



New Albany Planning Commission

Monday, March 3, 2025 Meeting Minutes - Approved

I. Call to order

The New Albany Planning Commission held an informal meeting on Monday, March 3, 2025 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:06 p.m. and asked to hear the roll.

II. Roll call

Those answering roll call:

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

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

Staff members present: Law Director Albrecht, Planner Blackburn, Planning Manager Christian, Planner II Saumenig, Deputy Clerk Madriguera.

III. Action on minutes: February 19, 2025

Chair Kirby asked whether there are any corrections to the minutes from the February 19, 2025 meeting.

Hearing none, Commissioner Schell moved for approval of the February 19, 2025 minutes as presented. 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. Schell yes, Mr. Larsen yes, Mr. Wallace yes, Mr. Kirby yes. Having four yes votes, the motion passed and the February 19, 2025 meeting minutes were approved as submitted.

IV. Additions or corrections to the agenda

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

Planning Manager Christian answered none from staff.

Chair Kirby noted that there was a request to reorder the cases on the agenda and consider FDP-03-2025 and VAR-04-2025 prior to considering ZC-07-2025. Without objection, Chair Kirby agreed to the change.

Thereafter Chair Kirby administered the oath to all present who would address the commission and advised everyone that now would be a good time to silence cell phones.

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

Chair Kirby and the commission heard from the following visitors who were present to address the commission on the proposed school bus garage:

Nancy Willis, 6309 Callaway Square West. She stated that she was present to speak on her own behalf and on behalf of some of her neighbors. She Addressed the commission on the proposed bus garage. She explained that she is a resident of the Nottingham Trace subdivision. She stated that she is particularly concerned that there will be two entrances on SR 605. She wished to point out a couple of code sections that could impact this project.

Chair Kirby asked Planning Manager Christian to give an update on the proposed bus garage.

Planning Manager Christian explained that this application will involve a relocation of the New Albany Plain Local Schools' bus garage to SR 605. The architects have been presenting an informal review of the site plan and structure to New Albany's boards and commissions. Right now a traffic study is underway and will not be complete until May.

Commissioner Wallace confirmed that this was the project that the commission had heard an informal presentation about and further confirmed that there is no case currently pending before the board and asked Ms. Willis whether it made sense to present her concerns to staff in advance of the application being heard.

Ms. Willis said that she understood and said she had heard conflicting reports regarding when this application will be heard and voted upon by the commission.

Planner II Saumenig said that the Rocky Fork Blacklick Accord Implementation Panel [RFBA] would review the application in April at the soonest and the commission would review the application in May.

Chair Kirby said he would like to hear what Ms. Willis had to say but at this point in the process her remarks would be most appropriately directed to staff. Staff and the commission want this application, and all applications to go as smoothly as possible. Staff will notify all neighbors within 200 feet of the of the property of when the hearing is scheduled.

Ms. Willis thanked the commission. She continued that she was surprised that they had not been notified about this because it will require a zoning change. It is currently I-PUD and would have to be changed to community facilities district. 1157.01, which requires compatibility with adjacent residences. She discussed the minor commercial subdivisions ordinance and stated that it limits the opening of a new roadway for access to a commercial lot. This proposal places two entrances to the facility on SR 605. She questioned whether that was permissible under the current regulations, thus a zoning change appears necessary. She continued that many residents of Nottingham Trace have health concerns, and as such, are concerned about exhaust from the buses. For these reasons, they felt the need and urgency to come as a group. Nonetheless she understood the commission's situation and planned to return when the application was scheduled for consideration.

Commissioner Schell encouraged Ms. Willis to communicate with staff and with the RFBA.

Chair Kirby agreed and further encouraged her to communicate with the applicant prior to any action occurring. It is a lot easier to make changes in the planning stage.

Ms. Willis agreed and thanked the commission. She stated that they have had one meeting with the applicant and plan to have another, but the meeting had not been very promising.

Chair Kirby confirmed that school and the fire department are public officials, some of whom are elected.

Law Director Albrecht added that the commission can only consider arguments when there is evidence in the record for the pending.

Sharon Rogers, 6321 Callaway Square East. Ms. Rogers is also a resident of Nottingham Trace. She thanked the commission and explained that they did not know about the procedure for this case. She reiterated Ms. Willis' remarks. She further stated that she will be back when the case is filed.

Paul Driscoll, 6327 Callaway Square East. Mr. Driscoll is also a resident of Nottingham Trace. He stated that if he knew this was being considered he would not have moved to the subdivision. He commented that the residents were very upset about this. He further remarked, for the record, that this is likely an EPA hazard.

Martin Combs, 6288 Callaway Square, Mr. Combs is also a resident of Nottingham Trace. He told the commission that this presents a matter of trust for many of the residents. Many of the residents moved to the development and to New Albany, in spite of the higher taxes, for the environment and peacefulness.

Troy Johnson, 6357 Callaway Square East. Mr. Johnson is also a resident of Nottingham Trace. He explained that the reason so many neighbors appeared at the hearing was because they were told this development project is moving very quickly. They are trying to show unity in their opposition to the project as a whole. He added that he knows there is a lot of win-win for everyone, and they planned to continue to appear and comment.

Having no further visitors who wished to address the commission for an item not on the agenda, Chair Kirby introduced FDP-03-2025, the Speedway development.

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

Applicant J. Carter Bean stated that he had a presentation, however in the interest of time, he would proceed to the discussion of the bring. Thereafter he distributed the brick samples which included the black dusted brick, charcoal brick, and more brown/earthtone brick (as seen on a Preferred Living structure). The applicant's preference is the black followed by the charcoal.

Commissioner Larsen asked how the black will weather over time.

Mr. Bean stated that the darker black was a surface treatment which would wear away over time. He referenced the New Albany Ballet Company building as an example of a building with a surface treatment that had worn away over time. The rose tones of the underlying brick were showing through.

Commissioner Schell confirmed that staff and the city architect had recommended the brick with a warm earth tone.

Planner Saumenig said yes, and confirmed that the city architect had not changed his position.

Commissioner Schell asked Mr. Bean to show the adjacent building, noting that it is black in parts with wood accent. He asked Mr. Bean how the applicants felt about the gray brick.

Mr. Bean responded that they prefer the black.

Chair Kirby asked Mr. Bean whether the applicant would decide not to move forward with construction if the commission required them to use gray.

Mr. Bean reiterated that they prefer the black, but they recognized that they do not have much choice.

Commissioner Schell asked Mr. Bean to hold up the choices.

Commissioner Wallace asked whether it was fair to say that the client's intent is for the Speedways to look the same way and asked what they looked like.

Mr. Bean answered yes and further responded that they are the more neutral tone, they were very close to the black.

Council Member Wilttrout asked whether the examples shown were within the city's color palette.

Planner Saumenig responded that she did not think so, the retail palette as approved by the City Architect was quite red.

Commissioner Larsen remarked that the charcoal seems to be closer than the black to the city architect's recommendation.

Chair Kirby asked whether the staff had anything further to add.

Planner Saumenig answered no, the conditions in the staff report had been updated following the February meeting.

Chair Kirby thanked staff for indicating the changes in the conditions on the staff report for this meeting.

Hearing no response, Chair Kirby asked whether anyone from the public was present who wished to comment on the application.

Hearing no response, Chair Kirby moved to admit the staff reports and related documents including the brick samples into the record for FDP-03-2025. 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, Mr. Schell yes, Mr. Larsen yes. Having four yes votes, the motion passed and the staff reports and related documents were admitted into the record for FDP-03-2025.

Chair Kirby moved for approval of FDP-03-2025 based on the findings in the staff report and the 11 conditions as amended in the March 3, 2025 staff report, subject to staff approval with the following amendment to condition 2:

2. That charcoal brick be allowed as well as the palette suggested by the Village Architect, at the applicant's choice.

Chair Kirby confirmed that the condition was clear with the applicant.

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

Planner Saumenig confirmed that there are 11 conditions.

Chair Kirby asked whether there was further discussion. Hearing none, he asked to hear the roll. Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Wallace no, Mr. Larsen yes. Having three yes votes, and one no vote, the motion passed 3-1, and FDP-03-2025 was approved.

Commissioner Wallace explained that he voted no because he was reluctant to approved an application not approved by the Village Architect.

Commissioner Schell explained that he voted yes because this outside of Village Square and matched the building next to it.

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 accept the staff reports and related documents, including page 5 of the February 19, 2025 approved meeting minutes, into the record 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. Wallace yes, Mr. Larsen yes, Mr. Schell yes. Having four yes votes, the motion passed and the staff reports and related documents including page 5 of the February 19, 2025 approved meeting minutes were admitted into the record for VAR-04-2025.

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

Chair Kirby moved for approval of VAR-04-2025 based on the findings in the staff report with the listed in the staff report and noting the interpretation on page 5 of the February 19, 2025 meeting minutes as follows:

- (A) Agreed as submitted.
- (B) Three faces can have a sign up to 50-feet. 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.

Any additional sign will require an additional variance application.

Chair Kirby confirmed that the applicant understood the conditions.

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. Wallace yes,

Mr. Schell yes. Having four yes votes, the motion passed and VAR-04-2025 was approved.

The commission wished Mr. Bean good luck and asked that he keep them posted on the building schedule and the receipt of the occupancy permit.

ZC-07-2025 Rezoning

Request to rezone approximately 194.6+/- acres generally located east of Babbitt Road, west of Beech Road, and south of Worthington Road from Agricultural (AG) and Limited General Employment (L-GE) to Limited General Employment (L-GE) for an area to be known as the Ganton Parkway South Zoning District (Parcel IDs: 220-002009, 220-002006, 220-002151, 220-000845, 220-000447, 222-005362, 222-005364, 222-005361, 222-005374, 222-005363, 222-005373, 222-004864, 222-005372, 222-004866, 222-004865, and portions of 094-106494-00.002 and 094-108192-00.000).

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

Planning Manager Christian delivered the staff report.

Co-Applicant Tom Rubey of the New Albany Company spoke in support of the application. He explained that access to this site would be via Ganton Parkway. The three new curb cuts on Babbitt Road are subject to review and approval by the city, and the city is in the process of acquisition of land that would be dedicated as right of way to accommodate the additional traffic. He acknowledged that there has been tree removal and that seeing it is shocking, that is due to the limited time frame for tree-cutting. He noted that there will be a tree preservation zone.

Chair Kirby opened the public hearing.

Demetra Doran Mutchler, 5853 Babbitt Road. Ms. Mutchler said she understands change and the concept of the good for all can outweigh the good for few but has lived at 5853 Babbitt Road since she was born. She was told that Beech Road would bear the traffic changes and would accommodate the commercial traffic. She referenced the new road indicated in the map in the application materials. She asked what the purpose of the new road would be, was it to be two or four lanes, and stated that the new road would be going straight into her driveway. She further stated that major trees have been removed.

Mr. Rubey clarified that the markings on the site plan that looked like proposed road were actually a property line. He further explained that the property lines included building and pavement setbacks. He explained that the zoning text limits the curb cuts on Babbitt to a total of three and where those curb cuts would occur has not yet been decided. He would be happy to meet with Mutchler during the development process.

Ms. Mutchler responded that was great; she confirmed the RFBA setback standards and that the setbacks were 90 and 140. She asked whether there were other reasons to expand Babbitt Road and if so, how much. There were not homes on either side now, and she was hoping for some empathy from the committee. She noted the removal of the trees, so it was clear that something was coming.

Planning Manager Christian responded that he could not comment on that specifically. The strategic plan adopted in 2020 called for the access to the business park to be improved, and further that the text allows the road to be improved.

Ms. Mutchler continued that they were told that Beech Road would bear the traffic load. Beech Road would be a better road and use. She wondered about the reasoning for turning Babbitt Road into a major road like Beech. She had heard there was some sort of postal business to that

considered for installation. She stated that she would appreciate knowing what is coming. She indicated the people who accompanied her to the meeting. She was comforted that the property line was not a road, nonetheless she would appreciate consideration of the residents.

Mr. Rubey reiterated that the line on the site plan was not a road, but it was a property line. Property lines on a site plan would include setback notations. He further stated that there is no plan for a postal service type business to be installed. The primary access would be from the east west connector. The Babbit Road curb cuts is limited to three and it is unclear where they will be. There are many factors to consider. There would be improvements made to the road. It was unclear whether access on Babbit would be limited to emergency.

Ms. Mutchler asked whether the setbacks were going to be changed from 250 feet.

Commissioner Wallace asked whether the commission will see a final development plan.

Planning Manager Christian answered not in this section. He explained that there will be a plat. There is no notification requirement but we can add it into the zoning text.

Ms. Mutchler asked whether there would be non-residential traffic on Babbit for a timeline for construction.

Planning Manager Christian responded that the design changes would be minor and he could not yet confirm details. He responded that Babbitt would be a little bit of both – residential and commercial. The Strategic Plan text allows commercial traffic.

Chair Kirby noted that one of the goals is that new roads take new traffic.

Ms. Mutchler responded that she was comforted that the line on the site plan was a property line and not a road. She asked for the timeline for construction.

Commissioner Wallace asked whether the commission would review a final development plan.

Planning Manager Christian responded no, but will review the final plat of Ganton.

Chair Kirby asked whether there is neighbor notification prior to consideration of the final plat.

Planning Manager Christian said there is not.

Chair Kirby asked whether neighbor notification for the plat in this case could occur.

Planning Manager Christian responded that neighbor notification could be added to the zoning text.

Chair Kirby asked whether there is a different set of setbacks to the south.

Planning Manager Christian said yes, since 2018 the set back in that section was 200 feet for building and 90 for pavement as measured from the center line of right of way.

Chair Kirby noted the 60-foot change. The new pavement set back was 90 from the centerline.

Planning Manager Christian further stated that construction will be coordinated with capital improvement department, and notice of construction would be provided. The Babbit east setback is 100 for pavement and 200 for building in the existing zoning text and that was from the edge of the right of way.

Planning Manager Christian stated that the pavement setback is 100 feet from right of way and new text says 90 from the centerline.

Chair Kirby noted that there is a reduction. The original is 120 and now it is reduced to 90.

Mr. Rubey stated that he believed the survey of Babbitt would be a recommended right of way width. Much of Babbit Road still had ownership to the centerline of the road.

Planning Manager Christian added that the text requires additional screening for residential neighbors.

There was discussion of the timeline for construction.

Planning Manager Christian stated that the section north of the roundabout is to go out to bid in 2026 but it is very tentative.

Mr. Rubey added that 2027 is the earliest.

Ron Farber, 5596 Babbitt Road. Mr. Farber was seeking additional elevation information. The temporary lights during the construction phase makes it bright all night. He added that there is construction traffic all night because it is a staging area for QTS. They work all night long.

Planning Manager Christian responded that nothing has been submitted for QTS but staff will reach out to them.

Mr. Farber thanked Planning Manager Christian and noted that the lights are on all night, and that work goes on all night.

Chair Kirby asked whether the code default is 7:00 or 7:30. He thought work was supposed to be completed by 7:00.

Mr. Farber asked whether the improvements will include the entire Babbitt Road. He asked whether screening will be part of the requirement. He further noted that the development was about 70 feet higher than his property.

Planning Manager Christian said yes it will be screened within the 100-foot setback area and added that he did not think they planned to have the parking lot and it will likely be torn out.

Commissioner Wallace remarked that failure to screen according to the zoning text is a zoning violation.

Chair Kirby asked whether there are other members of the public who wished to speak.

Dirk Stevens of 6111 Babbitt Road. He was curious about the houses north of the roundabout. Mr. Stevens stated that it looks like a roundabout will be put in next to his house. He indicated areas of the map that are still privately owned but the road appears to go through the property. He further remarked that he had lived there since 1962 and it is noisy now, even without a roundabout.

Planning Manager Christian responded that those are desired plans, not final plans.

Chair Kirby added that all the plans were fiction until ownership is acquired. He asked whether plantings were done around rural roundabouts. Evergreens would be more appropriate for rural roundabouts.

Planning Manager Christian responded that the city certainly can do plantings.

Chair Kirby, the commission, and staff, then established the following checklist, with amendments underlined, of items in the zoning text:

Neighbor notification requirement prior to platting.

P.7

vi. HVAC, generators and similar equipment and associated gravel or concrete yards or pads shall be located subject to the minimum building setbacks, and there should be no exhaust directed at the neighbors and be aware of noise near the property line.

6. Roof-Mounted Equipment: Complete screening of all roof-mounted equipment except solar panels shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character.

P. 10

10. Preservation Areas:

*** [unaffected text omitted] ***

Within the Preservation Zones located within these perimeter setbacks, the developer shall preserve the understory existing healthy and mature trees and non-invasive vegetation but shall be permitted to place utilities within or allow them to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes impact on healthy and mature trees.

P11

G Lighting:

*** [unaffected text omitted]***

4. No landscape uplighting from a concealed source shall be subject to staff approval. All uplighting fixtures must be screened by landscaping. Sign lighting shall eliminate spill, subject to staff approval. Lighting details shall be included in the landscape plan which is subject to review and staff approval.

Mr. Rubey acknowledged the sensitivity to all uplighting and stated that the applicant was most comfortable eliminating landscape uplighting but would ask that the sign uplighting provision be made subject to staff approval in order to preserve flexibility for the commercial tenants.

Chair Kirby asked how the commission felt about the changes in the setbacks.

Commissioner Wallace stated that it is consistent with other areas.

Mr. Rubey acknowledged there were other properties with larger setbacks. He stated that there is a lot of work that still needs to be done. The applicant's request for reduced setback was made with a tremendous amount of work and forethought and as such the applicant would request they remain.

Chair Kirby moved to accept the staff reports and related documents into the record for ZC-07-2025. 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, Mr. Larsen yes, Mr. Schell yes. Having four yes votes, the motion passed and the staff reports and related documents were admitted into the record for ZC-07-2025.

Chair Kirby moved for approval of ZC-07-2025 based on the findings in the staff report with the conditions in listed in the staff report and the following condition and amendments to the zoning text [text to be omitted is stricken through and underlined; text to be added is underlined only]:

The zoning text should include a notification requirement prior to platting.

P.7

vi. HVAC, generators and similar equipment and associated gravel or concrete yards or pads shall be located subject to the minimum building setbacks, and there should be no exhaust directed at the neighbors and be aware of noise near the property line.

6. Roof-Mounted Equipment: Complete screening of all roof-mounted equipment except solar panels shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character.

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*** [unaffected text omitted] ***

Within the Preservation Zones located within these perimeter setbacks, the developer shall preserve the understory and existing healthy and mature trees and non-invasive vegetation but shall be permitted to place utilities within or allow them to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes impact on healthy and mature trees.

P11

G Lighting:

*** [unaffected text omitted]***

4. No landscape uplighting ~~from a concealed source shall be~~ subject to staff approval. All ~~uplighting~~ fixtures must be screened by landscaping. Sign lighting shall eliminate spill, subject to staff approval. Lighting details shall be included in the landscape plan which is subject to review and staff approval.

The applicant agrees to revisit screening with the final plat.

Commissioner Wallace seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll. Upon roll call: Mr. Kirby yes, Mr. Wallace yes, Mr. Larsen yes, Mr. Schell yes. Having four yes votes, the motion passed and ZC-07-2025 was favorably recommended to council.

VII. Other business

Chair Kirby asked if there was any other business.

Planning Manager Christian answered none from staff.

VIII. Poll members for comment

The commissionerst thanked all and made no further comment.

IX. Adjournment

Without objection, Chair Kirby adjourned the March 3, 2025 informal meeting of the New Albany Planning Commission at 9:30 p.m.

Submitted by: Deputy Clerk Madriguera, Esq.

Appendix

FDP-03-2025

Staff Report

Brick Samples

Record of Action

VAR-04-2025

Staff Report

Page 5 of February 19, 2025 meeting minutes

Record of Action

ZC-05-2025

Staff Report

Record of Action



**Planning Commission Staff Report
March 3, 2025 Meeting**

**GANTON PARKWAY SOUTH
ZONING AMENDMENT**

LOCATION: 194.6+/- acres generally located east of Babbitt Road, west of Beech Road, and south of Worthington Road (Parcel IDs: 220-002009, 220-002006, 220-002151, 220-000845, 220-000447, 222-005362, 222-005364, 222-005361, 222-005374, 222-005363, 222-005373, 222-004864, 222-005372, 222-004866, 222-004865, and portions of 094-106494-00.002 and 094-108192-00.000).

REQUEST: Zoning Amendment

ZONING: AG (Agricultural) and L-GE (Limited General Employment District) to L-GE (Limited General Employment District)

STRATEGIC PLAN: Mixed Use

APPLICATION: ZC-07-2025

APPLICANT: City of New Albany and The New Albany Company LLC, c/o Aaron Underhill, Esq.

Review based on: Application materials received on January 31, February 6, and February 11, 2025.

Staff report completed by Chris Christian, Planning Manager

I. REQUEST AND BACKGROUND

The city of New Albany and The New Albany Company LLC are co-applicants on this application which includes a rezoning of 194.6+/- acres. The request proposes to create a new limitation text for the area known as the “Ganton Parkway South Zoning District” by zoning the area to Limited General Employment (L-GE) from Agriculture (AG) and Limited General Employment (L-GE). The proposed rezoning serves as an expansion of the New Albany International Business Park. The city has partnered with the property owners on this application to ensure that the proposed standards are harmonious with the surrounding area so a consistent development pattern is achieved.

The proposed zoning is a limitation text. A limitation text can only establish more restrictive requirements than the zoning code. The Limited General Employment District permits office, data center, manufacturing & production, warehouse & distribution, and research & production uses. The text contains the same list of permitted, conditional, and prohibited uses as other similar zoning districts that are also zoned Limited General Employment (L-GE) in the immediate area. This rezoning also serves to extend the same or similar zoning and development standards to the property as it currently applies to much of the developed and undeveloped land in its general vicinity.

II. SITE DESCRIPTION & USE

The overall 194.6+/- acre rezoning site consists of 17 properties, located in both Franklin and Licking County. The site is located on the east side of Babbitt Road. Five of the subject parcels are currently being annexed into the city. The annexation petition was submitted on January 30, 2025. Its first reading at city council is on April 1, 2025 and its second reading is scheduled for April 15, 2025.

The site is comprised of farm fields, residential homes, and vacant land. The neighboring uses and zoning districts include L-GE and unincorporated agricultural and residential.

III. PLAN REVIEW

Planning Commission's review authority of the zoning amendment application is found under C.O. Chapters 1107.02. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to city council. 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).

A. Engage New Albany Strategic Plan

The Engage New Albany Strategic Plan designates the area as the Mixed-Use future land use category. However, given the proposed rezoning, staff has evaluated this proposal against the Employment Center standards. The strategic plan lists the following development standards for the Employment Center 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 context of the area, 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 landscaping in an appealing manner.
- 8. Any periphery security should integrate with the landscape and maintain and enhance the character of road corridor.
- 9. Combined curb cuts and cross-access easements are encouraged.
- 10. The use of materials, colors, and texture to break up large-scale facades is required.

B. Use, Site and Layout

- 1. The proposed zoning text is a limitation text. A limitation text can only establish more restrictive requirements than the zoning code.
- 2. The Engage New Albany Strategic Plan designates the area as the Mixed-Use future land use category. However, given the proposed rezoning, staff has evaluated this proposal against the Employment Center standards. Office and commercial uses are a component of the mixed-use category. The strategic plan intent for the mixed use within this area is to have employment center uses but allow for incorporation of retail and residential uses if appropriate. The proposed uses are consistent with the zoning in the surrounding area.
- 3. Due to the proximity of this site to Ganton Parkway, State Route 161/Beech Road interchange, and its location adjacent to other Limited General Employment (L-GE) zoned land in the existing New Albany International Business Park to the north and east, the site appears to be most appropriate for the proposed type of development.

4. The limitation text contains the same list of permitted, conditional, and prohibited uses as other similar zoning districts that are also zoned L-GE. The text allows office, data center, manufacturing & production, warehouse & distribution, and research & production uses. Personal service and retail product sales and services are only allowed as accessory uses to a permitted use in this subarea.
5. Prohibited uses include industrial product sales and services, mini-warehouses, personal services, vehicle services, radio/television broadcast facilities, and sexually oriented business.
6. The proposed L-GE text requires the following setbacks that are generally consistent with those in the surrounding area.
 - Babbitt Road: There shall be a minimum building setback of 140 feet from the centerline of Babbitt Road. There shall be a minimum pavement setback of 90 feet from the centerline of Babbitt Road.
 - Ganton Parkway: There shall be a minimum building and pavement setback of 25 feet from the Ganton Parkway right-of-way.
 - Perimeter Boundaries: Minimum pavement setback of 50 feet and a minimum building setback of 100 feet from boundaries adjacent to property where residential uses are permitted. There shall be a minimum 25-foot building and pavement setback for all other boundaries.

C. Access, Loading, Parking

1. Vehicular access shall be provided to and from this zoning district along Ganton Parkway and Babbitt Road. The city has installed a portion of Ganton Parkway West and is designing an additional extension to the west to serve this site. Additionally, the city is designing plans to improve Babbitt Road. The zoning text permits at least three full movement access points along both roads. Similar to other zoning districts in the immediate area, the final locations and permitted turn movements at each access point are subject to the review and approval of the City Engineer.
2. Parking and loading will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development for each individual site.
3. The zoning text states that 40 feet of right-of-way is required to be dedicated along Babbitt Road, as measured from the centerline of Babbitt Road, for a total width of 80 feet. Additionally, the text requires the property owner to grant easements to the city adjacent to the aforementioned 40-foot right-of-way, not to exceed 35 feet in width on either side, to provide for the installation and maintenance of streetscape improvements, public utility lines, and leisure paths. The City Engineer has evaluated the proposed right-of-way width, as well as the easements, and states that these widths are sufficient to allow for improvements to Babbitt Road.
4. The zoning text acknowledges that 100 feet of right-of-way already exists to allow for the extension of Ganton Parkway West.
5. An 8-foot-wide asphalt leisure trail is required to be installed along the Babbitt Road and Ganton Parkway frontages of the site.

D. Architectural Standards

1. The proposed rezoning implements many of the same standards and limitations set forth in the New Albany Architectural Design Guidelines and Requirements and neighboring commercial zoning districts.
2. There are no maximum building height requirements in the zoning text. This is consistent with city code and other commercial zoning districts in the surrounding area.
3. The New Albany Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities, careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. The limitation text includes the same specific design requirements for uses not governed by the DGRs as those in the other subareas of the business park, which ensures the quality and consistent design of these buildings throughout this portion of the business park.

4. Zoning text section II(E)(6) requires complete screening of all roof-mounted equipment on all four sides of the building using materials that are consistent and harmonious with the building's façade and character. The text indicates that the screening is provided to screen equipment from off-site view but also to buffer sound generated by the equipment.

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

1. Maximum lot coverage for this subarea is 75%, which is the same requirement as the surrounding L-GE zoning districts.
2. Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.
3. For perimeter boundaries which abut properties containing existing residential uses or has a zoning classification which permits the development of residential uses that are not owned by the developer a minimum six (6) foot high mound shall be installed along the property line and shall include a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% on the date that is 5 years after planting to a total height of 10 feet above ground level.
 - a. These mounds shall be installed within the minimum pavement setback area as required by this zoning text and may encroach on the abutting property if that owner agrees with the mound's installation on his/her property.
 - b. The plan for these areas must be reviewed and approved by the City's Landscape Architect.
4. There shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or treed areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.
5. Master Landscape Standards Plan:
 - a. Unless a landscape and signage standards plan is developed for this specific area and approved by the Planning Commission, the City of New Albany Business Campus South – Beech Road South Landscape Standards Master Plan which was previously created for the Beech Road corridor and approved by the Planning Commission on June 5, 2017 shall apply to the Babbitt Road frontage in this Zoning District.
6. Babbitt Road:
 - a. Landscaping and mounding within the minimum required pavement setback along Babbitt Road shall be coordinated and consistent throughout this Zoning District and surrounding areas.
 - b. In addition to street trees, a landscape buffer is required to be installed within the pavement setback along Babbitt Road. The text states that the buffer shall contain one (1) tree for every thirty (25) feet of road frontage.
7. In recognition of the significant amount of land area and the lengths of the perimeter boundaries contained within this Zoning District, for all portions of the Zoning District where there is required landscaping as contemplated in the zoning text, it may be installed in phases. For each phase of development in the Zoning District, such required landscaping and/or mounding shall be installed when it is anticipated (as provided in plans associated with relevant permits) that buildings, paved parking areas, or aboveground equipment or utility infrastructure, once constructed within that phase, will be located within 500 feet of the relevant perimeter boundary line or when construction is anticipated along a property boundary where there is an adjacent residential use.

E. Lighting & Signage

1. The text states that the sign regulations from C.O. 1169 apply to this zoning district. In addition, there are standards for signage in the Business Campus South – Beech Road South Landscape Standards Master Plan that apply.

2. All parking lot and driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.
3. The maximum height of light poles is 30 feet.
4. The zoning text requires lighting details to be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

F. Other Considerations

1. The property owner has submitted a school impact statement which states the proposed L-GE zoning will add significant value to the land and proposes the means to provide additional value by way of improvements.

IV. ENGINEER'S COMMENTS

The City Engineer has no comments on this submittal.

IV. SUMMARY

The limitation text provides for stricter limitations in use and design than the straight General Employment zoning districts and retains or improves upon many of the requirements found in adjacent existing zoning texts. Due to the proximity of this site to Ganton Parkway, State Route 161/Beech Road interchange, and its location adjacent to other Limited General Employment (L-GE) zoned land in the existing New Albany International Business Park to the north and east, the site appears to be most appropriate for the proposed type of commercial development.

The change in use for the area enables the continued growth and success of the New Albany International Business Park and ensures a consistent development pattern throughout this general area, as envisioned in the Engage New Albany Strategic Plan. The requirements of the zoning text consider the existing residential nature of the surrounding area and include different landscape restrictions to remain sensitive to those existing uses.

1. The large scale of the rezoning will result in a more comprehensive planned redevelopment of the area and will ensure compatibility between uses (1111.06(a)).
2. The L-GE rezoning application is an appropriate application for the request (1111.06(e)).
3. The overall effect of the development advances and benefits the general welfare of the community (1111.06(f)).
4. The proposed rezoning will allow for the development of businesses that will generate revenue for the school district while having a positive impact on the school district (1111.06(h)).

V. ACTION

Suggested Motion for ZC-07-2025:

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

Move to approve application ZC-07-2025 based on the findings in the staff report.

Approximate Site Location:



Source: NearMap

Ganton Parkway South Zoning District

Subject Property Parcel Numbers and Addresses

Franklin County 220-002009, 5980 Babbitt Road

Franklin County 220-002006, 5920 Babbitt Road

Franklin County 220-002151, 0 Babbitt Road

Franklin County 220-000845, 5900 Babbitt Road

Franklin County 220-000447, 5860 Babbitt Road

Franklin County 222-005362, 0 Babbitt Road

Franklin County 222-005364, 5782 Babbitt Road

Franklin County 222-005361, 5760 Babbitt Road

Franklin County 222-005374, 0 Babbitt Road

Franklin County 222-005363, 5708 Babbitt Road

Franklin County 222-005373 0 Babbitt Road

Franklin County 222-004864, 6140 Babbitt Road

Franklin County 222-005372, 0 Babbitt Road

Franklin County 222-004866, 6108 Babbitt Road

Franklin County 222-004865, 6016 Babbitt Road

Portion of Licking County 094-106494-00.002, 0 Ganton Parkway West

Portion of Licking County 094-108192-00.000, 0 Ganton Parkway West

ZONING DESCRIPTION
194.6± ACRES

Situated in the State of Ohio, County of Franklin and Licking, City of New Albany, lying in Lots 4, 5 and 6, Quarter Township 4, Township 2, Range 16, and Section 16, Township 2, Range 15, United States Military District, and being all of the remainder of that 4.321 acre tract conveyed as Parcel I and that 1.462 acre tract conveyed as Parcel II to MBJ Holdings, LLC by deed of record in Instrument Number 202409160096381 (Franklin County), the remainder of that 177.497 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201808070105494 (Franklin County), that 2.345 acre tract conveyed to The New Albany Company by deed of record in Instrument Number 201409300128871 (Franklin County), those 0.607 acre and 5.176 acre tracts conveyed to Joseph D. Sicilian and Judith R. Sicilian, Trustees by deed of record in Instrument Number 202403040021341 (Franklin County), the remainder of that 5.169 acre tract conveyed to Greg P. Rybski, Trustee by deed of record in Instrument Number 202203180044079 (Franklin County), that 3.616 acre tract conveyed to Greg P. Rybski, Trustee by deed of record in Instrument Number 202203180044072 (Franklin County), those 3.107 acre tract conveyed as Parcel 1 and 10 acre tract conveyed as Parcel 2 to Julianna DiIullo, Trustee by deed of record in Instrument Number 201106230078708 (Franklin County), that 5 acre tract conveyed to Julianna DiIullo, Trustee by deed of record in Instrument Number 201106230078705 (Franklin County), that 78.012 acre tract conveyed to QTS New Albany III, LLC by deed of record in Instrument Number 202312280134885 (Franklin County), part of the remainder of that 13.699 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201805020008526 (Licking County), that 68.591 acre tract conveyed to MBJ Holdings LLC by deed of record in Instrument Number 200212230049294 (Licking County), (all references are to the records of the Recorder's Office, Franklin and Licking Counties, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Dublin-Granville Road (width varies) and Babbitt Road (width varies), being the northwesterly corner of that 2.491 acre tract conveyed as Parcel No. 3-WDV1 to Franklin County, Ohio by deed of record in Instrument Number 200609140183992 (Franklin County), and the common corner of said Lot 6, and Lot 7, 10 and 11 of said Quarter Township 4, Township 2, Range 16;

Thence South 03° 35' 33" West, with the centerline of said Babbitt Road, a distance of 1224.83 feet to a point at the northwesterly corner of said 2.345 acre tract, being the TRUE POINT OF BEGINNING;

Thence South 86° 22' 51" East, across said Babbitt Road and with the northerly line of said 2.345 acre tract, a distance of 30.00 feet to a point in the easterly right-of-way of said Babbitt Road, a southwesterly corner of said 1.462 acre tract;

Thence North 03° 35' 33" East, with said easterly right-of-way line, the westerly lines of the remainder of said 4.321 acre and 1.462 acre tracts, a distance of 343.71 feet to the northwesterly corner of the remainder of said 4.321 acre tract;

Thence South 86° 22' 51" East, with the northerly line of the remainder of said 4.321 acre tract, a distance of 264.70 feet to a point at the northernmost northeasterly corner of the remainder of said 4.321 acre tract;

Thence South 49° 31' 07" East, continuing with the northerly line of the remainder of said 4.321 acre tract, a distance of 185.26 feet to a point at the northeasterly corner of the remainder of said 4.321 acre tract;

Thence South 40° 17' 02" West, with the easterly line of the remainder of said 4.321 acre tract, a distance of 115.00 feet to a point of non-tangency;

Thence with the northerly lines of the remainder of said 4.321 acre, 1.462 acre, 177.497 acre, 1.462 acre and 177.497 acre tracts, the following courses and distances:

ZONING DESCRIPTION

194.6± ACRES

- 2 -

With the arc of a curve to the left, having a central angle of 36° 16' 28", a radius of 456.41 feet, an arc length of 288.96 feet, a chord bearing of South 67° 58' 27" East and chord distance of 284.16 feet to a point of non-tangency;

South 86° 22' 44" East, a distance of 1385.02 feet to a point of curvature;

With the arc of a curve to the right, having a central angle of 28° 42' 43", a radius of 1050.00 feet, an arc length of 526.18 feet, a chord bearing of South 72° 01' 23" East and chord distance of 520.69 feet to a point of tangency; and

South 57° 40' 01" East, a distance of 199.78 feet to a point in the line common to said Licking and Franklin counties, being the northeasterly corner of the remainder of said 177.497 acre tract and the westerly terminus of the northerly right-of-way line of that portion of said Ganton Parkway dedicated by Instrument Number 202205310013436 (Licking County);

Thence South 03° 44' 01" West, with said common county line, the easterly line of said 177.497 acre tract and the westerly line of that portion of said Ganton Parkway dedicated by Instrument Number 202205310013436, a distance of 113.90 feet to a point at the westerly terminus of the southerly right-of-way line of that portion of said Ganton Parkway dedicated by Instrument Number 202205310013436, the northwesterly corner of said 13.699 acre tract;

Thence South 57° 40' 01" East, leaving said common county line and with the southerly right-of-way line of that portion of said Ganton Parkway dedicated by Instrument Number 202205310013436, the northerly line of said 13.699 acre tract, a distance of 575.07 feet to a point;

Thence South 53° 07' 43" West, across said 13.699 acre and 68.591 acre tracts, a distance of 665.03 feet to a point in the line common to said Licking and Franklin counties, the line common to said 68.591 acre and 177.497 acre tracts;

Thence South 03° 44' 01" West, with said common county line, the easterly lines of said 177.497 acre and 78.012 acre tracts, a distance of 1758.67 feet to a point at the southeasternmost corner of said 78.012 acre tract;

Thence North 86° 15' 59" West, leaving said common county line and with a southerly line of said 78.012 acre tract, a distance of 707.42 feet to a point;

Thence South 02° 00' 53" West, with an easterly line of said 78.012 acre tract, a distance of 491.90 feet to a point in the line common to said City of New Albany and said Township of Plain, being the southernmost southeasterly corner of said 78.012 acre tract;

Thence with the line common to said City of New Albany and Township of Plain, the following courses and distances:

North 86° 05' 24" West, with the southerly line of said 78.012 acre tract, a distance of 1227.00 feet to a point;

North 03° 31' 53" East, with an easterly line of said 78.012 acre tract, a distance of 354.04 feet to a point; and

North 86° 07' 12" West, with a southerly line of said 78.012 acre tract, a distance of 750.01 feet to a point in the westerly right-of-way line of said Babbitt Road, a southwesterly corner of said 78.012 acre tract;

Thence with said easterly right-of-way line and the westerly line of said 78.012 acre tract, the following courses and distances:

ZONING DESCRIPTION

194.6± ACRES

- 3 -

North 03° 31' 54" East, a distance of 172.64 feet to a point in the line common to said City of New Albany and said Township of Plain;

South 86° 28' 06" East, continuing with said common township and city line, a distance of 5.00 feet to a point;

North 03° 31' 54" East, continuing with said common township and city line, a distance of 250.00 feet to a point;

North 86° 28' 06" West, with the line common to said Township of Plain and said City of New Albany, a distance of 5.00 feet to a point;

North 03° 31' 54" East, a distance of 236.70 feet to a point; and

North 03° 35' 33" East, a distance of 729.10 feet to a point in the southerly line of said 5 acre tract, a northwesterly corner of said 78.012 acre tract;

Thence North 86° 23' 36" West, across said Babbitt Road, with the southerly line of said 5 acre tract, a distance of 30.00 feet to a point in the centerline of said Babbitt Road;

Thence North 03° 35' 33" East, with the centerline of said Babbitt Road, with the westerly lines of said 5 acre, said 10 acre, said 3.107 acre, said 3.616 acre, said 5.169 acre, said 5.176 acre and said 2.345 acre tracts, a distance of 1493.39 feet to the TRUE POINT OF BEGINNING containing 194.6 ± acres, more or less;

This description is for zoning purposes only and is not to be used for transfer or be interpreted as a boundary survey.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

GANTON PARKWAY SOUTH ZONING DISTRICT (L-GE)

Information concerning specific Code requirements for rezoning submittal

Per C.O. 1111.04(c) and (d), a written statement of the existing use and zoning district a written statement of the proposed use and zoning district.

Response: Currently the property is largely undeveloped. However, a portion of it is owned by QTS New Albany III LLC and is in the process of being developed with data center uses. Several homes are located on parcels that are being annexed to the City. Currently, already-annexed parts of the subject property are zoned in the L-GE, Limited General Employment category, albeit in two different zoning districts. This rezoning will consolidate those two districts to provide one set of zoning regulations for 194.6+/- acres. 29.8+/- acres of the subject property are in the process of being annexed to the City and, by being included in the rezoning, will expand the area that will have the L-GE zoning classification. Given that data center uses are already planned for development on a portion of the subject property, the market has proven that business park-type users will be interested in this area. This rezoning will foster the ability to attract uses that are complementary to nearby businesses such as Amgen, Meta, and Google.

Per C.O. 1111.03(g), a statement as to how the proposed zoning amendment will impact adjacent and proximate properties.

Response: The subject property is in close proximity to a major interchange on State Route 161 at Beech Road and has significant frontage on Ganton Parkway. Therefore, it could attract a variety of uses under the L-GE zoning classification. Significant employers such as Amgen and Amazon Distribution are found nearby, as well as a number of data centers. The subject property is well-positioned to complement these uses and to serve their employees. The property does adjoin existing residential uses on the south, but this rezoning includes setback, screening, and buffering commitments that have been successfully implemented on similarly situated properties throughout the community.

Per C.O. 1111.03(i), any deed restrictions, easements, covenants and encumbrances to be imposed to control the use, development and maintenance of the area to be rezoned.

Response: The property either is or will be subject to The New Albany Business Park CCRs and will be part of The New Albany Business Park Association. It is anticipated that new easements for utilities may be needed in the future based on actual development patterns.

Per C.O. 1159.07(b)(2)(F) The schedule of site development, construction of structures and associated facilities. Such schedule shall include the proposed use or reuse of existing features such as topography, streets, easements and natural areas.

Response: Portions of the property owned by QTS New Albany III LLC are in the process of being developed with data center uses. Development of the balance of the site will occur based on market demand after final zoning approval is received.

Per C.O. 1159.07(b)(2)(J) 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 in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain a Water Quality Certification Permit from the Ohio Environmental Protection Agency. In the case of an isolated wetland either a general state or individual state isolated wetland permit must be obtained from the Ohio Environmental Protection Agency (Sections 6111.021. - 6111.024 of House Bill 231).

Response: See separate written communication from EMH&T.

Per C.O. 1159.07(b)(2)(K) Verification that an application, if required, has been submitted to the U.S. Army Corps of Engineers, in compliance with Section 404 of the Clean Water Act in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain either a nationwide or individual permit from the U.S. Army Corps of Engineers.

Response: See separate written communication from EMH&T.



January 27, 2025

Mr. Steve Mayer
City of New Albany
Development Department
99 West Main Street
New Albany, OH 43054

Subject: Ganton Parkway South Rezoning District – Environmental Compliance

Dear Mr. Mayer,

This letter serves to inform the City of New Albany of environmental conditions associated with the Ganton Parkway South Rezoning District, located south of the proposed Ganton Parkway extension, east of Babbitt Road, north of the Google data center property, and west of the forested Conservation Easement parcel, in the City of New Albany, Franklin County and Licking County, Ohio. The property contains approximately 193.6 total acres which consists of residential estate lots, woodlots, and former golf course property.

The assembled parcels contain a combination of project areas that are subject to previous environmental permitting and due diligence efforts by the New Albany Company.

The eastern approximate one-third of the site received a Nationwide Permit (NWP) from the U.S. Army Corps of Engineers (USACE) and an Isolated Wetlands Permit (IWP) from the Ohio EPA for stream and wetland impacts. The southern approximate one-third of the site received an NWP from the USACE and IWP from the Ohio EPA for stream and wetland impacts. The northern approximate one-third of the site has been delineated for Waters of the U.S. and this report is currently under review at the USACE. This portion of the site is expected to require permits from the USACE and the Ohio EPA for stream, pond, and wetland impacts.

If you have any questions regarding this information or require additional documentation, please do not hesitate to contact me at (614) 775-4515.

Sincerely,

EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in blue ink, reading 'Robert F. Milligan', is positioned above the printed name.

Robert F. Milligan
Director of Environmental Services
Principal

Cc: Todd Cunningham, EMH&T



Aaron L. Underhill
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054

P: 614.335.9321
F: 614.335.9329
aaron@uhlfirm.com

January 23, 2025

Mr. Chris Christian
Planner II
City of New Albany
99 W. Main Street
New Albany, Ohio 43054

RE: School Impact of Zoning of 194.6+/- Acres Located at 6140 Babbitt Road, in New Albany, Ohio

Dear Chris:

The New Albany Company LLC, MBJ Holdings, LLC, and QTS New Albany III LLC own or control 194.6+/- acres of real property (the "Property") located to the south of and adjacent to Ganton Parkway and to the east of and adjacent to Babbitt Road. This letter accompanies an application to rezone portions of the Property from two separate L-GE, Limited General Employment classifications to a new L-GE, Limited General Employment classification, and to rezone 29.8+/- acres of the Property that are being annexed to the City from the AG, Agricultural District classification to the same L-GE, Limited General Employment classification as the balance of the Property. The large majority of the site is located in the New Albany Plain Local School District, with a limited portion being located in the Licking Heights Local School District.

The portion of the Property that is owned by QTS New Albany III LLC is being developed with data center uses, while the balance of the Property is undeveloped. The proposed rezoning will apply a single, unified L-GE, Limited General Employment district to the site and will continue to facilitate the development and operation of the same types of uses found throughout the New Albany International Business Park. By extending the L-GE zoning to the portions of the Property being annexed, it will eliminate the right to construct approximately 6 homes on real property that otherwise would be given an AG zoning classification upon annexation. This presents an opportunity to eliminate new financial burdens on the New Albany Plain Local School District that would be associated with new homes. The rezoning will provide the means to facilitate new revenue sources for it and the Licking Heights Local School District.

The applicant is pleased to bring forth this application and looks forward to working with the City. Please let me know if you have any questions.

Sincerely,

Aaron L. Underhill
Attorney for the Applicant

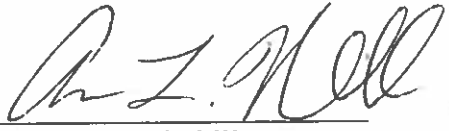
AFFIDAVIT OF FACTS

I, Aaron L. Underhill, in my capacity as attorney for the applicant listed on the zoning application pertaining to 194.6+/- acres for the proposed Ganton Parkway South Zoning District, being first duly sworn, do hereby state and depose the following:

That accompanying this affidavit is a list of all property owners located within two hundred (200) feet of the parcel(s) that are the subject of the application and their addresses as appearing on the Licking County Auditor's current tax list; and

That said list is based solely on the records of the Offices of the Auditors of Franklin County, Ohio and of Licking County, Ohio, as provided on its website on or about the date of this affidavit.

Further Affiant sayeth not.

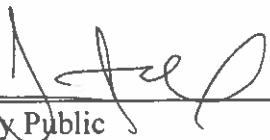
By: 
Aaron L. Underhill
Attorney, Underhill & Hodge LLC

STATE OF OHIO
COUNTY OF FRANKLIN SS.

The foregoing instrument was acknowledged before me on the 24th day of January, 2025, by Aaron L. Underhill, who acknowledged the foregoing signature to be his voluntary act and deed.



Justin M. Fox
Attorney At Law
Notary Public, State of Ohio
My Commission Does Not Expire
Sec. 147.03 R.C.


Notary Public

My Commission Expires: _____

APPLICANTS:

The New Albany Company
8000 Walton Parkway Suite 200
New Albany, Oh 43054

City of New Albany
99 West Main Street
New Albany, Oh 43054

PROPERTY OWNERS:

MBJ Holdings, LLC
6108 Babbitt Road
New Albany, Ohio 43054

The New Albany Company LLC
6016 Babbitt Road
New Albany, Ohio 43054

The Rybski Preservation Trust
5920 Babbitt Road
New Albany, Ohio 43054

The Joseph D. Sicilian and Judith R.
Sicilian Family Trust
5980 Babbitt Road
New Albany, Ohio 43054

Juliana Diiullo Revocable Trust
5900 Babbitt Road
New Albany, Ohio 43054

QTS New Albany III LLC
12851 Foster Street
Overland Park, KS 66213

ATTORNEY:

Underhill and Hodge LLC
Aaron Underhill
8000 Walton Parkway, Suite 120
New Albany, Oh 43054

SURROUNDING PROPERTY OWNERS:

AEP Ohio Transmission Company
4315 Ganton Parkway
New Albany, Oh 43054

Amgen Inc.,
4150 Ganton Parkway,
New Albany, Oh 43054

Preylock New Albany LLC
1245 Beech Road SW
New Albany, Oh 43054

Greg Rybski
5920 Babbitt Rd
New Albany, OH 43054

Marjorie Cannon
6015 Babbitt Rd
New Albany, Oh 43054

BMU LLC
7735 E. Dublin Granville Rd
New Albany, OH 43054-9793

Demetra Mutchler
5853 Babbitt Rd
New Albany, OH 43054

Dirk Stevens
6111 Babbitt Rd
New Albany, OH 43054

Michael Derflinger
5945 Babbitt Rd
New Albany, OH 43054

Daniel Cox Jr
5933 Babbitt Rd
New Albany, OH 43054

John Coleman
6145 Babbitt
New Albany, OH 43054-9788

Walter and Lois Doran
5800 Forest Hills BLVDA-114
Columbus, OH 43231-6916

GANTON PARKWAY SOUTH ZONING DISTRICT

L-GE, LIMITED GENERAL EMPLOYMENT

ZONING LIMITATION TEXT

FEBRUARY 6, 2025

I. INTRODUCTION: The Ganton Parkway South Zoning District (hereinafter, the “Zoning District”) includes real property located to the south of and adjacent to Ganton Parkway and to the east of and adjacent to Babbitt Road. The vast majority of the site is or will be located in the Franklin County portion of New Albany, while a limited portion is located in Licking County. It includes 194.6+/- acres in total, with 164,8+/- acres being within the municipal limits and 29.8+/- acres in the process of being annexed. Prior to the approval of this text, the already-incorporated portions of the subject property are zoned in the L-GE, Limited General Employment classification, with some of the land being part of the Winding Hollow Zoning District and the balance being part of the Babbitt East Zoning District. Upon annexation, the aforementioned 29.8+/- acres otherwise would be classified in the AG, Agricultural Zoning District, per the Codified Ordinances.

One purpose of this rezoning is to consolidate the zoning standards for the subject property into a single district. This will eliminate complexities associated with administering standards from two existing L-GE zoning districts and the creation of a third similar district which otherwise would be needed to provide development standards for the land that is being annexed to the City. Another purpose is to update standards based on changed conditions in the area since the existing zoning districts were approved, taking into account the construction of Ganton Parkway and the significant development that has occurred in recent years to the south of the State Route 161 expressway along the Beech Road and Ganton Parkway corridors. This zoning will position the Zoning District to be competitive in seeking to attract meaningful economic development projects that are complementary to those that have been developed on other nearby sites.

II. DEVELOPMENT STANDARDS: Unless otherwise specified in this text, the development standards of Part Eleven of the Codified Ordinances of the City of New Albany shall apply to this Zoning District. Basic development standards are compiled regarding proposed density, site issues, traffic, circulation, landscape, and architectural standards. These component standards ensure consistency and quality throughout the development.

A. Permitted Uses: Permitted uses in this Zoning District include the permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, GE General Employment District, Sections 1153.02 and 1153.03, provided that conditional uses shall be reviewed in accordance with Chapter 1115, Conditional Uses. The following uses from these code sections shall be prohibited:

1. Industrial product sales (See Section 1153.03(a)(1));
2. Industrial service (See Section 1153.03(a)(2));
3. Mini-warehouses (See Section 1153.03(a)(4)(c)). For purposes of clarification, this prohibition applies only to such facilities that are made available for rental to the general public.
4. Personal service (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in this Zoning District;
5. Vehicle services (See Section 1153.03(b)(4));
6. Radio/television broadcast facilities (See Section 1153.03(c)(1)); and
7. Sexually-oriented businesses (See Section 1153.03(c)(3)).

B. Access, Parking, Site Circulation, and Traffic Commitments:

1. Vehicular Access: Vehicular access to and from this Zoning District shall be permitted from at least three full movement access points on each of Babbitt Road and Ganton Parkway. Locations of all public street access points and the permitted turn movements for each access point shall be subject to the approval of the City Engineer.

2. Ganton Parkway:

a. Existing Improvements: The property owner has previously dedicated to the City a total of 100 feet of right-of-way for Ganton Parkway to its existing terminus (on the date of this text) at the Franklin County-Licking County boundary line, as well as easements adjacent to the right-of-way to the extent necessary to provide for the installation and maintenance of streetscape improvements, public utility lines, and leisure paths. No further dedication of rights-of-way or easements shall be required relating to the existing street and related improvements.

b. Extension: It is anticipated that Ganton Parkway will be extended westward and northward into the Franklin County portions of the City through or along the northern portion of this Zoning District to intersect with a realignment of Babbitt Road, and then beyond to intersect with or connect to East Dublin-Granville Road. To the extent that right-of-way and/or easements have not been dedicated to the City from other properties outside of this Zoning District, right-of-way shall be dedicated to the City from this Zoning District so that a total of 100 feet of right-of-way is available for the extension of Ganton Parkway. Easements adjacent to the right-of-way also shall be dedicated to the City to the extent necessary to provide for the installation and maintenance of streetscape improvements, public utility lines, and leisure paths, provided that such width are consistent with those provided for already-existing portions of Ganton Parkway to the east. Additional right-of-way and easements shall be dedicated to the City at the intersection of Ganton Parkway and Babbitt

Road in order to accommodate appropriately engineered intersection improvements, as mutually agreed by the property owner and the City at the time a final plat is approved for the extension of Ganton Parkway.

3. Babbitt Road: On the date of this text, Babbitt Road generally runs along the western boundary of this Zoning District and extending northward to an intersection with East Dublin-Granville Road. It is anticipated that Babbitt Road may be realigned in conjunction with a planned extension of Ganton Parkway as contemplated in the immediately preceding subsection. The total right-of-way for existing Babbitt Road and any realignment thereof shall be a maximum of 80 feet. Right-of-way shall be dedicated to the City within this Zoning District to a width of 40 feet as measured from the centerline of existing Babbitt Road and at a width of 80 feet for any realigned portions of Babbitt Road which ultimately intersects with or connects to the extension of Ganton Parkway. The developer shall grant easements to the City which are adjacent to the aforementioned 80-foot rights-of-way to the extent necessary to provide for the installation and maintenance of streetscape improvements, public utility lines, and leisure paths, provided that such easements no to exceed 35 feet in width. Additional right-of-way and easements shall be dedicated to the City should Ganton Parkway and Babbitt Road intersect in order to accommodate appropriately engineered intersection improvements, as mutually agreed by the property owner and the City at the time a final plat is approved for the realignment of Babbitt Road.

4. Other Public Streets: All other public streets constructed within this Zoning District shall have a right-of-way width that is appropriate for the character and anticipated usage of such streets as guided by the most recent City of New Albany Strategic Plan as determined at the time that such street improvement is proposed.

5. Parking and Loading: Parking and loading spaces shall be provided for each use per Section 1167 of the Codified Ordinances of the City of New Albany.

D. Lot and Setback Commitments:

1. Lot Coverage: There shall be a maximum lot coverage in this Zoning District of 75%.

2. Setbacks:

a. Babbitt Road: There shall be a minimum pavement setback of 90 feet and a minimum building setback of 140 feet from centerline of the Babbitt Road right-of-way.

b. Ganton Parkway: There shall be a minimum pavement and building setback of 25 feet from the right-of-way of Ganton Parkway.

c. New Public Streets: There shall be a minimum pavement and building setback of 25 feet from the right-of-way for any other new public street within this Zoning District.

d. Perimeter Boundaries: There shall be (i) a minimum pavement setback of 50 feet and a minimum building setback of 100 feet from all perimeter boundaries of this Zoning District which are adjacent to property on which residential uses are permitted, and (ii) a minimum pavement and building setback of 25 feet from all other perimeter boundaries that are not adjacent to a public right-of-way.

e. Elimination of Setbacks: In the event that a parcel located within this Zoning District and an adjacent parcel located within or outside of this Zoning District (i) come under common ownership or control, (ii) are zoned to allow compatible non-residential uses, and (iii) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text as they apply to common property lines shall no longer apply with respect to these parcels. In addition and in accordance with Codified Ordinances Section 1153.04(g), in the event that a parcel within this Zoning District and an adjacent parcel zoned in the GE, General Employment or LI, Limited Employment District classification (a) come under common ownership or control, and (b) are zoned to allow compatible non-residential uses, but (c) cannot be combined into a single parcel due to the parcels being situated within separate Ohio counties, then any minimum building, pavement, or landscaping setbacks shall no longer apply where these parcels' lot lines abut on Ohio county boundaries.

E. Architectural Standards:

1. Service and Loading Areas: Service areas and loading docks shall be screened to limit visibility from off-site.

2. Building Design:

a. Building designs shall not mix architectural elements or ornamentation from different styles.

b. Buildings shall be required to employ a comparable use of materials on all elevations.

c. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances to buildings shall be made sufficiently prominent that they can be easily identified from a distance.

d. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.

e. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

f. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact from off-site. Solar energy systems shall be excluded from the requirements of this section.

g. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged.

3. Building Form:

a. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.

b. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms. In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.

4. Materials:

a. Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, along with contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. The use of reflective or mirrored glass shall be prohibited.

b. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring poured concrete exterior walls are prohibited. Notwithstanding the foregoing, ancillary structures built and operated for the purpose of enclosing equipment and which are not occupied by a tenants or persons on a regular basis may be constructed using pre-engineered metal.

c. Generally, the quantity of materials selected for a building shall be minimized. A single material selection for the independent building components of roof, wall and accents is permitted (i.e., Architectural Grade shingle roof with Brick Masonry wall and EIFS Cornice and Accents).

d. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.

e. Additional Standards for Uses Not Governed by DGRs: Buildings that are constructed to accommodate certain uses are not governed by the City's Design Guidelines and Requirements (DGRs). For example, buildings that are constructed for the operation of warehousing and/or distribution uses are not subject to the DGRs and can present challenges in meeting the community standard for architectural design. Such buildings are necessarily large and typically include long walls that together form a square or rectangular box. The goal for the development of buildings that are not subject to the DGRs is to balance the practical needs of these buildings with the desire to provide exterior designs that are attractive and complimentary to the architecture that will be found elsewhere in this zoning district.

Architecture by its nature is a subjective medium, meaning that the adoption of strict objective standards in all instances may not provide the best means for achieving appropriate design. In recognition of this fact, the standards set forth herein provide guidelines and suggestions for designing buildings that are not subject to the DGRs in an effort to set expectations for the quality of architecture that will be expected for these structures. On the other hand, these standards are meant to allow for some flexibility to encourage innovative design provided that the spirit and intent of these provisions are met.

In conjunction with an application for a certificate of appropriateness for each building or structure in this Zoning District that is not subject to or governed by the DGRs, the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1157.08(a)(1)(D) of the City Code. In designing

such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

- i. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while taking into account the unique nature of the use(s) that will be found therein.
- ii. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.
- iii. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.
- iv. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.
- v. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.
- vi. HVAC, generators and similar equipment and associated gravel or concrete yards or pads shall be located subject to the minimum building setbacks.

6. Roof-Mounted Equipment: Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and to buffer sound generated by such equipment.

F. Buffering, Landscaping, Open Space, and Screening: The following landscaping requirements shall apply to this Zoning District:

1. Tree Preservation: Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.
2. Street Trees: A street tree row shall be established along all publicly dedicated rights-of-way within or adjacent to this Zoning District and shall contain one (1) tree for every thirty (30) feet of road frontage. Trees may be grouped or regularly spaced. Minimum street tree size at installation shall be three (3) caliper inches. This requirement may be waived in areas where existing vegetation occurs, subject to approval of the City Landscape Architect.
3. Parking Areas: Within this Zoning District, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or treed areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.
4. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.
5. Pedestrian Circulation: Unless they are part of a campus which for safety or security reasons requires access by the public to be restricted, for buildings whose primary use is office, an internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk along a public street can access the adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives. Pedestrian connections shall be provided between parking lots and the front of buildings. A building shall be considered to have offices as its primary use when greater than 50% of its total square footage is occupied by office uses. The requirements of this paragraph shall not apply to any building with a main entrance which is located 500 feet or more from a public right-of-way.
6. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.
7. All project landscape plans are subject to review and approval by the City Landscape Architect.
8. Screening – Residential Uses: For those perimeter boundaries which abut properties containing existing residential uses or, as determined at the time that an application is filed for a building permit (“Building Permit”) in this Zoning District, has a zoning classification which permits the development and operation

of residential uses thereon that are not owned by the developer (any real property meeting either of the foregoing criteria to be referred to herein as “Residential Property”), a minimum six (6) foot high mound shall be installed along the property line and shall include a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% on the date that is 5 years after planting to a total height of 10 feet above ground level. These mounds shall be installed within the minimum pavement setback area as required by this zoning text and may encroach on the abutting property if that owner is in agreement with the mound’s installation on his/her/its property. The plan for these areas must be reviewed and approved by the City’s Landscape Architect. For purposes of determining which properties qualify as a Residential Property hereunder, if two properties have an intervening public street right-of-way between them, they shall still be considered abutting.

If there are existing trees within this perimeter area and the City Landscape Architect recommends preservation of them then the mounding may be omitted and the existing trees may be utilized as the required screening. The requirement for 75% opacity 5 years after installation is still applicable with this alternative and, therefore, if necessary, additional landscaping materials (i.e., deciduous trees, evergreens or bushes) shall be planted along those perimeter boundary areas to meet the 75% opacity requirement. The plan for these areas must be reviewed and approved by the City’s Landscape Architect.

Utilities and permitted access drives may be placed within or cross through perimeter boundaries which abut residentially zoned and used properties and the screening provided for above, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on the required screening.

In recognition of the amount of land area contained within this Zoning District, the following provisions shall apply to the installation of the required mounding and landscaping contemplated in this Section F.8:

- a. Such mounding and landscaping shall be required to be installed along the entirety of the perimeter boundaries of any individual tax parcel, or project phase within a tax parcel, which includes a perimeter boundary line of this Zoning District that abuts Residential Property and upon which construction of buildings and/or pavement is to be undertaken pursuant to the issuance of a Building Permit by the City and installation shall be complete prior to the issuance of a Certificate of Occupancy; or
- b. If the perimeter boundary line of the tax parcel, or project phase within a tax parcel, on which construction is to occur does not include a perimeter boundary line of this Zoning District that abuts a Residential Property, but an application for a Building Permit has been issued by the City with respect to that tax parcel, or project phase within a tax parcel,

which allows for construction of a structure or pavement within 500 feet of a perimeter boundary line of a Residential Property, then the mounding and landscaping required by this Section F.8 shall be required to be installed along the entirety of the shared boundary line with that Residential Property and installation shall be complete prior to the issuance of a Certificate of Occupancy.

9. Babbitt Road and Ganton Parkway:

a. Landscaping within the minimum required pavement setback along each of Babbitt Road and Ganton Parkway shall be coordinated and consistent throughout this Zoning District and surrounding areas.

b. A landscape buffer shall be located within the required minimum pavement setback along Babbitt Road. The buffer shall be planted with a minimum quantity of one tree per 25 feet, in addition to street trees. Trees shall be randomly planted to create a naturalized appearance. Trees shall be of native species. Evergreen trees or shrubs shall not be permitted in the area between the buffer landscape and the edge of street pavement. For landscaping which is not used to meet zoning text, Codified Ordinances, and street tree requirements, the minimum caliper of tree material may be reduced to 1" caliper to gain additional plant material.

c. The landscape buffer may consist of mounding. Mounding, when used, shall be a maximum of 12 feet in height. Trees shall be planted on the mound with a minimum of 70% of the trees occurring on the street side. No trees shall be located within the upper quartile of the crest of the mound.

10. Preservation Areas: Certain portions of the Zoning District contain environmentally sensitive elements that will be preserved and protected. These "Preservation Zones" shall be deemed to include all minimum pavement setbacks along the perimeter boundaries of the Zoning District that are not adjacent to a public right-of-way. Within the Preservation Zones located within these perimeter setbacks, the developer shall preserve existing healthy and mature trees and vegetation but shall be permitted to place utilities within or allow them to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on healthy and mature trees. Trees that are in good health and that are at least four (4) caliper inches in diameter at a height of three (3) feet above the ground shall be preserved where reasonably practical. Trees within these areas may be removed if they present a danger to persons or property.

Other Preservation Zones shall be located outside of the minimum required perimeter pavement setbacks. Such Preservation Zones shall be sized and located in accordance with applicable federal and state permits once they are

approved and issued by the Ohio Environmental Protection Agency and the U.S. Army Corps of Engineers, as may be amended from time-to-time. Prior to commencing development in a portion of the Zoning District that contains a Preservation Zone that is located outside of the minimum required perimeter building and pavement setbacks, the developer shall provide detailed legal descriptions of such Preservation Zone to the Director of Development for record keeping and enforcement purposes. Should the boundaries of any Preservation Zone that is located outside of the minimum required perimeter pavement setbacks change in the future as a result of amendments to or replacements of the relevant federal and state permits, then the developer shall provide updated legal descriptions to the Director of Development within a reasonable amount of time after such information is available, and the updated legal descriptions then shall be considered to be enforceable as amended.

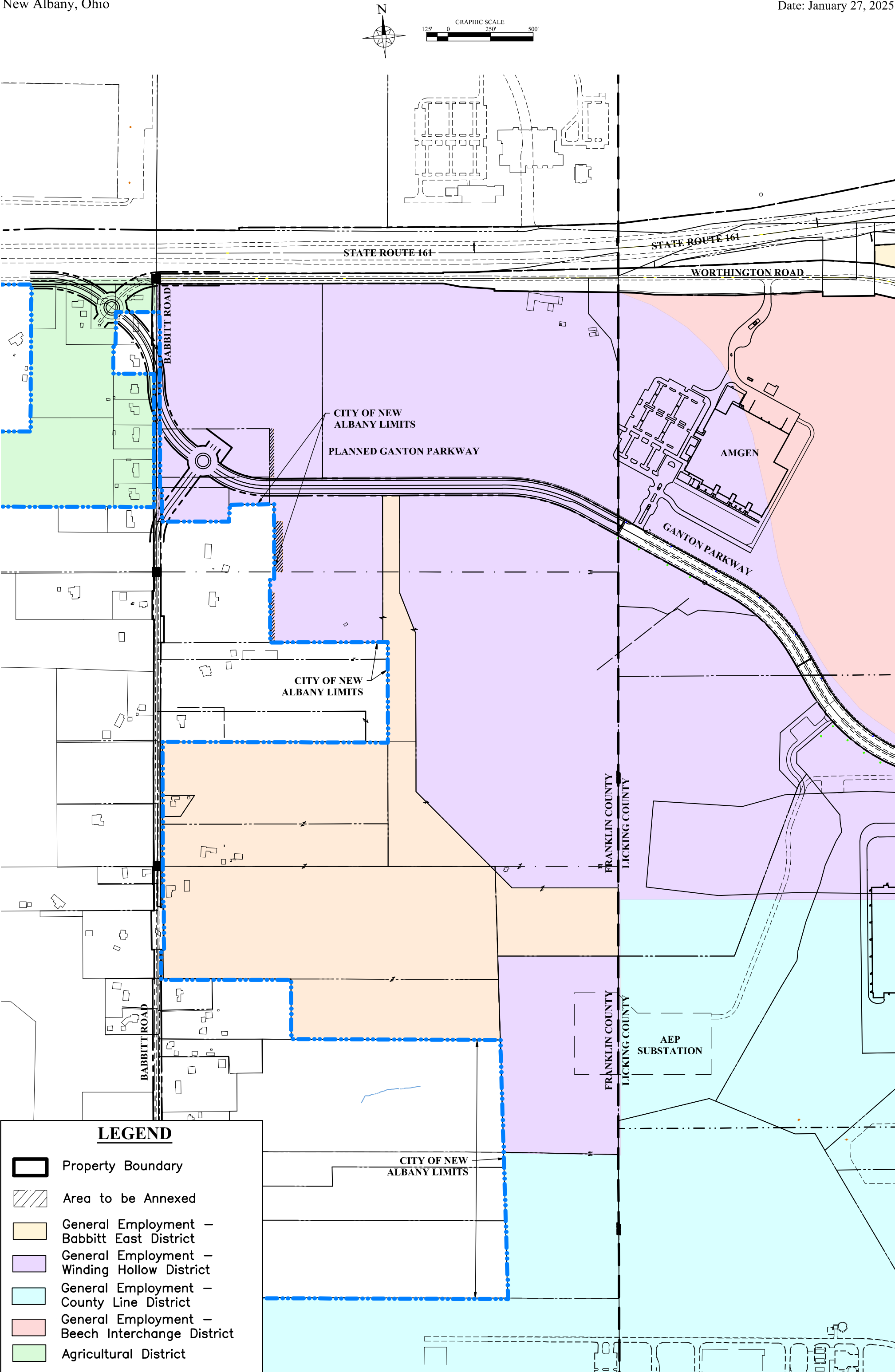
G. Lighting:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.
2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.
3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height.
4. Landscape uplighting from a concealed source shall be subject to staff approval. All uplighting fixtures must be screened by landscaping. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.
5. No permanent colored lights or neon lights shall be used on the exterior of any building.
6. Security lighting, when used, shall be of a “motion sensor” type.
7. All other lighting on the site shall be in accordance with City Code.
8. Street lighting must meet the City Standards and Specifications.

H. Signage: All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany.

I. Utilities: All utility lines in this Zoning District shall be installed underground.

Ganton Parkway South Zoning District Existing Zoning



THE NEW ALBANY COMPANY

Date: February 11, 2025



THE ROCKY FORK-BLACKLICK ACCORD
STAFF REPORT
February 20, 2025 Meeting

City of New Albany Rezoning Application Case No: ZC-07-2025

Review and Action on the Ganton Parkway South Zoning District rezoning application for 194.6+/- acres generally located east of Babbitt Road, west of Beech Road, and south of Worthington Road (Parcel IDs: 220-002009, 220-002006, 220-002151, 220-000845, 220-000447, 222-005362, 222-005364, 222-005361, 222-005374, 222-005363, 222-005373, 222-004864, 222-005372, 222-004866, 222-004865, and portions of 094-106494-00.002 and 094-108192-00.000).

Request: Rezone AG (*Agriculture*) and L-GE (*Limited General Employment*) to L-GE (*Limited General Employment*)

Proposed Use: Proposal to rezone to allow for limited uses found in the City of New Albany's General Employment District (GE).

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

INTRODUCTION/PROPOSAL SUMMARY:

The city of New Albany and The New Albany Company LLC are co-applicants on this rezoning application. This request is for review and recommendation to the New Albany Planning Commission to rezone 194.6+/- acres to Limited General Employment (L-GE) from Agriculture (AG) and Limited General Employment (L-GE) for an area to be known as the Ganton Parkway South Zoning District. The proposed zoning is a limitation text. A limitation text can only establish more restrictive requirements than the zoning code. The Limited General Employment District permits office, data center, manufacturing & production, warehouse & distribution, and research & production uses. This meets the Accord's Office District recommendations of "office uses and other significant employment and revenue producing uses."

Portions of the proposed land are currently going through the annexation process within the city. The site is located in the Accord's Park/Open Space, Village Residential, and Rural Residential districts. However, given the proposed rezoning, staff has evaluated this proposal against the Office Accord standards. There are multiple, similarly zoned commercial properties in the immediate area of this site. The city has partnered with the property owners on this application to ensure that the proposed standards are harmonious with the surrounding area so that a consistent development pattern achieved. The vast majority of the commitments in the limitation text have been included in other limitation texts nearby and in recent rezonings; therefore, it is consistent with surrounding zoning requirements.

CONSIDERATIONS:

- The site is located within the Accord's Park/Open Space, Village Residential, and Rural Residential districts, and within the Engage New Albany Strategic Plan's Mixed Use future land use district. The change in use for the area enables the continued growth and success of the New Albany International Business Park.
- The proposed use is consistent with the zoning in the surrounding area. Due to the proximity of this site to Ganton Parkway, State Route 161/Beech Road interchange, and its location adjacent to

SPECIAL NOTE: *This review is based on the proposed application's conformance to the Rocky Fork-Blacklick Accord. Nothing noted in this review is intended to speak to the application's conformance with other city zoning requirements and policies.*

commercially zoned land in the existing business park to the north and east, the site is appropriate for commercial development.

- Two of the overall goals listed on page 15 of Accord is to provide high quality schools and produce plans to finance services and schools. The applicant submitted a school impact statement which indicates the proposed zoning change eliminates residential rights to build 6 homes on the property where residential uses are currently permitted. By permitting the zoning change, New Albany Plain Local Schools benefits from the reduction in residential units and receive a positive financial impact from the commercial development.
- Another overall goal listed on page 15 of Accord is to protect natural resources: creeks, wooded areas, and open space. The applicant is in the process of studying the property with respect to this requirement. At the time that an application for a certificate of zoning compliance or an application for a building permit is filed with the city of New Albany, the applicant shall provide evidence of any necessary OEPA permits.
- The limitation text requires best management tree preservation practices to be used to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.
- The proposed L-GE text requires the following setbacks that are generally consistent with those in the surrounding area.
 - Babbitt Road: There shall be a minimum building setback of 140 feet from the centerline of the Babbitt Road. There shall be a minimum pavement setback of 90 feet from the centerline of the Babbitt Road.
 - Ganton Parkway: There shall be a minimum building and pavement setback of 25 feet from the Ganton Parkway right-of-way.
 - Perimeter Boundaries: Minimum pavement setback of 50 feet and a minimum building setback of 100 feet from boundaries adjacent to property where residential uses are permitted. There shall be a minimum 25-foot building and pavement setback for all other boundaries.
 - The RFBA does not have standards for setbacks between properties. The proposed setback meets other similarly zoned parcels in the surrounding area and exceeds standard building setbacks from city code.
 - For perimeter boundaries which abut properties containing existing residential uses or has a zoning classification which permits the development of residential uses that are not owned by the developer a minimum six (6) foot high mound shall be installed along the property line and shall include a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% on the date that is 5 years after planting to a total height of 10 feet above ground level.
 - These mounds shall be installed within the minimum pavement setback area as required by this zoning text and may encroach on the abutting property if that owner agrees with the mound's installation on his/her property.
 - The plan for these areas must be reviewed and approved by the City's Landscape Architect.
- The Rocky Fork Blacklick Accord's recommended open space is 70%. The maximum lot coverage is set to 75% in order to match the standard General Employment District requirement and to be consistent with surrounding zoning districts.

SPECIAL NOTE: This review is based on the proposed application's conformance to the Rocky Fork-Blacklick Accord. Nothing noted in this review is intended to speak to the application's conformance with other city zoning requirements and policies.

- The application is solely for rezoning the site. A detailed site plan cannot be required as part of this application. Under the L-GE zoning classification the applicant does not need to return to the RFBA for review.

STAFF COMMENTS:

The proposed rezoning application matches the city of New Albany's Strategic Plan which was formally approved by the Rock Fork Blacklick Accord panel. The change in use for the area enables the continued growth and success of the New Albany International Business Park and ensures a consistent development pattern throughout this general area.

The Rocky Fork-Blacklick Accord was last updated in 2003. However, one of the strategies within the plan is that land that has direct access to the expressway should be designated for light industry, office or commercial use. Since 2003, the city of New Albany's business park has grown and been very successful on both sides of the State Route 161 expressway in Franklin and Licking Counties. The city has installed a portion of Ganton Parkway and is designing an additional extension to the west to serve this site. Additionally, the city is designing plans to improve Babbitt Road

The Accord recommends office uses and other significant employment and revenue producing uses within the Office District. Rezoning to L-GE maintains consistency with the surrounding zoning in the rest of the business park south of SR 161. The limited overlay text provides additional restrictions in use and design compared to straight General Employment (GE) zoning districts.

The proposed permitted, conditional uses, and development standards are consistent with the Accord's Office future land use category. Additionally, the overall effect of the development advances and benefits the general welfare of the community, allowing for the development of businesses. This proposal scores 90% on the report card for the Accord's Office development standards.

SPECIAL NOTE: This review is based on the proposed application's conformance to the Rocky Fork-Blacklick Accord. Nothing noted in this review is intended to speak to the application's conformance with other city zoning requirements and policies.

APPENDIX:

Below is a table containing various aspects of a rezoning application and their applicability to each stage of the overall rezoning review and approval process.

| Topic | Reviewing Body | | | Comments |
|--|-----------------------------|--------------------------------|-------------------------|--|
| | Rocky Fork-Blacklick Accord | New Albany Planning Commission | New Albany City Council | |
| Land Use & Density | ✓ | ✓ | ✓ | The score card serves to assist the Accord in determining the appropriateness of the land use & density against the Accord standards and recommendations. |
| Traffic | | ✓ | ✓ | The Accord contains street typology and character standards for the panel to evaluate but does not have standards for traffic management and studies. These technical documents contain recommendations on items such as intersection improvements, turn lanes, signalization and are evaluated by the Planning Commission and City Council. |
| Architecture | ✓ | ✓ | ✓ | The Accord contains specific architectural standards for the panel to evaluate. |
| Setbacks & Character of Public Rights-of-Way | ✓ | ✓ | ✓ | The Accord contains a thoroughfare plan with streetscape standards that consists of pavement width, right-of-way, sidewalks, tree lawn, and setbacks that the panel is to evaluate with each proposal. |
| Setbacks from Neighboring Residential | | ✓ | ✓ | While Accord contains standards for buildings' setback from streets it does not contain recommended side and rear yard setbacks from neighboring, existing residential or commercial uses. |
| Civic & Open Space | ✓ | ✓ | ✓ | The Accord contains standards and strategies to preserve and maximize open space. |
| Natural Features: Streams, Creeks | ✓ | ✓ | ✓ | The Accord contains setbacks standards from the three major stream systems but does contain any standards for smaller water bodies such as creeks. |
| Natural Features: Soils | | ✓ | ✓ | One of Accord's standards is to preserve natural features, but technical documents such as soils reports are reviewed by the City Engineer prior to development occurring. |

SPECIAL NOTE: This review is based on the proposed application's conformance to the Rocky Fork-Blacklick Accord. Nothing noted in this review is intended to speak to the application's conformance with other city zoning requirements and policies.

PROJECT: Ganton Parkway South Zoning District Rezoning – ZC-07-2025 (194.6+/- acres) **EVALUATION CHECKLIST**
APPLICANT: CITY OF NEW ALBANY AND THE NEW ALBANY COMPANY LLC, c/o AARON UNDERHILL, ESQ. **EVALUATED FOR RFBA:** FEBRUARY 20, 2025
EXISTING ZONING: AGRICULTURAL (AG) AND LIMITED GENERAL EMPLOYMENT (L-GE) **BY:** CHRIS CHRISTIAN (CNA)
RFBA DISTRICT: Park/Open Space, Village Residential, and Rural Residential - Reviewed under Office based upon zoning application

| SUB-AREA | REQUESTED ZONING | RFBA DISTRICT | USE TYPE | ACREAGE | Sq. Ft. OR # OF UNITS | PROPOSED DENSITY | RFBA PERMITTED DENSITY | | PUBLIC PARKLAND | |
|--------------------|------------------|---------------|--------------------|-----------|-----------------------|------------------|------------------------|------------------|-----------------|----------|
| | | | | | | | BASE (10k/acre) | BONUS (12k/acre) | PROVIDED | REQUIRED |
| | L-GE | Office | General Employment | 194.6 +/- | N/A | N/A | 1,946,000 s.f. | 2,335,200 s.f. | N/A | N/A |
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| TOTAL ACREAGE | | | | 194.6 +/- | | | | | | |
| TOTAL RETAIL SPACE | | | | 0 | | | N/A | N/A | | |
| TOTAL OFFICE SPACE | | | | 194.6 +/- | | | 1,946,000 s.f. | 2,335,200 s.f. | | |
| | | | | | | | | | | |
| | | | | | | | | | | |

| EVALUATION SUMMARY | | YES | PARTIAL | NO | ? | COMMENTS |
|--------------------|--------------------------------|-----------|----------|----------|----------|--|
| 1.0 | Key Principles | 5 | 0 | 0 | 0 | |
| 2.0 | Strategies | 7 | 0 | 0 | 0 | |
| 3.0 | General Development Standards | 21 | 0 | 1 | 0 | |
| 4.0 | District Development Standards | 16 | 5 | 2 | 0 | |
| TOTAL | | 49 | 5 | 3 | 0 | 90% compliant [51.5/57=90.3% including met and half for partials] |

KEY:

✓ = met p = partially met ? = cannot determine (-) N/A = not applicable

| 1.0 Key Principles | Yes | No | Comments |
|--|-----|----|--|
| 1.1 Maintain aesthetic character of rural roads. | ✓ | | Large setbacks along rural roads will preserve the character. The setback recommendation along Babbitt Road is 250 feet from the centerline of the road. The zoning text currently states the setback along Babbitt Road is 80 feet for pavement and 130 feet for building from the centerline of the road. The zoning text also requires landscaping and mounding within the minimum required pavement setback along Babbitt Road. |
| 1.2 Use open space as an organization element. | ✓ | | Landscape setbacks will create a hierarchy of space on the site for development. |
| 1.3 Use a compact form of development in town and village clusters with defined edges such as green belts and natural corridors. | - | - | N/A area |
| 1.4 Develop mixed uses in town and village centers. | - | - | N/A area |
| 1.5 Develop diversity in housing prices and types. | - | - | N/A |
| 1.6 Create a center focus that combines civic, cultural, and recreational uses. | - | - | N/A |
| 1.7 Create an ample supply of squares, greens parks and landscaping. | ✓ | | Large setbacks with the addition of trees and/or mounds will increase the amount of green areas and trees for the area. Parking areas and parking screening will be provided with landscaping. |
| 1.8 Guarantee permanent protection of greenbelts, streams, creeks, woodlands, grasslands, wetlands, and historic sites. | ✓ | | The applicant is in the process of studying the property with respect to this requirement for wetlands. At the time that an application for a certificate of zoning compliance or an application for a building permit is filed with the city of New Albany, the applicant shall provide evidence. The Blacklick Creek tributary riparian corridor and floodplain shall be preserved per city code requirements. |
| 1.9 Development in town must be located within easy walking or biking distances of other neighborhoods, schools, retail centers and transit stops. | - | - | N/A area |
| 1.10 Development must pay its own way. (No criteria to review this stnd established) | ✓ | - | Required by city code. |
| 2.0 Strategies | Yes | No | Comments |
| 2.1 Development should be compatible with the rural landscape. | ✓ | | The text requires large setbacks from roadways which will keep the rural landscape character. |
| 2.2 Higher density residential should be located adjacent to open space. | - | - | N/A |
| 2.3 Reserve the natural features. | ✓ | | The applicant is in the process of studying the property with respect to this requirement for wetlands. At the time that an application for a certificate of zoning compliance or an application for a building permit is filed with the city of New Albany, the applicant shall provide evidence. The zoning text allows for existing trees and vegetation to be preserved and used towards the screening requirements for residential properties adjacent to the site. |
| 2.4 Retail development should be community-based. | - | - | N/A |
| 2.5 Developers should be encouraged to mix uses and housing types where appropriate. | - | - | N/A |

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| 2.6 Historic and cultural resources should be protected and preserved. | - | - | None known. |
| 2.7 Scenic qualities along roadways should be maintained. | ✓ | | Large setbacks along rural roads will preserve the character. The zoning text also requires landscaping and mounding within the minimum required pavement setback along Babbitt Road. |
| 2.8 Rural character of the land along regional roads should be maintained. | ✓ | | Large setbacks along rural roads will preserve the character. All landscape plans for this subarea are subject to review and approval by the City Landscape. |
| 2.9 Density bonuses and design flexibility are encouraged to allow cluster development. | - | | N/A |
| 2.10 Neighborhood commercial uses should be confined to the community centers or plazas. | ✓ | | No independent retail is permitted on the site. |
| 2.11 Future development should have adequate facilities such as parkland, schools, and police protection, to support the new development. (<i>Community-wide strategy.</i>) | ✓ | | Impact statement provides explanation of support for community services. |
| 2.12 Land that has direct access to the expressway should be designated for light industry, office or commercial use. | ✓ | | Site is located close to the interstate and similar zoned property. The applicant is requesting rezoning to L-GE (Limited General Employment). |
| 3.0 General Development Standards | Yes | No | Comments |
| 3.1 Open Space | | | |
| 3.1.1 Strategies to preserve and maximize open space. | ✓ | | Large setbacks commitments provided. |
| 3.1.2 Maintain major stream corridors in their natural state or allow such state over time. | ✓ | | The applicant is in the process of studying the property with respect to this requirement. At the time that an application for a certificate of zoning compliance or an application for a building permit is filed with the city of New Albany, the applicant shall provide evidence. The Blacklick Creek tributary riparian corridor and floodplain shall be preserved per city code requirements |
| 3.1.3 Construct pathways through stream corridors. | -- | | N/A. |
| 3.1.4 Rural road open space should be left in its natural wooded state, be allowed to revert to that state, or remain as farmland or grassland. | ✓ | | All landscape plans for this subarea are subject to review and approval by the City Landscape Architect. The text requires mounding and landscaping to screen neighbors. The landscaping, once installed, will be allowed to revert back to its natural state. The zoning text allows for existing trees and vegetation to be preserved and used towards the screening requirements for residential properties adjacent to the site. |
| 3.1.5 Open space should connect with stream and rural road spaces and with each other. | ✓ | | Open spaces throughout the community are connected to the public right-of-way via leisure trail. |
| 3.1.6 Maximum lot coverage of buildings and parking lots shall not exceed 70%. | | ✓ | The city's standard lot coverage of 75% for L-GE is provided. |
| 3.2 General Landscape, Screening & Buffering | | | |
| 3.2.1 Street trees on both sides of new public and private streets at a maximum separation of 30 feet apart, unless tree groupings (of equal quantity) are more practical. | ✓ | | City code requirement. |
| 3.2.2 Preserve or replace hedgerows on rural roads and arterials. Within rural road setback, provide 4 trees/100 lineal feet in natural hedgerow manner. Mix of 2" caliper trees. | ✓ | | The zoning text commitments to provide more landscaping than the minimum Accord recommendations. |
| 3.2.3 Landscaping within the setback along roadways should appear natural in character. | ✓ | | Landscape plans for this subarea are subject to review and approval by the City Landscape Architect. This will be reviewed at the time of development. |

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| 3.2.4 Site layout should avoid unnecessary destruction of wooded areas. Attempt to preserve existing trees and tree rows. | ✓ | | The zoning text requires standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including installation of now fencing at the drip line. |
| 3.2.5 Landscape designs reviewed by registered landscape designer or architect. | ✓ | | Commitment in text |
| 3.2.6 Minimum size at installation shall be 2" caliper for deciduous shade and ornamental trees and 6' high for evergreen trees. Landscaping requirements may be waived if healthy plant material within the setback area is preserved. | ✓ | | Commitment in text |
| 3.2.7 Headlight screening of parking lots should be a minimum of 4 feet high. | ✓ | | Headlight screening required by code. |
| 3.2.8 Mounding for screening purposes are usually 4' foot high having a 3:1 slope beginning at the setback line, a 5' wide crest, and sloping gently to the R.O.W. line. Mounds should be landscaped with a mix of shrubs, deciduous, evergreen, and ornamental trees. | ✓ | | City code requirements contain mounding requirements so they appear natural in character |
| 3.3 Lighting | | | |
| 3.3.1 Fully shielded, cut-off lighting used. | ✓ | | Committed in text |
| 3.3.2 Security lighting is "motion sensor" type. | ✓ | | Commitment in text |
| 3.3.3 Outdoor light poles do not exceed 30 feet. | ✓ | | A maximum light pole height of 30 feet is committed in the text. |
| 3.3.4 All wiring is underground. | ✓ | | All new utilities shall be installed underground. |
| 3.3.5 All external outdoor lighting fixtures are similar. | ✓ | | Commitment in text |
| 3.3.6 Ground mounted lighting is shielded and landscaped. | ✓ | | Commitment in text |
| 3.4 Roadways | | | |
| 3.4.1 Roadways should follow the Roadway Plan. | ✓ | - | Zoning text requires the developer to dedicate property to the City as right-of-way for a distance of 30 feet as measured from the centerline of Babbitt Road. This meets the Roadway Plan. |
| 3.4.2 Appropriateness of street light fixture, type, and light level of the luminaire. | ✓ | | Text commitment that street lights meet city standards. |
| 3.4.3 Size and use of streets should be consistent with Accord. | ✓ | - | Zoning text requires the developer to dedicate property to the City as right-of-way for a distance of 30 feet as measured from the centerline of Babbitt Road. This meets the Accord recommendation of 60 feet of right-of-way when combining both sides.. |
| 4.0 District Development Standards | Yes | No | Comments |
| 4.1 Office | | | |
| 4.1.1 The office zones are envisioned as campus-style suburban office development where greens and landscaping play a prominent role in public open space delineation. | ✓ | | Large area encourages campus-style development due to size. Green setbacks from adjacent properties and roadways are in place. |
| 4.1.2 Office uses and other significant employment and revenue producing uses are permitted in this district. | ✓ | | Zoning will allow for high revenue producing businesses. |
| 4.1.2 Buildings should front major roadways with parking located behind the buildings. | P | | The city's Design Guidelines and Requirements require building have active and operable doors along public right-of-ways and cannot back onto streets. Parking may be located in front of the building. |
| 4.1.3 Building arrangements should provide convenient and safe pedestrian connections between buildings and parking lots, and other civic or public uses. | ✓ | | Commitment in text |
| 4.1.4 Permitted Base Density is 10,000 square feet per acre; with bonus up to 12,000 sf. | - | - | N/A |
| Streets | | | |

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| 4.1.5 Streets within the Office District should be two-way. | ✓ | | City's Strategic Plan calls for a 2-4 lane road. |
| 4.1.6 On-street parking is discouraged. | ✓ | | None proposed, and not supported by city's thoroughfare plan. |
| 4.1.7 Sidewalks should be provided to encourage walking and should be setback a minimum of 10 feet from the street. | P | | City code requires sidewalks or leisure trail along all streets. Minimum setback from the street is 6 feet. City code requires an 8-foot-wide leisure trail along the Babbitt Road and Ganton Parkway frontages of the site. |
| 4.1.8 Street trees should be provided on both sides of the street at a minimum of 40 feet on center. | ✓ | - | Zoning text requires street trees to be provided at a minimum of 30 feet on center line. |
| 4.1.9 Streets should connect with each other. Cul-de-sacs are discouraged | ✓ | - | City code discourages cul-de-sacs and dead-end streets. Street network to be determined. |
| Parking | | | |
| 4.1.10 Primary parking should be located behind office buildings and not between the primary street and the office buildings. Minimal short-term visitor and "drop-off" parking can be provided at the front of the building. | P | | Parking will be addressed at the time of development submittal. City Parking Code encourages parking for commercial structures to be primarily at the rear of the site, behind the buildings |
| 4.1.11 Parking lots between buildings should be interconnected to encourage parking areas shared among buildings to reduce paved areas. | P | | Shared parking/access between parcels should be allowed and will be addressed at the time of development. The type of development will address the necessity of this. |
| 4.1.12 Parking areas should be screened from view by evergreen landscape materials or masonry walls to a height of no less than four feet. | ✓ | | Screening of parking lots will be per code which achieves a similar result. The landscape setback will provide substantial screening. |
| 4.1.13 Parking areas located behind buildings should include curbed landscape spaces with deciduous trees. These landscaped areas shall amount to not less than five percent of the vehicular use area and be evenly distributed throughout the parking area to minimize the visual impact of the parking areas. | ✓ | | Zoning code requirements require 5% of parking lot landscaping. |
| 4.1.14 Use of non-automotive transportation such as walking and bicycling is encouraged. Bicycle parking should be convenient, covered and located near all building entrances. | ✓ | | Text contains commitments requiring leisure trails to encourage walking and biking. |
| 4.1.15 The maximum amount of parking permitted is one space per 250 square feet. | P | | Parking will be provided per zoning code which may exceed 1/250 square feet and may be necessary to provide ample parking for the future users. |
| Civic / Public Space | | | |
| 4.1.16 Office buildings should be setback from the primary street right-of-way a minimum of 50 feet to maintain a natural greenway as a visual amenity. | ✓ | | Front building setback is 130 feet from Babbitt Road from the right-of-way line |
| 4.1.17 Common open spaces or greens that are framed by buildings and that create a "campus-like" office environment are encouraged. | ✓ | | The city's Design Guidelines and Requirements encourages this type of development. |
| Site Orientation | | | |
| 4.1.18 Buildings should be orientated to front the primary public roadways. | ✓ | | The city's Design Guidelines and Requirements requires primary entrance to be significantly prominent and will address whichever street is its front door. All elevations visible to streets will look similar in level of detail as the front elevation. |
| 4.1.19 All lots should front on public or private roads. | ✓ | | Required by city's Design Guidelines and Requirements. |
| 4.1.20 When open space between buildings occurs, pedestrian connections shall be established between the rear parking area and the sidewalk in the front of the building. | | ✓ | No commitment in text. |
| Architecture | | | |
| 4.1.21 Buildings should be sited in relationship to each other to provide convenient pedestrian | | | Commitment in text. |

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| connections between each building, to parking, and to any other civic or public uses within convenient walking distances. | ✓ | | |
| 4.1.22 The maximum building height is three stories, not to exceed 65 feet in height. | | ✓ | There are no maximum building height requirements for the proposed commercial uses. This is consistent with New Albany city code and other zoning districts in the surrounding area. |
| 4.1.23 Any side of a building that faces a public right-of-way or green shall be of compatible materials and style as the other sides of the building. | ✓ | | Required by city's Design Guidelines and Requirements and zoning text. |



Community Development Department

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

Dear City of New Albany and The New Albany Company LLC, c/o Aaron Underhill, Esq.

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Monday, March 17, 2025

The New Albany Planning Commission took the following action on 03/03/2025 .

Zoning Amendment

Location: Various (see parcel list in the request box below)

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

Application: PLZC20250007

Request: Request to rezone approximately 194.6+/- acres generally located east of Babbitt Road, west of Beech Road, and south of Worthington Road from Agricultural (AG) and Limited General Employment (L-GE) to Limited General Employment (L-GE) for an area to be known as the Ganton Parkway South Zoning District (Parcel IDs: 220-002009, 220-002006, 220-002151, 220-000845, 220-000447, 222-005362, 222-005364, 222-005361, 222-005374, 222-005363, 222-005373, 222-004864, 222-005372, 222-004866, 222-004865, and portions of 094-106494-00.002 and 094-108192-00.000).

Motion: Move to approve with conditions

Commission Vote: Motion Approval with Conditions, 4-0

Result: Zoning Amendment, PLZC20250007 was Approval with Conditions, by a vote of 4-0.

Recorded in the Official Journal this March 17, 2025

Condition(s) of Approval:

1. Neighbors along Babbitt Road are required to be notified of the hearing for a final plat application in the future.
2. The zoning text must be modified to state that HVAC and generator exhaust fans cannot be directed towards residentially zoned properties (page 7 of the zoning text).
3. The zoning text must be revised to exempt solar panels from the roof-mounted equipment requirements (page 7)
4. Regarding the preservation area requirements on page 10 of the zoning text, the text must be revised to state that the understory cannot be removed and that the requirements do not apply to invasive species.
5. The text must be revised to state that landscape uplighting is prohibited unless it is used to illuminate a sign. Additionally, the text shall state that any uplighting used for a sign shall no have any spill beyond the dimensions of the sign (page 11).
6. Landscape screening along Babbitt Road shall be revisited as part of future final plat applications.

Staff Certification:

Chris Christian

Chris Christian
Planning Manager



**Planning Commission Staff Report
March 3, 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 II and Chris Christian, Planning Manager

I. REQUEST AND BACKGROUND

This application was tabled by the Planning Commission during their February 19th meeting so that the applicant could present a physical sample of the proposed brick to the commission. The staff report is unchanged however, an updated list of conditions of approval is included below that reflects the Planning Commission's discussion during the first hearing. This updated list is also included at the end of the report.

FDP-03-2025 Conditions of Approval

1. All internal drive aisles must be reduced to 30 feet wide. **PC was comfortable with the 35-foot widths so this condition of approval may be removed.**
2. That the proposed black brick be revised to a natural colored brick, subject to staff approval. **The application was tabled so that the applicant could present a physical brick sample.**
3. The brick panels are recessed by ½ inch on all four sides of the building. **Agreed**
4. That the proposed horse fence along Mink Street is the entire property line unless the lot is split. **Agreed**
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. **Agreed**
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. **Agreed**
7. That the applicant meets Codified Ordinance 1171(5)(3) and provides the specific number of required trees and caliper on the landscaping plans. **Agreed**
8. Remove "Welcome" from the canopy signs, as vinyl is not an approved material and to minimize excessive signage. **PC agreed.**
9. That the address numbers be relocated on the face of the monument sign and the lighting be revised to be a **down cast lighting source, similar to other monument signs in the area.**
10. The city engineer's comments must be addressed, subject to staff approval. **Agreed**

11. A cross access easement must be provided for the site to the north, if the lot is split.

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 | 75-foot pavement setback [meets code] |

| | | |
|---------------------------|---|--|
| | 100-foot building setback | 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 linear 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. **PC was comfortable with the 35-foot widths so this condition of approval may be removed.**

2. That the proposed black brick be revised to a natural colored brick, subject to staff approval. **The application was tabled so that the applicant could present a physical brick sample.**
3. The brick panels are recessed by ½ inch on all four sides of the building. **Agreed**
4. That the proposed horse fence along Mink Street is the entire property line unless the lot is split. **Agreed**
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. **Agreed**
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. **Agreed**
7. That the applicant meets Codified Ordinance 1171(5)(3) and provides the specific number of required trees and caliper on the landscaping plans. **Agreed**
8. Remove "Welcome" from the canopy signs, as vinyl is not an approved material and to minimize excessive signage. **PC agreed.**
9. That the address numbers be relocated on the face of the monument sign and the lighting be revised to be a **down cast lighting source, similar to other monument signs in the area.**
10. The city engineer's comments must be addressed, subject to staff approval. **Agreed**
11. **A cross access easement must be provided for the site to the north, if the lot is split.**

Approximate Site Location



Source: NearMap



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

Monday, March 10, 2025

The New Albany Planning Commission took the following action on 03/03/2025 .

Final Development Plan

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

Applicant: J. Carter Bean Architect,

Application: PLFDP20250003

Request: the commission clarified that a logo and a business name located directly next to one another would be considered one sign for the purposes of this application, subject to staff approval

Motion: To Approve

Commission Vote: Motion Approval with Conditions, 3-1

Result: Final Development Plan, PLFDP20250003 was Approval with Conditions, by a vote of 3-1.

Recorded in the Official Journal this March 10, 2025

Condition(s) of Approval:

1. The brick panels are recessed by ½ inch on all four sides of the building.
2. That charcoal brick be allowed as well as the palette suggested by the Village Architect, at the applicant's choice.
3. That the proposed horse fence along Mink Street is the entire property line unless the lot is split.
4. 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.
5. 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.
6. That the applicant meets Codified Ordinance 1171(5)(3) and provides the specific number of required trees and caliper on the landscaping plans.
7. Remove "Welcome" from the canopy signs, as vinyl is not an approved material and to minimize excessive signage.
8. That the address numbers be relocated on the face of the monument sign and the lighting be revised to be a down cast lighting source, similar to other monument signs in the area.
9. The city engineer's comments must be addressed, subject to staff approval.
10. A cross access easement must be provided for the site to the north, if the lot is split
11. The commission clarified that a logo and a business name located directly next to one another would be considered one sign for the purposes of this application, subject to staff approval

Staff Certification:

Sierra L Saumenig

Sierra Saumenig
Planner



Planning Commission Staff Report March 3, 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 II and Chris Christian, Planning Manager

I. REQUEST AND BACKGROUND

This application was tabled by the Planning Commission during their February 19th meeting so that the applicant could present a physical sample of the proposed brick to the commission (see associated final development plan staff report). The variance staff report is unchanged however, a brief overview of the commission's discussion regarding the variances is included below.

Variance (A): The commission believed that this variance was consistent with similar requests that have been approved by the board in the past.

Variance (B): The commission and applicant generally agreed that a total of 3 wall signs were acceptable as compared to 4. However, the commission clarified that a logo and a business name located directly next to one another would be considered one sign for the purposes of this application, subject to staff approval.

Variances (C) and (D): The commission understood the rationale provided by staff, and the applicant, to justify granting these variances. However, there was some conversation about the need to adjust the sign content to provide appropriate direction for both small and large vehicles.

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.



Mink Street Elevation



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.

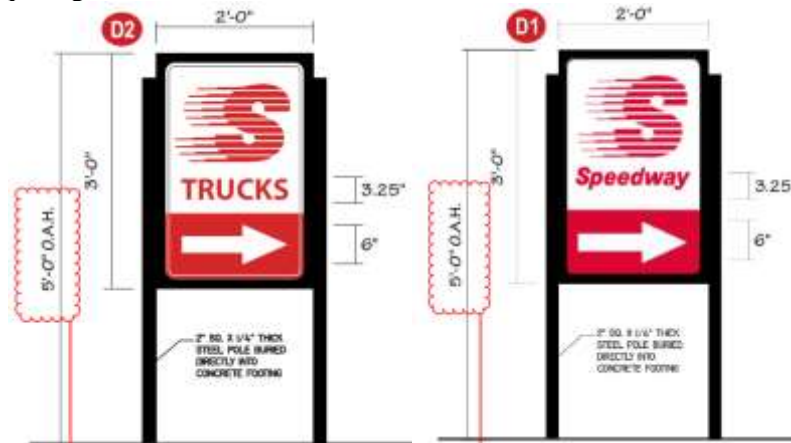
Considerations and Basis for Decision

(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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Monday, March 10, 2025

The New Albany Planning Commission took the following action on 03/03/2025 .

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: To Approve

Commission Vote: Motion Approval with Conditions, 4-0

Result: Variance, PLVARI20250004 was Approval with Conditions, by a vote of 4-0.

Recorded in the Official Journal this March 10, 2025

Condition(s) of Approval:

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

Staff Certification:

Sierra L Saumenig

Sierra Saumenig
Planner