



New Albany Planning Commission

Wednesday, February 19, 2025 Meeting Minutes - Approved

I. Call to order

The New Albany Planning Commission held a regular meeting on Wednesday, February 19, 2025 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:02 p.m. and asked to hear the roll.

II. Roll call

Those answering roll call:

Mr. Kirby	present
Mr. Wallace	present
Mr. Schell	present
Ms. Briggs	present
Mr. Larsen	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 Engineer Albright, Planner Blackburn, Planning Manager Christian, Development Engineering Manager Denny, Deputy Director of Public Service Mayer, Deputy Clerk Madriguera.

III. Action on minutes: February 3, 2025

Chair Kirby asked whether there were any corrections to the February 3, 2025 minutes.

Commissioner Wallace said that on page 4 in comments attributed to him, that “wayfinging” most likely should have been “wayfinding.”

Deputy Clerk Madriguera noted the correction.

Hearing no further corrections, Commissioner Wallace moved to approve the February 3, 2025 meeting minutes as corrected. 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. Wallace yes, Mr. Larsen yes, Ms. Briggs yes, Mr. Kirby yes, Mr. Schell yes. Having five yes votes, the motion passed and the February 19, 2025 meeting minutes were approved as corrected.

IV. Additions or corrections to the agenda

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

Planning Manager Christian stated that there was one change to the agenda. Staff would request to table item 2 under Other business.

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

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:

FDP-03-2025 Final Development Plan

Final development plan to allow for construction of a 4,816 square foot Speedway gas station on 7.38 acres located at the northwest corner of Mink Street and Innovation Campus Way (PID: 093-107478-00.002).

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

Planning Manager Christian delivered the staff report.

Development Engineer Albright delivered the engineering report.

Commissioner Schell asked whether the color of the building had come before the commission.

Planning Manager Christian answered it has not

Chair Kirby asked the applicant to comment on the application.

Applicant and Architect for the project, J. Carter Bean, 2231 McCoy Road, spoke in support of the application. He addressed the brick color first. He explained that this is not the only building it will be relevant to in the coming years. The New Albany Ballet Company [NABC] is an alternate color. This, like NABC, is a great example of something different without setting a precedent. He further explained that this is a red brick which is flashed which means that over time some of the black will wear off. The brick will be very well done.

Chair Kirby asked whether Mr. Bean had a conflict with conditions 2 and 3, or any of the other conditions.

Mr. Bean answered yes, he had a conflict with condition 1. Having an extra 5 feet of width for the drive aisle is very important to the applicant.

Commissioner Schell asked staff to comment on that issue.

Planning Manager Christian answered that the 30-foot width of the drive aisle is something staff has learned about over time. It is more comfortable for pedestrians.

Commissioner Briggs confirmed that tankers access the property from the rear and not the front.

Chair Kirby asked the applicant to comment on some of the rest of the conditions.

Mr. Bean responded that conditions 4,5,6, are all relative to the fact that the property has not yet been split.

Planning Manager Christian concurred and stated that the intent of the conditions is that if the lot is split the applicant must comply with code.

Chair Kirby asked whether there is a cross access easement for the northern part of the property and confirmed that Mr. Bean was amenable with a condition imposing a cross access easement.

Mr. Bean agreed and continued that, regarding condition 8, that the noncompliant portion of the sign is not the word Welcome, it is the vinyl material for the sign.

Council Member Wilttrout asked whether Mr. Bean was amenable to changing the material for the sign.

Commissioner Larsen remarked that the vinyl is not likely to hold up over time.

Planning Manager Christian added that staff prefers removal of the word “Welcome” from the canopy. If it is permitted to stay then code compliant materials must be used.

Mr. Bean agreed to investigate other materials.

Council Member Wilttrout asked whether there is any way that this does not meet the criteria for a sign.

Chair Kirby asked whether it is oversigned if it says Welcome, and whether the address # constitutes a sign. He further remarked that the commission had approved similar door variances.

Commissioner Larsen raised a concern about the sign specifying the direction for trucks and then remarked that a similar sign should indicate the direction for cars.

Chair Kirby would it be possible to include in the record the rationale for the variance because this is a unique circumstance.

Planning Manager Christian answered yes, it can be clarified in the minutes.

Chair Kirby remarked that there was consensus on variances C and D, and asked whether there any questions on A.

Hearing none, Chair Kirby turned to variance B for wall signs. He stated that on Mink there is a pair of signs.

Following discussion there was consensus that three faces of the building can have a sign up to 50-feet and that the logo next to a sign could constitute a sign, subject to staff approval.

Commissioner Wallace asked whether the stormwater basin a dry basin.

Applicant Steve Fox answered that it is a dry basin and further explained that it is not big enough to put in a proper wet basin.

Mr. Bean clarified that, regarding the canopies, that the diesel canopy has information on it as well, it is directional in nature.

Chair Kirby clarified that condition 8 is relative to building canopy.

Commissioner Wallace asked whether no overnight parking could be a condition of approval.

Planning Manager Christian answered that no overnight parking is already in the zoning text.

Chair Kirby and commission discussed the conditions of approval for FDP-03-2025 as follows:

1. 30 v. 35 feet for drive aisles.

Commissioner Schell remarked that he does not have an issue with 35-feet and asked Mr. Bean whether he was firm.

Planning Manager Christian stated that it is not a code requirement.

Commissioner Schell polled the commission to confirm that they were okay with 35.

2. Black brick.
Commissioner Larsen asked for a sample of the brick

Mr. Bean responded that did not have a sample of the brick at the meeting.

Commissioner Wallace remarked that he was not inclined to deviate from staff's recommendation without seeing a sample.

Commissioner Briggs agreed that seeing the sample would be helpful but she was willing to live on the edge.

Commissioner Schell stated that he liked the black brick. He asked Law Director Albrecht what the commission's options are.

Law Director Albrecht stated that approval could follow reconsideration but a successful motion for reconsideration must be based on new material.

Chair Kirby stated that he was on the fence about the black brick and he would like to see the sample.

Council Member Wiltout asked whether colors specified in Engage New Albany and whether the requirement is for it to be in the color palette. She asked for the PUD language.

Mr. Bean stated it was silent as to color.

Commissioner Briggs stated that part of the reason for her support of the black brick was the consistency with the Axium building.

Commissioner Larsen stated that he was afraid of setting precedent and noted that Axium uses a smaller percentage of black.

Commissioner Schell asked whether there are any other Speedway buildings that are black.

Mr. Bean answered not like this.

Chair Kirby asked whether there is a secondary color for the brick.

Mr. Bean answered, charcoal.

Chair Kirby asked whether there was anyone from the public to comment on the fdp or the variances.

Hearing none, Chair Kirby asked whether the commission could agree to everything except the brick and the brick will be reviewed at a subsequent meeting.

Law Director Albrecht stated that the commission can vote on all the other things and table the variance for the brick until the next regularly scheduled meeting. He also stated that it would be cleaner to approve everything at the same meeting.

Thereafter Chair Kirby listed the consensus regarding the conditions for FDP-03-2025 and VAR-04-2025.

FDP-03-2025

1. Good at 35.
2. Table need to see the brick.
3. Agreed.
4. Agreed.
5. Agreed.
6. Agreed.
7. Agreed.
8. No sign on the canopy and vinyl cannot be used.
9. Down lighting.
10. As stated.
11. Cross access easement to the north if lot is split.

VAR-04-2025

- (A). Agreed as submitted.
- (B). Three faces can have a sign up to 50-ft. A logo and name next to each other can be one sign subject to staff approval.
- (C) and (D). There should be a corresponding sign for cars.

Chair Kirby moved to admit the staff reports and related documents into the record for FDP-03-2025. Commissioner Schell seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Wallace yes, Ms. Briggs yes, Mr. Larsen yes. Having five yes votes, the motion passed and the staff reports and related documents were accepted into the record for FDP-03-2025.

Chair Kirby moved to table FDP-03-2025 until the next regularly scheduled meeting. Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Wallace yes, Ms. Briggs no, Mr. Larsen yes. Having four yes votes, and one no voted, the motion passed and FDP-03-2025 was laid upon the table until the next regularly scheduled meeting.

Commissioner Briggs explained that she voted no because she believed the commission should have approved the entire application at this meeting.

Thereafter the commission took the following action on VAR-04-2025.

VAR-04-2025 Variances

Variances to the number of active and operable doors and signage associated with a final development plan application for a Speedway gas station development at the northwest corner of Mink Street and Innovation Campus Way (PID: 093-107478-00.002).

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

Chair Kirby moved to admit the staff reports and related documents for VAR-04-2025. Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Wallace yes, Ms. Briggs no, Mr. Larsen yes. Having four yes votes, and one no voted, the motion passed and the staff reports and related documents were accepted into the record for VAR-04-2025.

Chair Kirby moved to table VAR-04-2025 until the next regularly scheduled meeting. Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Wallace yes, Ms. Briggs no, Mr. Larsen yes. Having four yes votes, and one no voted, the motion passed and VAR-04-2025 was laid upon the table until the next regularly scheduled meeting.

Commissioner Briggs explained that she voted no because she believed the commission should have approved the entire application at this meeting.

Chair Kirby called a recess.

At 8:36 p.m., Chair Kirby resumed the meeting.

Following the recess, Chair Kirby clarified that notifications requirements could be met and FDP-03-2025 and VAR-04-2025 could be scheduled for the meeting on March 3, 2025. Thereafter the commission took the following further actions.

Further Action on FDP-03-2025 Final Development Plan

Final development plan to allow for construction of a 4,816 square foot Speedway gas station on 7.38 acres located at the northwest corner of Mink Street and Innovation Campus Way (PID: 093-107478-00.002).

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

Chair Kirby moved to take FDP-03-2025 off the table. Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Wallace yes, Ms. Briggs yes, Mr. Larsen yes. Having five yes votes, the motion passed and FDP-03-2025 taken off the table.

Chair Kirby moved to table FDP-03-2025 until the March 3rd meeting. Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Wallace yes, Ms. Briggs no, Mr. Larsen yes. Having four yes votes, and one no vote, the motion passed and FDP-03-2025 was laid upon the table until the March 3rd meeting.

Commissioner Briggs explained that she voted no because she believed the commission should have approved the entire application at this meeting.

Further Action on VAR-04-2025 Variances

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

Chair Kirby moved to take VAR-04-2025 off of the table. Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Wallace yes, Ms. Briggs yes, Mr. Larsen yes. Having five yes votes, the motion passed and VAR-04-2025 taken off the table.

Chair Kirby moved to table VAR-04-2025 until the March 3rd meeting. Commissioner Wallace seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Wallace yes, Ms. Briggs no, Mr. Larsen yes. Having four yes votes, and one no vote, the motion passed and VAR-04-2025 was laid upon the table until the March 3rd meeting.

Commissioner Briggs explained that she voted no because she believed the commission should have approved the entire application at this meeting.

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

FDP-05-2025 Final Development Plan

Final development plan to allow for construction of an AEP electrical sub station on 9.50 acres located at 7375 Souder Road (PID: 222-002282).

Applicant: AEP, Ohio Transmission Company, Inc. c/o Amy Toohey

Planning Manager Christian delivered the staff report.

Development Engineer Albright delivered the engineering report.

Chair Kirby asked to hear from the applicant.

Applicant Amy Toohey, AEP 8500 Smith's Mill Road, and Applicant Maggie Beggs, 8500 Smith's Mill Road, spoke in support of the application. They distributed a photo of the Parsons Avenue Substation for reference. Ms. Toohey explained that they do not yet have renderings of the proposed Souder Station, but they are trying to be good community partners and they think landscaping will help.

Commissioner Wallace stated that renderings would be helpful and noted that the commission would not like it to look like the Parsons Substation. He asked whether there was information on the heights.

Applicant Maggie Beggs said the tallest would be about 75 feet. She added that this is a great benefit to New Albany as it shows growth and potential.

Commissioner Schell noted the residents at the hearing and stated that he expected that the commission would hear from neighbors. He asked staff whether there was any response from commercial neighbors.

Planning Manager Christian answered that there was no response from commercial neighbors.

Commissioner Schell thanked Planning Manager Christian and remarked that he assumed that the power needs for AI and computing are being taken into account here.

Ms. Beggs answered yes.

Planning Manager Christian answered that the building height limit is 45-feet.

Chair Kirby opened the public hearing.

Craig Srba, 6837 E. Walnut St. Mr. Srba showed aerial, daytime, and nighttime pictures of local substations. He stated that the power substation will detract from the appearance of the business park and suggested the installation of trees and louvered panels to screen the station. His repeated requests for information from AEP regarding their final development plan had garnered very little response and this is unacceptable. He is concerned about the safety aspect. As a private pilot he has been using a grass landing strip on his property to land his aircraft. The flight path is located directly over the proposed power substation. He is also concerned about light pollution and suggested the use of motion sensors. He urged the applicant and the commission to consider that this is being constructed near an active runway. He requested that the commission reject the application at least table it until a rendering is presented. Mr. Srba stated that he would be okay with a height of 45 feet, and screening, and all electrical lines buried. He also displayed photographs of a 300 year old oak tree that is marked for cutting. He asked the applicant how the power will get from the substation.

Ms. Beggs explained that future needs will be determined as will the size and load of future buildings. She also explained that underground transmission lines expensive and are more difficult to find.

Chair Kirby remarked that the purpose of the substation is to decrease the voltage of high tension wires. He asked the applicant whether she could comment on the necessity of nighttime lighting.

Ms. Beggs responded that safety is the reason for nighttime lighting.

Commissioner Briggs asked whether the lights are on for 24 hours.

Ms. Beggs responded that the lights are on from dusk to dawn.

Commissioner Schell asked whether AEP has considered enclosing the substation.

Ms. Beggs responded that it is not financially feasible, the costs would be passed on to the rate payers.

Chair Kirby asked whether there was any problem with down casting light.

Ms. Beggs responded there was no problem. The facility is designed with down casting, dark sky improved lights.

Commissioner Wallace remarked that the photo from the neighbor showed a lot of light spillage. He continued that he is uncomfortable voting for an application without answers and feedback to the questions.

Commissioner Larsen agreed.

Commissioner Schell remarked that he would really like to see a rendering.

Commissioner Briggs agreed with the comments stated at the meeting. She acknowledged that there are uncertainties but would feel more comfortable having an understanding before voting.

Chair Kirby added that notice of easements would be very helpful, and that there are things missing from the q and a.

Law Director Albrecht stated that the statute provides broad authority to public utilities and that the commission is limited in the restrictions they can impose.

Chair Kirby agreed and acknowledged that AEP is the owner of the property.

Law Director Albrecht agreed and continued that they but cannot affect the general welfare of the public. The commission can require more answers.

Commissioner Briggs stated that she understands the need for this, but the commission's job is to approve items that are of benefit of our community. She asked whether a list of questions could be gathered for a follow-up meeting in order to make sure it is the best it can be.

Law Director Albrecht agreed it was possible to ask for additional information in a reasonable length of time.

Commissioner Wallace remarked that it seems that reasonableness is driven by location; landscaping might be location dependent. If the commission is tabling the application it would be good to have people with answers at the next meeting.

Chair Kirby asked for the height of the trees and asked how tall the lines would be.

Ms. Beggs said she did not know.

Mr. Srba asked for the cost of screening. He suggested that the property can be screened by lining with trees or H- beams with pre-fab walls like on I-270.

Chair Kirby encouraged Mr. Srba to please pass this on to the applicant.

Commissioner Schell remarked that he appreciates AEP's partnership, that he is pleased that AEP is investing in New Albany, and that he was most interested in helping AEP to do their best to make this development presentable.

Anna Srba, 6837 E. Walnut Street, Westerville. She echoed Mr. Srba's comments and stated that this will impact all of us. This business park is very well done. She urged the commission to please consider rejecting or holding this application until it is clear what the structure will look like.

Jim Toney, 7550 New Albany Condit Road. Mr. Toney echoed the comments of Mr. Srba. He asserted that AEP's presentation was very vague and he urged the commission to be sensitive to the residents to the north.

Chair Kirby strongly recommend chatting with the neighbors about landscaping and mounding and with the engineers about drainage. Landscaping goes a long way toward building confidence with the neighbors. Speaking directly with the applicants he noted that there are numerous lines and it would have to be regraded to make it uniform. The commission would like to see their plan. He urged AEP to come armed with that next time.

Chair Kirby asked whether there were any members of the public present who wished to comment on the application.

Hearing none, Chair Kirby moved to accept the staff reports and related documents into the record for FDP-05-2025. Commissioner Wallace Seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Wallace yes, Ms. Briggs yes, Mr. Larsen yes, Mr. Schell yes. Having five yes votes, the motion passed and the staff reports and related documents including the applicant's photograph and Mr. Srba's photographs were admitted to the record for FDP-05-2025.

Chair Kirby moved to table FDP-05-2025 to either of the April 2025 meetings or no later than 60 days. Commissioner Schell seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Ms. Briggs yes, Mr. Larsen yes, Mr. Wallace yes. having five yes votes, the motion passed and FDP-05-2025 was laid upon the table until either of the April 2025 meetings or no later than 60 days.

The commission thanked the applicants and residents.

Chair Kirby encouraged the applicant and the residents to exchange information so they could work together.

VII. Other business

1. Informal Presentation for a Conditional Use for 5065 Forest Drive
Applicant J. Carter Bean presented the informal review. He said that he was seeking feedback on drive through for a Graeter's Ice Cream Parlor.

Council Member Wiltout stated that it would be easier without it.

Commissioner Wallace strongly suggested that Mr. Bean bring someone in to speak to the necessity of the drive through.

Chair Kirby stated that he would like to see the striping or a traffic plan. He further stated that it was always good to eliminate variance.

2. City Code Amendment: C.O. 1154.08 Technology Manufacturing District Parcel and Yard Requirements. Deputy Director of Public Service requested to table this item. No vote was needed or taken.
3. City Code Amendment: C.O. 1155 Flood Damage Reduction and 1171.03 Preservation of Natural Features.

Deputy Director of Public Service Mayer introduced Shawn Arden, Director of Water Resources from EMH&T. He explained that since the workshop in February, ODNR had reviewed and approved the proposed update. Staff was seeking approval of the commission and a favorable recommendation to city council.

Mr. Arden noted the hour and explained that the amendment was intended to update the New Albany ordinances regarding riparian areas following the newly released FEMA floodplain map. The proposed amendment was intended to promote uniformity.

Commissioner Wallace stated that in reviewing the minutes from last meeting, he thought that one of the goals was to remove the riparian language from 1155 and place it into 1171, but he could not locate the language in 1155. He also noted numbering changes and possible inconsistencies, it would have been helpful to get a redline version. He also wondered whether a single term should be used, “riparian area” rather than “riparian corridor,” and that it was confusing to use the terms interchangeably.

Mr. Arden acknowledged the confusing language and stated that it could be a definitional section. The intent was that riparian area was only in 1171.

Commissioner Wallace moved to recommend to council the changes to the city code 1155 and 1171 with the changes discussed at the meeting. Commissioner Briggs seconded the motion.

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

Upon roll call: Mr. Wallace yes, Ms. Briggs yes, Mr. Kirby yes, Mr. Schell yes, Mr. Larsen yes. Having five yes votes, the motion passed and the code amendments were favorably recommended to the city council subject to the comments and suggestions at the meeting.

VIII. Poll members for comment

Chair Kirby polled the commission members for comment.

IX. Adjournment

Hearing no further comments and having finished all the business on the agenda, Chair Kirby adjourned the February 19, 2025 Planning Commission meeting at 10:25 p.m.

Submitted by Deputy Clerk Madriguera, Esq.

Appendix

FDP-03-2025

Staff Report

Record of Action

VAR-04-2025

Staff Report

Record of Action

FDP-05-2025

Staff Report

Record of Action

AEP Photo

Mr. Srba Photos

Proposed Code updates to 1155 and 1171



**Planning Commission Staff Report
February 19, 2025 Meeting**

**SPEEDWAY
FINAL DEVELOPMENT PLAN**

LOCATION: Generally located at the northwest intersection of Mink Street and Innovation Campus Way (PID: 093-107478-00.002)
APPLICANT: J. Carter Bean Architect LLC c/o Carter Bean
REQUEST: Final Development Plan
ZONING: Mink Interchange I-PUD
STRATEGIC PLAN: Retail/Employment Center
APPLICATION: FDP-03-2025

Review based on: Application materials received February 4, 2025

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

The final development plan application is for a proposed Speedway gas station generally located at the northwest intersection of Mink Street and Innovation Campus Way. This development includes a gas station/convenience store, an unleaded fuel canopy, and a diesel fuel canopy for semi-trucks.

The applicant is also applying for several variances related to this final development plan under application VAR-04-2025. Information and evaluation of the variance requests are under a separate staff report.

This site is located within the Mink Interchange zoning district which was reviewed and approved by the Planning Commission on September 19, 2016 (ZC-66-2016) and by city council on October 4, 2016 (O-21-2016).

II. SITE DESCRIPTION & USE

The site is generally located north of Innovation Campus Way and west of Mink Street. It is bordered by commercial properties to the north (New Albany 525), west (AmplifyBio), and south (Axium Building 6), with residential areas in Jersey Township to the east.

III. EVALUATION

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

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

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

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

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

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

Engage New Albany Strategic Plan Recommendations

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

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

A. Use, Site and Layout

1. The applicant is proposing to construct a 4,816 sq. ft. gas station/convenience store on the 9.39-acre site. The proposed development will be on 7.38-acres of the site and the remaining 3.72-acres is proposed to be a future development. The zoning text permits gasoline and other fuel stations, with or without convenience stores. The proposed development is in an appropriate location given its proximity to the New Albany Business Park and State Route 161.
2. Per the zoning text, plans for the development of gas stations shall be created in a manner that discourages overnight truck parking. The applicant proposes to install “no overnight truck parking” signage on the property.
3. The zoning text requires the following setbacks from these perimeter boundaries:

Road	Requirement	Proposed
Mink Street	50-foot pavement setback 100-foot building setback	75-foot pavement setback [meets code] 100-foot building [meets code]
Innovation Campus Way	50-foot building and pavement	65+/- foot pavement [meets code] 153+/- foot building [meets code]
Riparian Corridor Setback	Minimum 150-foot setback (75 feet in each direction of from the centerline of the creek).	Applicant has labeled the setback and are permitted per zoning text section C(4) one paved vehicular crossing to cross through the setback area. The applicant proposes one vehicular crossing through the setback area.

4. Zoning text section II(C)(9) requires that the total lot coverage, which includes areas of pavement and building, to not exceed 80%. The plan meets this requirement with a proposed 43.6% lot coverage amount.
5. The applicant indicates that the onsite stormwater will be conveyed to an off-site stormwater basin to the west of this site.

B. Access, Loading, Parking

1. The site is accessed from three proposed curb cuts:
 - One 35' right in/right out access along Mink Street that will function as a shared drive between the developments on the site.
 - One 35' right in/right out access along Innovation Campus Way.
 - One full 55' access entrance along Innovation Campus Way intended for trucks entering and exiting.
2. The city parking code does not have parking standards for convenience stores associated with a gasoline station use. The Planning Commission should evaluate the appropriateness of the number of parking spaces provided on site.
 - The applicant is providing 36 parking spaces on site.

- Per Codified Ordinance 1167.05(d)(8) gasoline service stations require 2 for each service bay plus 1 for each 2 gasoline dispensing units, plus 1 for each employee during main shift. This site has 10 gasoline pumps and could have up to 5 employees during the main shift resulting in 10 parking spaces being required.
 - City code does not have specific parking space requirements for convenience stores associated with a gasoline station use. The closest use within the city parking code is retail shopping centers which require one parking space for each 200 square feet of gross floor area. The convenience store is 4,816 square feet which would require 25 parking spaces. The applicant is providing 36 parking spaces which appears to accommodate both the gasoline pump and convenience store uses. This is generally consistent with other gas stations in the city such as Duke and Duchess.
2. According to C.O. 1167.06(a)(2) the applicant is required to provide one off street loading space. The applicant is meeting this requirement by providing one loading space behind the convenience store.
 3. Per C.O. 1167.03(a), the minimum parking space dimensions required are 9 feet wide and 19 feet long and the applicant is meeting this requirement.
 4. Per C.O. 1167.03(a), the minimum maneuvering lane width size is 22 feet for this development type. The applicant is proposing maneuvering lanes with varying widths throughout the site that are between 28 and 35 feet. The proposed maneuvering lanes are wider than what was approved for Sheetz, Turkey Hill, and the Duke and Duchess site, which are similar developments. Reducing the drive lanes widths to 30 feet will result in less paved area on the site and be more consistent with other gas stations in the community. Staff recommends a condition of approval that the maneuvering lane widths on the regular vehicle gas side of the site be reduced to 30 feet (condition #1).

C. Architectural Standards

1. The purpose of the New Albany Design Guidelines and Requirements is to help ensure that the New Albany community enjoys the highest possible quality of architectural design. The site falls under Section 6 of the Design Guidelines and Requirements, Commercial Outside the Village Center and there are also architectural requirements in the zoning text.
2. The zoning text states that buildings with this use shall be a minimum of one story and a maximum of two and a half stories in height and this requirement is being met as the convenience store is a one-story building.
3. The primary building material for the convenience store is brick and a thermally modified wood.
 - The DGR's state that traditional materials such as wood, stone, brick, and concrete are preferred.
 - The city architect has reviewed the proposed black brick and acknowledges the applicant's justification that surrounding buildings, particularly the Axiom, feature a similar material palette. However, a gas station is a smaller structure with a different use compared to commercial buildings. When looking at other smaller, human-scaled buildings in the vicinity, black brick is an industrial-like finish that has not been previously used. Instead, warm natural color brick is found throughout New Albany. The city architect believes Speedway should be consistent with other retail uses in the city, as the it is not the size of a warehouse, nor is it required to look to its warehouse neighbors for exterior material justification. Staff recommends a condition of approval that the black brick be revised to a natural colored brick, subject to staff approval (condition #2).
4. Zoning text section E.4(b) states that all rooftop mechanical units must be screened to limit off site visibility and sound. The applicant is meeting this requirement by providing rooftop screening so that the mechanical units are not seen from the property lines.
5. DGR Section 6(I)(A)(4) states that the number, location, spacing and shapes of window openings shall be carefully considered, particularly for buildings in retail use and shall

- impart a sense of human scale. The city architect states that the windows of this building are arranged and sized appropriately.
6. DGR Section 6(I)(A)(6) states that all visible elevations of a building must receive similar treatments in style, materials and design so that no visible side is of a lesser character than any other.
 - The city architect has reviewed the elevations and is okay with the blank facades as long as the brick panels are recessed by ½ inch consistently around the entire building. Staff recommends a condition of approval that the brick panels are recessed by 1.2 inches on all four sides of the building (condition #3)
 7. DGR Section 6(I)(A)(12) states that buildings shall have active and operable front doors along all public and private streets. The convenience store fronts onto Mink Street and Innovation Campus Way on the south side. The building is designed with an active and operable front door along Mink Road and the rear of the building however, the applicant is not providing an active and operable door on the Innovation Campus Way elevation. The applicant requests a variance to eliminate this requirement for the south elevation of the building which is evaluated under a separate staff report.
 8. C.O. 1171.05(b) states that all trash and garbage container systems must be screened, not be located in front yards and meet the minimum required pavement setbacks. The applicant proposes to install a dumpster enclosure at the rear of the parking area, within the pavement setback and it will be completely screened with a dumpster enclosure therefore these requirements are being met.

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

1. An 8' asphalt leisure path is already installed along the Mink Street and Innovation Campus Way site frontages.
2. Per zoning requirements, a four-board horse fence is required to be installed along Mink Street and Innovation Campus Way. The applicant proposes to install the fences on these street frontages however, it's unclear if the proposed horse fence along Mink Street is proposed for the entirety of the road frontage. Staff recommends a condition of approval that the proposed horse fence along Mink Street is the entire property line, unless the lot is split (condition #4).
3. Per zoning text requirements II(F)(1) a minimum of 10 trees per 100 lineal feet must be installed within the required setback area along Mink Street. The applicant states they are meeting this requirement by providing 85 trees along their 846 feet of frontage on Mink Street however the plans do not show 85 trees. Staff recommends a condition of approval that the applicant must provide 85 trees within the required minimum pavement setback along Mink Street unless the lot is split, then the applicant only needs to provide 10 trees per 100 linear feet of their property line (condition #5).
4. Per zoning text requirement II(F)(3), a minimum 4-foot-tall landscape buffer must be provided to screen parking areas along all public rights of way. The proposed landscape plan shows that a 4-foot-tall landscape buffer will be installed along the parking areas that are along public rights of way, therefore this requirement is being met.
5. Per zoning text requirement II(F)(5), a street row shall be established along publicly dedicated right-of-way and shall contain 3 trees for every 100 feet of road frontage. There are existing street trees along Mink Street that count toward this requirement however, street trees are not shown on the landscape plans. Staff recommends a condition of approval that street trees are added to both Mink Street and Innovation Campus Way frontages at the rate of 3 trees for every 100 feet of road frontage. If the lot is split then the applicant only needs to provide street trees along their property line on Mink Street (condition #6).
6. Codified Ordinance 1171.06(a)(3) requires one tree per 10 parking spaces to be installed in the parking lot. The applicant is providing 36 parking spaces thereby requiring 4 trees and this requirement is met.
7. Codified Ordinance 1171(5)(e) requires parking lots over fifty thousand (50,000) square feet: A minimum of one tree for every five thousand (5,000) square feet of ground coverage and a total tree planting equal to twenty-five (25) inches plus one-half inch in

tree trunk size for every four thousand (4,000) square feet over fifty thousand (50,000) square feet in ground coverage. The applicant states that the parking lot and building is approximately 321,423 sq. ft. requiring 65 trees at 59" total caliber (CAL). The applicant states that existing trees onsite are meeting this requirement however, it is unclear how many trees and caliber are provided. Staff recommends a condition of approval that the applicant meets Codified Ordinance 1171(5)(3) and provides the specific number of required trees and caliber on the landscaping plans (condition #7).

8. The City Landscape Architect reviewed the proposal and has the same landscaping comments as city staff.

E. Lighting & Signage

1. Zoning text section II(G) requires all parking lot light poles to be downcast and use cut-off type fixtures in order to minimize light spilling beyond the boundaries of the site. Site lighting is proposed to be down cast, but not cut-off. A detailed photometric plan was submitted showing no light spillage from this site onto Mink Street, Innovation Campus Way, and other properties within this zoning district
2. Zoning text section II(H)(3) states that all parking lot poles within the entire zoning district shall be black or New Albany Green, be constructed of metal and not exceed 30 feet in height. The applicant proposes to use 30-foot tall parking lot light poles that are black.
3. As part of this final development plan application, the applicant has submitted a sign plan for the site. The applicant proposes to install four wall signs: two on the Mink Street Road elevation, one on the south elevation, and one on the north (rear elevation). The applicant proposes to install two monument signs, one along Mink Street and one along Innovation Campus Way. Additionally, canopy signs are proposed at both the entrances. Lastly, three directional signs are proposed at the access points into the site.
4. The proposal does include internal "do not enter signs" for semitrucks as well as signage on the rear canopy indicating the enter and exit for the gas pumps. These signs are unregulated and are not evaluated under this staff report.
5. The two canopies above the entrances into the convenience store say "Welcome" in vinyl lettering which is not permitted. Staff recommends a condition of approval to remove "Welcome" from the canopy signs, as vinyl is not an approved material and to minimize excessive signage. (condition #8).
6. The applicant proposes to install three directional signs at the proposed entrances to the site.
 - Two of the signs say "Speedway" with the logo and directional arrow.
 - One sign includes the logo and "trucks" with a directional arrow.
 - The signs are 5 feet tall and 6 sq. ft. in size which exceeds the permitted height and size requirements. The applicant requests a variance to exceed the required height and square footage for directional signs which is evaluated under a separate staff report.

Wall Signs

- The zoning text and C.O. 1169.15(d) permits a wall sign on each building frontage either on a public or private road, with 1 square foot in area per linear square foot of building frontage, not to exceed 50 square feet.

Mink Street Elevation Wall Sign - "Speedway"

- a. Area: 25 sq. ft. [meets code]
- b. Lettering Height: 23.5 [meets code]
- c. Location: Mink Street elevation
- d. Lighting: internal illumination [meets code]
- e. Relief: 5" [meets code]
- f. Color: one color [meets code]
- g. Materials: aluminum [meets code]

**Mink Street Elevation and Innovation Campus Way Wall Signs “S”
Speedway Logo**

- a. Area: 31.1 sq. ft. [meets code]
- b. Lettering Height: N/A [logo]
- c. Location: on the Mink Street and Innovation Campus Way elevations [meets code]
- d. Lighting: internal illumination [meets code]
- e. Relief: 6” [meets code]
- f. Color: three colors [meets code]
- g. Materials: polycarbonate [meets code]

Rear Elevation Wall Sign “S” Speedway Logo

- a. Area: 19.9 sq. ft. [meets code]
- b. Lettering Height: N/A [logo]
- c. Location: on the rear elevation [meets code]
- d. Lighting: internal illumination [meets code]
- e. Relief: 6” [meets code]
- f. Color: three colors color [meets code]
- g. Materials: polycarbonate [meets code]

Retail only allows one sign per business frontage. The site has two proposed frontages and therefore, two wall signs are permitted. The applicant is proposing 4 wall signs and a variance has been requested which evaluated under a separate staff report.

Ground Mounted Signs

The applicant proposes to install two monument signs: one along Mink Street and one along Innovation Campus Way. The monument signs shall be consistent with the specifications found in the New Albany Innovation Campus Way Design Guidelines, as adopted by the Planning Commission. The applicant is meeting a majority of the recommendations of the sign plan however there are some revisions needed, such as relocating the address off the brick base and underneath “Speedway.” Staff recommends a condition of approval that the address numbers be relocated on the face of the sign and the lighting be revised to a ground-mounted up light. (condition #9).

- a. Area: 38.8 square feet [meet code]
 - b. Location: One perpendicular to Mink Street and Innovation Campus Way [meets code]
 - c. Lighting: internally illuminated on the logo side [does not meet code].
 - d. Relief: 8 inches [meets code]
 - e. Colors: Black, green, red, white (total of 4) [meets code].
 - f. Materials: Brick with a precast cap [meets code]
- The sign will feature the company logo and provide gas pricing information. The gas prices are to be changeable price plates and not automatic.

IV. ENGINEER’S COMMENTS

The City Engineer has reviewed the application and provided the following comments. These comments can also be found in a separate memo attached to this staff report. Staff recommends a condition of approval that the comments of the city engineer are addressed, subject to staff approval (condition #10).

1. As commented on previously please add site distance triangles at each curb cut shown on sheet L1.0 and remove impediments to motorist view.

2. We will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available.

V. SUMMARY

The proposal is meeting many of the goals of the Engage New Albany Strategic Plan such as providing pedestrian access along roadways into the site and utilizing high quality building materials. However, the brick should be a naturalized color to be consistent with similar retail uses within New Albany. Although the site is auto-oriented and must adequately serve large fueling trucks, it appears there is an opportunity to reduce the pavement without negatively affecting trucks ability to safely navigate the site.

The proposed development is in an appropriate location given the context of the surrounding area and will serve as an amenity for the New Albany Business Park. The proposed building and fuel canopy are well designed, with the recommended conditions of approval, and the use is appropriate given the surrounding commercially zoned area.

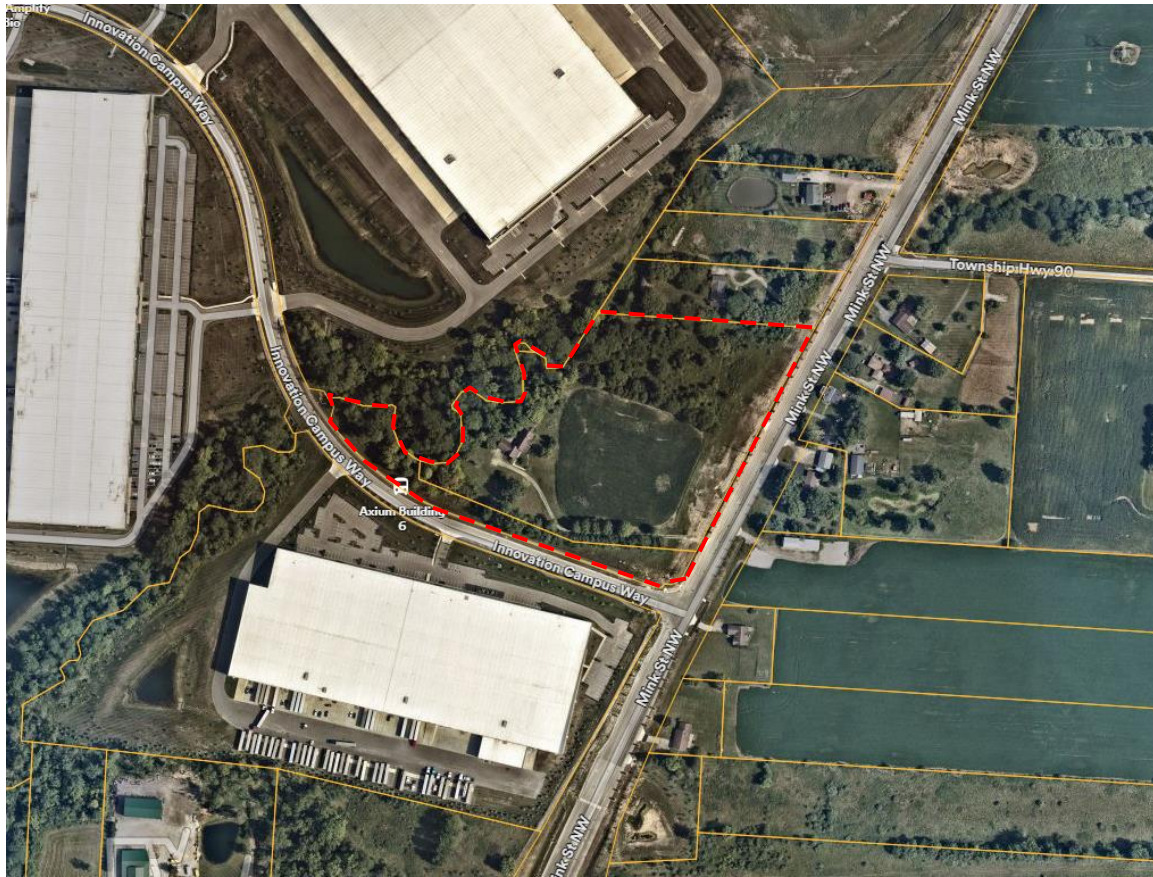
V. ACTION

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

Move to approve final development plan application FDP-03-2025, subject to the following conditions:

1. All internal drive aisles must be reduced to 30 feet wide.
2. That the proposed black brick be revised to a natural colored brick, subject to staff approval
3. The brick panels are recessed by ½ inch on all four sides of the building.
4. That the proposed horse fence along Mink Street is the entire property line unless the lot is split.
5. That the applicant must provide 85 trees within the required minimum pavement setback along Mink Street unless the lot is split then the applicant only needs to provide 10 trees per 100 linear feet of their property line.
6. Street trees are added to both Mink Street and Innovation Campus Way frontages at the rate of 3 trees for every 100 feet of road frontage. If the lot is split then the applicant only needs to provide street trees along their property line on Mink Street.
7. That the applicant meets Codified Ordinance 1171(5)(3) and provides the specific number of required trees and caliper on the landscaping plans.
8. Remove "Welcome" from the canopy signs, as vinyl is not an approved material and to minimize excessive signage.
9. That the address numbers be relocated on the face of the monument sign and the lighting be revised to be a ground-mounted up light.
10. The city engineer's comments must be addressed, subject to staff approval.

Approximate Site Location



Source: NearMaps



Community Development Department

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

Dear J. Carter Bean Architect,

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, February 25, 2025

The New Albany Planning Commission took the following action on 02/19/2025 .

Final Development Plan

Location: 1825 Mink St., New Albany, OH 43054

Applicant: J. Carter Bean Architect,

Application: PLFDP20250003

Request: FDP-03-2025 Final Development Plan

Final development plan to allow for construction of a 4,816 square foot Speedway gas station on 7.38 acres located at the northwest corner of Mink Street and Innovation Campus Way (PID: 093-107478-00.002).

Motion: Move to table to the March 3, 2025, Planning Commission meeting

Commission Vote: Motion Tabled, 5-0

Result: Final Development Plan, PLFDP20250003 was Tabled, by a vote of 5-0.

Recorded in the Official Journal this February 25, 2025

Condition(s) of Approval: None

Staff Certification:

Chris Christian

Chris Christian
Planning Manager



**Planning Commission Staff Report
February 19, 2025 Meeting**

**SPEEDWAY
VARIANCES**

LOCATION: Generally located at the northwest intersection of Mink Street and Innovation Campus Way (PID: 093-107478-00.002)

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

REQUEST: (A) Variance to Design Guidelines and Requirements Section 6(I)(A)(12) to eliminate the requirement for active and operable front doors on the Innovation Campus Way elevation.
(B) Variance to C.O. 1169.16(d) to allow four wall signs where code only permits two and to allow a wall sign to be installed on a building elevation that does not front a street.
(C) Variance to C.O. 1169.18(d) to allow directional signs to be 6 sq. ft. where code permits up to 4 sq. ft.
(D) Variance to C.O. 1169.18(b) to allow directional signs to be 5 feet in height where code permits up to 3 feet.

ZONING: Mink Interchange I-PUD

STRATEGIC PLAN: Retail

APPLICATION: VAR-04-2025

Review based on: Application materials received February 4, 2025

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

This application includes four (4) variance requests related to a final development plan for a proposed This development includes a gas station/convenience store, an unleaded field canopy, and a diesel fuel canopy for semi-trucks.

The applicant requests the following variances:

- (A) Variance to Design Guidelines and Requirements Section 6(I)(A)(12) to eliminate the requirement for active and operable front doors on the Innovation Campus Way elevation.
- (B) Variance to C.O. section 1169.16(d) to allow four wall signs where code only permits two and to allow a wall sign to be installed on a building elevation that does not front a street.
- (C) Variance to C.O. 1169.18(d) to allow directional signs to be 6 sq. ft. where code permits up to 4 sq. ft.
- (D) Variance to C.O. 1169.18(b) to allow directional signs to be 5 feet in height where code permits up to 3 feet.

II. SITE DESCRIPTION & USE

The 9.39-acre site is generally located north of Innovation Campus Way and west of Mink Street. It is bordered by commercial properties to the north (New Albany 525), west (AmplifyBio), and south (Axium Building 6), with residential areas in Jersey Township to the east.

III. EVALUATION

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

Criteria

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

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

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

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

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

III. ASSESSMENT

Considerations and Basis for Decision

(A) Variance to Design Guidelines and Requirements Section 6(I)(A)(12) to eliminate the requirement for active and operable front doors on the Innovation Campus Way elevation.

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

1. The applicant requests a variance to eliminate the requirement that buildings have operable and active front doors along all public and private roads. The building has two frontages: Mink Street (public street) and Innovation Campus Way (public street).
 - a. The commercial building has active doors on the Mink Street frontage but not on the Innovation Campus Way frontage, therefore a variance is required.
2. As required by the DGRs, the building is designed with the same caliber of finish on all sides of the building using the same building materials.
3. The design and function of auto-oriented development makes it difficult to locate active and operable doors along multiple roadways. The Planning Commission has granted variances for similar retail uses in the past.
4. The variance appears to preserve the "spirit and intent" of the zoning requirement. The intent of this requirement is to ensure that buildings maintain a presence on the street and not contain blank or "empty" building elevations so there is architectural vibrancy and interest on all sides of a building. This site is auto-oriented by design therefore it does not appear that maintaining an entrance on every street is as important in this development scenario. All sides of the building are designed with the same caliber of finish using the same building materials so none of the elevations appear as a "lesser" side of the building.
5. While there isn't an active and operable door along the all of public streets and private road elevations, the applicant is providing a strong architectural features and materials so the building adequately addresses the primary street (Mink Street) architecturally. The building is designed so the front door architectural elements such as the architectural canopy and retail storefront windows front Mink street, making this entrance more identifiable.
6. It does not appear that the essential character of the neighborhood will be altered if the variance request is granted. As stated, this same variance request has been granted for other retail developments in New Albany.

(B) Variance to C.O. 1169.16(d) to allow four wall signs where code only permits two and to allow a wall sign to be installed on a building elevation that does not front a street.

The following should be considered in the decision of the board:

- C.O. 1169.16(d) states that one wall sign, up to 50 sq. ft. in size, is permitted to be installed per building frontage. The building has two frontages (Mink and Innovation), therefore two wall signs are permitted to be installed. The applicant proposes to install four wall signs therefore, a variance is required.
 - The signs are all under 50 sq. ft.





Innovation Campus Way Elevation



Rear Elevation

- The variance does not appear to be substantial for the wall sign on the rear elevation. While this elevation does not front a street, it is the elevation where semitruck drivers will enter and exit the convenience store. It is also the smallest sign at 19.9 sq. ft.
- The variance does appear to be substantial for the additional wall sign on the Mink Street elevation. The signs include a “Speedway” sign and the Speedway logo which is repeated functionality. The applicant proposes multiple signs that indicate the development is a Speedway gas station.
- It does not appear that the essential character of the neighborhood will be altered if the variance request is granted as there is limited retail in the area. However, if other retail developments with similar signage were developed, granting this variance request may set a precedent for future cases.
- Granting the variance will not adversely affect the health, safety, or general welfare of persons living in the immediate vicinity.
- Granting the variance will not adversely affect the delivery of government services.

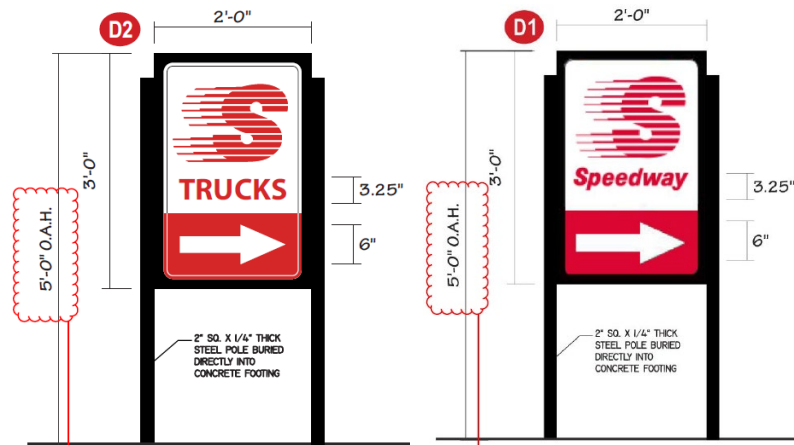
Considerations and Basis for Decision

(C)Variance to C.O. 1169.18(d) to allow directional signs to be 6 sq. ft. where code permits up to 4 sq. ft.

(D)Variance to C.O. 1169.18(b) to allow directional signs to be 5 feet in height where code permits up to 3 feet.

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

1. C.O. 1169.18 states that directional signage should have a maximum area of 4 sq. ft. and a maximum height of 3 feet.
 - a. The applicant proposes three directional signs which is permitted as the site has three lot access points. Both signs are 5 feet in height and 6 sq. ft., therefore requiring a variance.



2. The applicant states it can be difficult for semitrucks drivers to see smaller signs due to the elevated driving position.
3. The variance request does not seem substantial given the need to accommodate both semitrucks and regular vehicles for fueling. Properly sized directional signage will necessary to guide patrons to the appropriate access points.
4. The variance meets the spirit and intent of the zoning requirement which is to ensure a consistent design for directional signage is achieved for similar retail uses. While the signs are slightly larger than the permitted size, they generally align with the established standards. However, the applicant is not providing the required landscaping on all sides of the sign with a defined bed and all-season plant material. To ensure the spirit and intent of the requirement is met, staff recommends a condition of approval that the applicant meets the landscaping requirements for directional signs found in 1169.18(b)(1) of the Codified Ordinance (condition #1).
5. It does not appear that the essential character of the neighborhood will be altered if the variance request is granted as the applicant adheres to the permitted number of directional signs and the proposed signs are not significantly larger than what is allowed.
6. Granting the variance will not adversely affect the health, safety, or general welfare of persons living in the immediate vicinity.
7. Granting the variance will not adversely affect the delivery of government services.

II. SUMMARY

Given the auto-oriented and commercial nature of this zoning district, requiring active and operable front doors on every elevation seems unnecessary. The applicant has thoughtfully included a door on both the Mink Street frontage and the rear elevation, where semitruck drivers would enter. Additionally, the proposal includes a pedestrian connection from Innovation Campus Way, providing direct access for patrons to the primary entrance.

Allowing wall signs to be installed on the three building elevations does not appear to be substantial. However, having two wall signs on the Mink Street frontage seems redundant, as the property already includes multiple signs clearly identifying it as a Speedway gas station. There are multiple signs on the property that allude to the use being a Speedway gas station. Lastly, while the applicant is meeting the directional signage quantity, the proposed size of the signs is larger than code permits. Nevertheless, given the dual focus on semitruck and vehicular drivers, the larger signs are a reasonable accommodation to ensure clear and effective navigation and do not appear to be substantial in terms of visual or aesthetic impact.

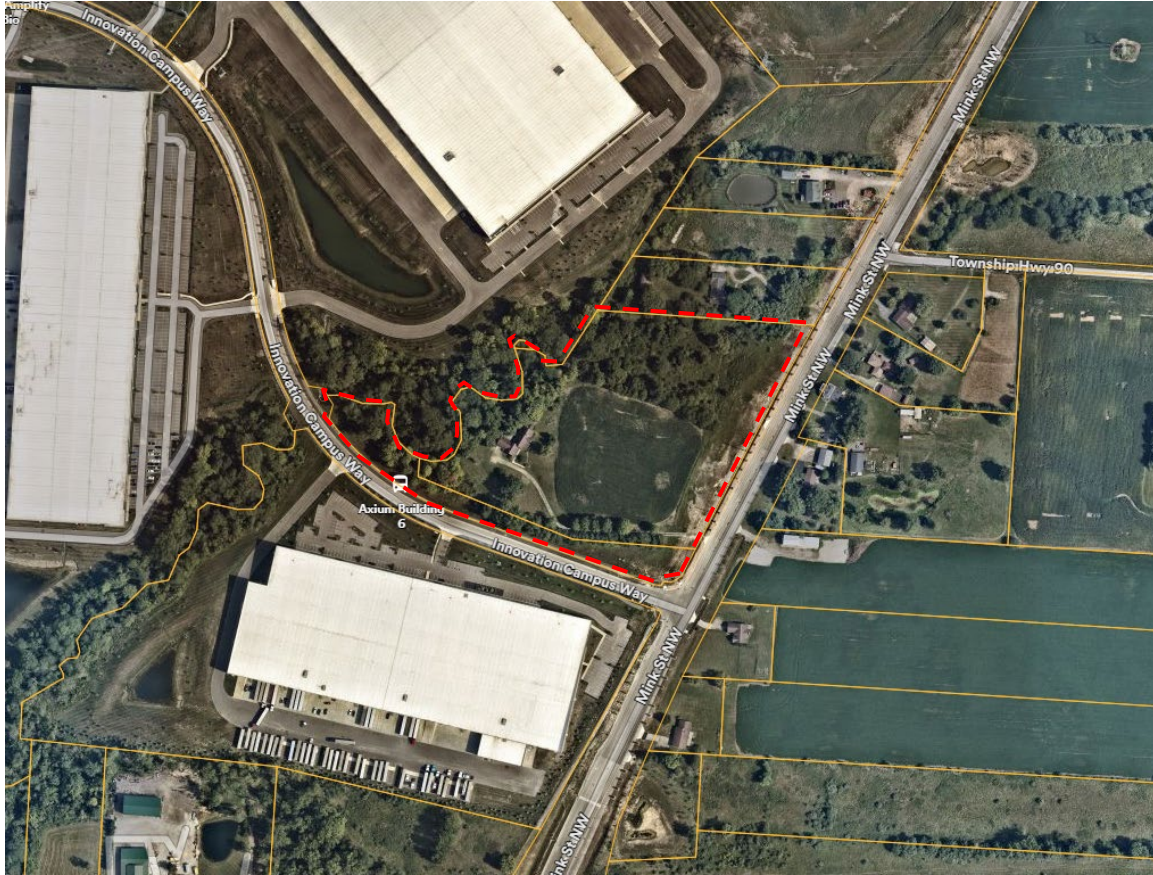
V. ACTION

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

Move to approve application VAR-04-2025, subject to the following conditions:

1. That the applicant must meet the landscaping requirements for directional signs found in 1169.18(b)(1) of the Codified Ordinance.

Approximate Site Location:



Source: Nearmap



Community Development Department

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

Dear J. Carter Bean Architect,

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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, February 25, 2025

The New Albany Planning Commission took the following action on 02/19/2025 .

Variance

Location: 1825 Mink St., New Albany, OH 43054

Applicant: J. Carter Bean Architect,

Application: PLVARI20250004

Request: Variances to the number of active and operable doors and signage associated with a final development plan application for a Speedway gas station development at the northwest corner of Mink Street and Innovation Campus Way (PID: 093-107478-00.002).

Motion: Move to table to the March 3, 2025, Planning Commission meeting

Commission Vote: Motion Tabled, 5-0

Result: Variance, PLVARI20250004 was Tabled, by a vote of 5-0.

Recorded in the Official Journal this February 25, 2025

Condition(s) of Approval: None

Staff Certification:

Chris Christian

Chris Christian
Planning Manager



**Planning Commission Staff Report
February 19, 2025 Meeting**

**AEP SUBSTATION
FINAL DEVELOPMENT PLAN**

LOCATION: 7375 Souder Road (PID: 222-004891)
APPLICANT: AEP, Ohio Transmission Company, Inc. c/o Amy Toohey
REQUEST: Final Development Plan
ZONING: Souder East Office, Research, & Information District I-PUD
STRATEGIC PLAN: Employment Center
APPLICATION: FDP-05-2025

Review based on: Application materials received January 23, 2025

Staff report prepared by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

This final development plan application is for a proposed AEP electrical substation located at 7375 Souder Road.

The property in question is zoned I-PUD and is located within the Souder East Office, Research, & Information District Subarea 4. The proposed use (electrical substation) is permitted as this use is identified as an essential service which is permitted in all zoning districts.

It's important to note as this use is a public utility and essential service, the applicant has broader flexibility and does not need to seek variances if a zoning requirement cannot be met per the city law director. Overall the plan is meeting the applicable zoning requirements however there is flexibility for the number of curb cuts, stormwater basin design, and street trees within a utility corridor.

II. SITE DESCRIPTION & USE

The site is generally located north of New Albany Road on the west side of Souder Road. The site is 9.50 acres and is currently undeveloped. Surrounding uses include Canine Companions to the west, undeveloped and commercial uses to the east, commercial to the south, and residential to the north.

III. EVALUATION

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

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

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

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

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

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

Engage New Albany Strategic Plan Recommendations

The Engage New Albany Strategic Plan lists the following development standards for the Employment Center future land use category:

1. No freeway/pole signs are allowed.
2. Heavy landscaping is necessary to buffer these uses from adjacent residential areas.
3. Plan office buildings within the context of the areas, not just the site, including building heights within development parcels.
4. Sites with multiple buildings should be well organized and clustered if possible.
5. All office developments are encouraged to employ shared parking or be designed to accommodate it.
6. All office developments should plan for regional stormwater management.
7. All associated mechanical operations should be concealed from the public right-of-way and screened architecturally or with landscape in an appealing manner.
8. Any periphery security should integrate with the existing landscape and maintain and enhance the character of the road.
9. Combined curb cuts and cross-access easements are encouraged.
10. The use of materials, colors and textures to break up large scale facades is required.

A. Use, Site and Layout

1. The applicant proposes to develop an AEP electrical substation that is named Souder Station. The existing total site size is 9.50 acres. The proposed use is appropriate for this location in the New Albany Business Park. It will satisfy an existing and future electrical need in the area. The use is permitted as it is an essential service that is permitted in all of the city's zoning districts.
2. The station will contain electrical equipment that is installed on a gravel pad and secured by fencing. Additionally, there are two transmission poles that connect to the station. These poles are situated on the east side, outside the station fence, and are linked to the equipment within the station, as well as AEP's existing transmission network.
3. The applicant will install a leisure trail and horse fence along Souder Road.
4. The PUD zoning text requires the following setbacks from these perimeter boundaries. Since the site does not consist of pavement or a building, these setbacks do not apply.

Perimeter Boundary	Required Setback
Souder Road	30-foot building and pavement
Western Boundary	50-foot building and pavement
Northern Boundary	50-foot building and pavement
Southern Boundary	25-foot building and pavement

5. The applicant indicates that the onsite stormwater will be conveyed to an onsite stormwater basin on the south end of the site.

B. Access, Loading, Parking

1. The site is proposed to be accessed from two curb cuts along Souder Road including:
 - a. One full-service curb cut on the northern part of the site.
 - b. One full-service curb cut on the southern part of the site.
2. Parking is not applicable for this site as the site is not regularly occupied or staffed.

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

1. The applicant is providing street trees along Souder Road in the tree lawn between the leisure trail and road pavement with the exception of the utility corridor.
2. The New Albany Business Park Research and Information Campus Design Guidelines require 15 trees per 100 linear feet to be planted along Souder Road however, the applicant is not able to do so due to the utility corridor. In lieu of providing this landscaping on Souder Road, staff recommend a condition of approval that the applicant

include naturalized plantings in the northwest corner of the site to provide additional screening (condition #1)

3. Zoning text section H(4) requires an earthmound with landscaping along the northern property line that is shared with Parcel Number 222-000596. The earthmound shall be a minimum of 6 feet in height at its crest and shall be planted with evergreen or deciduous trees at an average rate of 12 trees per 100 lineal feet. This has already been installed and will remain in place.
4. The applicant is providing naturalized trees around the basin to help with screening.

D. Lighting & Signage

1. Zoning text section V(I) requires all parking lot lights to be cut-off and downcast, not exceeding 30 feet in height, and be black or New Albany Green.
 - The applicant submitted a photometrics plan showing no light spillage from property lines and the mounting height of poles to be 29 feet.
2. The applicant proposes to install two address placards along the horse fence at the proposed entrances that meet the New Albany Business Park Research and Information Campus Design Guidelines.

IV. ENGINEER'S COMMENTS

The City Engineer has reviewed the application and provided the following comments. Staff recommends a condition of approval that the comments of the city engineer are addressed, subject to staff approval (condition #2).

1. Engineering staff will evaluate storm water management, water distribution, sanitary sewer collection and roadway construction related details once construction plans become available.

V. SUMMARY

Since the substation is an essential service, it will contribute economic value by meeting current and future electrical demands in the area, which is essential for the expanding business park. The proposed development is in an appropriate location given the context of the surrounding area and serves as an important resource for the New Albany Business Park.

V. ACTION

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

Move to approve final development plan application FDP-05-2025, subject to the following conditions:

1. That the applicant includes naturalized plantings in the northwest corner of the site to provide additional screening
2. Engineering staff will evaluate storm water management, water distribution, sanitary sewer collection and roadway construction related details once construction plans become available.

Approximate Site Location



Source: NearMap



Community Development Department

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

Dear AEP Ohio Transmission Company 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, February 25, 2025

The New Albany Planning Commission took the following action on 02/19/2025 .

Final Development Plan

Location: 7375 Souder Rd.

Applicant: AEP Ohio Transmission Company Inc,

Application: PLFDP20250005

Request: Final development plan to allow for construction of an AEP electrical sub station on 9.50 acres located at 7375 Souder Road (PID: 222-002282).

Motion: Move to table the application until either the April 7th or 21st meeting agenda.

Commission Vote: Motion Tabled, 5-0

Result: Final Development Plan, PLFDP20250005 was Tabled, by a vote of 5-0.

Recorded in the Official Journal this February 25, 2025

Condition(s) of Approval: None

Staff Certification:

Chris Christian

Chris Christian
Planning Manager





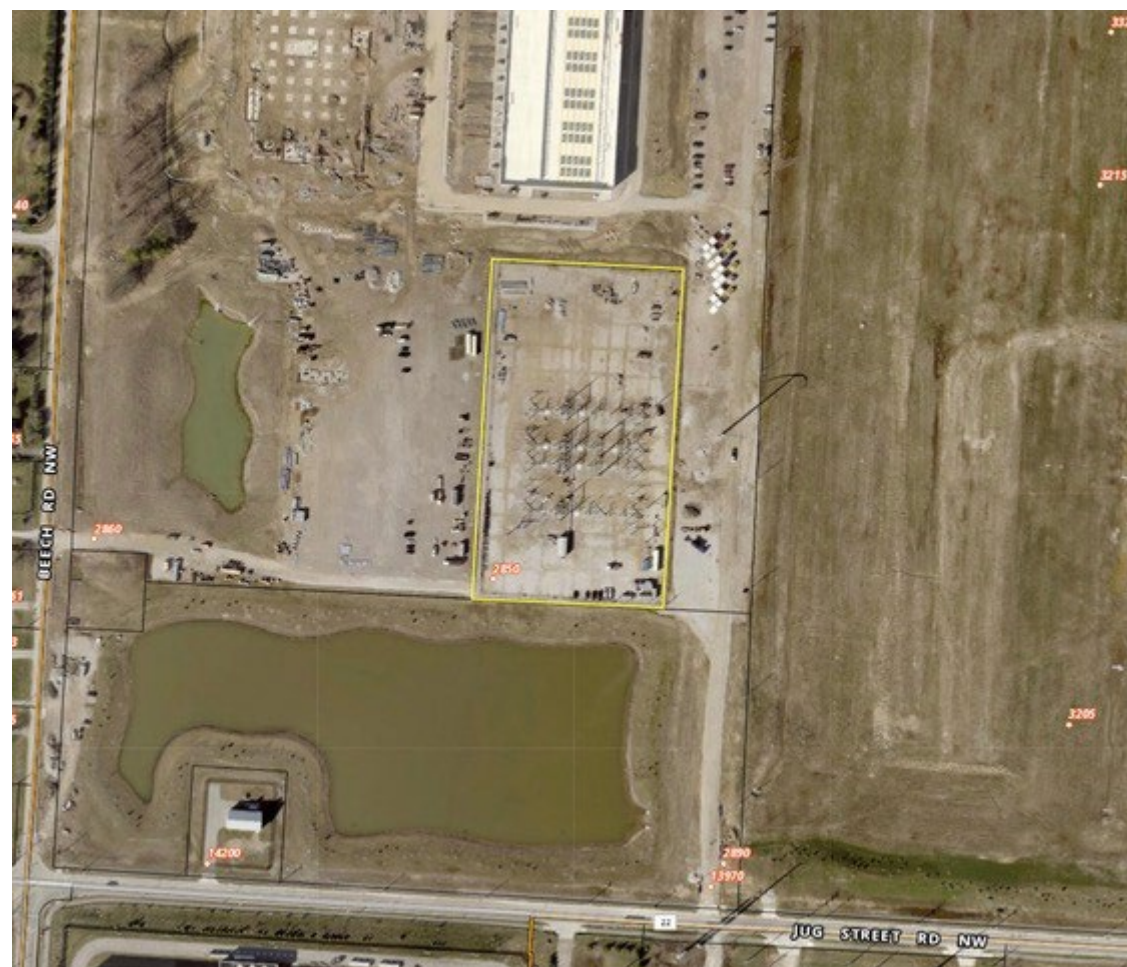


























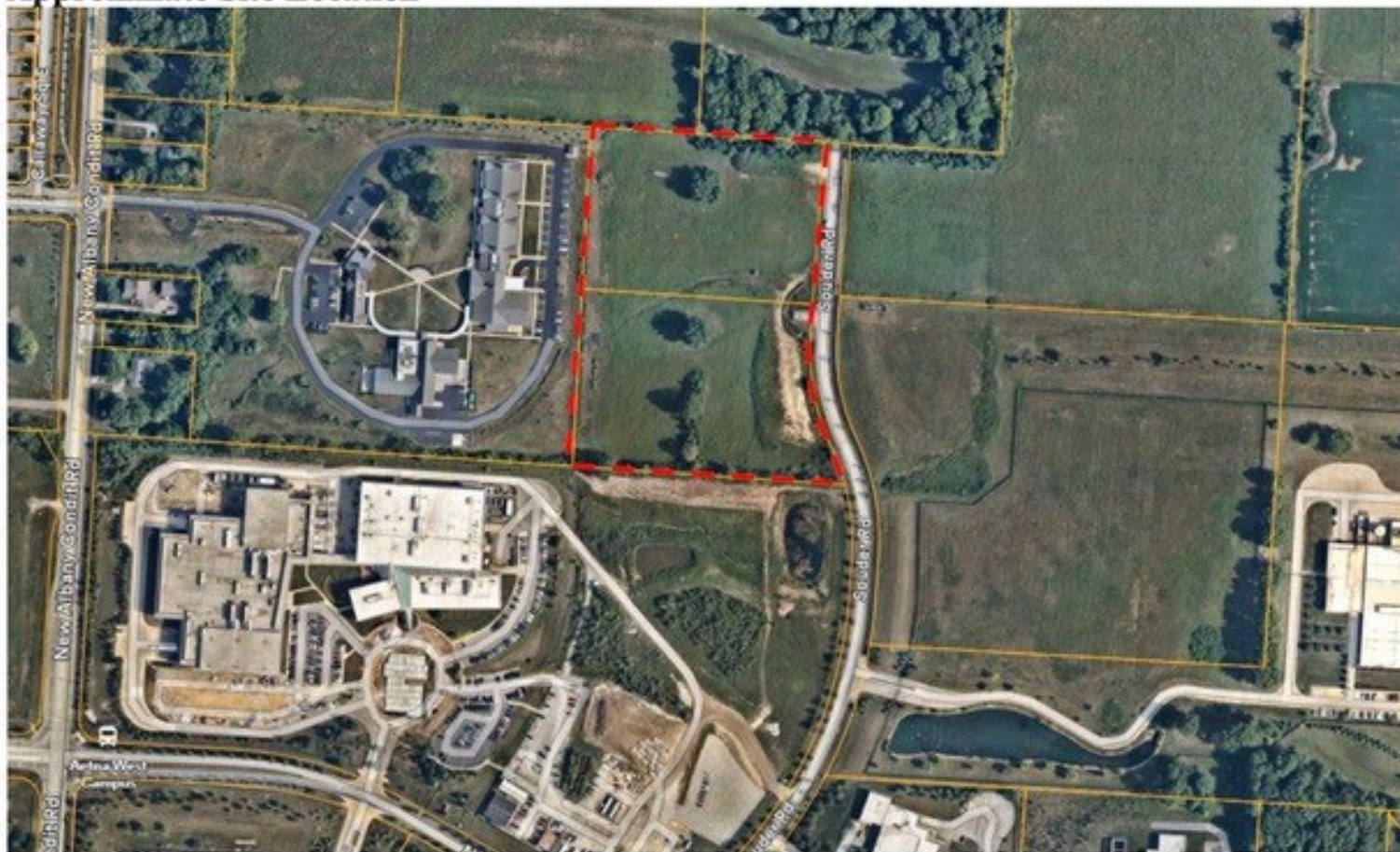








Approximate Site Location



Source: NearMap

