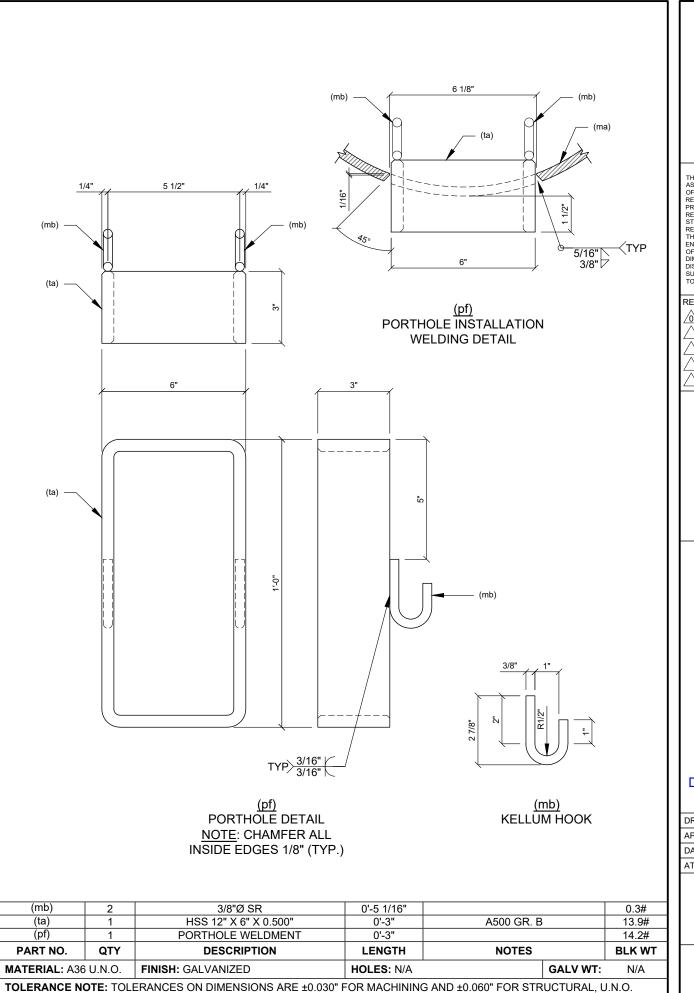












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### Planning Commission Staff Report October 21, 2024 Meeting

## 3805 COLDICOTT LEYS DETACHED GARAGE SIZE VARIANCE

LOCATION:	3805 Coldicott Leys (PID: 222-004765)
APPLICANT:	Todd M. Parker, F5 Design/Architecture Inc.
REQUEST:	Variance to codified ordinance chapter 1165.04(a)(1) to allow a detached garage to be 995 square feet.
ZONING:	I-PUD (Planned Unit Development)
STRATEGIC PLAN:	Residential
APPLICATION:	VAR-68-2024

Review based on: Application materials received on September 20, 2024.

Staff report prepared by Sierra Cratic-Smith, Planner I

## I. REQUEST AND BACKGROUND

The applicant requests a variance to allow a detached garage to be 995 square feet where code permits a maximum of 800 square feet.

The applicant seeks to expand their existing detached garage by adding an addition that includes a pool house and space for a parking space for a third car.

### **II. SITE DESCRIPTION & USE**

The property is 0.74 acres and contains a single-family home. The lot is located within the New Albany Country Club Section 28 Ebrington. The property is west of Ebrington Road and south of Highgrove. There is a golf course to the west, and all other neighboring properties are and are developed with residential homes.

### **III. ASSESSMENT**

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. In accordance with C.O. 1113.05(b), all property owners within 200 feet of the subject property in question have been notified of the request via mail.

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.

## IV. EVALUATION

### Variance to allow a detached garage to be 995 square feet where city codified ordinance Chapter 1165.04(a)(1) permits a maximum of 800 square feet.

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

- 1. This variance requests to allow a detached garage to be 995 square feet where city-codified ordinance Chapter 1165.04(a)(1) permits a maximum of 800 square feet since the property is 0.74 acres. The city code allows a maximum square footage for detached structures based on the size of the lot.
  - a. The city code regulations for the size of detached structure is "for lots less than one acre, a structure may have an area up to eight hundred (800) square feet; for lots between one (1) acre and two (2) acres, a structure may have an area up to one thousand two hundred (1,200) square feet, and for lots larger than two (2) acres may have an area up to one thousand six hundred (1,600) square feet."
- 2. The applicant seeks to expand their existing detached garage by adding an addition that includes a pool house and space for a parking space for a third car. The third car parking spot is proposed on the northern façade, and the pool house is proposed on the south façade.
- 3. The variance does not appear to be substantial. The property is 32,334 square feet in area and the new garage is proposed to be 995 square feet large. Therefore, the new proposed garage only covers 3% of the lot. The garage expansion to the north is adjacent to the neighbor's backyard space.
- 4. The variance preserves the spirit and intent of the zoning requirement because the subdivision is a cluster development pattern. A cluster development pattern allows for a larger buildable footprint on smaller lots. The larger detached building preserves the goal of cluster development which is to place buildings closer together, in a denser development pattern. The larger detached structure meets all the intent since it continues the denser development pattern.

- 5. This property is larger than most cluster homes in the area since it is on a corner lot.
  - a. Most cluster homes within this subdivision are less than 0.40 acres large. This property is 0.74 acres. Because the lot is larger than most in Ebrington, the increased size of the garage appears to be proportionate, as it only occupies 3% of the total lot area.
- 6. The proposed addition will not alter the neighborhood's character since the detached structure's architectural design is consistent with the existing home. It features matching windows, folding doors, and hardie board siding and brick water table that matches the home and enhances the aesthetic. Additionally, the detached structure is well-screened from the neighboring property to the north by arborvitae landscaping. Visibility from the public is reduced because there is an adjacent golf course to the west and a pond to the south.
- 7. The variance preserves the spirit and intent of the zoning requirement by optimizing the use of existing structures to enhance the lot's functionality and quality. The proposed detached garage expansion will include new rooms on both the north and south sides. These high-quality additions comply with the city-codified ordinances and do not infringe on any easements.
- 8. The granting of 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.
- 9. This variance does not negatively impact the delivery of government services.

## IV. SUMMARY

The subdivision allows a cluster development, and the larger building supports the goal of fostering a denser building pattern by positioning structures closer together. Furthermore, the design of the new addition enhances the lot's architectural design and functionality and is properly scaled to the primary residence. Notably, the proposed expansion represents only a small three percent increase in total lot coverage. The detached garage complies with all other applicable zoning codes.

## V. ACTION

Should the Planning Commission find that the application has sufficient basis for approval, the following motion is appropriate.

Move to approve application VAR-68-2024 based on the findings in the staff report (conditions of approval may be added).

# Approximate Site Location:



Source: NearMap

Permit #	
Board	
Mtg. Date	



# **Community Development Planning Application**

TE M	Site Address 3805 Coldicott Leys					
	Parcel Number222-004765-00	_				
	Acres     .74     # of lots created					
	Choose Application Type Circle all Details that Apply					
Project Information	detache	Preliminary Preliminary Combination Easement Amendment (re ance for the d garage to have a han the allowable	total square		tion	
Contacts	Address: 3805 Coldicott Leys City, State, Zip: New ALbany, OH Phone number: 614.483.9904 Email: elcampbellpcs@aol.	com И. Parker, F5 Desi 43054	gn/Architec			
Signature	Site visits to the property by City of New Albany representatives are essential to process this application.         The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives,         employees and appointed and elected officials to visit, photograph and post a notice on the property         described in this application. I certify that the information here within and attached to this application is         true, correct and complete.         Signature of Owner         Signature of Applicant         Image: Signature of Applicant					atives, property pplication is 9.30.24

99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054 • Phone 614.939.2254 • Fax 614.939.2234

City of New Albany Development Department Planning Commission 30 Sept. 2024

# Applicant – Todd Parker, F5 Design/Architecture Inc. On behalf of Elliot and Melanie Campbell

### Address of subject Property: 3805 Coldicott Leys

**Type of Request:** Variance for Garage encroachment into side Yard Setback and garage area.

<u>Applicant seeks the following variance to permit</u> construction of additions to the existing Detached Garage that would increase the area of the garage above the permitted area at the Property at 3805 Coldicott Leys, New Albany, OH 43054.</u>

The Request is for a garage area increase from 800 s.f. (per 1165.04(a)1) to 995 s.f. The proposed additions increase the existing garage area a from 540 s.f. to 995 s.f.

According to C.O. 1113.03 (e) A narrative/justification statement is needed explaining the following:

• (1)The use for which variance or appeal is sought.

The Variance is to allow the area of the detached garage to be increased to 995 s.f. which is 195 sq. ft. above the requirement of 800 sq. ft. per 1165.04(a)1.

• (2) Details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be.

The variance should be approved as the nature of the structure is appropriately designed for the Community and approved by the NACCCARC. The increased area is minimal as many of the homes in the area have large detached garage structures and the design of the structure conforms to the NACCC design standards.

• (3) The Specific Reasons why the variance is justified according to this chapter.

The variance should be approved as the nature of the structure is appropriately designed for the Community and approved by the NACCCARC. The Proposed garage will have minimal impact on the neighboring properties.

### Other Factors to this variance:

 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 The proposed use is harmonious with the overall community and will have a negligible effect on any general objective.

(b)

2. 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 garage will be harmonious with the main house and it will be similar to many other garage structures within the area.

3. The use will not be hazardous to existing or future neighboring uses.

City of New Albany Development Department Planning Commission 30 Sept. 2024

The proposed use will not be hazardous in any way to the existing or future neighboring uses.

4. 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.

The Proposed use will not have any adverse effect on any public facilities or services.

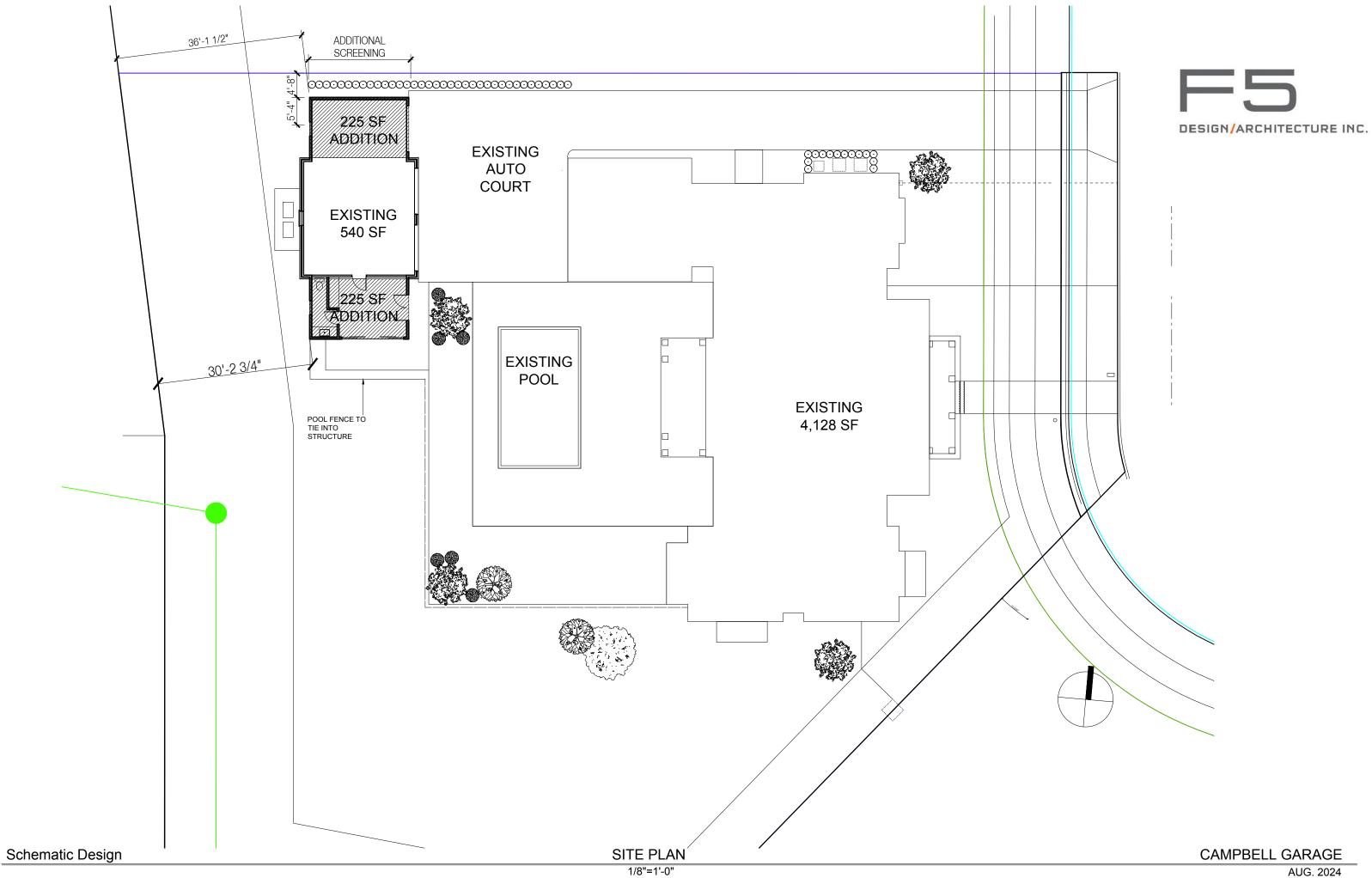
5. The proposed use will not be detrimental to the economic welfare of the community.

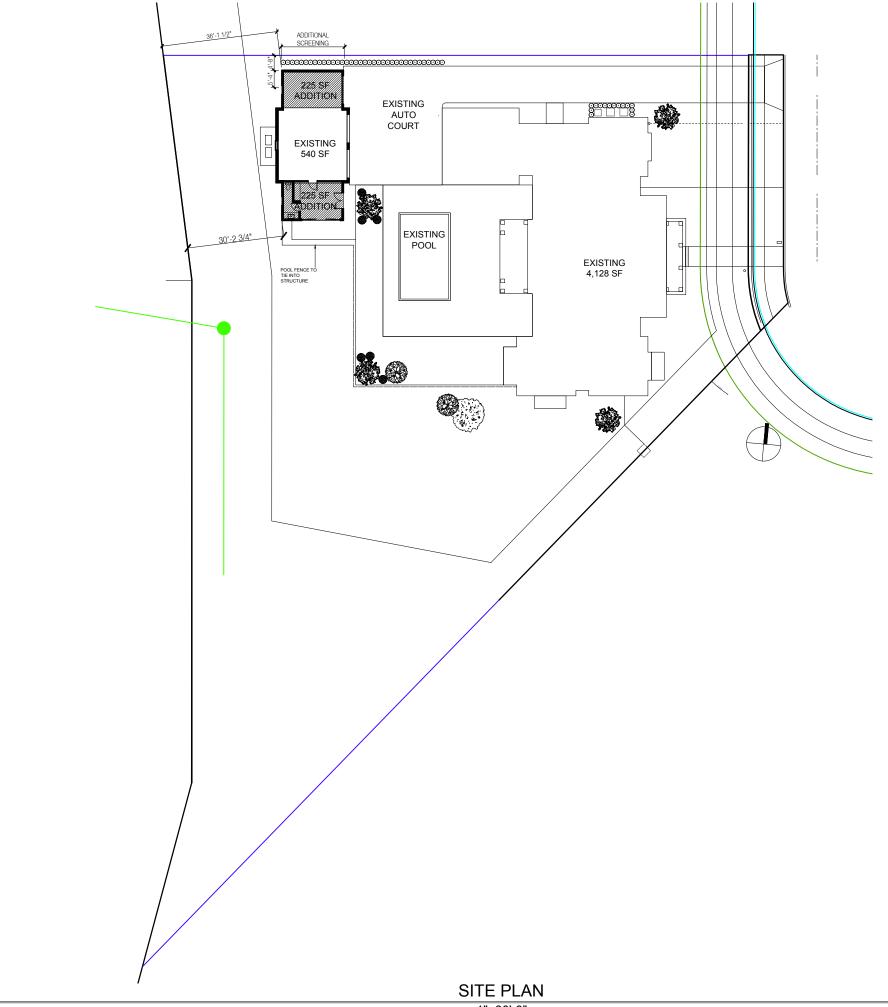
The proposed use will not have any adverse effect on the economic welfare of the community.

6. 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.

The proposed use will not involve any excessive traffic, noise, smoke, fumes, glare or odors.

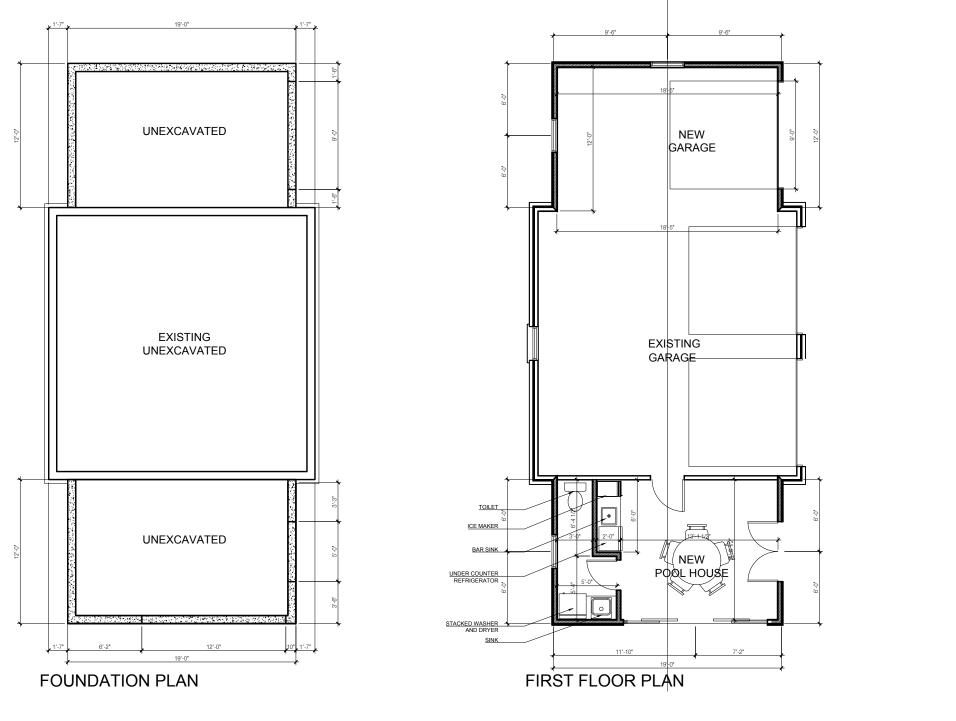
7. Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads. The proposed use will not create any interference with traffic.







CAMPBELL GARAGE

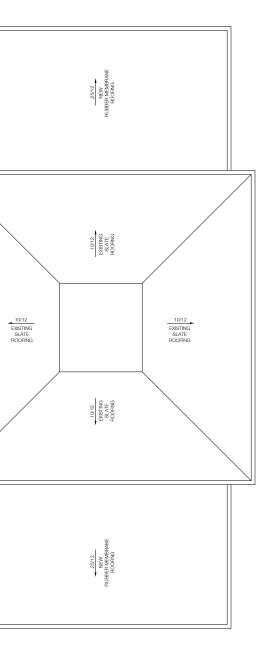


Schematic Design

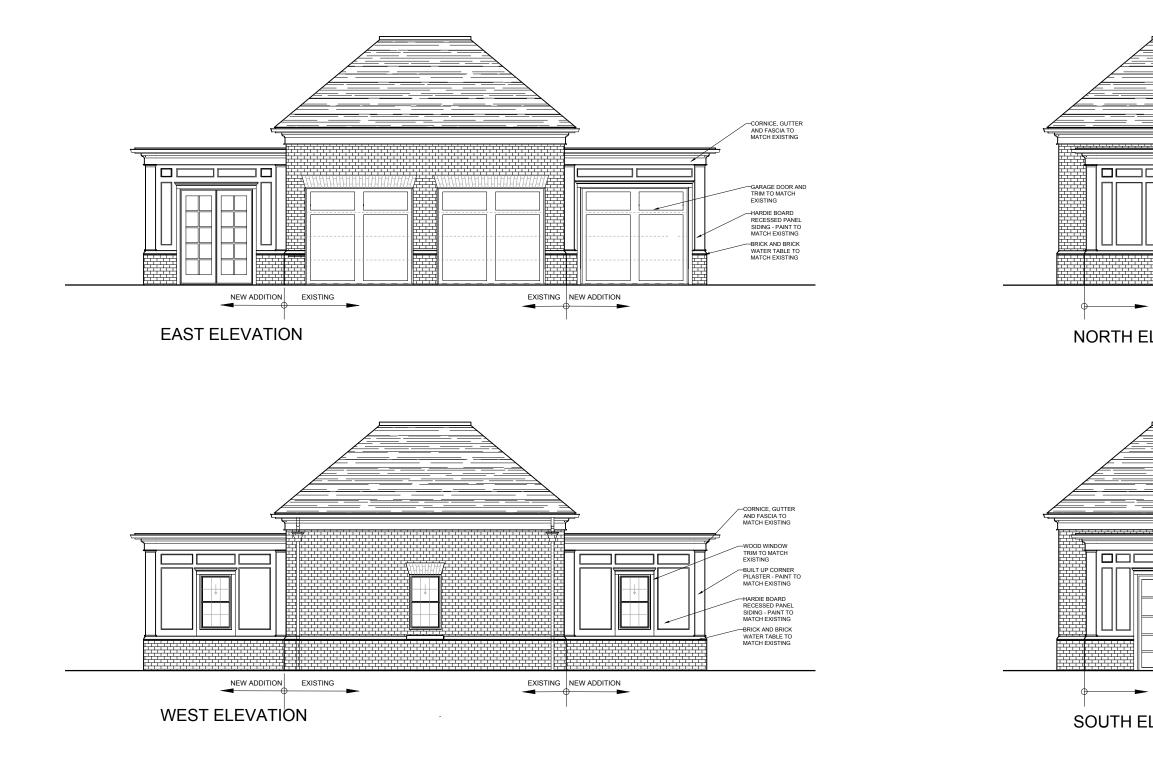
FLOOR PLANS

ROOF PLAN





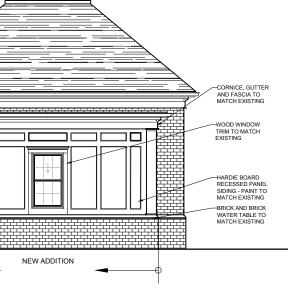
CAMPBELL GARAGE



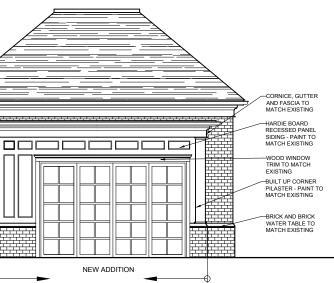
Schematic Design

**OPTION 1: ELEVATIONS** 





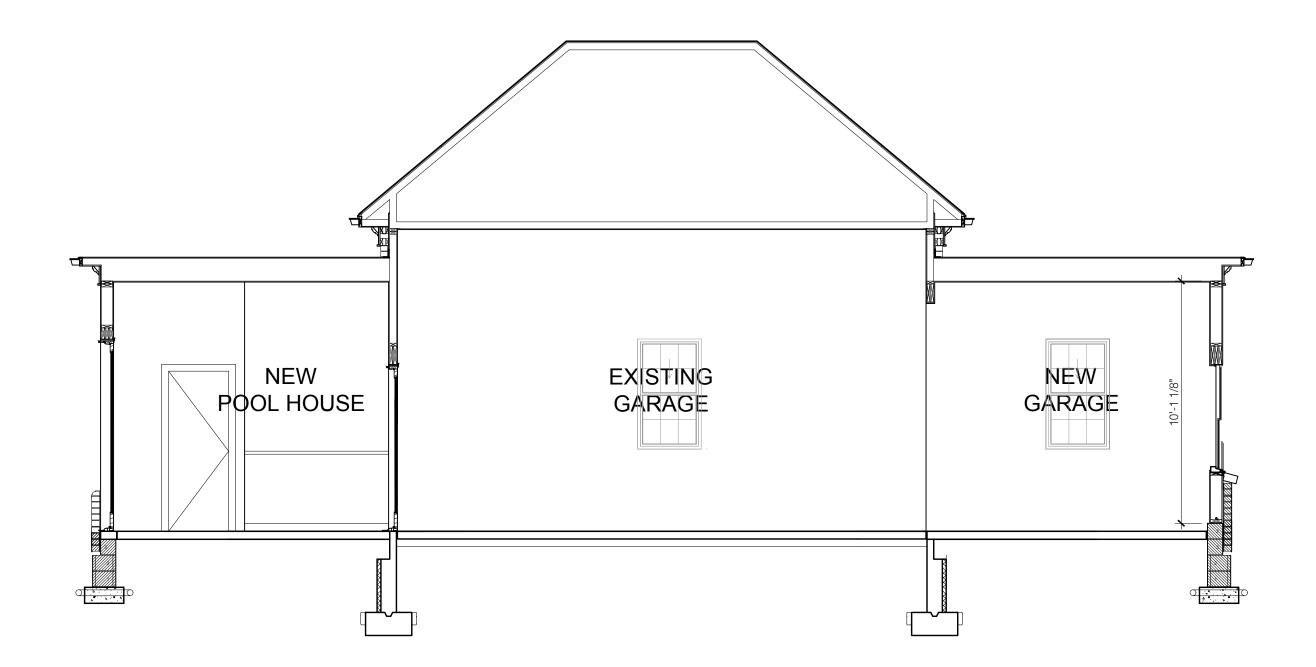
# NORTH ELEVATION



SOUTH ELEVATION

CAMPBELL GARAGE

AUG. 2024





CAMPBELL GARAGE

JUNE 2024



## ORDINANCE O-26-2024

## AN ORDINANCE TO AMEND CHAPTER 159 "RULES OF PROCEDURE FOR BOARDS AND COMMISSIONS" SECTION 159.02(d) OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES AS REQUESTED BY THE CITY OF NEW ALBANY

WHEREAS, Chapter 159 of the Codified Ordinances of the City of New Albany sets forth the rules of procedure for boards and commissions established by the New Albany City Council and Chapter 159 was most recently amended by council on January 17, 2023 by Ordinance O-07-2023; and

WHEREAS, the New Albany City Council now finds it advisable to revise Chapter 159 "Rules of Procedure for Boards and Commissions" to update the policy on absences and provide council some discretion in this matter.

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

Section 1: That Codified Ordinance Chapter 159 "Rules of Procedure for Boards and Commissions" Section 159.02(d) be amended as follows.

(d) <u>Attendance of Members.</u> Attendance is defined as in-person presence during the hearing and consideration of applications without a conflict of interest before that commission/board at that meeting. Attendance of all current serving members of the commission/board is encouraged, and three (3) consecutive absences by any member or four (4) absences in any 12-month period shall be considered **a** grounds for the forfeiture of the membership to the commission/board. The forfeiture would occur unless the commission/board member's absence is "excused," as determined in the sole discretion of City Council, due to an illness, injury, or other emergency circumstance of the member, or an immediate family member.regardless of the reason for the absences. Upon the occurrence of the absence that creates the grounds for forfeiture, "Tthe applicable department designee\_and/or a council member willwould then notify the clerk of council who will so that they can inform the full council that action concerning the appointment is required.a new appointment needs to be made.

**Section 2.** It is hereby found and determined that all formal actions of the New Albany City Council concerning and relating to the adoption of this legislation were adopted in an open meeting, and that all deliberations of this council and or any of its committees that resulted in such formal

action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

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

CERTIFIED AS ADOPTED this \_\_\_\_\_ day of \_\_\_\_ 2024.

Attest:

Sloan T. Spalding

Mayor

Approved as to form:

Benjamin S. Albrecht Law Director

Jennifer H. Mason Clerk of Council

Legislation d	lates:	
Prepared:	07/23/2024	
Introduced:	08/06/2024	
Revised:	21.62	
Adopted:	1505/2024	
Effective:	08/20/2024	