



New Albany Planning Commission Meeting Agenda
Monday, December 16, 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 <https://newalbanyohio.org/answers/streaming-meetings/>

I. Call to order

II. Roll call

III. Action on minutes: November 18, 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:

VAR-61-2024 Variance

A variance request to the Nottingham Trace zoning text Section E(5)(c), to allow a covered porch to encroach into the 29 rear yard setback at 6309 Callaway Square West (PID: 222-005228).

Applicant: Nancy Willis

Motion of Acceptance of staff reports and related documents into the record for VAR-61-2024.

Motion of approval for application VAR-61-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

FPL-90-2024 Final Plat

Final Plat for the dedication of public right-of-way and vacation of public right-of-way in historic Village Center located west of US-62 and east of High Street.

Applicant: City of New Albany

Motion of acceptance of staff reports and related documents into the record for - FPL-90-2024.

Motion of approval for application FPL-90-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VII. Other business

1. **City Code Amendment: C.O. 1169.16(d) Commercial Wall Signs**
2. **City Code Amendment: C.O. 1115 Conditional Uses**

VIII. Poll members for comment

IX. Adjournment



New Albany Planning Commission
Monday, November 18, 2024 Meeting Minutes - DRAFT

I. Call to order.

The New Albany Planning Commission held a meeting on Monday, November 18, 2024 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:00 p.m. and asked to hear the roll.

Those answering the roll:

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

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

Staff members present: Law Director Albrecht, Development Engineering Manager Denny, Planner I Blackburn, Planner II Christian, Planning Manager Mayer, Planner I Saumenig, Deputy Clerk Madriguera.

II. Action on minutes: October 21, 2024

Chair Kirby asked if there were any corrections to the minutes from the October 21, 2024 meeting.

Commissioner Wallace stated that he thought that he asked the first two questions on page three and that Commissioner Larsen asked the third question on page three.

Deputy Clerk Madriguera stated that she would confirm the appropriate identity with the recording.

Hearing no further corrections, Commissioner Wallace moved to accept the October 21, 2024 minutes as corrected, if needed. Commissioner Briggs seconded the motion. Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Wallace yes, Ms. Briggs yes, Mr. Schell yes, Mr. Larsen yes, Mr. Kirby yes. Having five yes votes, the motion passed and the October 21, 2024 minutes were approved as corrected by Commissioner Wallace, if needed.

Clerk's note. Deputy Clerk Madriguera confirmed that Commissioner Wallace's recollection was correct and she corrected the October 21, 2024 minutes.

IV. Additions or corrections to the agenda.

Chair Kirby asked if there were any additions or corrections to the agenda.

Planning Manager Mayer answered none from staff.

Chair Kirby administered the oath to all present who wished to address the commission.

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

Chair Kirby asked whether there were any visitors present who wished to speak on an item not on the agenda. Hearing none, he introduced the first case and asked to hear the staff report.

VI. Cases:

VAR-61-2024 Variance Reconsideration Request

Reconsideration request for a variance to the Nottingham Trace zoning text Section E(5)(c) to allow a covered porch to encroach into the 35 rear yard setback at 6309 Callaway Square West (PID: 222-005228).

Applicant: Nancy Willis

Planning Manager Mayer delivered the staff report.

Chair Kirby asked to hear from the applicant.

Applicant Nancy Willis thanked the commission and staff. She noted that the plan for the patio had been revised to reduce the encroachment area. The patio would now encroach approximately 2.03 feet. She submitted a letter of support from the neighboring property owners saying they had no objection to the variance. She pointed out that the property to the west has a similar screened porch, the property to the south has a similar patio, the property located two houses to the north has a patio that encroaches into the setback. She stated that her point was that a 12-foot patio like the one she was proposing for her property is the standard and the norm in Nottingham Trace. She asserted that reducing the patio further was not a reasonable option because she wanted to accommodate 8-12 diners and also to accommodate a wheel chair. She noted that two commissioners at the last meeting found that the application did not meet the *Duncan* factors and that she did not show that her property was unique, however uniqueness was not one of the factors. Ms. Willis then performed an analysis of her application under each of the *Duncan* factors. She noted that this particular setback does not appear in any of the recorded deeds.

Chair Kirby asked where the setback was recorded.

Planning Manager Mayer explained that it was not recorded with the plat. This is a rearyard setback which is specified in the zoning text.

Ms. Willis asserted that the final plat map is the recorded document. She further noted that the lot number had been changed during the course of the application's progress through the entitlement process. She asked how she would know about the rearyard setback.

Planning Manager Mayer explained that the lots were numbered during the rezoning process. However, during the final plat process the lots were numbered differently. There are varying setbacks in this subdivision. This disparity was not caught until review of this application for a variance was underway.

Ms. Willis stated that she did not receive notice of the 35-foot setback. She further observed that not all of the lots have the same setbacks, and none of the neighbors received notice. She wondered why some of the properties were looked at and others were not.

Planning Manager Mayer responded that staff was looking into the surrounding properties.

Chair Kirby asked Law Director Albrecht whether any commission member had standing to make a motion for reconsideration or whether it had to be member who voted in the majority.

Law Director Albrecht responded that he would check, however he believed that any commission member was qualified to make the motion for reconsideration because it was an independent request.

Commissioner Wallace asked what was happening with the property to the north.

Planning Manager Mayer responded that city staff is examining the property to the north to see whether the patio was improperly permitted.

Commissioner Wallace and Chair Kirby discussed past circumstances where a variance was granted following improper permitting by the city. In those cases commission granted the variance based upon the finding that it arose from circumstances beyond the applicant's control. They asked whether there was a timeline for examining the adjacent property.

Law Director Albrecht clarified that Roberts Rules specified that a motion for reconsideration be offered by a member who voted in the majority, however the New Albany's rules for boards and commissions were silent on that issue.

Chair Kirby asked staff whether it is possible to put a note on final plats to require that the zoning text be checked.

Planning Manager Mayer said yes and that the change in numbering could potentially affect 10 properties.

Commissioner Larsen asked whether lot number 101 had a different setback than lot number 107.

Planning Manager Mayer responded that all of those lots had the 35-foot setback.

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

Commissioner Schell asked whether this situation could be examined for staff error prior to a ruling by the commission on the application.

Planning Manager Mayer responded yes.

Commissioner Wallace stated that the commission could move the reconsideration. Following that, the variance itself would be tabled.

Ms. Willis distributed documents for inclusion in the record.

Chair Kirby moved to accept the staff reports and related documents into the record for the reconsideration of VAR-61-2024. Commissioner Schell 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. Schell yes, Ms. Briggs yes, Mr. Larsen yes, Mr. Wallace yes. Having five yes votes, the motion passed and the staff reports and related documents were admitted to the record.

Commissioner Briggs moved for reconsideration of VAR-61-2024 based on the findings in the staff report with the conditions in the staff report, subject to staff approval. Commissioner Schell 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: Ms. Briggs yes, Mr. Schell yes, Mr. Larsen yes, Mr. Kirby yes, Mr. Wallace yes. Having five yes votes the motion passed and reconsideration of VAR-61-2024 was granted.

Chair Kirby moved to table VAR-61-2024 until the first regular meeting after staff completes the requested evaluation of similar properties. Commissioner Larsen seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Larsen yes, Mr. Schell yes, Ms. Briggs yes, Mr. Wallace yes. Having five yes votes, the motion passed and VAR-61-2024 was laid upon the table until the first regular meeting after staff completes the requested evaluation of similar properties.

The commission thanked the applicant for her diligence.

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

ZC-71-2024 Zoning Change

Rezoning of 30.04 acres generally located north and west of Lambton Park Road and south of Brandon Road (PID: 222-005185 and 46 others (see backside of agenda for complete parcel list)) from Comprehensive-Planned Unit Development (C-PUD) to Infill-Planned Unit Development (I-PUD).

Applicant: The New Albany Company LLC c/o Aaron Underhill, Esq.

Planner I Saumenig delivered the staff reports for ZC-71-2024 and PPL-76-2024 simultaneously.

Chair Kirby asked about the status of the leisure trail, understanding that the sidewalk is being redone using bricks.

Applicant Tom Rubey on behalf of the New Albany Company (NACO) located at 8000 Walton Parkway responded no and indicated the location of the leisure trail.

Commissioner Briggs asked whether other locations in the Country Club Community that use brick sidewalks, and what was the theory behind use of brick.

Mr. Rubey responded yes. Other locations that use brick sidewalks include Edge of Woods, Pickett Place, Ealy Crossing, and Ashton Grove use brick sidewalks. He further explained that the change to brick sidewalks is aesthetically driven. There would be street trees directly behind the curb then the brick sidewalk then a fence.

Commissioner Wallace posited that the commission should impose a condition that the Parks and Trails Advisory Board should approve the brick sidewalk and leisure trail.

Council Member Wiltout asked whether the brick sidewalks would be used throughout and how much of the leisure trail is going to change.

Mr. Rubey responded that brick sidewalks would be used throughout, and just shy of 1,000 lineal feet would change. He continued that about 2,000 feet were installed the last time the application was reviewed by the commission. Mr. Rubey then requested that he be able to back up and begin his presentation from the beginning. He explained the procedural history of the application. He

stated that the lots have not been released because NACO is a small company and they were handling many other projects related to the advent of Intel. He then explained the new plan, the increase in lots, the subareas and types of homes including the new gatehouse. The new plan proposes significant improvements in the development.

Commissioner Wallace noted that there did not appear to be setback requirements for the new gatehouse in subsection 2, and that was troubling.

Mr. Rubey noted the proximity of the golf course and stated that the gatehouse was a bit of a riddle.

Commissioner Wallace noted that the gatehouse was not anything like the cluster homes and he was reluctant to approve a riddle.

Chair Kirby liked the vision of the plan. However he echoed Commissioner Wallace's concern regarding the gatehouse and recommended that it be tightened down.

Chair Kirby referenced the zoning. He asked city staff whether the details of the cluster lots and the gatehouse could be included in the final development plan.

Mr. Rubey acknowledged the concern. He assure the commission that they would not just sell a lot and permit the lot owner to develop their home. He continued that creating this development was a process and that he would be back with a plan. He further explained that similarly to Bottomly Crescent and Edge of Woods, buyers would purchase a lot and a plan with the lot.

Planning Manager Mayer responded yes, similar to the Oxford subdivision. The zoning text could grant authority to the commission to review the specifics of the gatehouse and the cluster homes.

Commissioner Wallace asked whether the portion of subplot 2 that contained the gatehouse could be made its own section.

Mr. Rubey answered yes; it could be its own subarea. His suspicion was that the house would be used as a model home or gatehouse for the sale of the other homes and would eventually become a single family home.

Chair Kirby and Commissioner Wallace stated that the condition would be that the gatehouse would become subarea 3 subject to review and approval at final development.

Mr. Rubey agreed. He continued that the existing retention pond will be moved to the west and made deeper. It will also have a pier.

Commissioner Wallace asked whether members of the New Albany Parks and Trails Advisory Board were concerned that narrowing the path within the development made this neighborhood less inviting to the public.

Mr. Rubey responded no, that concern was not raised. He explained that the intent was to make this area feel special not to make it feel exclusive. The roads into and through the development are all public roads. He acknowledged that there were appointments in New Albany where public spaces felt private, such as the brick piers at Lambton Park Road and and US-62, and Edge of Woods.

Chair Kirby asked whether there would be street trees.

Mr. Rubey said they were not required and continued that Edge of Woods does not have street trees. Saving costs is not the idea with this development, the idea is to make this development

look nicer. Nonetheless it is hard to find the balance, but they were hoping to do so in final development.

Commissioner Wallace confirmed that the development would not be gated.

Mr. Rubey responded that it was not gated but there may be non-operational gates. He stated that there also may be crushed granite at the entrance.

Chair Kirby responded that if there is granite there need to be trees in order to prevent this from becoming a heat island.

Mr. Rubey responded that the plan will not look like the current rendering when it is reviewed at final development.

Chair Kirby continued that street trees are not required in the zoning text in subarea 2, but most of the diagrams showed street trees. He confirmed that the house would be subarea 3.

Mr. Rubey showed a rendering of subarea 2 and said he was not sure whether it would contain street trees or not, they would evaluate that issue. They wanted to make it feel like a park. He clarified that the renderings are dreams and images. He agreed that the newly created subarea 3 would contain the house. He stated that the lots will be seeded and will look like finished lawns. Each home will have a different metal gate. And further that he had just signed an agreement with the architectural firms and expected to get started in the next couple of weeks.

Chair Kirby opened the public hearing.

Margaret Farriter, 7489 Lambton Park Road, approached the lecturn. Ms. Farriter noted that there are currently many golf balls and that these homes would be even closer to the golf course, she asked whether the golf course would be changed.

Mr. Rubey responded that the objective is to not change the course to accommodate the homes. There are lots of golf balls, and how to accomplish the development and accommodate the course was a work in progress.

Commissioner Wallace recalled the commission's informal review and asked about the reconfiguration of the existing pond.

Mr. Rubey explained that the existing pond is under the jurisdiction of the Army Corps of Engineers. It has not been well maintained over the years; cat tails and water lilies have taken over. It will be dredged, replanting will take place on the golf course side. They are working with regulatory agencies to improve it. It will be made smaller.

Chair Kirby asked for other questions.

Hearing none, he moved to accept the staff reports and related documents into the record for ZC-71-2024. Commissioner Larsen seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Larsen yes, Ms. Briggs yes, Mr. Wallace yes, Mr. Schell yes. Having five yes votes, the motion passed and the staff reports and related documents were admitted into the record for ZC-71-2024.

Commissioner Wallace moved for approval of ZC-71-2024 based on the findings in the staff report with the conditions in the staff report and the following additional conditions:

5. The brick sidewalks and leisure trail locations and connections should be approved by the New Albany Parks and Trails Advisory Board.

6. Subarea 2 does not include the gatehouse. The gatehouse will be in Subarea 3 and the specifications for setbacks shall be addressed in the final development plan.

Chair Kirby 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. Wallace yes, Mr. Kirby yes, Ms. Briggs yes, Mr. Larsen yes, Mr. Schell yes. Having five yes votes, the motion passed and ZC-71-2024 was approved based on the findings in the staff report subject to the conditions in the staff report and the conditions as stated above.

PPL-76-2024 Preliminary Plat

Preliminary plat for a 40 lot residential subdivision on 30.04 acres generally located north and west of Lambton Park Road and south of Brandon Road (PID: 222-005185 and 46 others (see backside of agenda for complete parcel list)).

Applicant: The New Albany Company LLC c/o Aaron Underhill, Esq.

Planner II Christian delivered the staff report.

Community Development Department Engineer Denny delivered the engineering report

Chair Kirby asked whether there were any additional questions on the preliminary plat.

Hearing none, Chair Kirby moved to admit the staff reports and related documents into the record for PPL-76-2024. Commissioner Schell 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. Schell yes, Mr. Larsen yes, Ms. Briggs yes, Mr. Wallace yes. Having five yes votes, the motion passed and the staff reports and related were admitted to the record for PPL-76-2024.

Commissioner Wallace moved for approval of PPL-76-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval. Commissioner Schell seconded the motion.

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

Upon roll call: Mr. Wallace yes, Mr. Schell yes, Mr. Larsen yes, Ms. Briggs yes, Mr. Kirby yes. Having five yes votes, the motion passed and PPL-76-2024 was approved based upon the findings in the staff report with the conditions listed in the staff report subject to staff approval.

The commission wished the applicant good luck.

Chair Kirby introduced FPL-85-2024 and asked to hear from staff.

FPL-85-2024 Final Plat

Final plat for phase 1 of the Courtyards at Haines Creek subdivision located at 8390 and 8306 Central College Road in Franklin County (PIDs: 222-005156, 222-005157, 222-005158, 222-005159).

Applicant: Epcon Haines Creek, LLC
Planner II Christian delivered the staff report.

Chair Kirby asked whether there were comments from engineering.

Engineering Manager Denny delivered the engineering memo.

Chair Kirby asked whether there were questions for staff from the commission. Hearing none, he asked to hear from the applicant.

Applicant Trisha Brown of EMH&T averred that the floodplain issue had been addressed and that they would be submitting any necessary documents to Franklin County. She spoke to the 1-acre shortage of parkland. The reserve is actually 14.52 acres, the files have been updated. She explained that the development has been redesigned to reduce the shortage to .10 of an acre. The city does not permit storm water facilities to be counted and the calculations were not complete at the time the original calculation. Since completion, it has been discovered that the shortage is only .10 of an acre. As such, the applicant was requesting a reduction of the fee in lieu.

Chair Kirby opened the public hearing.

Tamara Davies, 8200 Central College Road, delivered the attached slide presentation. She stated that since the time she purchased her property the adjacent property's zoning was different. At what point is the master grading plan reviewed and approved, because such review and approval was not apparent to her. She noted that this development would be 7-8 feet above its current level. She asserted that such an increase is material. This should have been considered ahead of time.

Chair Kirby asked when will it be reviewed.

Planning Manager Mayer responded that it will be reviewed at final development and he offered to share it with Ms. Davies.

Ms. Davies continued that her home was currently at grade. She stated that originally there was going to be a wall there and that has been abandoned for mounding but there is going to be a significant elevation change. She asked who would measure the draingage.

Planning Manager Mayer stated that drainage was presented and reviewed with the final development plan. The city's engineer will review and approve the storm water plan.

Chair Kirby asked whether there were any catch basins along the outer edge.

Ms. Brown explained that there were not any catch basins. The storm water management plan included draining the water to the street and into sewers, and that she had worked with the city's development engineer to develop the plan. This would ensure a controlled release of the storm water.

Ms. Davies confirmed that the Army Corps of Engineers, the Ohio EPA had approved the development. Ms. Davies concluded that she doubted that the country club community would approve this community, yet it is next to her house.

Ron Davies, 8200 Central College Road. He asked that setbacks be included on the final plat. The applicant agreed. He spoke about easements and referenced p13 of city council minutes from July 18 which referenced an easements and included a commitment to an easement. He requested that the July 18, 2024 minutes be included in the record.

Law Director Albrecht said he was not sure whether the easement on the east and west side was included, beyond discussion.

Council Member Wilttrout asked for the context of the easement.

Mr. Davies responded that he was not sure but these are building blocks and are protections for landowners to the west.

Council Member Wilttrout responded that she understood what an easement is, but the context of this particular easement remained unclear.

Mr. Davies responded that the easement gives protection against encroachment.

Commissioner Wallace explained that it is important because there are different kinds of easements. The commission wants to help if they can. Although the commission cannot help to enforce the easement but they need to know what kind of easement it is.

Mr. Davies responded that this was a year and a half ago.

Council Member Wilttrout stated that she did not think this was a memory problem. She stated that if this was a utility easement, the utility would have brought it to the commission's attention. It was not likely a homeowner easement.

Mr. Davies stated that there are specific prohibited things that cannot happen with an easement.

Chair Kirby stated that the commission would love to see the easement.

Ms. Davies stated that what they are asking for is the setback to be treated as an easement so they can have the greater protection.

Chair Kirby responded that mistakes are made with easements as well as setbacks, and further that the commission does not have the authority to impose an easement on this property tonight.

Law Director Albrecht agreed. He stated that was correct, that ship has sailed. The zoning cannot be changed at this meeting. The minutes indicate that it was considered, and that it was a drainage easement, but the easement language was not included as a condition of approval.

Chair Kirby restated that it was talked about but it was not included.

Commissioner Wallace remarked that a drainage easement allows the city come in and address drainage issues, and asked how that would enure to an adjacent property owner.

Planning Manager Mayer explained the operation of a drainage easement.

Mr. Davies responded that this is not helpful because the documents for this property offer building blocks to make sure nothing happens in the back of these homes. There is a lot of verbiage about encroachment in the front, but the language in the back is word salad. And further that there were firm commitments regarding what would happen and those things have not happened.

Chair Kirby appreciated his point but stated that the documents did not include what, if anything was agreed to.

Commissioner Wallace recounted the prior case involving reconsideration of a variance request. The property owner was able to demonstrate that she was not provided adequate notice of the

setback. This discussion suggests that, even in the event that the easement was not included by mistake, this is not the kind of easement that would negatively affect your rights.

Ms. Davies asked whether the commission could include that the east and west sides have a 50-foot setback.

Council Member Wilttrout asked Planner II Christian to indicate the area being discussed, and asked whether it was standard city procedure to have the setbacks in the zoning text or whether they were included in all of the documents.

Planner II Christian indicated the location on the site plan. He explained that plats usually include front yard setbacks and easements. The zoning text would typically include all of the setbacks and easements. He further agreed with the suggestion that a notation be added to the recorded plat that the zoning text should be consulted.

Council Member Wilttrout stated that she agreed. It would be a lot to include all of that information on the recorded plat. She supported the incorporating a notation on the recorded plat to refer to the zoning text.

Chair Kirby asked for further questions from the commission.

Hearing none, Chair Kirby moved to accept the staff reports and related documents into the record for FPL-85-2024. Commissioner Briggs seconded the motion.

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

Upon roll call: Mr. Kirby yes, Ms. Briggs yes, Mr. Wallace yes, Mr. Larsen yes, Mr. Schell yes. Having five yes votes the motion passed and the staff reports and related documents were admitted into the record for FPL-85-2024.

Commissioner Wallace moved to approve FPL-85-2024 based on the findings in the staff report with the three conditions in the staff report and the following additional condition:

4. That the plat be modified to include a note that the zoning text be consulted for restrictions including the setbacks.

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. Wallace yes, Mr. Larsen yes, Mr. Kirby yes, Ms. Briggs yes, Mr. Schell yes. Having five yes votes, the motion passed and FPL-85-2024 subject to the conditions in the staff report and the additional condition as stated above.

The commission thanked the applicant and wished them good luck

Chair Kirby introduced FPM-81-2024 and asked to hear from staff.

FPM-81-2024 Final Plat Modification

Final plat modification for 8 Hawksmoor Drive (PID: 222-004645-00).

Applicant: Trevor Arnold

Planner II Christian delivered the staff report.

Community Development Department Engineering Manager delivered the engineering report.

Chair Kirby asked to hear from the applicant.

Applicant Curtis Eckleberry on behalf of Trevor Arnold. He explained the history of the location of the tree preservation zone and the replatting of the lot. What this application sought to accomplish was increasing the developable space and moving and increasing the tree preservation zone.

Commissioner Briggs asked why the lot line was moved. Did the owner acquire additional property? And whether there was a neighbor to the south and whether an additional lot was acquired from that neighbor.

Mr. Eckleberry responded yes. There were a few different lots that changed. Additional property was acquired which necessitates a modification of the plat.

Commissioner Wallace asked Planner II Christian to show the existing lot line.

Council Member Wilttrout asked for a recounting of the story of how this all happened.

Planning Manager Mayer recounted the history of the resubdivision, he explained that four lots were made into three.

Council Member Wilttrout asked for the goal of this application.

Planning Manager Mayer to move the tree preservation zone because its current location limits the amount of developable space.

Council Member Wilttrout stated that this application proposes to move and to increase the size of the tree preservation zone while also increasing the size of the developable space.

Commissioner Schell confirmed that the applicant agreed with the conditions in the staff report.

Chair Kirby asked whether anyone from the public was present who wished to speak on the application. Hearing none, he asked whether there were additional questions from the commission.

Commissioner Wallace remarked that staff indicated that the tree survey should be reviewed to confirm which should be removed.

Planner II Christian agreed and recommended that staff work with the applicant on an overlay which would document which trees would be removed.

Mr. Eckleberry agreed and stated that he had already had communications with Sierra on this matter.

Chair Kirby asked for additional questions. Hearing none, he moved for acceptance of the staff reports and related documents into the record for FPM-81-2024. 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, Mr. Wallace yes, Ms. Briggs yes. Having five yes votes, the motion passed and the staff reports and related documents were accepted into the record for FPM-81-2024.

Commissioner Schell moved for approval of application FPM-81-2024 based on the findings in the staff report with the conditions in the staff report, subject to staff approval.

Chair Kirby offered the following additional condition:

To include documents showing new preservation zone overlaid on the tree survey document.

Commissioner Schell agreed to the condition.

Commissioner Larsen seconded the motion.

Chair Kirby asked whether there was any discussion on the motion.

Commissioner Briggs asked whether the trees had already been removed.

Mr. Eckleberry's response is inaudible and not on the video.

Commissioner Briggs said ok, thank you.

Hearing no further discussion, Chair Kirby asked to hear the roll.

Upon roll call: Mr. Schell yes, Mr. Larsen yes, Mr. Wallace yes, Mr. Kirby yes, Ms. Briggs yes. Having five yes votes, the motion passed and FPM-81-2024 was approved subject to the conditions in the staff report and the additional condition as stated above.

The commission thanked the applicant and wished him good luck.

VII. Other business

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

Hearing none, he polled the members for comment.

VIII. Poll members for comment

Commissioner Wallace commented that the CRA committee had their annual meeting and tours of various companies receiving tax incentives.

Commissioner Larsen reported that the US-62 Interchange will meet for their fourth and last meeting on November 19th and that there will be an open house on December 2nd.

Commissioner Schell asked for notice of the open house.

IX. Adjournment

Having no further business, Chair Kirby adjourned the November 18, 2024 regular meeting of the New Albany Planning Commission without objection at 9:38 p.m.

Submitted by: Deputy Clerk Madriguera, Esq.

Appendix

VAR-61-2024

Staff Report

Applicant Documents

Record of Action

ZC-71-2024

Staff Report

Applicant Presentation

Record of Action

PPL-76-2024

Staff Report

Record of Action

FPL-85-2024

Staff Report

Mr. Davies' Presentation

Mr. Davies' testimony at July 18, 2024 New Albany City Council Meeting

Record of Action

FPM-81-2024

Staff Report

Record of Action



**Planning Commission Staff Report
November 18, 2024 Meeting**

**6309 CALLAWAY SQUARE WEST
COVERED PORCH ENCROACHMENT VARIANCE
RECONSIDERATION REQUEST**

LOCATION: 6309 Callaway Square West (PID: 222-005228-00)
APPLICANT: Nancy Willis, homeowner
REQUEST: Reconsider a variance to allow a covered porch to encroach 6 feet into the rear yard setback
ZONING: I-PUD (Planned Unit Development)
STRATEGIC PLAN: Residential
APPLICATION: VAR-61-2024

Review based on: Application materials received November 1, 2024.

Staff report completed by Stephen Mayer, Planning Manager

I. REQUEST AND BACKGROUND

The homeowner requests reconsideration of a variance application the Planning Commission reviewed and denied on September 16, 2024. The variance request was to allow for the construction of a covered patio and fireplace to encroach approximately 6 feet into the 29-foot rear yard setback. This staff report is only to decide if the variance should be reconsidered.

The September submittal material included two site plans, one that shows the patio and fireplace encroaching 4 feet into the setback and another that shows the improvements encroaching 6 feet into the setback. The city staff realized the difference on the day of the meeting and presented the variance as a 4-foot encroachment at the meeting even though the staff report evaluated the encroachment as 6 feet to err in favor of the homeowner.

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

Per Codified Ordinance 159.06(c) (Reconsideration of Commission/Board Action) the Planning Commission may reconsider any action it has taken upon its own motion for good cause shown. Any action denying or disapproving an application, other than one involving an incomplete application, may be reconsidered no later than the second regular meeting after the original action from which reconsideration is being requested was taken, only if the applicant or its designee clearly demonstrates one of the following:

1. Circumstances affecting the subject property or item under consideration have substantially changed; or
2. New information is available that could not with reasonable diligence have been presented at a previous hearing.

Since the September hearing the homeowner made the following updates:

- Revised the site plan so the fireplace no longer encroaches into the rear yard setback. The setback encroachment has been reduced to approximately 3 feet.
- Submitted additional information that wasn't available at the September meeting including site photos and a letter of support from the homeowner behind the applicant's property.

The homeowner has submitted the following information:

- Reconsideration Letter to Planning Commission
- Exhibit A-Application and Staff Recommendation
- Exhibit B-Decision and Record of Action
- Exhibit C- 6309 Callaway Square West - Side Elevations, site plan, and building plan
- Exhibit D-Excerpt from Transcript of Planning Commission Hearing 9.16.2024
- Exhibit E-Duro Neighbor Letter of Support
- Exhibit F-Photos of 6309 Callaway Sq W
- Exhibit G-6321 Callaway Sq W
- Exhibit H-Nottingham Trace Phase 3 Recorded Plat
- Exhibit I- Deed to 6309 Callaway Square West

V. ACTION

Should the Planning Commission find that the reconsideration request has sufficient basis for approval, the following motion is appropriate:

Move to reconsider variance application VAR-61-2024 pursuant to Codified Ordinance 159.

If the motion passes, staff recommends that the board immediately table the application until the next regularly scheduled meeting date so that the surrounding neighbors can be notified of the hearing and staff can prepare staff report containing a full evaluation of the proposal. The following motion is appropriate:

Move to table variance application VAR-61-2024 until the next regularly scheduled Planning Commission meeting.

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

Monday, November 18, 2024

The New Albany Planning Commission took the following action on 11/18/2024 .

Variance

Location: 6309 Callaway Square W, Unit:107

Applicant: Suncraft Corporation Inc.,

Application: PLVARI20240061

Request: Reconsideration request for a variance to the Nottingham Trace zoning text Section E(5)(c) to allow a covered porch to encroach into the 35 rear yard setback at 6309 Callaway Square West (PID: 222-005228).

Motion: To reconsider

Commission Vote: Motion Approved, 5-0

Result: Variance, PLVARI20240061 was Approved for reconsideration, by a vote of 5-0.

Recorded in the Official Journal this December 09, 2024

Condition(s) of Approval: To table variance application until the next regularly scheduled Planning Commission meeting.

Staff Certification:

A handwritten signature in cursive script that reads "Kylie Blackburn".

Kylie Blackburn
Planner

November 1, 2024

**New Albany Planning Commission
99 West Main Street
New Albany, Ohio 43054**

Request for Reconsideration of Denial of Application: VAR-61-2024

The New Albany Planning Commission held a hearing on the above variance application on September 16, 2024. A copy of the application, along with the Planning Commission Staff Report is attached as Exhibit A. The Planning Commission denied the variance request. A copy of the Decision and Record of Action is attached as Exhibit B.

Since receiving the denial, circumstances affecting the subject property have substantially changed. The plan for the proposed porch has been revised to locate the proposed fireplace chimney (2 feet in depth) to the left side of the porch, instead of extending 2 feet into the back yard. *See* Revised Plan, attached as Exhibit C. Under the revised plan, the chimney will be brick, as the Commission requested. The original application incorrectly stated that “[t]he rear of the house is located 36.97’ from the rear lot line.” Exhibit A, p. 3 (unnumbered) at ¶ 3. This measurement did not take into account the 2’ recess in the exterior wall at the rear of the house where the covered porch would be located. The measurement from the rear lot line to the exterior rear wall of the house (where the porch would be located) is 38.97 feet. There is a 35-foot special rear yard setback. “Decks, patios, and screened porches may encroach a maximum of 6 feet into the minimum required rear yard setback.” Zoning Regulation E(6). “The Zoning text for the subdivision does say for all decks, patios and screen porches, so it’s covered or uncovered, we believe that this regulation would apply.” *See* excerpt of Sept. 16, 2024 Hearing Transcript, attached as Exhibit D, p. 4. Therefore, 3.97’ of the backyard is outside of the setback. The revised plan requests a variance of 2.03’.

I previously requested a variance of 4’ (including the chimney), for which the planning commission staff recommended approval. The staff noted: “The variance does not appear to be substantial.” Exhibit D, p. 1. “The house located behind this property [7558 Schleppe Road] is over 220 ft away from the property line, and there appears to be an exiting tree line that provides buffering as well.” *Id.* at p. 2. “The proposed covered patio doesn’t alter...the neighborhood’s essential character because it’s similar to others in the subdivision. However, 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.” *Id.*

New information is available, which is discussed below.

Justin and Brittany Duro, the owners of the property (7558 Schleppe Road, New Albany, Ohio 43054), which abuts the rear lot line of the subject property, have submitted a letter stating that they do not object to the requested variance. They did not attend the September hearing or contact the staff prior to that hearing. The Duro’s letter is attached as Exhibit E. I have also attached photographs of the backyard of my property, which abuts 7558 Schleppe Road. These photographs (1) show the back of my house (1 photo) and (2) the tree and bush line buffer between my property and the Schleppe Road property (2 photos) as Exhibit F.

The adjoining neighbors’ patios were discussed during the September 16, 2024 meeting. A member of the commission stated: “We don’t know if the other patios are in the same setback or not or compliance, so that would be important to understand, I think to make a decision.” Sept. 16,

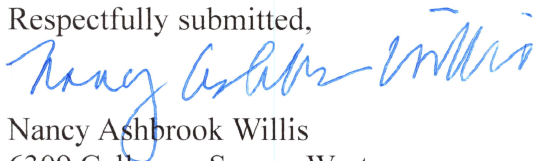
2024 Minutes Transcript, p. 4. Since the meeting, I have learned that the property owners at 6321 Callaway Square West, a neighboring property to the right of the subject property, were given a permit to build a 12' x 22' patio. The patio extends beyond the allowable 6' encroachment, and the property owners were not required to seek a variance. The permit application and two photos of the patio at 6321 Callaway Square West are attached as Exhibit G. The survey shows that the property has a 35.08' back yard. The patio begins at the recessed 4' rear exterior wall of the house. Factoring in the allowable 6' encroachment, the 12' patio extends 1.92' into the 35' setback. The property owners were not required to obtain a variance. I'm simply asking to do what these property owners have already been permitted to do.

The Commission and the staff also discussed at the hearing that shrinking the patio was a viable alternative to a variance. Exhibit D, pp. 2, 4. "I know shrinking those patio sometimes makes it difficult, but there is an option to shrink it...so instead of 12ft out, ten feet out." *Id.* at p. 4. The contractor, Jeff Broveyz of Suncraft, testified that "the width of the porch 12ft is kind of a minimum if you ask me. For a usable space to be able to put furniture, a table and chairs, and I'd hate to see it become narrower than that because it would really, you know, make the space not as usable." *Id.* at p. 2-3. Reducing the patio from a depth of 12' would result in inadequate space to accommodate a wheelchair and furniture. I have family members and friends in wheelchairs. I also was in a wheelchair on and off for almost two months last year. The Better Homes and Gardens website advises that a dining area for six to eight people requires a 12x12 space and pathways should be 3-4 feet wide. <https://www.bhg.com/home-improvement/patio/designs/how-to-choose-patio-size/> (last accessed 10/31/2024). Reducing the depth of the patio to 10' does not provide a viable alternative.

Finally, the recorded plat map for Nottingham Trace Phase 3 identifies the lot I purchased in Nottingham Trace as Lot 107. A copy of the recorded plat map is attached as Exhibit H. The deed to me identifies the property as Lot 107. A copy of the deed is attached as Exhibit I. The zoning regulations state that Lot 107 has a rear yard setback of 15'. Zoning Regulation E(5)(d). This raises potential legal issues.

In conclusion, the 35' rear yard setback affects only 10 properties in Nottingham Trace, a development that currently consists of more than 150 homes. Since so few properties are affected, allowing the requested variance will not open a floodgate of variance requests or set a generally applicable precedent. Furthermore, a literal interpretation of the zoning regulations would deprive me of rights commonly enjoyed by my neighbors and other properties in the neighborhood, while granting the variance will not confer any special privilege to my property. For the reasons listed above, I respectfully ask the Commission to reconsider my variance application as revised and approve a 12' x 27.10' patio as described in Exhibit C.

Respectfully submitted,



Nancy Ashbrook Willis
6309 Callaway Square West
New Albany, OH 43054

Enclosures



**Planning Commission Staff Report
September 16, 2024 Meeting**

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

LOCATION: 6309 Callaway Square West (PID: 222-005228-00)
APPLICANT: Suncraft Corporation, Inc.
REQUEST: 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 drop-off 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. 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).
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.

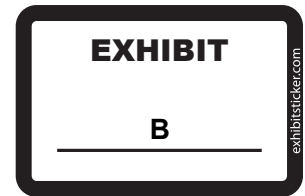
Move to approve application VAR-61-2024 based on the findings in the staff report (conditions of approval may be added).

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

VAR-61-2024



AUDITOR OFFICE

SEARCH

ONLINE TOOLS

REFERENCE

CONTACT MICHAEL

Summary

Sketch

Land Profile

Parcel ID: 222-005229-00
VOGEL MELINDA COHEN

Map Routing: 222-N053G -113-00
6315 CALLAWAY SQ WEST

Previous View of

1 of 1

Return to Search Results

Residential

Commercial

Improvements

Permits

Mapping

Photo

Photo

StreetSmart

Aerial Photos

Transfers

BOR Status

CAUV Status

Tax & Payments

Tax Distribution

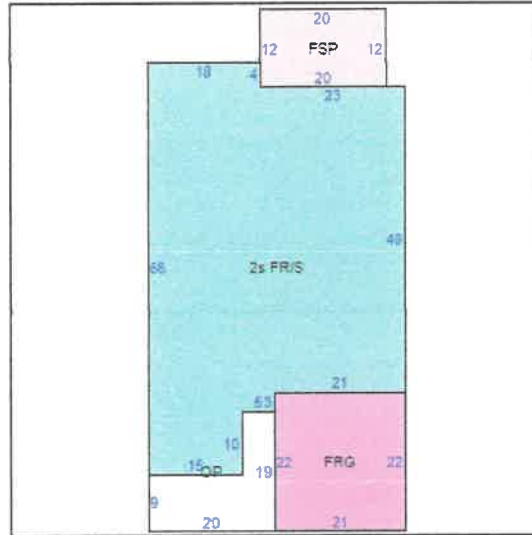
Tax Calculators

Value History

Rental Contact

Incentive Details

Quick Links



- Neighborhood Sales
- Proximity Search
- Printable Version
- Custom Report Builder

- Proximity Report
- Map Report
- Parcel Summary
- Parcel Detail

Options

Type	Line #	Item	Area
Dwelling	0	2s FR/S	2,291
Dwelling	1	FRG - 15:FRAME GARAGE	462
Dwelling	2	OP - 13:OPEN FRAME PORCH	230
Dwelling	3	FSP - 41:FGST/TILE PATIO	240

Click on an item to display it independently.

Additional

Information regarding the sketch and its components.

For more information, please contact the auditor's office.

VAR-61 - 2024



AUDITOR OFFICE

SEARCH

ONLINE TOOLS

REFERENCE

CONTACT MICHAEL

Summary

Sketch

Land Profile

Parcel ID: 222-005230-00
STERN JEFFREY R

Map Routing: 222-N053G -114-00
6321 CALLAWAY SQ WEST

Map Navigator

2 of 2
Return to Search Results

Residential

Commercial

Improvements

Permits

Mapping

3D View

Photo

StreetSmart

Aerial Photos

Transfers

BOR Status

CAUV Status

Tax & Payments

Tax Distribution

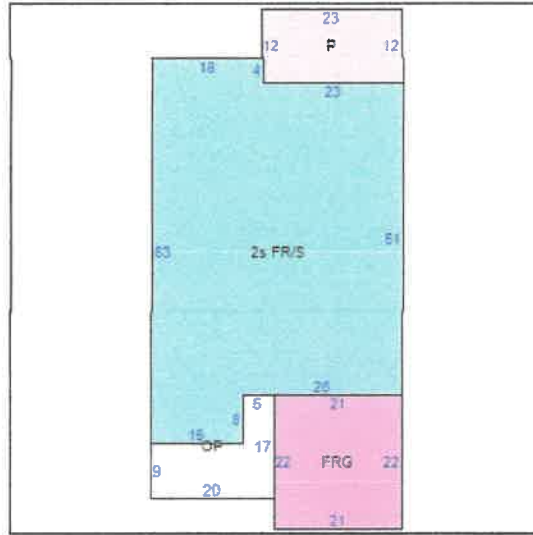
Tax Calculators

Value History

Rental Contact

Incentive Details

Quick Links



- Neighborhood Sales
- Proximity Search
- Printable Version
- Custom Report Builder

Reports

- Proximity Report
- Map Report
- Parcel Summary
- Parcel Detail

Options

Type	Line #	Item	Area
Dwelling	0	2s FR/S	2,283
Dwelling	1	FRG - 16:FRAME GARAGE	462
Dwelling	2	OP - 13:OPEN FRAME PORCH	220
Dwelling	3	P - 40:CONCRETE PATIO	276

Click on an item to display it independently.

Disclaimer:

This sketch is for informational purposes only. It is not a legal document and should not be used for legal purposes. The sketch is based on the best available information and is subject to change without notice. The sketch is not a guarantee of accuracy and is not a warranty of any kind. The sketch is provided as a service to the public and is not intended to be used for any other purpose.

Franklin County Auditor - Sketch



V AL-67-2024

3

AUDITOR OFFICE

SEARCH

ONLINE TOOLS

REFERENCE

CONTACT MICHAEL

- Summary
- Land Profile
- Residential
- Commercial
- Improvements
- Permits
- Mapping
- SLIKES
- Photo
- StreetSmart
- Aerial Photos
- Transfers
- BOR Status
- CAUV Status
- Tax & Payments
- Tax Distribution
- Tax Calculators
- Value History
- Rental Contact
- Incentive Details
- Quick Links

Sketch
 Parcel ID: 222-005225-00
 ELLISON ALBERTA E

Map Routing: 222-N053G -109-00
 6291 CALLAWAY SQ WEST

Refresh Navigation

1 of 1

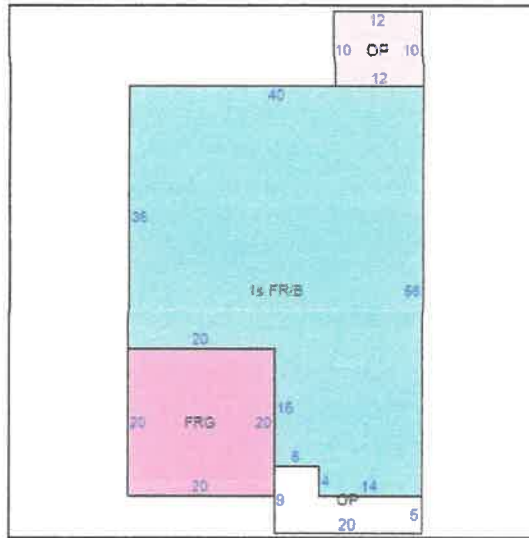
Return to Search Results

Actions

- Neighborhood Sales
- Proximity Search
- Printable Version
- Custom Report Builder

Reports

- Proximity Report
- Map Report
- Parcel Summary
- Parcel Detail



Options

Type	Line #	Item	Area
Dwelling	0	1s FR/B	1,816
Dwelling	1	FRG - 15:FRAME GARAGE	400
Dwelling	2	OP - 13:OPEN FRAME PORCH	124
Dwelling	3	OP - 13:OPEN FRAME PORCH	120

Click on an item to display it independently.

Disclaimer:

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For more information, please contact the Franklin County Auditor's Office.

VAL-61-2024 (4)

AUDITOR OFFICE

SEARCH

ONLINE TOOLS

REFERENCE

CONTACT MICHAEL

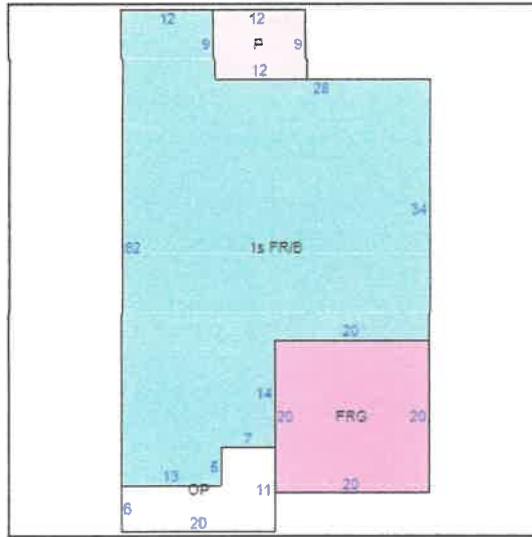
- Summary
- Land Profile
- Residential
- Commercial
- Improvements
- Permits
- Mapping
- Photo
- StreetSmart
- Aerial Photos
- Transfers
- BOR Status
- CAUV Status
- Tax & Payments
- Tax Distribution
- Tax Calculators
- Value History
- Rental Contact
- Incentive Details
- Quick Links

Sketch

Parcel ID: 222-005227-00
STINSON DEBORAH R

Map Routing: 222-N053G -111-00
6303 CALLAWAY SQ WEST

1 of 2
Return to Search Results



- Neighborhood Sales
- Proximity Search
- Printable Version
- Custom Report Builder

- Proximity Report
- Map Report
- Parcel Summary
- Parcel Detail

Options

Type	Line #	Item	Area
Dwelling	0	1s FR/B	1,813
Dwelling	1	FRG - 16:FRAME GARAGE	400
Dwelling	2	OP - 13:OPEN FRAME PORCH	155
Dwelling	3	P - 40:CONCRETE PATIO	108

Click on an item to display it independently.

Web Data

https://property.franklincountyauditor.com/_web/datalets/sketchframe.aspx?mode=sketch.aspx&sindex=0&idx=1&LMparent=20

5



NON-STANDARD OPTION (NSO) REQUEST FORM

CONTRACT INFORMATION

NSO REQUEST DATE	<input type="text" value="10/28/22"/>	COMMUNITY NAME	<input type="text" value="Nottingham Trace"/>
JIO SIGNED DATE	<input type="text" value="10/23/22"/>	LOT NUMBER	<input type="text" value="00107"/>
PLAN TYPE	<input type="text" value="Ascend"/>	CUSTOMER	<input type="text" value="Nancy Willis"/>
ELEVATION	<input type="text" value="HR3W"/>	REQUESTOR (SALES REP/DEC)	<input type="text" value="Dana Levins"/>
FOUNDATION TYPE	<input type="text" value="SLAB"/>		

OPTION DESCRIPTION, COLOR, AND PRODUCT DETAIL

Please provide price for 12'-0" x 13'-7 1/2" Patio. Please see attached sketch.

NSO Pricing Request Fee* <input type="text" value="\$0"/>	# OF ATTACHMENTS INCLUDED <input type="text" value="1"/>
*Collected by REQUESTOR at time of request submission. WAS APPLICABLE COLOR(S) INCLUDED IN DESCRIPTION <input type="text"/>	
*Enter into Home Selections Deposit type OTHER <input type="text"/>	

AUTHORIZATIONS TO PRICE

DocuSigned by: CUSTOMER SIGNATURE	10/27/2022 DATE	CUSTOMER SIGNATURE	DATE
CUSTOMER SIGNATURE	DATE	CUSTOMER SIGNATURE	DATE

APPROVAL BY MANAGEMENT

SALES MANAGER APPROVAL	DATE
CONSTRUCTION MANAGER APPROVAL	DATE

Buyer understands that Seller may require a pricing request fee for each Non-Standard Option (NSO) Request. If the requested NSO is priced by the Seller, that fee is not credited to the Buyer at closing and is not refundable in any event where the Buyer does not close as per the Agreement. For those requests which are priced, accepted by the Buyer, and added to the Agreement through a NSO Change Order, all additional deposits required as part of that change order will be applied to the Agreement and credited to the Buyer at closing. In any event where the Buyer does not close, all deposits required by any NSO change order will be forfeited to the Seller.

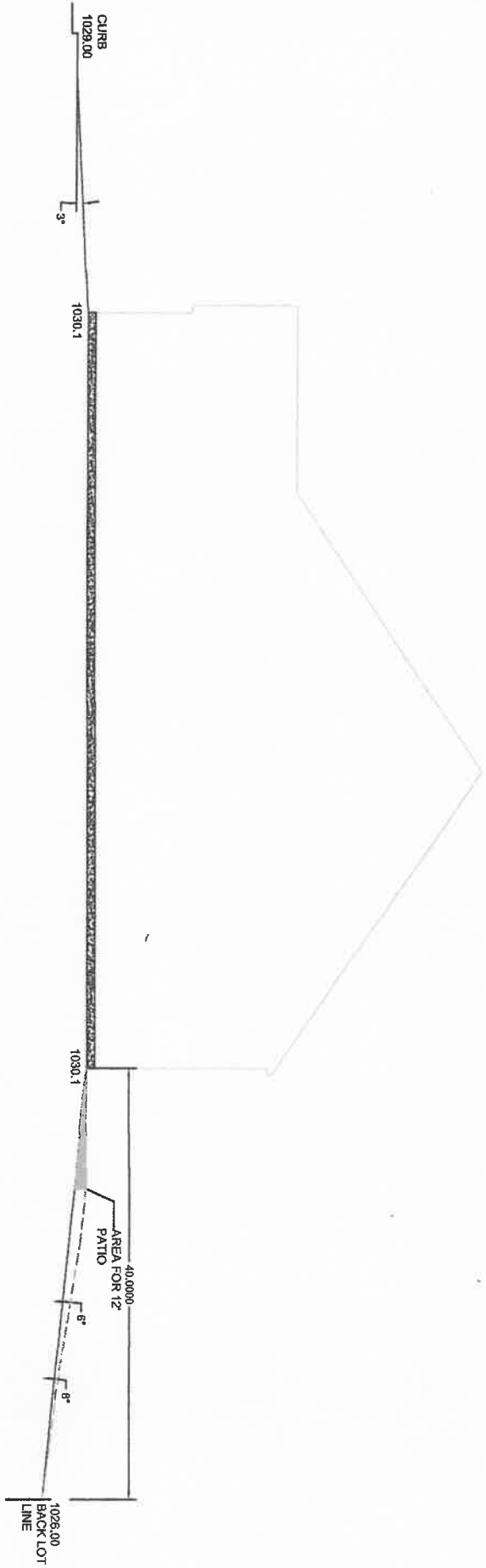
Buyer further understands that this NSO Request form is only an agreement to review and potentially price a special option for the Buyer. Until an NSO Change Order is generated, authorized by both Buyer and Seller, and PAID IN FULL, any items associated with this request will not be made part of the Agreement or installed in the home.

PRICING INFORMATION

OPTION PRICE** <input type="text"/>	**Option price required to be paid in full at time of acceptance of NSO Change Order
	**Enter into Home Selections as Deposit type OPTIONS

ADMINISTRATIVE USE ONLY

TRADE PARTNER	NSO REQUEST #	EPO Acct Cat	EPO Amount



LOT 107 NTR



LANDMARK SURVEY GROUP, INCORPORATED

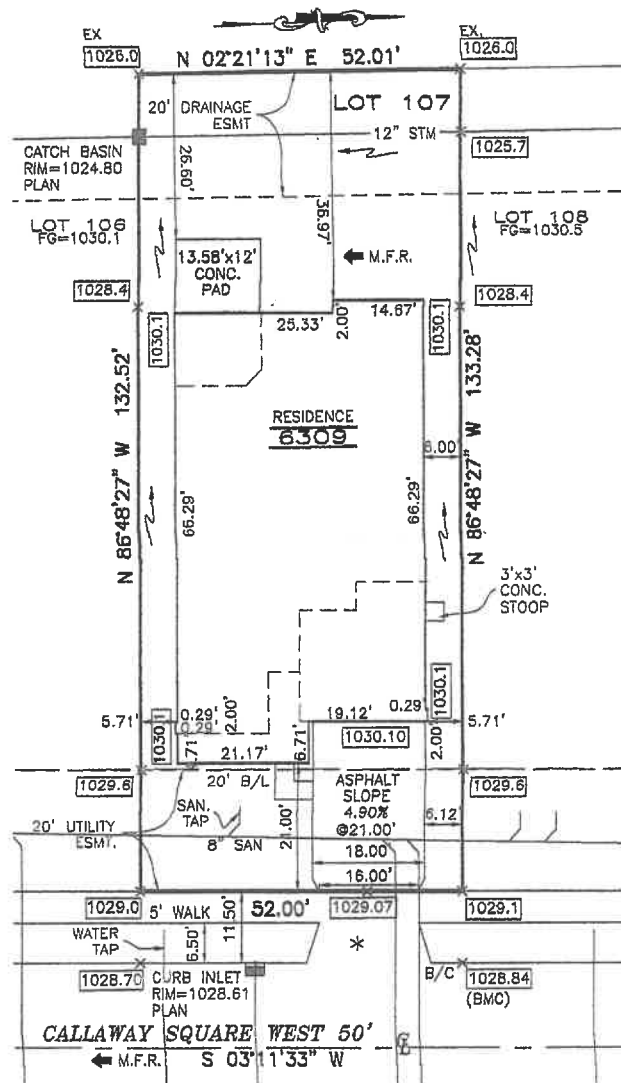
690 LAKEVIEW PLAZA BLVD, SUITE A, WORTHINGTON OH. 43085
 PHONE: (614) 485-9000 WWW.LANDMARKSURVEY.COM

REVISIONS	DESCRIPTION

ORDER NO. NTR3-107-PP

DATE: 10/25/22

FOR PULTE HOMES HOUSE STYLE ASCEND HR3W COUNTY OF FRANKLIN
 LOT/SUBDIVISION LOT 107 / NOTTINGHAM TRACE PHASE 3 CITY/TWP OF NEW ALBANY
 ADDRESS 6309 CALLAWAY SQUARE WEST SCALE 1"= 20' DRAWN BY: PY
 MINIMUMS: DEFAULT R: 20' S: 5' BK: 132 PG: 138



THE STREET AND LOT TREE SPECIMENS SHALL COMPLY WITH FINAL DEVELOPMENT PLAN FOR NOTTINGHAM TRACE. REFERENCE DEVELOPMENT PLAN FOR ADDITIONAL INFORMATION. THE BUILDER WILL BE BONDING THIS WORK.

* STABILIZE CONSTRUCTION ENTRANCE.

LOT CALCULATIONS ARE FOR ESTIMATING PURPOSES ONLY AND SHOULD BE VERIFIED BY THE BUILDER OR CONTRACTOR.

LOCATION	AREA
LOT	8888 S.F.
STRUCTURE	2811 S.F.
DRIVE	497 S.F.
APPROACH	197 S.F.
SER WALK	75 S.F.
WALK	150 S.F.
SOD	3635 S.F.
DRIVE S.V.	442 S.V.
LOT AC	0.158 Ac.
LOT COV	40.81%
SAN LAT	8

PULTE SLAB (TRENCH & CAP)
 FINISH FLOOR = 1030.77
 FINISH GRADE=1030.10
 GARAGE PAD=1030.10
 TOP OF FOOTER=1029.77
 BOTTOM OF FOOTER=1027.10
 DRIVE SLOPE DISTANCE= 21

BUILDER TO INSTALL AND MAINTAIN EROSION CONTROL THROUGHOUT ALL PHASES OF CONSTRUCTION. FIELD MODIFICATIONS MAY BE NECESSARY.

WE HEREBY CERTIFY THAT THE FOREGOING PLOT PLAN WAS PREPARED FROM INFORMATION PROVIDED BY THE CLIENT AND DATA OBTAINED FROM ENGINEERED SUBDIVISION PLANS. THIS PLOT PLAN IS TO BE USED BY THE CLIENT FOR THE SOLE PURPOSE OF OBTAINING A BUILDING PERMIT. THE USE OF THE PLOT PLAN FOR ANY OTHER USE IS STRICTLY PROHIBITED.



Scott D. Grundei 10/25/22
 SCOTT D. GRUNDEI, P.S.
 REGISTERED SURVEYOR NO. 8047

THIS PROPERTY IS LOCATED IN FLOOD ZONE X
 MAP NO. 39049C 0202K
 EFF. DATE: 8/17/08



COMMUNITY CONNECTS US

Planning Commission Staff Report
September 16, 2024 Meeting



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

LOCATION: 6309 Callaway Square West (PID: 222-005228-00)
APPLICANT: Suncraft Corporation, Inc.
REQUEST: 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 drop-off 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. 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).
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.

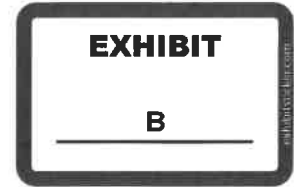
Move to approve application VAR-61-2024 based on the findings in the staff report (conditions of approval may be added).

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

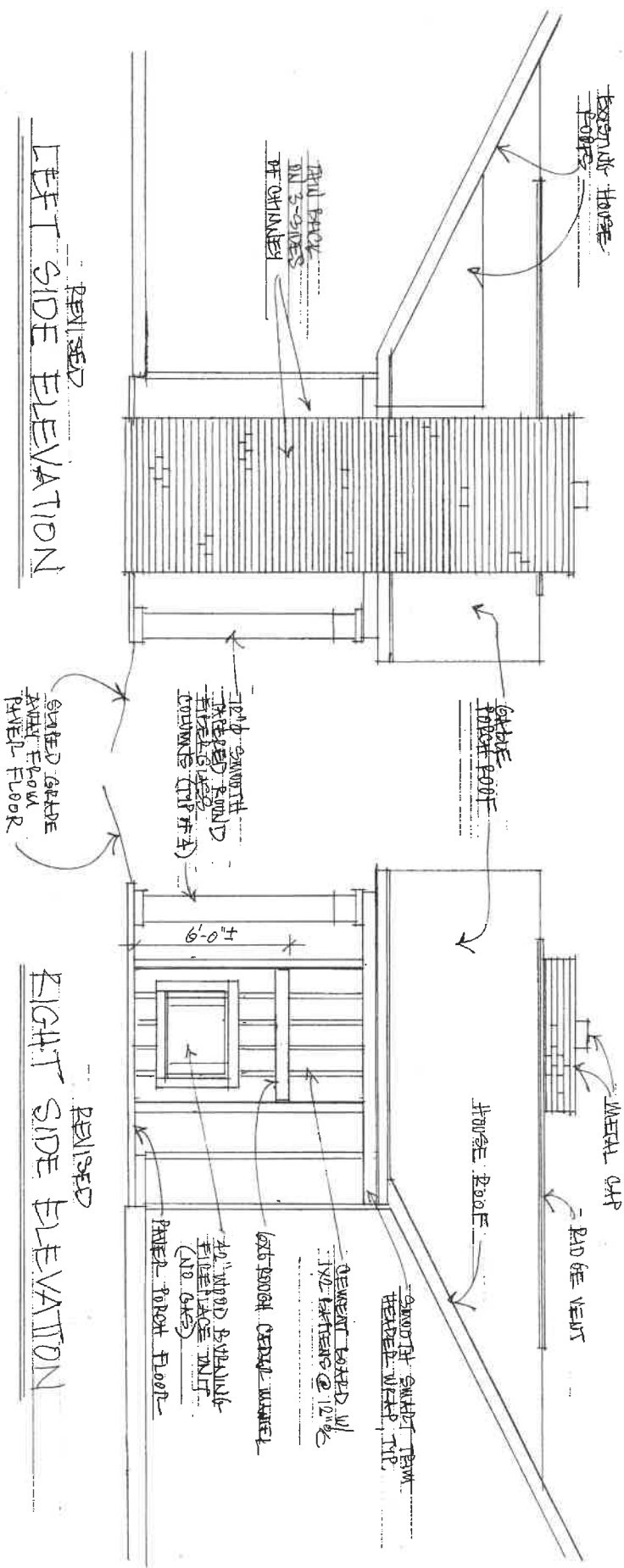
Condition(s) of Approval: N/A

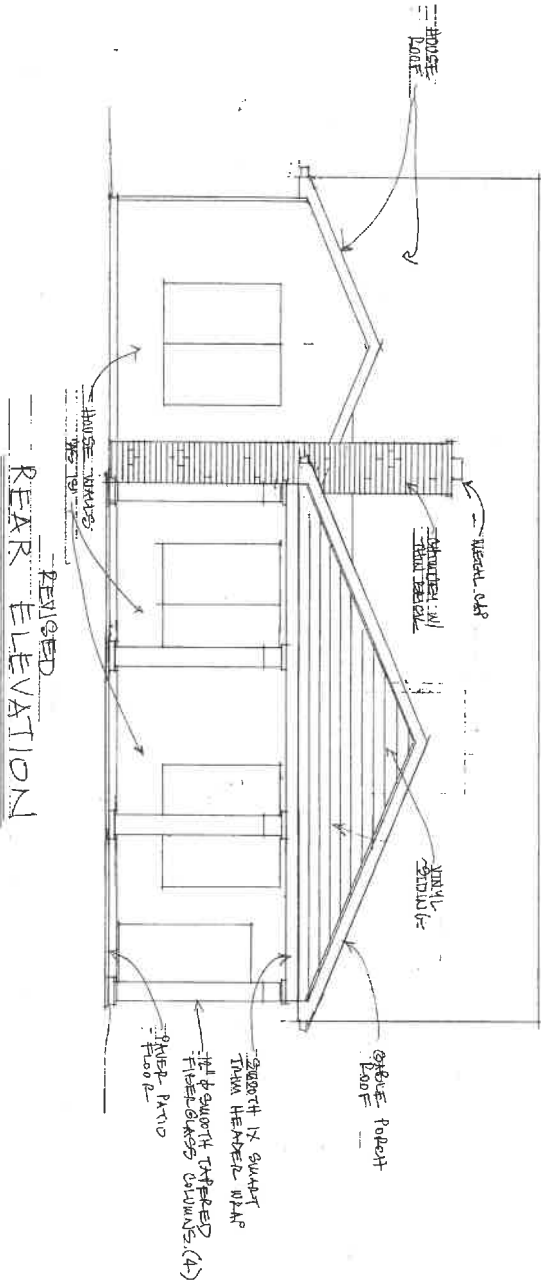
Staff Certification:

Sierra Cratic-Smith

Sierra Cratic-Smith Planner

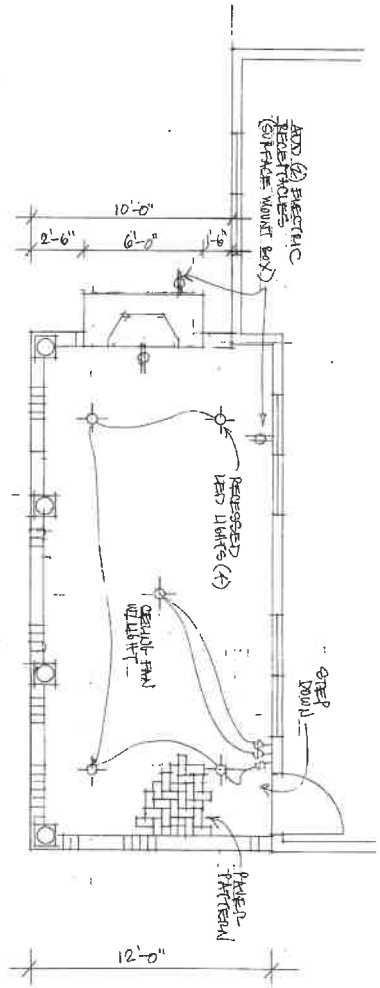
SUN-CRAFT
 BUILDING JOBS 2410-1
 APPROVED BY: _____





INTERIOR & EXTENDED OF PORCH TO BE FINISHED WHITE - SATIN # JH. 10-20

REVISSED PORCH PLAN



PRELIMINARY <input type="checkbox"/> PERMIT <input type="checkbox"/> CONSTRUCTION <input checked="" type="checkbox"/> CONTRACT - 2112 /	SUNCRAFT DESIGNED RIGHT. BUILT RIGHT.	Suncraft Corporation, Inc. 122 West Johnstown Road Columbus, OH 43230 Phone: (614) 475-0000 Fax: (614) 475-0998	Suncraft Corporation, Inc. reserves the copyright and ownership to the residential appliance brand. This drawing is the property of Suncraft Corp., Inc. and is not to be used for any purpose other than construction by Suncraft Corp., Inc. All drawings are subject to change without notice. Suncraft Corp., Inc. and its affiliates shall not be held responsible for any errors or omissions which may appear hereon. Suncraft Corp., Inc.	DESIGNER: 211 SCALE: 1/4" = 1'-0" DATE: 26 OCT 24 CHECKED: REVISSED:
	NANCY WILLIS 6309 CALLOWAY SP. W. NEW ALEANY	APPROVED _____ DATE _____ APPROVED _____ DATE _____		



LANDMARK SURVEY GROUP, INCORPORATED

690 LAKEVIEW PLAZA BLVD, SUITE A, WORTHINGTON OH.43085
PHONE: (614) 485-9000 WWW.LANDMARKSURVEY.COM

REVISIONS	DESCRIPTION
11/09/22	HOUSE REVISED (FY)

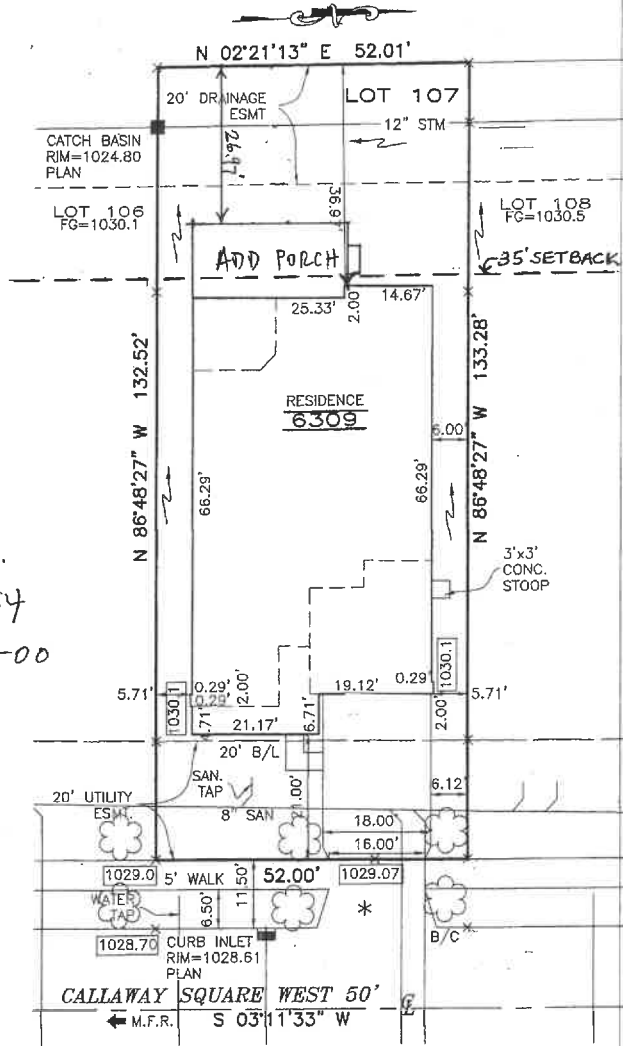
ORDER NO. NTR3-107-PP

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FOR PULTE HOMES HOUSE STYLE ASCEND HR3W COUNTY OF FRANKLIN
 LOT/SUBDIVISION LOT 107 / NOTTINGHAM TRACE PHASE 3 CITY/TWP OF NEW ALBANY
 ADDRESS 6309 CALLAWAY SQUARE WEST SCALE 1"= 20' DRAWN BY: PY
 MINIMUMS: DEFAULT R: 20' S: 5' BK: 132 PG: 138

DocuSigned by:
 Nancy Willis
 11/10/2022
 A0889D38099246F...

NANCY WILLIS
 6309 CALLAWAY SQ W.
 NEW ALBANY, OH 43054
 PARCEL # 222-005228-00



THE STREET AND LOT TREE SPECIMENS SHALL COMPLY WITH FINAL DEVELOPMENT PLAN FOR NOTTINGHAM TRACE. REFERENCE DEVELOPMENT PLAN FOR ADDITIONAL INFORMATION. THE BUILDER WILL BE BONDING THIS WORK.

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LOT CALCULATIONS	
LOCATION	AREA
LOT	8888 S.F.
STRUCTURE	2811 S.F.
DRIVE	49 S.F.
APPROACH	197 S.F.
SEW WALK	25 S.F.
WALK	180 S.F.
SOD	36.6 S.F.
SOIL S.V.	404 S.V.
DRIVE S.V.	55 S.V.
LOT AC.	0.158 AC.
LOT COV.	40.81%
SAN LAT.	6

PULTE SLAB (TRENCH & CAP)
 FINISH FLOOR = 1030.77
 FINISH GRADE = 1030.10
 GARAGE PAD = 1030.10
 TOP OF FOOTER 1029.77
 BOTTOM OF FOOTER = 1027.10
 DRIVE SLOPE DISTANCE = 21

THIS PROPERTY IS LOCATED IN FLOOD ZONE X
 MAP NO. 39049C 0202K
 EFF. DATE: 6/17/08

BUILDER TO INSTALL AND MAINTAIN EROSION CONTROL THROUGHOUT ALL PHASES OF CONSTRUCTION. FIELD MODIFICATIONS MAY BE NECESSARY.

WE HEREBY CERTIFY THAT THE FOREGOING PLOT PLAN WAS PREPARED FROM INFORMATION PROVIDED BY THE CLIENT AND DATA OBTAINED FROM ENGINEERED SUBDIVISION PLANS. THIS PLOT PLAN IS TO BE USED BY THE CLIENT FOR THE SOLE PURPOSE OF OBTAINING A BUILDING PERMIT. THE USE OF THE PLOT PLAN FOR ANY OTHER USE IS STRICTLY PROHIBITED.



Scott D. Grunel 10/25/22
 SCOTT D. GRUNEL, P.S.
 REGISTERED SURVEYOR NO. 8047

PAUL J. C.



**Planning Commission Staff Report
November 18, 2024 Meeting**

**NEW ALBANY COUNTRY CLUB SECTION 30
ZONING AMENDMENT**

LOCATION: Section 30 of the New Albany Country Club (East Nine) (PID: 222-005185 and 46 others, see attached).
APPLICANT: The New Albany Company LLC, c/o Aaron Underhill, Esq.
REQUEST: Zoning Amendment
ZONING: Comprehensive-Planned Unit Development (C-PUD) to Infill- Planned Unit Development (I-PUD)
STRATEGIC PLAN: Residential District
APPLICATION: ZC-71-2024

Review based on: Application materials received September 23, 2024 and November 1, 2024
Staff report completed by Sierra Saumenig, Planner.

I. REQUEST AND BACKGROUND

The applicant requests review and recommendation to rezone 30.04+/- acres from Comprehensive-Planned Unit Development (C-PUD) to Infill-Planned Unit Development (I-PUD).

The site is currently zoned C-PUD (1998 NACO C-PUD Subarea 1D; Lambton Park Central Cluster) and has been developed with public infrastructure, including but not limited to an extension of Head of Pond Road into the property from Lambton Park on the southwest, an extension of Baughman Grant into the property from the north, other internal streets, and utilities and stormwater management infrastructure. While infrastructure has been constructed, no lots have been sold and no homes have been built within the subdivision. The applicant requests to reconfigure parcels and add four additional lots within the subdivision, increasing from 36 to 40 lots.

The applicant also requests review and approval of a preliminary plat application associated with New Albany Country Club Section 30. This application is reviewed under a separate staff report.

II. SITE DESCRIPTION & USE

The 30.04+/- acre development area is part of a larger 105.34+/- acre property. A majority of the property contains portions of the New Albany Country Club golf course as well as 36 previously platted residential lots, 5 reserves, and three public streets. The surrounding land uses include the golf course and residentially zoned and used land.

III. PLAN REVIEW

Planning Commission's review authority of the zoning amendment application is found under C.O. Chapters 1107.02 and 1159.09. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to City Council. Staff's review is based on city plans and studies, proposed zoning text, and the codified ordinances. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

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

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

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

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

A. Engage New Albany Strategic Plan

The site is located within the Residential District future land use district. The Engage New Albany Strategic Plan lists the following development standards for the Residential District:

- Organically shaped stormwater management ponds and areas should be incorporated into the overall design as natural features and assets to the community.
- Houses should front onto public open spaces and not back onto public parks or roads.
- All or adequate amounts of open space and parkland is strongly encouraged to be provided on-site.
- A hierarchy of open spaces is encouraged. Each development should have at least one open space located near the center of the development. Typically, neighborhood parks

range from a half an acre to 5 acres. Multiple greens may be necessary in large developments to provide centrally located greens.

- Adequate amounts of open space and parkland are encouraged to be provided on site.
- Rear or side loaded garages are encouraged. When a garage faces the street, the front façade of the garage should be set back from the front facade of the house.
- Any proposed residential development outside of the Village Center shall have a base density of 1 dwelling unit per gross acre in order to preserve and protect the community’s natural resources and support the overall land conservation goals of the community. A transfer of residential density can be used to achieve a gross density of 1 dwelling unit per acre.
- Private streets are at odds with many of the community’s planning principles such as: interconnectivity, a hierarchy of street typologies and a connected community. To achieve these principles, streets within residential developments must be public.

The Engage New Albany Strategic Plan recommends the following standards as prerequisites for all development proposals in New Albany:

- Development should meet setback recommendations contained in strategic plan.
- Streets must be public and not gated. Cul-de-sacs are strongly discouraged.
- Parks and open spaces should be provided, publicly dedicated and meet the quantity requirements established in the city’s subdivision regulations (i.e. 20% gross open space and 2,400 sf of parkland dedication for each lot).
 - All or adequate amounts of open space and parkland is strongly encouraged to be provided on-site. If it cannot be provided on-site, purchasing and publicly dedicating land to expand the Rocky Fork Metro Park or park space for the Joint Parks District is an acceptable alternative.
- The New Albany Design Guidelines & Requirements for residential development must be met.
- Quality streetscape elements, including an amenity zone, street trees, and sidewalks or leisure
- Trails and sidewalks should be provided on both sides of all public streets.
- Homes should front streets, parks and open spaces.
- A residential density of 1 dwelling unit (du) per acre is required for single-family residential and a density of 3 du per acre for age restricted housing.
 - Higher density may be allowed if additional land is purchased and deed restricted. This type of density “offset” ensures that the gross density of the community will not be greater than 1 unit per acre. Any land purchased for use as an offset, should be within the NAPLS district or within the metro park zone.
 - 3 du/acre is only acceptable if 100% age restricted. Otherwise, the federal regulations and criteria for subdivisions to qualify as age-restricted must be accounted for when calculating density (i.e. 80% age restricted and 20% non-age restricted).
 - Age restriction must be recorded as a deed restriction and included as a requirement in the subdivision’s zoning text.

B. Use, Site and Layout

1. The proposed rezoning is Infill-Planned Unit Development (I-PUD) that permits the development of a 40 lot single family residential subdivision.
2. The Engage New Albany strategic plan residential land use district states that the gross density is 1 dwelling unit per acre for traditional single-family.
 - The proposed density is 1.33 units/acre. Staff recommends a condition of approval that the applicant withdraws 4 units from the housing bank to accommodate the additional homes to be developed in this zoning district (condition #1).
 - The existing zoning for the property allows for a maximum of 88 homes to be constructed.

- The previously approved final development plan and the plat for this subdivision provided for 36 homes to be constructed on the property, with the balance of the 88 homes that are permitted on site having been deposited into the “housing bank.”
- 3. A school impact statement has been submitted. The applicant estimates that 0.8 students per unit will be generated for a total of 32 students. Based on an assumed 32 students generated, the applicant has projected this development to have a net positive financial impact on the school district.
- 4. There are lots situated where homes may back onto the adjacent private, New Albany Country Club golf course and proposed privately owned reserve areas within the subdivision.
- 5. The zoning district is made up of two subareas that are approximately 30.04 acres and permits the following uses:
 - Single-family detached homes, single family attached homes, and related accessory structures.
 - Subarea 1 – This subarea shall have a maximum of 29 units that are proposed to be single-family detached homes.
 - Subarea 2- This subarea shall have a maximum of 11 units that are proposed to be detached single-family and or attached single-family homes.
 - Publicly or privately-owned parks and open spaces.
- 6. The zoning text established the following setbacks for Subarea 1.

SETBACKS (SUBAREA 1)	
Front Yard	20 feet
Side Yard	15 feet
Rear Yard	25 feet

- 7. Subarea 2 allows for zero lot line development since attached single-family homes are permitted so there are no minimum setbacks from any lot lines for parcels within this section.

C. Access, Loading, Parking

- 1. These subareas generally contain the same or similar standards as the surrounding country club for standards such as a minimum of two off-street parking spaces, road widths, and pavement sections.
- 2. Subarea 1 is proposed to have parking on both sides of the public streets , Subarea 2 is proposed to have on-street parking on only one side of the public street. This will be reviewed at the time of the final development plan.
- 3. Right-of-way widths within this zoning district were previously dedicated to the city and the right-of-way width and existing pavement widths shall remain as they exist today. This will be recorded in the re-plat.
 - a. There will be one deviation for a limited portion of Head of Pond Road along the eastern portion of Subarea 2 that has frontage along that street. The final location and specifications of this will be shown in the final re-plat.
- 4. The zoning text states that within Subarea 2, a new public street will be provided in a loop configuration and the minimum pavement for this street shall be 20 feet. The final design will be determined during the review and approval of the final development plan.
 - a. Additional turning studies may be required at the time of the final development plan to ensure emergency and service vehicles can adequately and safely access and navigate the streets. The city staff recommend this is a condition of approval, subject to staff approval (condition #2).
- 5. The zoning text states that there will be a public brick sidewalk on both sides of Head of Pond Road and Baughman Grant, as well as on the west side of Head of Pond Court. An existing asphalt path along the east side of Head of Pond Court, extending from its intersection with Head of Pond Road, will remain in place. Existing public sidewalks and

leisure paths are proposed to be removed to accommodate the brick sidewalks which will be a minimum of 4 feet in width.

- a. Staff recommends a condition of approval that the maintenance responsibilities and agreement is entered at the time of final development plan for non-traditional infrastructure materials (condition #3).

D. Architectural Standards

1. The zoning text states that the architectural standards shall be in accordance with the city's Design Guidelines and Requirements (DGR's).
2. Architecture will be evaluated as part of the final development plan application.

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

1. New Albany's Codified Ordinance requires that 2,400 square feet per home be dedicated as park land and 20% of the total acreage in the subdivision shall be dedicated as open space. For this development the total required park land and open space is 6.0 acres. The applicant is providing multiple reserve areas totaling 5.7 acres. As noted in the zoning text, the applicant intends to offset their shortage of parkland by using the NACO parkland bank credits on record with the city as the amount of open space provided does not meet code requirements. The Parks and Trails Advisory Board will evaluate the proposed open space and parkland as part of the final development plan submittal.
 - a. Staff recommends a condition of approval that the quantity of withdrawal of parkland credits shall be detailed in the final development plan application (condition #4).
2. The stormwater basin centrally located within the development will be located in whole or in part on privately owned lots. The maintenance of the basin will be by a forced and funded property owner's association and appropriate easements will be provided on the final plat.
3. The zoning text states that street trees shall be permitted but not required in Subarea 2. If street trees are provided, details regarding sizing and spacing will be provided at the time of final development plan approval for this subarea.
4. The zoning texts exempts this zoning district from the requirement that all residences are to be located within 1,200 feet of playground equipment.
5. Parkland, buffering, landscaping, open space, and screening requirements will be evaluated as part of the final development plan application.

F. Lighting & Signage

1. The zoning text specifies that street lights shall be provided at each street intersection with the fixture, color, and spacing to be approved at the time of the final development plan. Additionally, entry feature lighting shall be approved at the time of the final development plan. Lighting shall be in accordance with the city's codified ordinances.
2. The zoning text requires the developer to use the standard city street and regulatory signage. All proposed signage for the subdivision is subject to review and approval of the Planning Commission at the time of the final development plan application.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and provided no comments.

V. SUMMARY:

The rezoning is generally consistent with the Residential land use recommendations of the New Albany Strategic Plan. Although the density and open space do not meet city requirements, the 1998 NACO PUD provides a housing and parkland bank to offset this deviation which has been utilized for other projects. The new development will complement the established character of the immediate area and maintain the current connectivity.

Additional landscape, architecture, parking, and signage details will be reviewed as part of a future final development plan application for the subdivision.

VI. ACTION

Suggested Motion for ZC-71-2024:

Move to approve rezoning/preliminary development plan application ZC-71-2024 based on the findings in the staff report with the following conditions.

1. That the applicant withdraws 4 units from the housing bank to accommodate the additional homes to be developed in this zoning district.
2. Additional turning studies may be required at the time of the final development plan to ensure emergency and service vehicles can adequately and safely access and navigate the streets, subject to staff approval.
3. That the maintenance responsibilities and agreement is entered at the time of final development plan for non-traditional infrastructure materials.
4. The quantity of withdrawal of parkland credits shall be detailed in the final development plan application.

Approximate Site Location:



SITE PLAN

ILLUSTRATIVE

200 FT



ENLARGEMENT AREAS

OVERALL PLAN



SOUTH ENTRY

EXISTING



EXISTING TREES TO BE PRESERVED

EXISTING TREES TO BE PRESERVED

EXISTING ENTRY WALLS TO BE PRESERVED

EXISTING FENCE TO BE PRESERVED

GOLF COURSE

GOLF COURSE

HEAD OF POND RD

SOUTH ENTRY

PROPOSED LANDSCAPE PLAN

20 FT

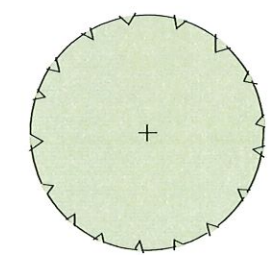


PLANTING LEGEND

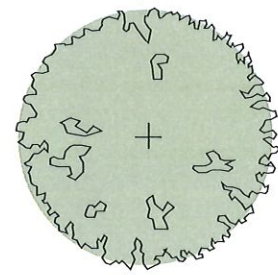
LAWN

PERENNIAL/GC

DECIDUOUS SHRUB
- 48"-60" HT B+B



DECIDUOUS TREE
- 3" CALIPER



DECIDUOUS TREE
- 3" CALIPER

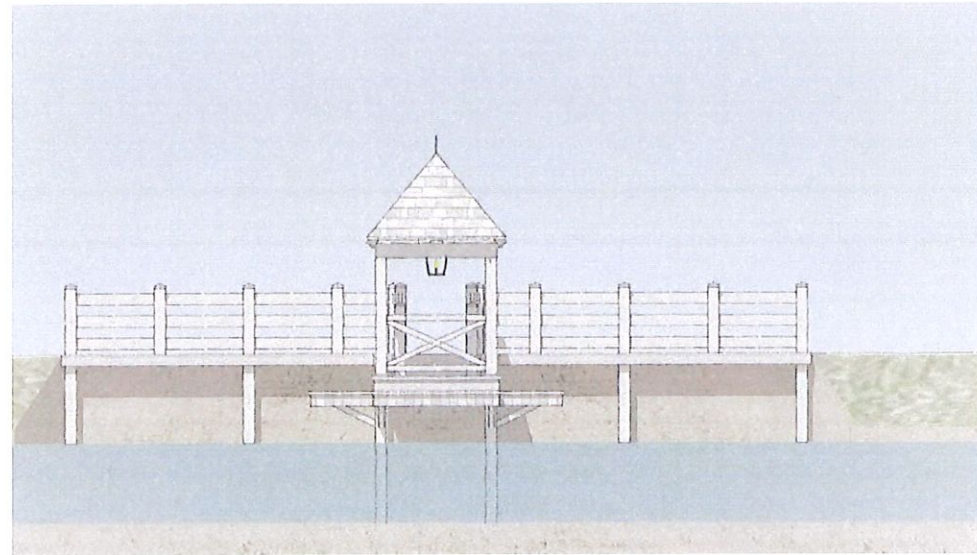
BOARDWALK

SITE PLAN ENLARGEMENT



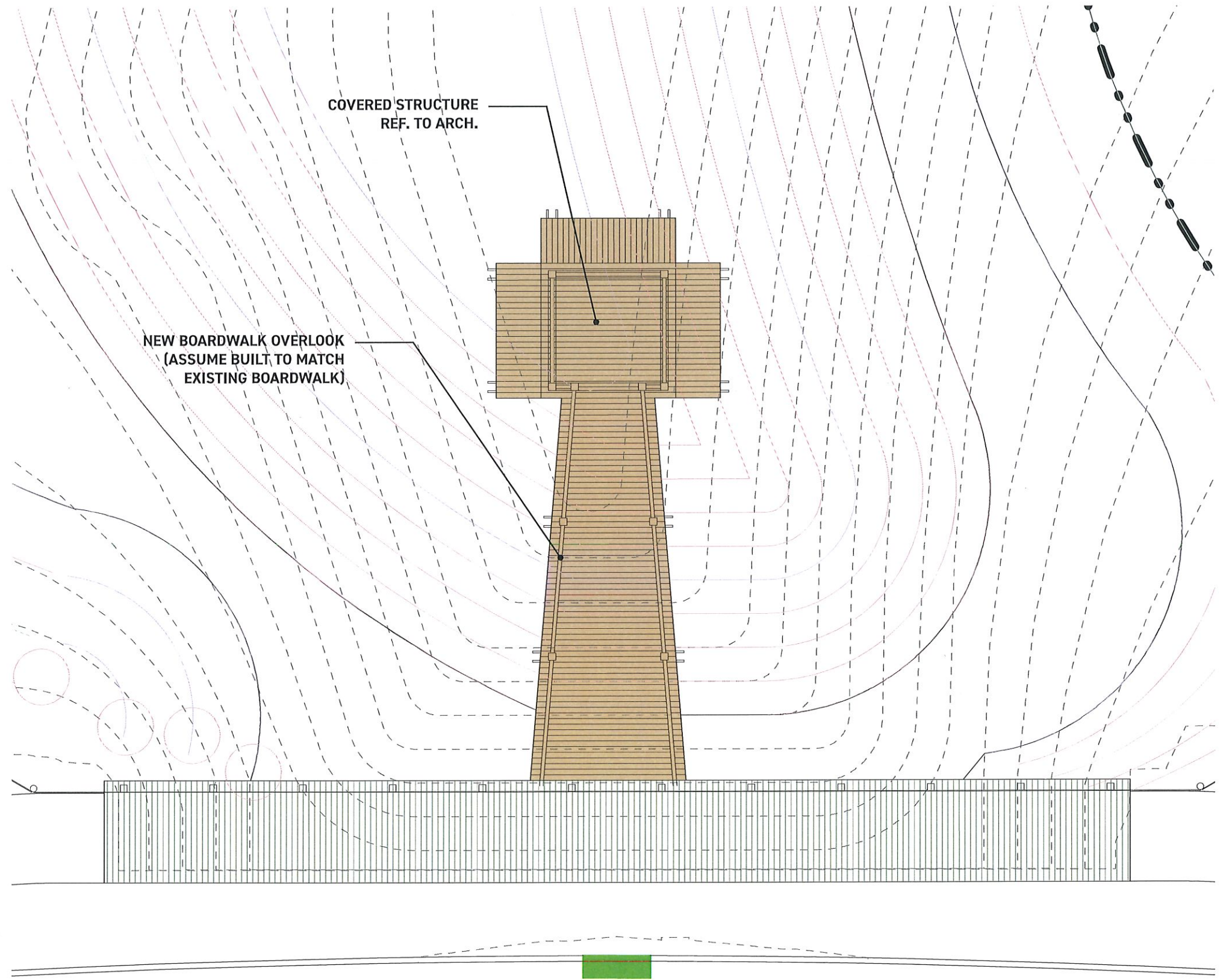
LEGEND

WOOD DECKING (675 SF)



lake south - front elevation

0' 4' 8' scale : 1/8" = 1'



BOARDWALK

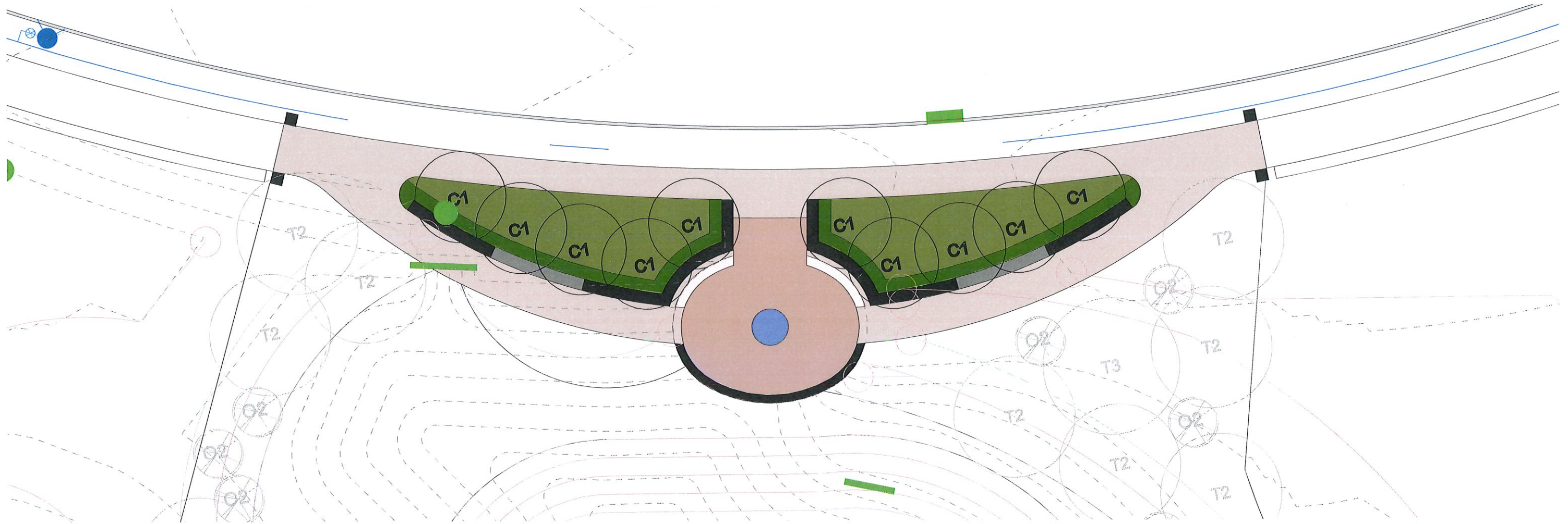
3D VIGNETTE



OVERLOOK

SITE PLAN ENLARGEMENT

16 FT



LEGEND

- BRICK WALKWAY (1,875 SF)
SET ON AGGREGATE BASE
- RESET BRICK ON OVERLOOK (575 SF)
SET ON AGGREGATE BASE
- BRICK SEAT WALL (140 LF)
24" HT BRICK WALL (2' THICK)
30' LF OF LIMESTONE CAP SEATWALL
14 BRICK PIERS WITH LIMESTONE AS SHOWN IN VIEWS
- EVERGREEN GROUNDCOVER (900 SF)
1 GALLON @ 12" OC
- SHRUB HEDGE (275 SF)
36" HT @ 24" OC
- TREES
(10) SHADE TREES AT 6" CAL.

OTHER ITEMS

- 2 CUSTOM CURVED WOOD BENCHES
- PARTIAL DEMOLITION OF EXISTING OVERLOOK
- NEW RAILING ON OVERLOOK PER VIEWS
- NEW WATER FEATURE PER VIEWS
- RELOCATION OF EXISTING HEADWALL



OVERLOOK

3D VIGNETTE



OVERLOOK

3D VIGNETTE


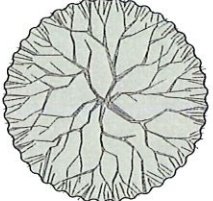
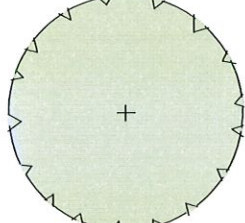
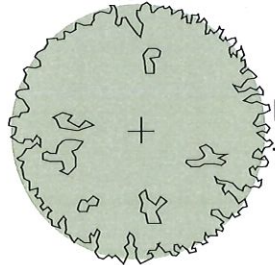


NORTH ENTRY

PROPOSED LANDSCAPE PLAN

20 FT

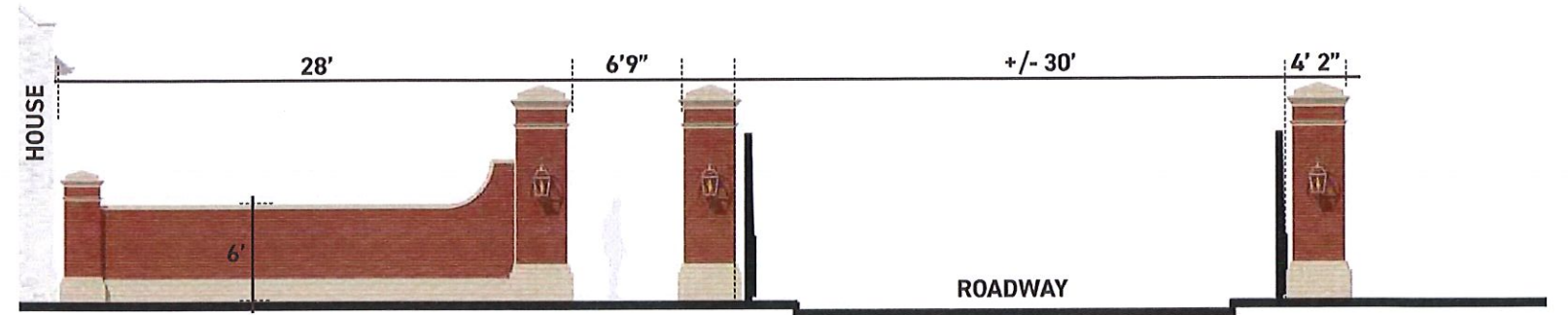
PLANTING LEGEND

LAWN	PERENNIAL/GC
	DECIDUOUS SHRUB - 48"-60" HT B+B
	DECIDUOUS TREE - 3" CALIPER - LOW BRANCHED
	DECIDUOUS TREE - 3" CALIPER
	DECIDUOUS TREE - 3" CALIPER

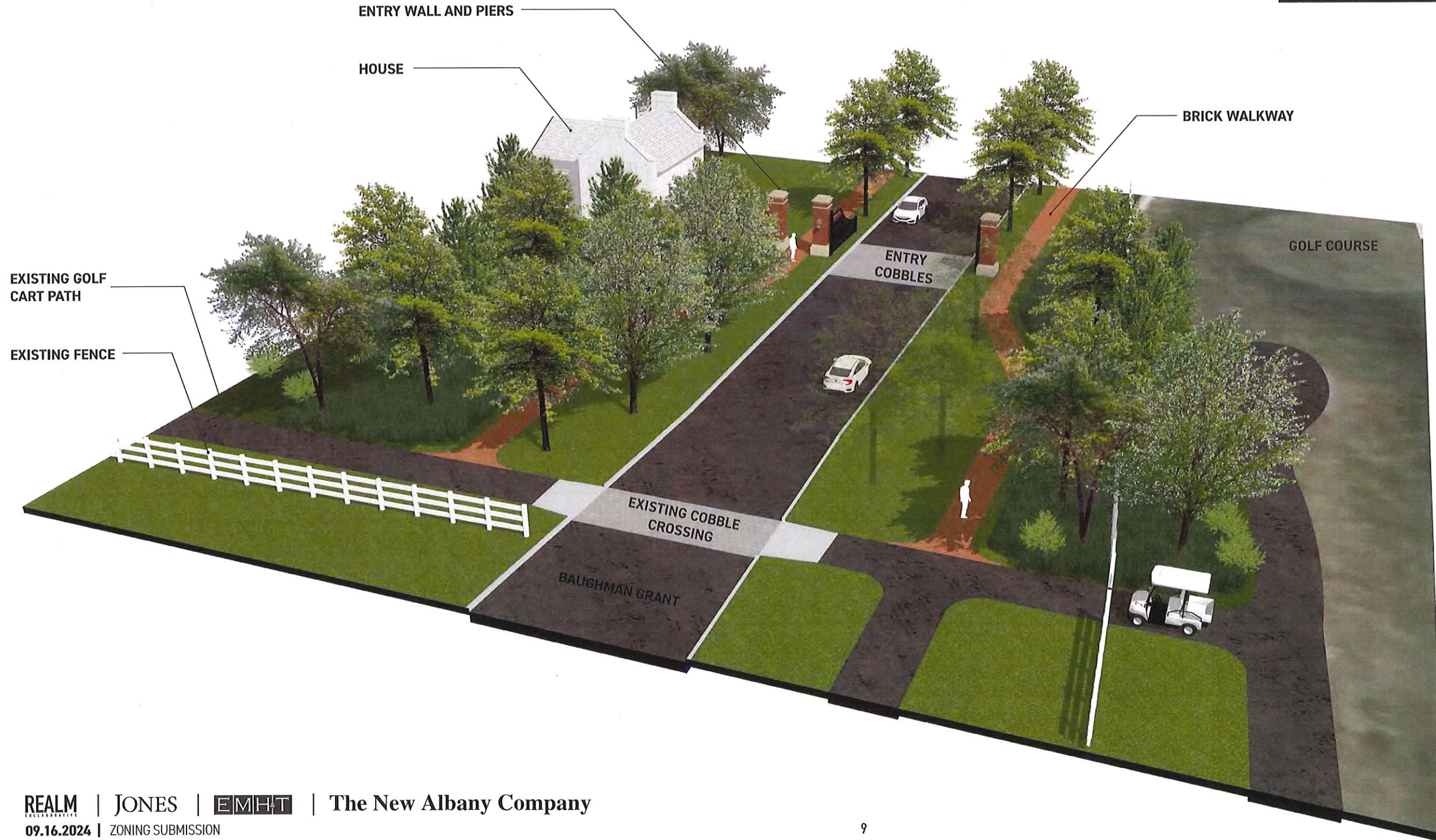


NORTH ENTRY

RENDERING



NORTH ENTRY ELEVATION
ELEVATION 10 FT



ESTATE WALLS + BRICK PATH

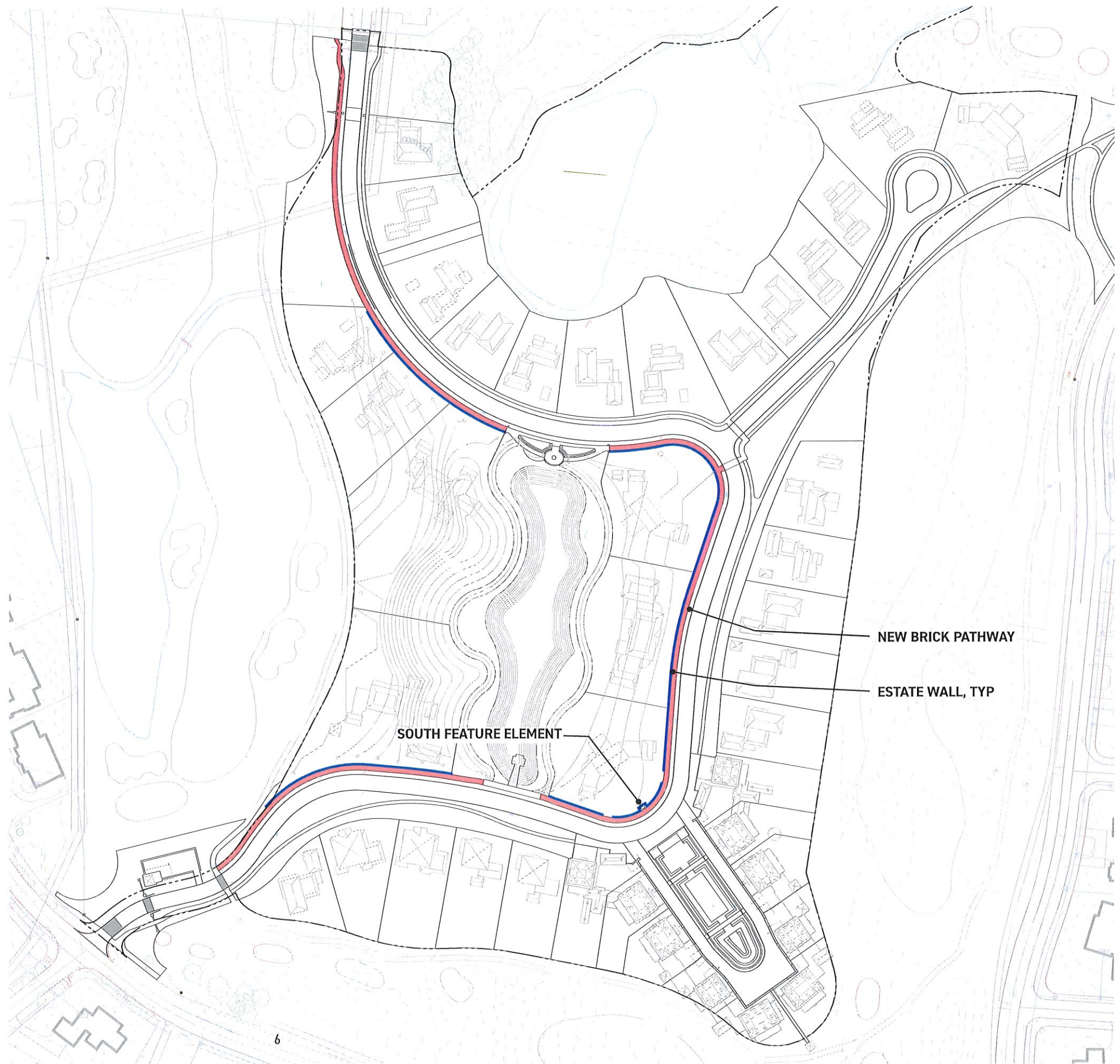
OVERALL PLAN



LEGEND

NEW BRICK WALKWAY (16,825 SF)
4' WIDE BRICK PATHWAY ON AGGREGATE BASE
PATTERN / COLOR: HERRINGBONE + NEW ALBANY STANDARD
REMOVE EXISTING ASPHALT PATHWAY

ESTATE WALL (1,455 LF)
CMU BLOCK WALL WITH BRICK VENEER
WROUGHT IRON METAL ON TOP OF WALL
COLUMNS (2) AT EACH DRIVEWAY ENTRY
CORNER FEATURE ACROSS FROM SESSIONS GREEN



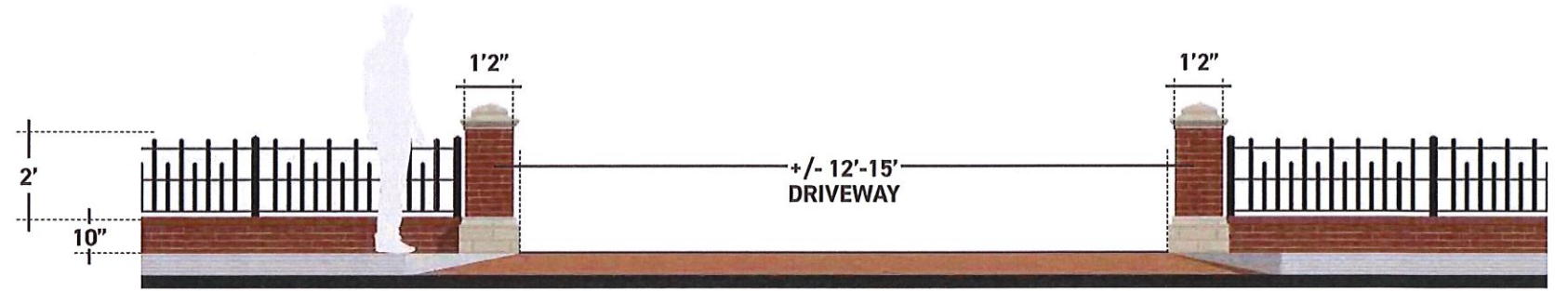
SOUTH FEATURE ELEMENT



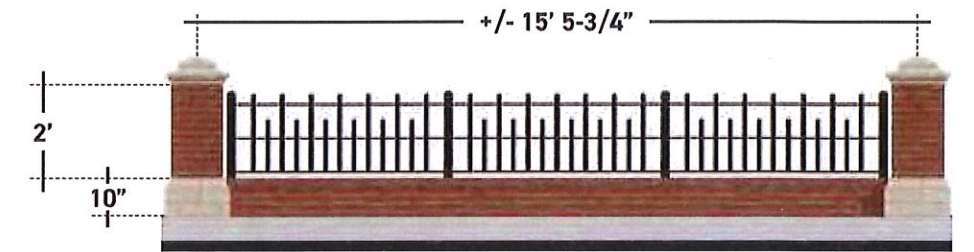
ESTATE WALL, TYP

ESTATE WALL/FENCE

ESTATE LOT FRONT YARD



ESTATE WALL DRIVE
ELEVATION 4 FT



ESTATE WALL SEGMENT
ELEVATION 4 FT

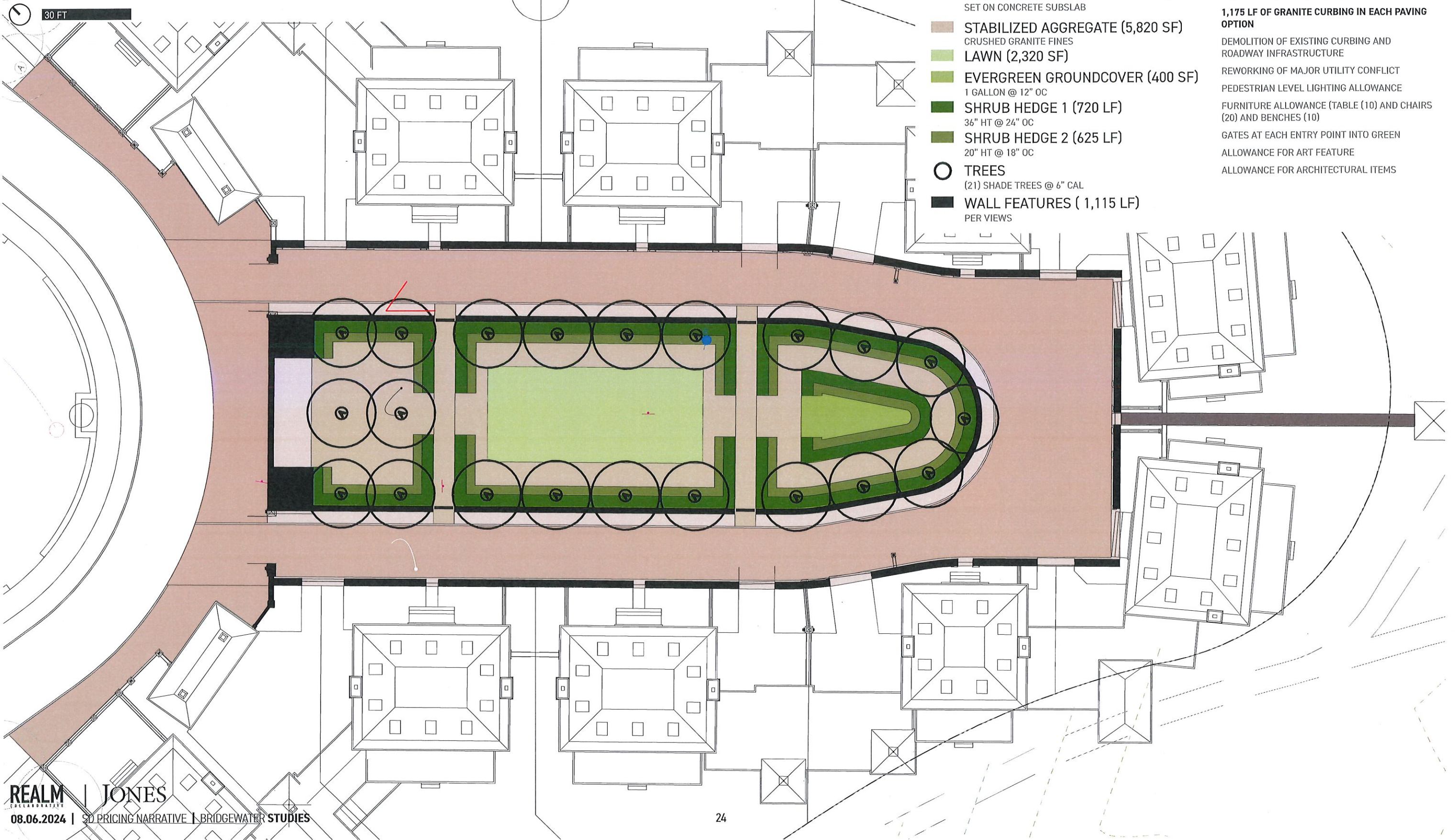
STREET TREE AT
30' SPACING



KEY PLAN

CLOSE

SITE PLAN ENLARGEMENT

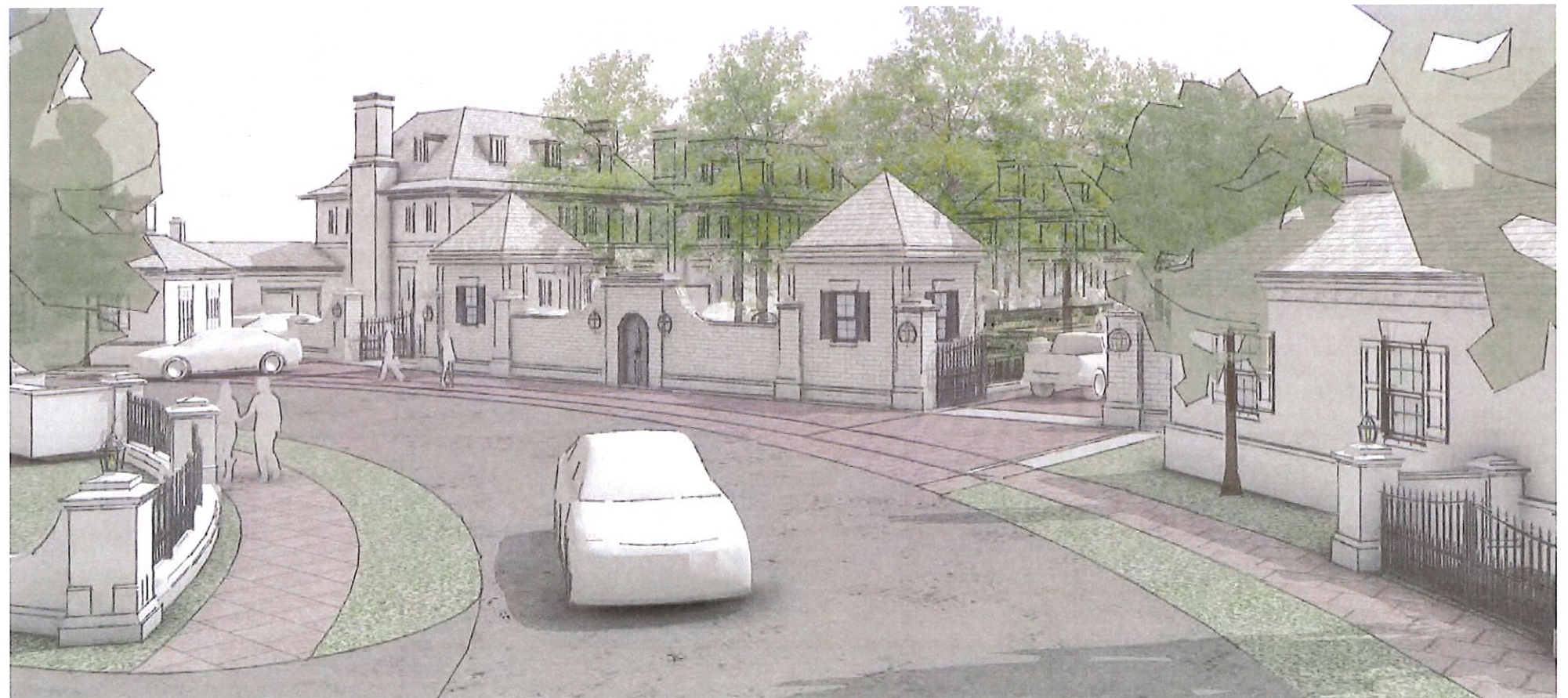
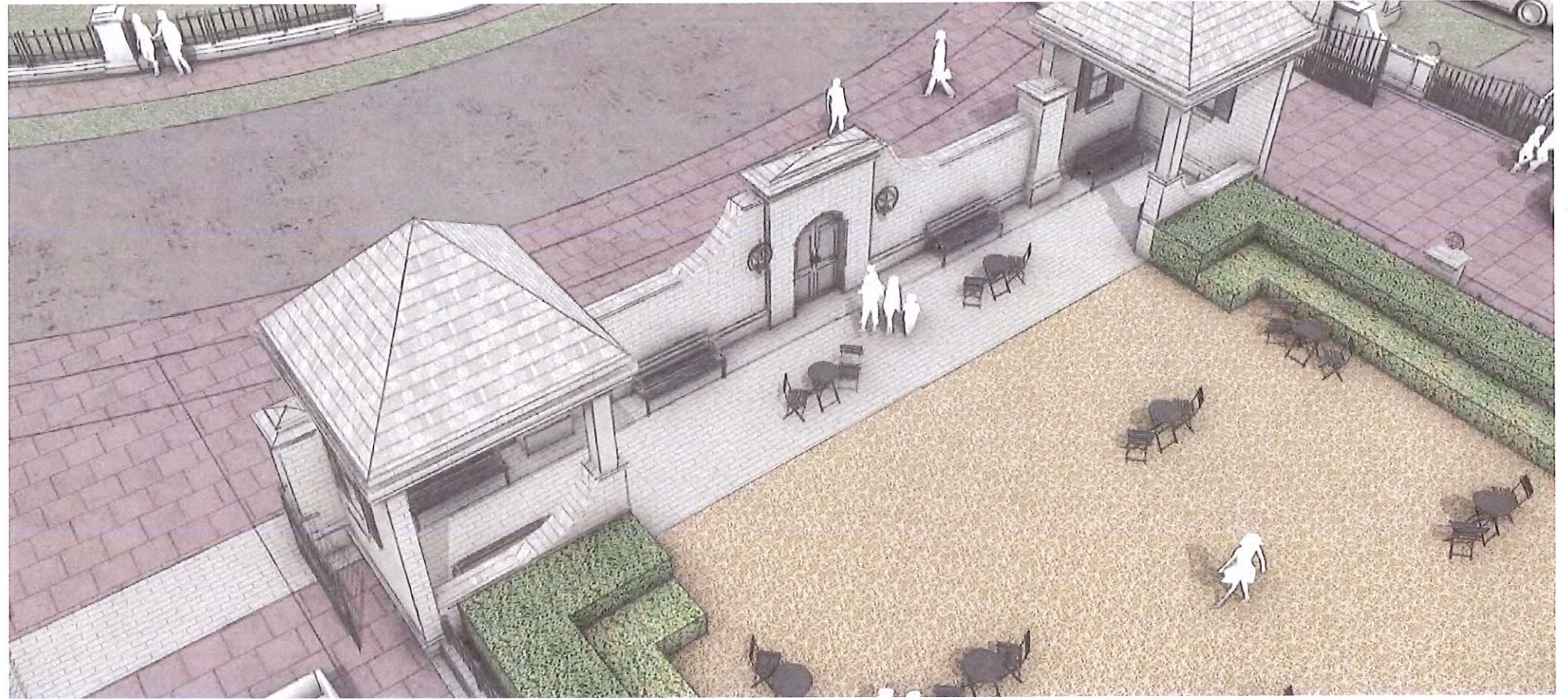




CLOSE
3D VIGNETTE



CLOSE
3D VIGNETTES



CLOSE
3D VIGNETTES





Community Development Department

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

Dear The New Albany Company,

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, November 19, 2024

The New Albany Planning Commission took the following action on 11/18/2024 .

Zoning Amendment

Location: 0 Head of Pond Road

Applicant: The New Albany Company,

Application: PLZC20240071

Request: Rezoning of 30.04 acres generally located north and west of Lambton Park Road and south of Brandon Road (PID: 222-005185 and 46 others (see backside of agenda for complete parcel list)) from Comprehensive-Planned Unit Development (C-PUD) to Infill-Planned Unit Development (I-PUD).

Motion: To Approve

Commission Vote: Motion Approval with Conditions, 5-0

Result: Zoning Amendment, PLZC20240071 was Approved with Conditions, by a vote of 5-0.

Recorded in the Official Journal this

Condition(s) of Approval:

1. That the applicant withdraws 4 units from the housing bank to accommodate the additional homes to be developed in this zoning district.
2. Additional turning studies may be required at the time of the final development plan to ensure emergency and service vehicles can adequately and safely access and navigate the streets, subject to staff approval.
3. That the maintenance responsibilities and agreement is entered at the time of final development plan for non-traditional infrastructure materials.
4. The quantity of withdrawal of parkland credits shall be detailed in the final development plan application.
5. The brick sidewalks and leisure trails should be approved by the New Albany Parks and Trails Advisory Board.
6. Subarea 2 does not include the gatehouse. The gatehouse will be in Subarea 3 and the specifications for setbacks shall be addressed in the final development plan.

Staff Certification:

Sierra Saumenig

Sierra Saumenig
Planner



**Planning Commission Staff Report
November 18, 2024 Meeting**

**COURTYARDS AT HAINES CREEK SUBDIVISION
PHASE 1 FINAL PLAT**

LOCATION:	Generally located at the northwest corner of the intersection at Central College Road and Jug Street Rd NW (PIDs: 222-005156, 222-005157, 222-005158, 222-005159).
APPLICANT:	Epcon Haines Creek, LLC
REQUEST:	Final Plat
ZONING:	Courtyards at Haines Creek I-PUD Zoning District
STRATEGIC PLAN:	Residential District
APPLICATION:	FPL-85-2024

Review based on: Application materials received on October 29, 2024.

Staff report completed by Chris Christian, Planner II.

I. REQUEST AND BACKGROUND

The final plat application is for the 1st phase of the Courtyards at Haines Creek subdivision. This phase includes 46 residential lots, 6 reserves (A, B, H, I, G, F1), and 7 new streets on 29.05 +/- acres

The Planning Commission reviewed the zoning change and preliminary development plan for the property on June 20, 2023 (ZC-07-2023) and the zoning change was adopted by city council on July 18, 2023 (O-84-2023). The Planning Commission reviewed and approved the final development plan and preliminary plat for the subdivision on March 4, 2024.

II. SITE DESCRIPTION & USE

The 63.5+/- acre subdivision is located in Franklin County. The site is generally located at the northwest corner of the intersection at Central College Road and Jug Street Rd NW. The site is located immediately west of the Licking County line and immediately, north of Agricultural zoned and residentially used properties, and there are unincorporated residentially zoned and used properties to the west and north of the site.

III. PLAN REVIEW

The Planning Commission's review authority of the plat is found under C.O. Section 1187. The staff's review is based on New Albany plans and studies, zoning text, and zoning regulations.

Residential Lots

1. The final plat is consistent with the approved Courtyards at Haines Creek final development plan and preliminary plat. The plat shows 46 residential lots. The proposed lot layout and dimensions match what is shown on the final development plan and meet the requirements of the zoning text.
 - o The plat appropriately shows the lot widths to be at least 52 feet, as required by zoning text section VI(D).
 - o The plat appropriately shows the lot depths to be at least 115 feet, as required by zoning text section VI(E).
 - o The plat appropriately shows the following front yard setbacks, as required by the zoning text section VI(F)(2):

- A 15-foot setback for Lane Homes (lots 100 and 101).
 - A 20-foot setback for all other lots on the preliminary plat.
- Zoning text section VI(F)(1) states that there shall be a minimum building and pavement setback of 100 feet from the Central College Road and Jug Street right-of-way. However, the text states that homes and other improvements located on lots 71 and 72 may encroach into this setback. This setback is shown on the plat.

Streets

1. The plat creates seven (7) new publicly dedicated streets totaling 6.34+/- acres. All of the new streets meet the right-of-way requirements in the zoning text:
 - Haines Creek Drive provides access to the subdivision from Central College Road, with 60 feet of right-of-way.
 - Cedarville Drive, provides access to the subdivision from Jug Street, with 50 feet of right-of-way.
 - Antioch Drive, is stubbed from this development to the west property line to provide for a future connection with the existing portion of McClellan Drive located in the Tidewater subdivision, with 50 feet of right-of-way.
 - Wooster Drive, with 50 feet of right-of-way.
 - Hiram Lane, a publicly dedicated alley, with 20 feet of right-of-way.
 - Findlay Drive, with 50 feet of right-of-way.
 - Lourdes Drive, with 50 feet of right-of-way.
2. The utility easements are shown on the plat.
3. Per the city's subdivision regulations, C.O. 1187.04, all new streets shall be named and shall be subject to the approval of the Planning Commission. The applicant proposes to utilize the names of private Ohio colleges as street names within the subdivision. Haines Creek Drive shares the same name as the subdivision.

Parkland, Open Space and Tree Preservation Areas

1. The plat contains six (6) reserve areas shown as Reserves "A", "B", "H", "I", "G", and "F1", on the plat with a total acreage of 14.16+/- acres.
 - According to the plat notes, all Reserves other than "H" shall be owned by the City of New Albany and maintained by the homeowner's association in perpetuity for open space and/or stormwater retention.
 - The plat states that Reserve "H" will be owned and maintained by the homeowner's association for a community amenity area.
 - The plat states that Reserve "I" shall be owned by the City of New Albany and maintained by the homeowner's association until a public road is constructed within the reserves and is dedicated to the city as public right-of-way. Specifically, the city will maintain just the street, which is everything between and including the concrete curbs. Everything else outside of the curbs must be maintained by the HOA in perpetuity.
2. As approved as part of the final development plan and preliminary plat, there is a 1-acre deficit in parkland for the subdivision. As part of those applications, the applicant completed and submitted an appraisal, as required in Chapter 1165.10(d). Based upon the appraisal, the developer requests approval of a fee in lieu of \$50,000/acre, which is a total of \$50,000 for this application (\$50,000/acre multiplied by 1.00 = \$50,000).
 - The Planning Commission approved the final development plan and preliminary plat applications with the following condition: "City council should consider obtaining their own appraisal for the applicant's fee-in-lieu payment, and that it should perhaps be of value no less than the city's last purchase of parkland".
 - The fee-in-lieu request will be reviewed by city council before this final plat application is approved. This condition is carried over on this application (condition #1).
3. Various tree preservation zones are shown on the preliminary plat and comply with the tree preservation zone requirements of zoning text section VI(G).

4. The plat requires the developer to provide Tree Preservation Zone signs on every other lot line. It states the design shall be subject to staff approval and shall be installed by the developer before infrastructure acceptance by the city.
5. C.O. 1187.04(d)(4) and (5) requires verification that an application, if required, has been submitted to the Ohio Environmental Protection Agency in compliance with Section 401 of the Clean Water Act and to the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act. As part of the preliminary plat approval, the applicant stated that a delineation report is currently under review with the U.S. Army Corps of Engineers; however, the permits have not yet been issued. Staff requests evidence of any permits received from the Ohio Environmental Protection Agency as a condition of approval (condition #2).

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and provided the following comments. Staff recommends a condition of approval that these comments be addressed by the applicant, subject to staff approval (condition #3).

1. We recommend that the applicant have the plat reviewed by the Franklin County Engineer's office and a summary of County Engineer review comments and the applicant's comment responses be provided for our records.
2. Sheet 2 of the plat refers to a May 2024 Flood Plain Study. If available, label the most current FIRM Panel Number on this sheet.

V. ACTION

Basis for Approval:

The final plat is consistent with the approved preliminary plat and final development plan and meets code requirements. Should the Planning Commission approve the application, the following motion would be appropriate:

Suggested Motion for FPL-85-2024:

Move to approve final plat application FPL-85-2024
with the following conditions:

1. City council should consider obtaining their own appraisal for the applicant's fee-in-lieu payment, and that it should perhaps be of value no less than the city's last purchase of parkland.
2. Evidence of any permits received from the Ohio Environmental Protection Agency shall be provided to the city staff.
3. The city engineer comments must be addressed, subject to staff approval.

Approximate Site Location:



Source: ArcGIS

404.616-02
November 8, 2024

To: Christopher Christian
City Planner

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

Re: The Courtyards at Haines
Creek Final Plat
Phase 1

We reviewed the referenced plat in accordance with Code Section 1187.06. Our review comments are as follows:

1. We recommend that the applicant have the plat reviewed by the Franklin County Engineer's office and a summary of County Engineer review comments and the applicant's comment responses be provided for our records.
2. Sheet 2 of the plat refers to a May 2024 Flood Plain Study. If available, label the most current FIRM Panel Number on this sheet.

MEF/JMH

cc: Josh Albright, Development Engineer
Steve Mayer, Planning Manager



Community Development Department

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

Dear Epcon Haines Creek, 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

Thursday, November 21, 2024

The New Albany Planning Commission took the following action on 11/18/2024 .

Final Plat

Location: 8306 CENTRAL COLLEGE RD8390 CENTRAL COLLEGE RD

Applicant: Epcon Haines Creek, LLC

Application: PLFPL20240085

Request: Final plat for phase 1 of the Courtyards at Haines Creek subdivision located at 8390 and 8306 Central College Road in Franklin County (PIDs: 222-005156, 222-005157, 222-005158, 222-005159).

Motion: Move to approve with conditions

Commission Vote: Motion Approved with Conditions, 5-0

Result: Final Plat, PLFPL20240085 was Approved with Conditions, by a vote of 5-0.

Recorded in the Official Journal this November 20, 2024

Condition(s) of Approval:

1. City council should consider obtaining their own appraisal for the applicant's fee-in-lieu payment, and that it should perhaps be of value no less than the city's last purchase of parkland.
2. Evidence of any permits received from the Ohio Environmental Protection Agency shall be provided to the city staff.
3. The city engineer comments must be addressed, subject to staff approval.
4. A note must be added to the plat that refers back to the Courtyards at Haines Creek Infill Planned Unit Development zoning text. The note shall indicate that there are additional lot setbacks and restrictions in the zoning text that are not reflected on the plat.

Staff Certification:

Chris Christian

Chris Christian
Planner II

Courtyards at Haines Creek

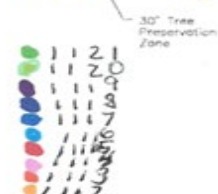
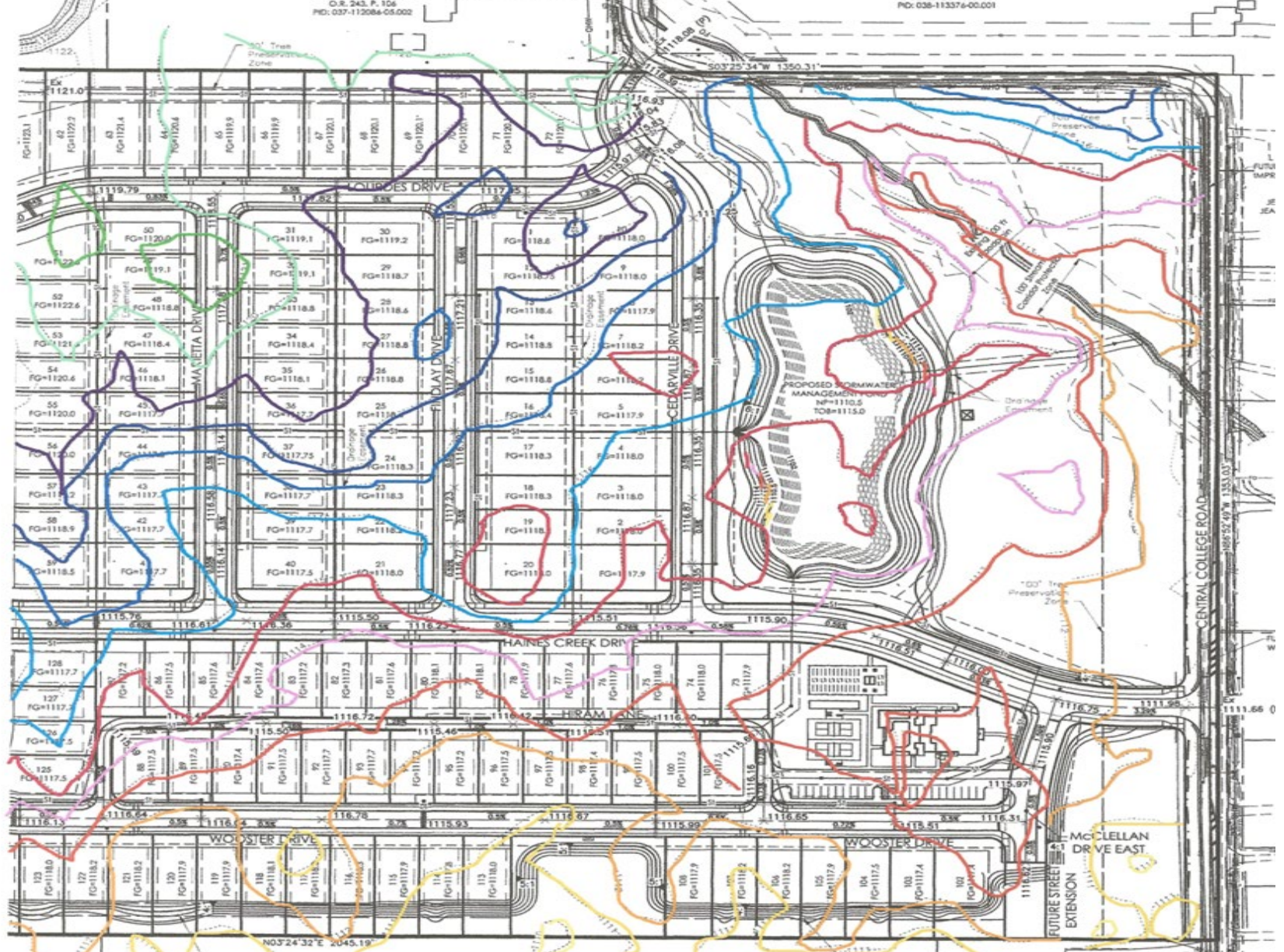
Phase 1 Final Plat

The Commission should consider, at a minimum, the following (per Section 1159.08): That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;

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

Master Grading Plan

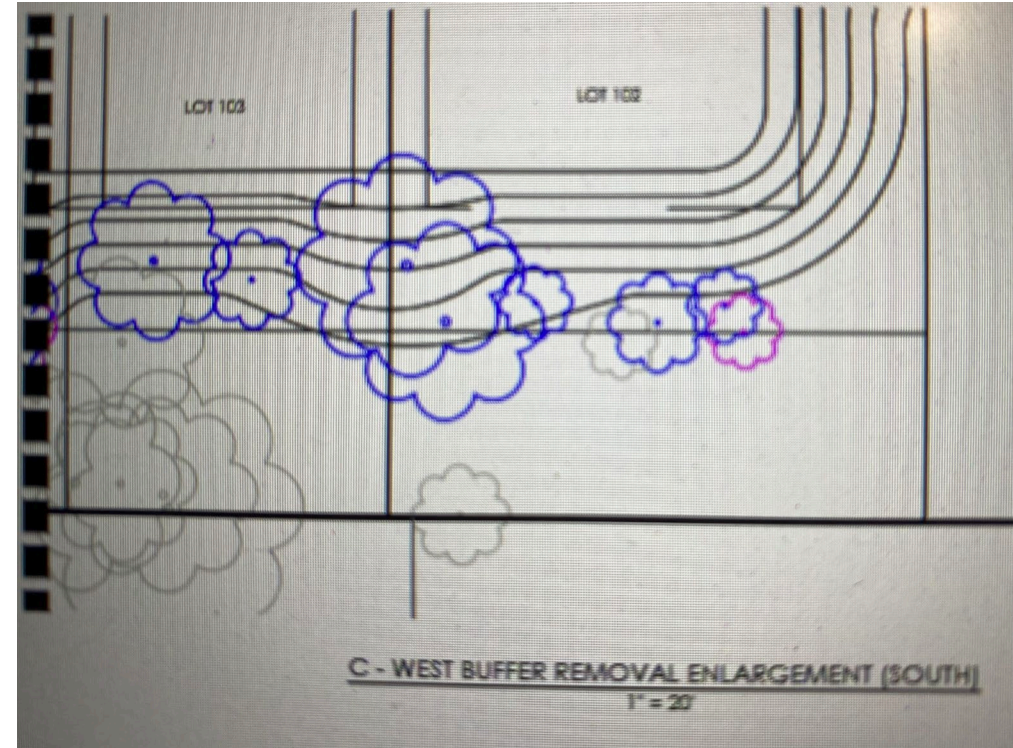
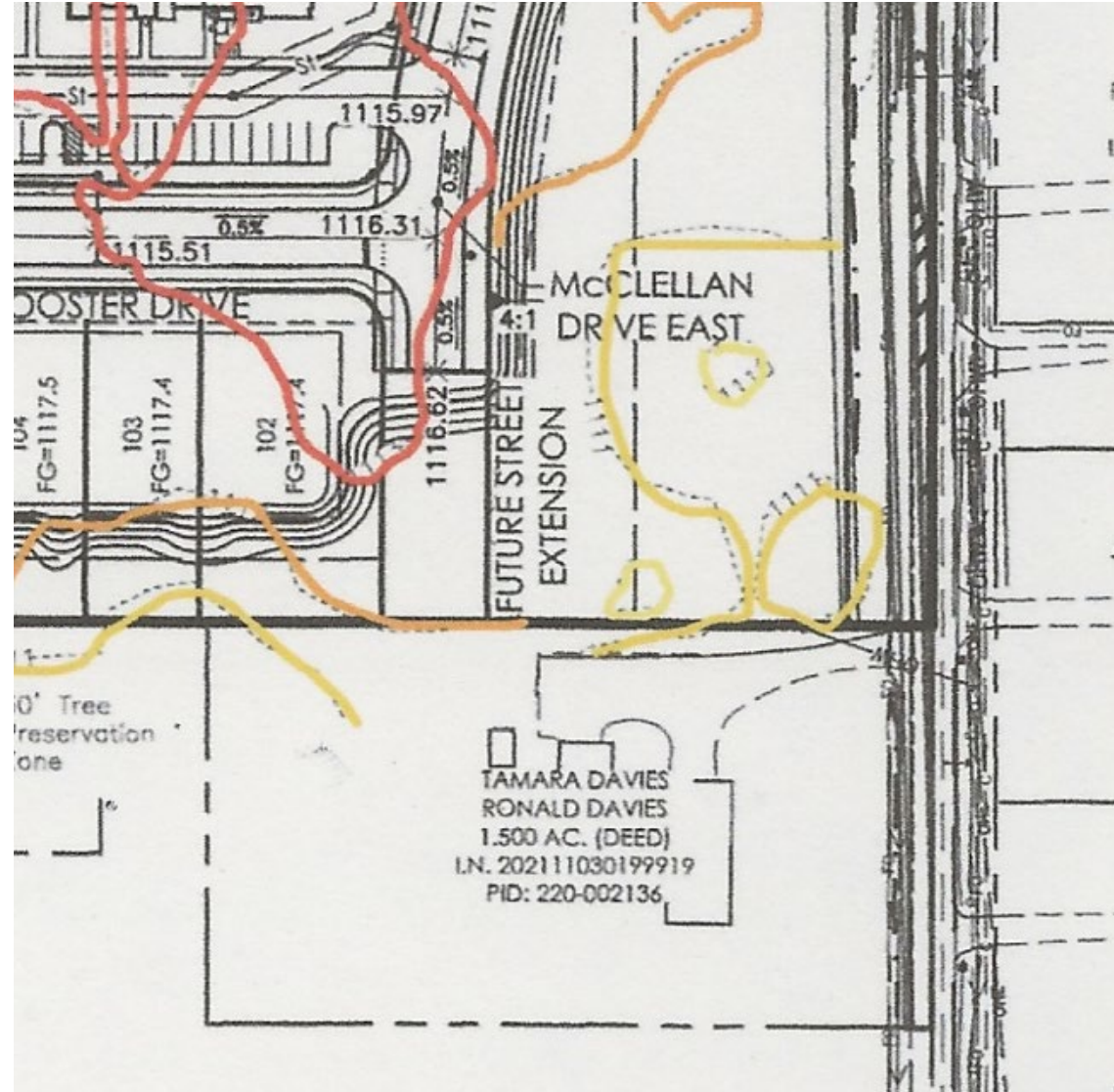
- At what point is the master grading plan reviewed and approved?
What is the criteria for approval?
- In this case the plan is MATERIAL and should have been put before the Plain/Rockey Fork/Blacklick Accord Panel
- Preliminary developments plans did not show the grading



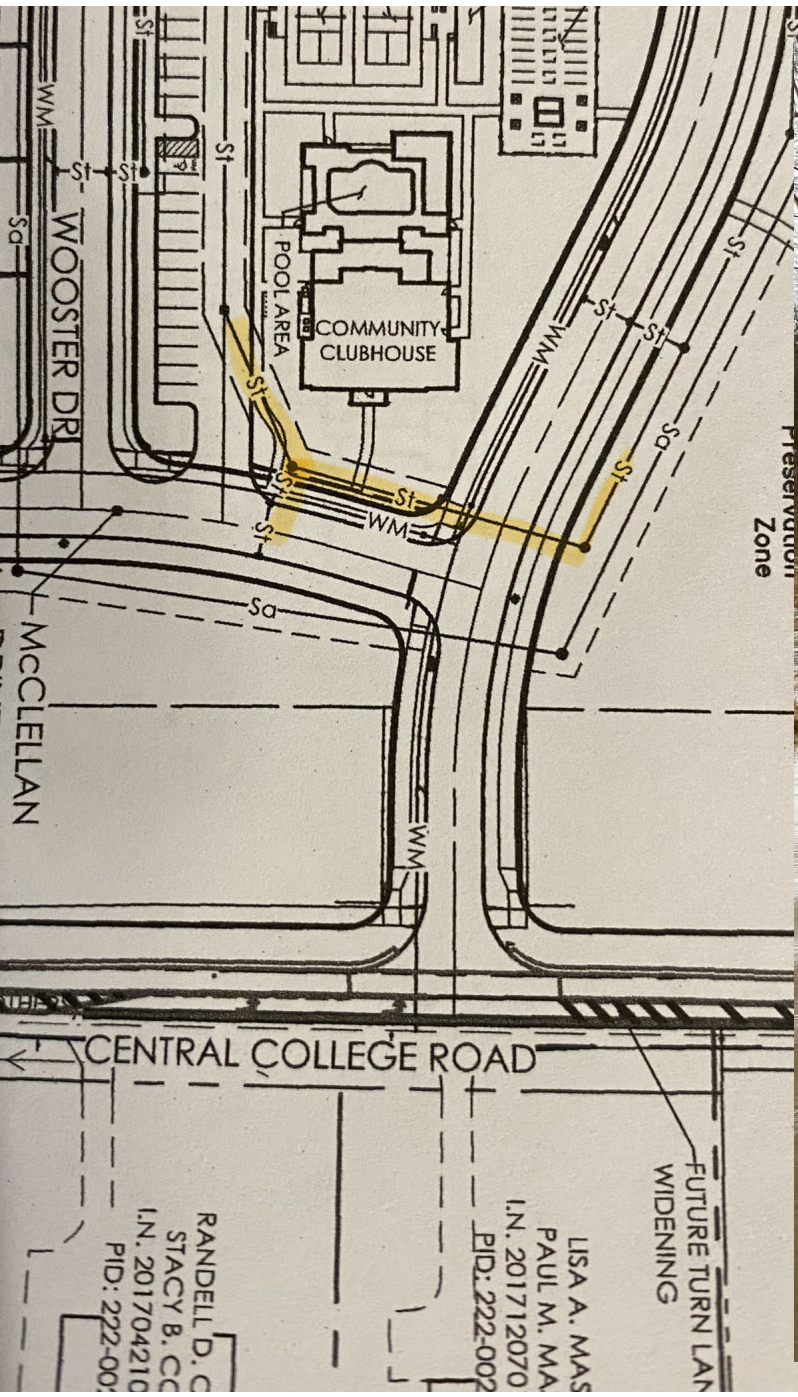
RONALD H. DAVIES
TAMARA L. DAVIES
9.184 AC. (DEED)
LN. 20131100514ANK43
PD: 220-001998

TAMARA DAVIES
RONALD DAVIES
1.500 AC. (DEED)
LN. 202111030199919
PD: 220-002136

The base of the home on lot# 102 will be 7 feet higher than the home at 8238 Central College



The road stub will be 7 feet above grade for our home at 8238 Central College Rd. This disparity negatively effects the home's value.





Who has measured current drainage?

- Epcon is not allowed to decrease or increase drainage on to adjoining properties.
- Who has measured? Who has approved drainage/grading?

Still Needed Before Construction??

- Corps Of Engineers approval
- Ohio EPA approval
- Review by Franklin County Engineering Department



PLAIN TOWNSHIP FIRE LEVY ISSUE #31

Requests 3.0 Mills to fulfill the
2023 Strategic Plan

- Maintain current staff & operations increased since 2015
 - We added 3 FT Firefighters
 - We added a FT Fire Safety Inspector
 - We added a FT EMS Coordinator
- Replace equipment and vehicles
 - Fire engine, medic & SCBA air packs
- Add a second fire station and engine
 - Reduce long response times
 - In partnership with NAPLS and NACO
 - On SR 605 in north New Albany
 - Close to 4 age based neighborhoods



together, we save lives.



For more information,
scan the QR code







The Courtyards at New Albany | ICA Clubhouse

Aspen Dr

Wendover Dr

July 18, 2023

Ms. Saveson stated some proposals to improve the development included increasing the natural buffer on the west and east borders to 100 feet. Consider removing some units for more buffer space. Waive restriction on homes not backing up to open space. She understood that New Albany ordinance specified this. These homes had that fence behind them, residents couldn't expand yards into that territory anyway. They wanted to see the development fit the natural features on the spot. They wanted to see the full parkland amount required. They wanted to reduce the density to 1 unit per acre, which would be a better fit. She already mentioned the spray chemicals, the prairie plants, and tree plantings. There was concern for neighbors across Central College to make sure they had completely opaque privacy screening. If that barn was removed, the timing of turkey vulture nesting needed to be considered. The letter was signed and supported by 20 neighbors.

Mayor Spalding asked if Ms. Saveson was aware of conversations by neighbors around leisure trail connections. Ms. Davies answered that no one had asked about leisure trails. *<additional statement inaudible>* Mayor Spalding recalled there being dedicated land next to Tidewater - trying to complete that leisure trail corridor – he didn't know where conversations stood. Manager Mayer responded he didn't believe staff had any additional conversations or studies for leisure trail east of 5 Points along Central College. Leisure trail either happened as part of a development process since it was a code requirement or it could be studied, if there were short gaps, in order to make those connections in the future. No feasibility studies had been done by staff. Mayor Spalding recalled that Tidewater had leisure trail along Central College which terminated east of the Tidewater subdivision

An unidentified person stated it was by his property line. He had no interest in extending the leisure trail.

Ron Davies, 8200 Central College Road, presented the attached slides. He stated the site was isolated. It was surrounded on 3 sides by Plain Township. The only touch point with New Albany was on the road. Tidewater was to the west. People were frequently ticketed for making illegal turns on that road. They had talked with Abercrombie and Fitch (A&F) about traffic. From his insurance experience, it was kind of a dangerous intersection. His understanding of the zoning text was there were no tree protection zones to the east and west. The language talked about the north, northwest, and the south, but there was no reference to a tree protection zone in the current text for the east and west. Section H had more on buffering.

Mr. Underhill stated, to the extent it wasn't in the zoning text, it was a condition of approval and they had agreed to all of that. As a condition to be able to go ahead to the FDP, the text would have to be amended in its final form to reflect that. Yes, in short.

Mr. Davies referred to prior meeting minutes, from RFBA, PC, and past city council meetings, often there were comments from council members and commission members around "where is the community?" The community was out in force this evening. The RFBA meeting wouldn't have happened the way it did if not for mobilization that happened in a week. There were 2 RFBA meetings. There was a long PC meeting. Residents continued to learn about this development and the process. He understood 10-day notice statutes, but that was the minimum. This project had been in the works for 12 months. Finding out when they did about the RFBA meeting, it put the community in a situation where they had to respond on short notice. They were all amateurs, learning as they went.

July 18, 2023

Mr. Davies stated the I-PUD created a lot of arbitrariness. Exceptions were made. Mr. Davies thought uniformity was important, otherwise it became arbitrary and susceptible to lawsuits, particularly if the HOPA law ever got changed and a lot of homes could have children.

Mr. Davies said the text, item V, talked about responsibilities of HOA. It read like the total list of responsibilities - it had 2 paragraphs. It didn't talk about tree preservation, gardening, all the commitments in the zoning text. After the last home was sold, what happened to the HOA? Mr. Davies recalled Mr. Topolosky's statement at the last council meeting - that Nottingham Trace was on its 3rd management company. It was still under development. The proposed community would have 15 floating non-age restricted homes. How would an HOA protect and monitor that? Seemed pretty intrusive. Mr. Davies asked council to think about the practicality over 3-10 years. Things happened, grandkids came, kids came back. Mr. Davies displayed a picture of the current Epcon development entrance area pond which he called not healthy looking. The proposed application had trees, but the pond would be visible from some sightlines. He didn't think this project was right to vote on at this point, same as the RFBA. There were many unknowns. This text was not final. Maybe this vote should be pushed off until the text was where council wanted it.

Mr. Davies displayed The Courtyards at New Albany. That area was not an island. This project didn't have those surroundings and amenities. It was surrounded by Plain Township. Was there an easement all along east and west side homes? The text talked about front and side yards. There was a lot of vocabulary around the rear yards. He wanted confirmation that the entire east and west homes would have easements behind them for drainage.

Mr. Underhill confirmed that was correct.

Mr. Davies displayed pictures of what he believed would and would not be allowed. He expressed concern about AC units, generators, and screened porches on the rear of homes.

Regarding rear yards, rear areas, they were under the impression that there were no rear yards - not with playgrounds and things like that. Screened porches were encouraged on the rear of the home – that was in the text. Regarding trees, Mr. Davies described 8 acres of trees. We're going to cut all of those trees today? Tomorrow? That was a lot of woods – all destructive of various ages. The trees bordered on this property could be over 100+ years old. What happened to trees and root systems when they were cut? He expressed concerns about drainage. Someone would dig in the ground to put drainage in. Mr. Davies had objected with staff and the plan a few times about the row of 22 homes. He thought it was the longest continuous stretch of homes in New Albany - ¼ mile straight shot. It was a wall. It was longer than the 17 homes at The Courtyards at New Albany. These homes should be broken up or moved – could take a few homes out of the middle. He understood the economics might be different for the developer, but they could make the decision on what that might be.

Mr. Davies cited section 7 of the planning guidelines. There were 2 pages with definitions of what was an isolated site. Mr. Davies continued to opine this was an isolated site. A&F was to the west. It was an isolated

July 18, 2023

site and A&F did a phenomenal job isolating and protecting it, having opacity from the neighbors and roads. This was also an isolated site and he believed should be treated as such. He believed staff was interpreting, but it was not in the language - the plain reading of that guideline expressed it. The word “site” was throughout the text. It was important because the current plan did not show it meeting the opacity requirements of being an isolated site.

Regarding parkland, Mr. Davies thought it was odd that we could trade open space from over here to other side of town. That was not necessarily the case. He searched for where \$42,000 amount in the proposal came from. He found the number from a market valuation by someone before the Intel announcement. There was property value inflation. He searched for where, near the metro park, land was bought for that price. He found a piece of land from December of 2020 for \$1.56 million for 37 acres which equaled \$42,000 per acre. Intel was announced January of 2022. Prices went up. He couldn't find land for sale now at that price. Mr. Davies gave other examples. Land was expensive.

Mr. Davies stated the applicant was asking for a lot of waivers which he listed on a slide. The applicant was asking a lot of council in the face of strong community opposition.

Council Member Durik asked and City Manager Stefanov answered that the \$43,000 per acre was based on the price paid for the 73 acres at Bevelhymer Road and Walnut Street earlier this year.

Jeffrey M. Lewis, attorney for Mr. Davies, 495 S. High Street #400, Columbus, Ohio stated had represented major developers for 42 years. He understood the need to amortize land costs over as many units as possible. He was now advocating for 2 long-time New Albany residents with a lot at stake. With his client he had met Mr. Underhill on several occasions.

Regarding the 50-foot setback, Mr. Lewis demonstrated 50 feet from the council dais to the doorway. Master plans were an aspirational, feel good thing for residents. The city tried to assign points to aspirational things. City staff created a checklist and awarded points based on the subjective master plan. Regarding the ¼ mile of solid house backs, that was what his clients would be viewing. He guaranteed, even with the arborist, that one couldn't dig for utilities that close and not have an effect on a tree line. He wouldn't repeat every resident statement, but there were many iterations of this proposal that could be developed that hadn't been. He got that density was supposedly a deal-killer for developers, but he'd learned they could negotiate less at the end of proceedings. On the north side, the city's planning department didn't want backyards facing that way. He didn't see why the city couldn't break up the ¼ mile of house backs and put 8 lots on the other side of the northern street. That would achieve same density and break up ¼ mile of properties. Place them to the north. He didn't understand why it was against policy. He also suggested shifting the whole development towards Central College, creating a larger buffer zone behind, which would be more palatable to his clients. He understood engineering costs and the density “deal killer.” His client understood something would go here. The preliminary plan was not written in stone. Courts had held that a PUD was a rezoning and not subject to appeal, only referendum. However, there was case law saying the FDP was appealable. Based on what council had heard this evening, and his client's issues regarding the city's own standards – Mr. Lewis would represent the Davies on an appeal of the FDP that didn't meet all the standards raised at the meeting. He may be successful. He was not there to threaten litigation. He was there because

July 18, 2023

no one should have to go through it if the plan was amended, made palatable, and cured of deficiencies. He was asking council to send the developer back to drawing board. It was in the developer's best interest to get along with the city and neighbors. He didn't say this as a litigation threat. That was not the point. The point was, if things were palatable and reasonable and done right the first time, we wouldn't have to go down that path and it would benefit everybody.

Mayor Spalding asked about the distance from the Davies home to property line - what building structure in Mr. Davies' property was the closest? Mr. Davies answered it was 45-50 feet to his barn.

Mayor Spalding restated Mr. Lewis's suggestion to move or eliminate some of the 23 homes on the western boundary to the north. Ms. Weber would not be happy with moving 8 homes there. Was there a number less than 8 homes that would break up the line? Mr. Davies answered that the density was high. Taking homes or deleting them was part of the negotiation process – to figure out what was there – include more about wildlife corridors and things like that. He indicated where water flowed to Tidewater. There was a lot of wildlife in area. He pointed out the protected wetlands.

Mr. Lewis stated, if they were able to see a different iteration of the plan, they could make a determination. Put it on the developer to come back and say, "what if we did this?" He had posed that to Mr. Underhill. Mr. Lewis understood that that was not in the cards.

Council Member Brisk asked about breaking up the façade. She agreed it was not easy to look at the wall.

Mr. Underhill stated the applicant would move as many units as city staff would allow up to the north, if that was what everybody wanted. They had been told time and again, "we typically don't back up to open space" - but there was an exception to every rule. They would do that.

Council Member Shull pointed to Street 8 and North-South Street. Was there something that could be done there that could keep the same number?

Someone in the audience commented, "drainage tiles."

Council Member Brisk asked if it was a question of profitability. Mr. Underhill stated they didn't typically play the game of negotiating down. One idea they had was – was it necessary to have the future right-of-way stubs going westward in both locations? Could they eliminate a home and place it where the future street stubs would be? They were willing to move to the north where Mr. Lewis indicated. Council Member Shull's suggestion was great, but would have drainage issues. They could put homes to the north where Mr. Lewis indicated. They had plans which showed situations like that and staff was not in support.

Council Member Wiltrot asked and Mr. Coffee answered that they could move 4 homes to the northern side. That would open up over 100 feet for 2 houses or 200 feet for 4 houses. They could leave that and create a transition area or preserve. They could focus on preserving trees there.

July 18, 2023

Council Member Durik asked and Mr. Underhill answered the setback to the north was 250 feet from the front building line to the property line. Council Member Durik asked, if it was feasible to move homes there. Conceivably, the developer could come up some number that worked to create some buffer – not to replace the whole line – but to break it up in some manner. Mr. Underhill agreed. Council Member Durik stated, if that were doable, if they could modify that, that would be an accommodation to resolving some of these concerns.

Mr. Coffee stated this was floated around. Their homes were unique - decks and extended yards was not what their communities were about. The houses stopped at the courtyard. Their homes could back up to open space. The other component to consider would be to turn homes on their sides, making them long to thin, so there would be a side entry on the garage for those 4 homes. The courtyard could face out with screening or, more likely, face in, because of the architectural standards. When homes were side-on to a side street, the courtyard needed to be screened and landscaped. They had the architecture to cover that. They had talked a lot about options. They could add text to screen and cover AC units. Their focus would be more on the screening and landscaping - obscuring that look – the additional setback. Staff was not supportive of moving homes north. All of those things were on the table. They were open to compromise.

Council Member Shull recalled the current Epcon development where they broke up the front line of houses facing the pond with a path that led over to the amenities. How many houses were there in a row? He thought it was 7-8. It visually looked good.

Council Member Wiltrout preferred to prioritize the trees given the wildlife concerns.

Council Member Brisk suggested making the break where they could save the most trees.

Council Member Wiltrout thought there could be some sort of structure in the breaks. She was trying to determine where trees were now and where they could preserve the most.

Mr. Coffee stated there was discussion, before the engineering, of grading, transitions, and details from the engineering perspective. As far as the arborist - tree row, where they could save, what it was like. They didn't want to save dead trees or trees that would cause a problem in the future. If council would consider moving homes to the north property line, as part of the FPD - look at 4 together or spaced out or 2 and 2 – they would work with the neighbors to see what that would look like to them. They would be happy to work through that on the FDP.

Council Member Wiltrout asked and Director Chrysler stated there was always give and take when looking at the right planning principals to apply. The city had a long-standing history of encouraging projects to have open spaces that were accessible to the public. The city did have lots that backed on to open spaces in the community. The overall planning principal was to try to preserve, through preservation zones, those treed areas and, where there was open space, making sure enough open space was created so that there were natural amenities that could be there less disturbed. Staff would agree that the north area was very wet. There would be an engineering process – much of the property drained into Blacklick Creek – some significant concerns that would need to be engineered in that particular area to the north. It was a beautiful

July 18, 2023

wetland area. Staff's recommendation was to protect that as much as possible and make sure the area was accessible to the public – these were all public roads – so that anybody could enjoy the area.

City Manager Stefanov asked and Mr. Coffee replied that the homes were “zero entry.” City Manager Stefanov asked the engineers - with zero entry home and with flood routing issues to the north – would that create a problem where a river would be running through someone's living room?

Patricia Brown, Project Manager at EMH&T, 5500 New Albany Road, stated the drainage concerns were on everyone's mind. They would have to engineer a swale that would go around the entire property from the north to the buildings. There was some fall from the east to the west, to the stream. They would have to take precautions if homes were placed in the northern area. It got a lot tighter, considering the commitments to save trees on the northern property line. They could make things happen.

Council Member Wiltrout asked if the cost of doing all of that was less or more than the cost of taking out 4 homes from the project?

Mr. Brown answered, in her professional opinion, drainage swales and earth work was more cost effective than pulling out lots. Mr. Coffee stated that their take was – there were details to work out. – but if they put home sideways on the north side, it would be only be 50-some feet set back. Drainage was going to be needed there anyway. The swale was going to go there. Maybe it was a better place to put 4 homes to ease some concerns.

Ms. Brown stated that homes put there should go lengthwise along the roadway, not be front-facing. They needed as much room as possible to the northern property line and she thought the neighbors in the back wanted to have a bigger buffer.

Council Member Durik noted the retention pond on the south side. Could some properties go there?

Ms. Brown replied, from a drainage perspective, that was one of lowest spots on the property. The site was tributary to the northwest corner and then the southeast corner. It wouldn't be desirable.

Council Member Shull asked and Ms. Brown replied that there were wetlands on the site. A formal delineation had not yet been submitted. Generally speaking, there were wetlands on farm fields or properties like this. That would be submitted to the Army Corps of Engineers to get the delineation and then all of that would have to go through any permitting or mitigation processes.

Mr. Lewis stated, on behalf of his client, he respectfully requested that they have several iterations on the AutoCAD to give ideas of what would be preferable to his client and others. They asked that the record be kept open. He had Mr. Davies comments and presentation and his brief. He could email those to the clerk and have those included in the record.

Mayor Spalding observed that the discussion was leaning more into the FDP. Director Chrysler agreed. A lot of these details would get worked out in the FDP process. Law Director Albrecht agreed it had gone further than zoning.

July 18, 2023

Al Carifa, 8154 Central College, pointed out a man in the room who owned the property at end of 10.65 acres. Mr. Davies was to the far east. Mr. Carifa in the middle. John had a beautiful stable with horses. Mr. Carifa had a building with chickens, sheep, and goats. Mr. Carifa thanked City Manager Stefanov. Mr Carifa had lived for 30 years in New Albany – it had become a heaven for him. There was a discussion about who designed and built the Stefanov Circle roundabout. On the property, on the west side where Davies are – and also, their houses – Mr. Davies house was 7,300 square feet. Mr. Carifa had a ranch home of 2,900. John’s home was about 4,000 square feet. Mr. Carifa’s only problem – he asked for more square footage higher up. The developer had said they could build some 3,800 square feet home, too. The 1,200 square feet was too little.

Mr. Coffee stated up to 25% of the homes would be a minimum of 1,400 square feet.

Hearing no further questions or comments, Mayor Spalding closed public hearing.

Council Member Shull asked and City Manager Stefanov answered that Homewood purchased the land right after Tidewater was built in 2004 or 2005.

Mayor Spalding asked about breaking up the 23 homes on the west side – did that have to be part of zoning text or part of the FDP? He further asked about the applicant’s commitment to provide screening for AC units outside fenced enclosure along the property line to the east and west – would that be an amendment to the ordinance or part of the FDP?

Manager Mayer recommend that council add those to the zoning text, in addition to staff’s recommendations, to make sure it was clear on the record that those would be looked at in the FDP.

Mayor Spalding asked the applicant about tabling the matter. Mr. Underhill stated his strong preference would be to come up with a condition that would deal with this as part of the FDP. If council wasn’t comfortable with that, they would table. Mr. Underhill suggested conditions like: applicant will relocate at least 4 units on western boundary line to another location which may or may not back to open space.

Mr. Coffee added this would be better served at FDP because, even if we table, they wouldn’t have the detail to come back in 2 weeks. Engineering would dictate where best locations were to save trees.

Mr. Underhill suggested language: giving due consideration to the neighbor to the west and to maximize the preservation of trees along that line.

Council Member Brisk asked if there was still the condition about the landscaping breaking up the rest of the west side, to make sure that those homes would have both of those conditions.

Mr. Underhill stated they had made the commitment to the neighbors across the street.



**Planning Commission Staff Report
November 18, 2024 Meeting**

**8 HAWKSMOOR
FINAL PLAT MODIFICATION**

LOCATION: 8 Hawksmoor (PID: 222-004645-00).
APPLICANT: Trevor Arnold
REQUEST: Final Plat Modification
ZONING: Hawksmoor I-PUD Zoning District
STRATEGIC PLAN: Residential District
APPLICATION: FPM-81-2024

Review based on: Application materials received on October 29, 2024.

Staff report completed by Chris Christian, Planner II.

I. REQUEST AND BACKGROUND

The final plat application is for 8 Hawksmoor Drive and includes the following modifications:

- Remove an existing .094-acre tree preservation zone/no build zone/drainage easement,
- Create a new .10-acre tree preservation zone/no build zone/drainage easement, and
- Create a new .050-acre storm easement on the property.

II. SITE DESCRIPTION & USE

The property is located in the Hawksmoor subdivision which is accessed off of State Route 605 to the east. The property is 3.29 acres in size and currently contains a single-family home, a detached structure, and a swimming pool. The property is surrounded by residentially zoned and used properties.

III. PLAN REVIEW

The Planning Commission's review authority of the plat is found under C.O. Section 1187. The staff's review is based on New Albany plans and studies, zoning text, and zoning regulations.

- The final plat application includes the following modifications:
 - Remove an existing .094-acre tree preservation zone/no build zone/drainage easement,
 - Create a new .10-acre tree preservation zone/no build zone/drainage easement, and
 - Create a new .050-acre storm easement on the property.
- The existing, .094-acre tree preservation/no build zone/ drainage easement is located near the home on the property. Some of the submittal material suggests that this zone is being removed to allow a new home addition to be built in this area which would not be permitted is plat modification application is not approved.
- The applicant proposes to create a new .10-acre tree preservation zone/no build zone/drainage easement along the southern property line, approximately 50 feet south of the existing zone.
 - The applicant submitted a tree survey as part of the application. It appears there are existing trees in the new preservation zone however, it is unclear as the survey does not indicate where the existing trees are located in relation to the new tree preservation zone. Staff recommends that the Planning Commission confirm the location of the existing trees in relation to these new zones with the applicant.
 - The plat states that no improvements of any kind are allowed in this new preservation/no build/drainage easement area. This language is identical to the

existing plat however it is more restrictive as it does not allow the installation of utilities in this zone.

- Note D on the plat states that preservation zone markers are to be installed along the edge of the new preservation zone however, the note refers to lots that are not subject to this plat modification. Staff recommends a condition of approval that the plat is modified to reflect the accurate location of where the markers are to be placed (condition #1).
- The applicant proposes to create a new, .050 storm easement on the property generally located between the existing and new preservation/no build/drainage easement areas.
- The plat title refers to lots 8-11 however, this plat modification only applies to lot 8. Staff recommends a condition of approval that the plat be modified to refer only to lot 8 (condition #2).

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and provided the following comments. Staff recommends a condition of approval that these comments be addressed by the applicant, subject to staff approval (condition #3).

1. We recommend that the applicant provide written letters from private utility companies (e.g., gas, electric, telecommunications, etc.) identifying what utilities, if any, have been installed in the areas where preservation zones are to be relocated.
2. We recommend that storm easement B be retitled as Drainage Easement B. Only storm sewer is to be installed in this easement with no above grade structures permitted.
3. Work with staff to determine if any existing trees in the area where the tree preservation zone is to be vacated should be relocated.
4. Have a Professional Surveyor sign/stamp sheet 1.
5. Refer to Note D on sheet 2. Obtain markers from staff and place signage around the new tree preservation zone that is being established.
6. We recommend that the applicant have the area to be re-platted reviewed by the Franklin County Engineer's office and a summary of County Engineer review comments and the applicant's comment responses be provided for our records.

V. ACTION

Basis for Approval:

Should the Planning Commission approve the application, the following motion would be appropriate:

Suggested Motion for FPM-81-2024:

Move to approve final plat modification application FPM-81-2024 with the following conditions:

1. The plat document must be modified to accurately identify where the preservation zone markers are to be located.
2. The plat document must be modified so that it refers only to lot 8.
3. The city engineer comments must be addressed, subject to staff approval.

Approximate Site Location:



Source: NearMap

404.712
November 4, 2024

To: Sierra Cratic-Smith
City Planner

From: Matt Ferris, P.E., P.S.

Re- Subdivision Hawksmoor Lot 19

By: Jay M. Herskowitz, P.E., BCEE

We reviewed the referenced plat in accordance with Code Section 1187.06. Our review comments are as follows:

1. We recommend that the applicant provide written letters from private utility companies (e.g., gas, electric, telecommunications, etc.) identifying what utilities, if any, have been installed in the areas where preservation zones are to be relocated.
2. We recommend that storm easement B be retitled as Drainage Easement B. Only storm sewer is to be installed in this easement with no above grade structures permitted.
3. Work with staff to determine if any existing trees in the area where the tree preservation zone is to be vacated should be relocated.
4. Have a Professional Surveyor sign/stamp sheet 1.
5. Refer to Note D on sheet 2. Obtain markers from staff and place signage around the new tree preservation zone that is being established.
6. We recommend that the area to be re-platted reviewed by the Franklin County Engineer's office and a summary of County Engineer review comments and the applicant's comment responses be provided for our records.

MEF/JMH

cc: Josh Albright, Development Engineer



Community Development Department

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

Dear Trevor Arnold,

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, November 26, 2024

The New Albany Planning Commission took the following action on 11/18/2024 .

Final Plat Modification

Location: 8 HAWKSMOOR DR

Applicant: Trevor Arnold

Application: PLFPM20240081

Request: Final plat modification for 8 Hawksmoor Drive (PID: 222-004645-00).

Motion: Move to approve with conditions

Commission Vote: Motion Approved with Conditions, 5-0

Result: Final Plat Modification, PLFPM20240081 was Approved with Conditions, by a vote of 5-0.

Recorded in the Official Journal this November 26, 2024

Condition(s) of Approval:

1. The plat document must be modified to accurately identify where the preservation zone makers are to be located.
2. The plat document must be modified so that it refers only to lot 8.
3. The city engineer comments must be addressed, subject to staff approval.
4. The new tree preservation zone boundary must be overlaid onto the tree survey document and submitted to city staff.

Staff Certification:

Chris Christian

Chris Christian
Planner II