

New Albany Planning Commission

Monday, August 18, 2025, Meeting Minutes - DRAFT

I. Call to order

The New Albany Planning Commission held a regular meeting on August 18, 2025 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:02 p.m. and asked to hear the roll.

II. Roll call

Those answering the roll:

Chair Kirby present
Mr. Wallace present
Ms. Briggs present
Mr. Larsen present

Mr. Schell absent; arrived at 8:05 p.m.

Council Member Wiltrout present

Having four voting members present, the commission had a quorum to transact business. Commissioner Schell arrived at 8:05 p.m.

Staff members present: Law Director Albrecht, Community Development Engineer Albright, Planner I Blackburn, Planning Manager Christian, Planner I Henderson, Planner II Saumenig, Planner I Sauter, Deputy Clerk Madriguera.

III. Action on minutes: July 21, 2025

Chair Kirby asked whether there were any corrections to the July 21, 2025 meeting minutes.

Hearing none, Commissioner Briggs moved to approve the July 21, 2025 meeting minutes. 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: Ms. Briggs yes, Mr. Larsen yes, Mr. Wallace yes, Mr. Kirby yes. Having four yes votes, the motion passed and the July 21, 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.

Planner II Saumenig answered none from staff.

Chair Kirby administered the oath to all present who wished to address the commission. He then advised everyone that now would be a good time to silence all cellphones.

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

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

VI. Cases:

FDP-57-2025 Nationwide Children's Hospital FDP

Final development plan to develop a pediatric medical center generally located south and southwest of State Route 161, north of East Dublin-Granville Road, east of Johnstown Road/U.S. Route 62, and west of Kitzmiller Road (PIDs: 222-005431 and 222-005432).

Applicant: Bryce Shirley

Planner II Saumenig delivered the staff report.

Development Engineer Albright delivered the comments from engineering.

Chair Kirby asked to hear from the applicant.

Applicant and Architect for the project Bryce Shirley, 262 Hopewell Drive, came to the lectern and stated that he was happy to respond to any questions. He also stated that he no conflict with any of the conditions.

Chair Kirby confirmed the parking space allotment. Thereafter he confirmed that the applicant would agree that the parking allotment will be recalculated to match any change in the uses.

Commissioner Wallace remarked that it seemed as though there are different versions of the building in the renderings. He asked for clarification and wondered whether it was a rendering of a future use.

Mr. Shirley explained that there is a truck access below grade on the northwest side of the building.

Planner II Saumenig indicated the location.

Commissioner Wallace asked whether there will be an emergency room entrance, and how emergency vehicles will access the facility. He noted that the front of the building was bucolic and inviting and was concerned that emergency vehicles would be racing around that area.

Mr. Shirley responded that an emergency room may be in the future but was not part of this final development plan. He further indicated that emergency vehicles would enter via the first curb cut.

Commissioner Briggs confirmed that there will be signage to show visitors the difference between the service drives and the visitor parking. She further noted that the emergency room signage that the commission was considering at the meeting would not be installed until the emergency room is built.

Commissioner Larsen asked the applicant to speak to what Phase II will look like and whether the 250k square footage figure was what they anticipated. He also asked for total acreage of the Ganton area.

Planning Manager Christian answered that it is about 110 acres.

There was discussion of the open space calculation.

Chair Kirby asked if there were any questions from the public and whether there were further questions from the commission.

Commissioner Wallace asked the applicant and staff about page C-204 of the renderings. He noted that the applicant did not yet control a segment of property on that page and whether there

would be sufficient space for parking for Phase II if the applicant was not able to gain control of the entire piece of property.

Planning Manager Christian confirmed that existing text requires cross access in order to expand.

Chair Kirby added that the cross-access easement is already required in the text, thus part of it is already done, but Phase II and Phase I should meet well. Thereafter Chair Kirby asked again whether there was anyone from the public who wished to speak on the application.

Hearing none, Chair Kirby moved to accept the staff reports and related documents into the record for FDP-57-2025. 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, Ms. Briggs yes, Mr. Wallace yes. Having four yes votes, the motion passed and the staff reports and related documents were admitted into the record for FDP-57-2025.

Chair Kirby moved for approval for application FDP-57-2025 based on the findings in the staff report with the conditions in the staff report, noting the following revision to the first condition in the staff report as specified in the slide presentation and the following additional condition:

Condition 1 from the staff report as revised on the slide presentation: The property owner allows for future dedication or installation on the conservation easement parcel, if permitted and the owner and city agree upon an operating agreement.

Additional condition: The amount of parking must be recalculated to match any change in the uses.

Commissioner Briggs seconded the motion.

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

Upon roll call: Mr. Kirby yes, Ms. Briggs yes, Mr. Larsen yes, Mr. Wallace yes. Having four yes votes the motion passed and the final development plan was approved.

The commission complemented the applicant on the thoroughness of the submittal and wished the team good luck. Thereafter Chair Kirby introduced the next case and asked to hear from staff.

CU-55-2025 Courtyards at Haines Creek CU

Conditional use request to allow a temporary sales trailer with associated landscaping, parking, and signage for the Courtyards at Haines Creek subdivision on a 0.341-acre site located at 5675 Lourdes Drive (PID: 222-005481).

Applicant: EC New Vision Ohio, LLC

Planner I Sauter delivered the staff report.

Community Development Engineer Albright said there were no comments from engineering.

Chair Kirby asked to hear from the applicant.

Applicant Kelly Fankhauser of Epcon Communities, thanked Planner I Sauter for her thorough presentation and said that she agreed with the conditions but would like to clarify the following:

In condition 1, that the applicant be permitted to add a coach-lighted entry to the sales trailer.

In condition 4, that approval of the new sign location be approved at tonight's meeting.

In condition 5, the addition of the word "clubhouse" after the words "model home." Ms. Fankhauser explained that it is Epcon's intention to move from the trailer to the clubhouse when the clubhouse is complete. It is their intention to sell from the clubhouse rather than the model home.

Chair Kirby confirmed with staff that the language was specific enough to approve the clubhouse as a sales office.

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

Diana McRoberts, 14624 Jug Street Road, stated that she lives next door to the east and asked for the hours of operation and what type of lighting would be at the sales trailer.

Planner Sauter confirmed that the sales trailer would not be open after 6:00 p.m.

Ms. Fankhauser added that there will be no lighting in the parking lot. The only lighting will be on the trailer itself.

Commissioner Wallace advised Ms. McRoberts to contact the city if the trailer is open beyond those times because it would be zoning violation that is subject to code enforcement proceedings.

Chair Kirby asked whether there was anyone else who wished to speak on the application. Hearing none he moved to admit the staff reports and related documents into the record for CU-55-2025. 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, Ms. Briggs yes. Having four yes votes, the motion passed and the documents were admitted into the record.

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

FDM-58-2025 Courtyards at Haines Creek FDP Modification

Final development plan modification to provide updated architecture elevations for the Courtyards at Haines Creek subdivision generally located at the northwest corner of Central College Road and Jug Street Road (PID: 222-005158 and 47 others). See page 3 for the full parcel list.

Applicant: EC New Vision Ohio, LLC

Planner I Henderson delivered the staff report.

Community Development Engineer said there were no comments from engineering.

Chair Kirby asked whether the applicant had comments.

Applicant Kelli Fankhauser of Epcon Communities thanked Planner Henderson for his thorough report and stated that she was available for questions.

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

Ron Davies, 8300 Central College Road, came to the lectern. He clarified that the rear elevations would include windows and that those windows were false.

Planner I Henderson responded that the windows are false.

Planning Manager Christian added that these false windows have been added at the request of the city architect.

Chair Kirby asked whether there was anyone else present who wished to comment on the application. Hearing none, he moved to accept the staff reports and related documents into the record for FDM-58-2025. 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, Ms. Briggs yes. Having four yes votes the motion passed and the staff reports and related documents were admitted into the record for FDM-58-2025.

Commissioner Larsen moved to approve FDM-58-2025 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval. Chair Kirby seconded the motion.

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

Upon roll call: Mr. Larsen yes, Mr. Kirby yes, Ms. Briggs yes, Mr. Wallace yes. Having four yes votes, the motion passed and the final development plan modification was approved.

Chair Kirby and the commission wished the applicant good luck. Thereafter Chair Kirby introduced VAR-59-2025 and asked to hear the staff report.

VAR-59-2025 4 Highgrove Farms Variance

Variance to encroach into the 30-foot rear yard setback on 0.85 acres of land located at 4 Highgrove Farms (PID: 222-004626-00).

Applicant: Ghiloni Custom Builders c/o Vince Ghiloni

Planner Blackburn delivered the staff report.

Community Development Engineer Albright said there were no comments from engineering.

Applicant and Counsel Aaron Underhill delivered the applicant presentation. He thanked Planner I Blackburn and noted that the property owner and the builder were present. He explained that unique site conditions including the lot's corner configuration, dual street frontage, existing easements, and the orientation of the original home, have resulted in the western property line being classified as the rear yard. If the front of the home were oriented toward High Grove Farms, this request would not be needed. He noted that the applicant had gathered letters of support from all of the neighbors.

Commissioner Schell arrived at 8:05 p.m.

Council Member Wiltrout confirmed the location of the side yard and the rear yard.

Chair Kirby remarked that if the house was flipped then they would not need a variance at all, and this was a significant factor in this case.

Commissioner Wallace asked whether it also safe to say that if they just wanted one of the structures a variance would not be needed but the variance is needed because they want both.

Applicant and builder for the project Vince Ghilloni responded that they tried everything. They would have preferred to spread it out but could not.

Commissioner Larsen asked what would prohibit moving the driveway.

Mr. Ghiloni answered that it would be too tight to get out.

Chair Kirby asked whether the applicant would be willing to accept a condition that the sideyard has a 30-foot setback.

The applicant responded yes, and further confirmed that it is well within the setback.

Chair Kirby reiterated that if the house orientation was swapped, this variance would not be needed, but the code's definition of a front yard does not permit redefinition of the front yard. In this case the side yard is functioning as a rear yard.

Chair Kirby moved to accept the staff reports and related documents into the record for VAR-59-2025. Commissioner Briggs seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Wallace yes, Ms. Briggs yes, Mr. Larsen yes, Mr. Schell abstained from the vote. Having four yes votes, the motion passed and the staff reports and related documents were accepted into the record for VAR-59-2025.

Chair Kirby moved for approval of application VAR-59-2025 based on the findings in the staff reports with the conditions in the staff report and the following additional conditions:

- 1. That the encroachment is only as requested and no more.
- 2. That there is a 30-foot setback for the southern sideyard opposite of High Grove Farms.

Commissioner Briggs seconded the motion.

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

Upon roll call: Mr. Kirby yes, Ms. Briggs yes, Mr. Wallace no, Mr. Larsen yes, Mr. Schell abstained from the vote. Having three yes votes, and one no vote, the motion passed and VAR-59-2025 was granted subject to the conditions as stated above.

Commissioner Wallace explained that he voted no because he could not find that this case met the *Duncan* factors. In particular the objective could be accomplished by other means, and the lot does not necessitate the variance.

Chair Kirby noted that it is significant that the variance would not be needed if the house were oriented to face High Grove Farms.

The commission thanked the applicant and wished them good luck.

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

CU-62-2025 Nottingham Trace Model Home CU Extension

Conditional use extension to allow an existing model home to continue operations in the Nottingham Trace subdivision (PIDs: 222-004904, 222-004905 and 222-004906).

Applicant: Nicki Martin

Planner I Blackburn delivered the staff report.

Community Development Engineer Albright said that there were no comments from engineering.

There was discussion of sunsetting the conditional use when all the lots are sold or in three years, whichever comes first.

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

Hearing none he moved to admit the staff reports and related documents into the record for CU-62-2025. 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, Ms. Briggs yes, Mr. Schell yes. Having five yes votes, the motion passed and the staff reports and related documents were admitted to the record for CU-62-2025.

Commissioner Briggs moved for approval of CU-62-2025 based on the findings in the staff report with the conditions in the staff report with the following modification to condition two, subject to staff approval:

2. The conditional use expires when all the lots are sold or in three years, whichever comes first as modified below

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

Upon roll call: Ms. Briggs yes, Mr. Schell yes, Mr. Larsen yes, Mr. Wallace yes, Mr. Kirby yes. Having five yes votes the motion passed and CU-62-2025 was granted subject to the conditions as stated above.

The commission thanked the applicant and wished him good luck.

Chair Kirby introduced the items of other business and asked to hear from staff.

VII. Other business

1. City Code Amendment: C.O. 1105.02 – Zoning Definitions

- 2. City Code Amendment: C.O. 1153 General Employment Architectural Changes
- 3. City Code Amendment: C.O. 1157 Architectural Review Overlay District
- 4. City Code Amendment: C.O. 1169.08 Sign Area and Other Measurement Calculations

Planning Manager Christian delivered the staff report for items 1-3.

The consensus of the commission was that the code amendments made sense.

Chair Kirby confirmed with Law Director Albrecht that the code amendments could be recommended to council in a single motion and vote.

Chair Kirby moved to recommend all of the code amendments to city council for adoption. Commissioner Briggs seconded the motion.

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

Upon roll call: Mr. Kirby yes, Ms. Briggs yes, Mr. Wallace yes, Mr. Larsen yes, Mr. Schell yes. Having five yes votes, the motion passed.

Thereafter it was discovered that although the commission had approved all four code amendments, Planning Manager Christian's staff report only applied to items 1-3, and the staff report for item 4 had not yet been delivered. After a brief discussion the commission decided to hear the staff report for the fourth item and decide then whether the vote needed to change.

Planner II Saumenig delivered the staff report.

Commissioner Larsen stated that he would prefer that this code amendment only apply to signs in the business park.

Planner II Saumenig and Planning Manager Christian explained that the sign area limitation still applies. The actual sign cannot be larger than 200 square feet. The change here was to the way the sign is measured, under the proposed amendment the dead space of the sign is eliminated. Existing limits on how big the text can be depending on the sign's location in the city still apply. Height limitations will not change.

Commissioner Larsen thanked staff and said that he was not worried about it anymore as long as the height limitations apply.

Commissioner Schell said this would be very helpful in the business park.

Chair Kirby asked whether any of the commissioners wished to change their vote.

All of the commissioners indicated that they wished to recommend the proposed amendment to council.

VIII. Poll members for comment and adjournment

Chair Kirby polled the members for comment.

Hearing no comment from the members and having completed their agenda, Chair Kirby adjourned the August 17, 2025 meeting of the New Albany Planning Commission without objection at 8:40 p.m.

Submitted by Deputy Clerk Madriguera, Esq.

Appendix

FDP-57-2025

Staff Report

Record of Action

CU-55-2025

Staff Report

Record of Action

FDM-58-2025

Staff Report

Record of Action

VAR-59-2025

Staff Report

Record of Action

CU-62-2025

Staff Report

Record of Action

Code Amendment 1105.02

Code Amendment 1153

Code Amendment 1157

Code Amendment 1169.08



Planning Commission Staff Report August 18, 2025

NATIONWIDE CHILDREN'S HOSPITAL – NEW ALBANY CLOSE TO HOME FINAL DEVELOPMENT PLAN

LOCATION: Generally located south and southwest of State Route 161, north of East

Dublin-Granville Road, east of Johnstown Road/U.S. Route 62, and west

of Kitzmiller Road (PIDs: 222-005431 and 222-005432)

APPLICANT: Bryce Shirley

REQUEST: Final Development Plan

ZONING: Ganton Comprehensive Planned Unit Development (C-PUD)

STRATEGIC PLAN: Village Center and Employment Center

APPLICATION: FDP-57-2025

Review based on: Application materials received on July 11, 2025

Staff report prepared by Sierra Saumenig, Planner II

I. REQUEST AND BACKGROUND

This certificate of appropriateness application is for a proposed pediatric medical facility generally located south and southwest of State Route 161, north of East Dublin-Granville Road, east of Johnstown Road/U.S. Route 62, and west of Kitzmiller Road. The application consists of a new outpatient medical center with associated parking and landscaped amenity spaces. The site is zoned Comprehensive Planned Unit Development (C-PUD) and the proposed medical facility is within Subarea 1. There are three subareas within this zoning district.

Per C.O. 1157.08(b)(2), C-PUD preliminary and final development plan applications, within the Village Center Area, require a Certificate of Appropriateness to be issued by the Architectural Review Board (ARB) who reviews the proposal and makes a recommendation to the Planning Commission (PC). The PC then reviews the application, including the recommendation of the ARB, and takes final action on the application. Per C.O. 1159.09(h), the applicant may submit the preliminary and final development plans as a single application, which is the approach taken in this case. This case was scheduled to be heard by the Architectural Review Board during their meeting on August 11, 2025.

Since the development site is located within a Comprehensive Planned Unit Development (C-PUD), the applicable standards are those outlined in the Ganton C-PUD development text, the New Albany Design Guidelines and Requirements, and other relevant city code provisions, rather than the Urban Center Code.

II. SITE DESCRIPTION & USE

The development site is in the Village Center and currently vacant. It is generally located south and southwest of State Route 161, north of East Dublin-Granville Road, east of Johnstown Road/U.S. Route 62, and west of Kitzmiller Road. Surrounding uses include Zarley Industrial Park across 161, commercial businesses to the west, and vacant land to the south.

III. EVALUATION

Staff's review is based on New Albany plans and studies, zoning text, zoning regulations. Primary concerns and issues have been indicated below, with needed action or recommended action in <u>underlined text</u>. 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 Employment Center future land use category:

Employment Center District

- 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 landscape in an appealing manner.
- 8. Any periphery security should integrate with the existing 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.

A. Use, Site and Layout

- The applicant proposes to construct a new pediatric medical center consisting of a 170,000 square foot medical facility and a 16,000 square foot Central Utility Plant (CUP) to support the energy and operational needs of the facility. The medical center will consist of four levels—one below grade and three above grade—along with an enclosed rooftop mechanical penthouse.
- The zoning text requires the following setbacks:

Road	Requirement	Proposed
State Route 161	100-foot building and pavement setback	100-foot building and pavement setback [met]
Ganton Parkway	25-foot building and pavement	100+/- foot building and pavement setback [met]

B. Access, Loading, Parking

- The zoning text commits to the extension of Ganton Parkway, as identified in the Engage New Albany Strategic Plan. This new roadway is shown on the proposed plans and will connect into the existing Theisen Drive, off US-62, and connect into a realigned intersection at Kitzmiller Road and East Dublin-Granville Road.
- The site will be accessed from two curb cuts along the future Ganton Parkway.
 - o The westernmost access will accommodate service vehicles, deliveries, and emergency vehicles.
 - o The central access point will serve patients, visitors, and staff.

- The off-street parking requirements of Chapter 1167 do not apply to this subarea, according to the zoning text. The amount of parking shall be reviewed by the ARB and PC as part of the final development plan. The PC should consider the anticipated parking needs of the applicant and uses, the number of anticipated employees and visitors for such uses, and projected timing of employment shifts and visits by patients (if applicable). The applicant provided a parking rationale indicating the reasoning for the proposed number of parking spaces.
 - The use is neither a hospital with beds or a nursing facility and therefore, the applicant has indicated that the proposed parking totals are based on a combination of anticipated patient and staff volumes, as well as typical standards for medical office facilities relative to building area. The applicant proposes 1 space per 285 square feet of total patient care area to allow for flexibility and reasonable capacity to support the needs of unbuilt space. The lower level, which primarily consists of storage and utility space, is calculated at a lower ratio of 1 space per 1,000 square feet. The following table includes the total building proposed parking:

Lower Level	42,500 sq. ft. x 1.0 space/1000 sq. ft.	43 spaces
Levels 1-3	127,500 sq. feet x 1.0 space/285 sq. ft.	447 spaces
Central Utility Plant	6 maintenance staff	6 spaces
Total		496 spaces

- The proposed site plan incorporates a comprehensive internal sidewalk network designed to enhance pedestrian connectivity throughout the site. This network will tie into the leisure trail, promoting walkability beyond the development boundaries. Additionally, clearly marked pedestrian crosswalks are provided at key points across internal drive aisles to ensure safe and accessible movement for pedestrians between buildings and parking areas.
- The plan does not show bike parking and per the landscape architect's comments, 5 bike hitches should be installed (see condition under the *Landscape* section).

C. Architectural Standards

- Architectural requirements include both the Ganton C-PUD development text and Section 6 of the city's Design Guidelines and Requirements (Commercial Outside Village Center).
- Section 6(I.A.1) of the DGRs and the zoning text states that all visible elevations of the building shall receive similar treatment in style, materials, and designs so that no visual side is of lesser visual character than the other.
 - O The proposed building features a predominantly brick exterior, reflecting a high-quality and durable material choice that aligns with the city's architectural requirements. All four elevations are treated with equal attention to design detail, incorporating evenly spaced windows and entrances to ensure a cohesive and visually balanced appearance.
- Section 6(I.B.2) of the DGR's states that to the greatest extent possible, particularly along public sidewalks and leisure trails, building designs shall avoid windowless blank walls. A high window-to-wall-ratio is preferred. Additionally, the zoning text states design variations on long exterior walls shall be employed to create visual interest and some variations including offsets, recesses, color changes, and variety in building height.
 - The proposed facility includes several windows on all four facades. The only area that does not have windows but includes a bricked-in window style is the CUP which is on the back side of the facility facing 161. The proposed building also includes design variation including differing building heights, offsets, and recesses.

- The applicant proposes to use brick, cast stone, and painted aluminum which are permitted exterior building materials in the DGR's and the C-PUD development text.
- The city architect reviewed the application and commended the high architectural quality, well-considered site layout, and landscaping, noting that no revisions were necessary.
- The zoning text states building height shall be a maximum of 75 feet and the applicant is meeting that with a maximum height of 74 feet.
- The zoning text states complete screening of all roof-mounted equipment is required on all four sides of the building with materials that are consistent and harmonious with the building's façade and character. Additionally, all ground-mounted equipment shall be completely screened by walls, fencing, and landscaping that is consistent and harmonious with the materials on and character of the nearest primary building.
 - The applicant has provided elevations showing screening and noted in the plans that all mechanical equipment shall be screened as required in the zoning text.

D. Landscaping

- The zoning text states that existing trees and vegetation located within the required minimum pavement setback from 161 or within areas which are generally designated on a preliminary development plan as being within a "Preservation Zone." The applicant has provided a tree clearing plan and indicated a Preservation Zone along the north and east sides of the property which is the entirety of Parcel ID 222-005432 which is also adjacent to the Rose Run stream corridor.
- The zoning text requires a minimum of 38 acres of parkland and open space throughout the zoning district, consistent with the recommendations of the Urban Center Code Regulating Plan.
 - O The applicant submitted an exhibit illustrating the parkland and open space planned for this subarea, totaling approximately 8.94 acres. This means that a minimum of 29.06 acres of parkland and open space is required throughout the other subareas.
 - O Staff recommends a condition of approval that the property owner dedicate Parcel ID 222-005432 to the city for the purposes of parkland and open space (condition #1).
- The zoning text requires the landscaping treatment along Ganton Parkway to be consistent across the zoning district and shall be designed through cooperative efforts between the property owner(s) and the city.
 - O The final street and roadway plans for Ganton Parkway indicate that the city will be installing street trees in both the tree lawns and median islands. The city will also pave the leisure trail on both sides.
 - The applicant is responsible for installing the required four rail horse fence, along the entire site frontage, which is shown on the plans.
- The zoning text states that there shall be no less than one tree planted for every ten parking spaces located in a surface parking lot and at least 5% of the vehicular use area shall be landscaped or green space.
 - The applicant provides a total of 486 trees, which substantially exceeds the required amount (50 trees). Additionally, 32.3% of the vehicular use areas are proposed to be landscaped or maintained as green space.
- The proposed site plan includes a large central green that the building fronts, along the Ganton Parkway elevation. This area includes a concrete walking path, viewing garden, seat wall, and bench seating.
- The site plans indicate that underground water detention will be utilized and therefore there are no stormwater basins on site. The underground water detention is located in the southwest corner of the site.
- The City Landscape Architect has reviewed the plans and provides the following comments. Staff recommends a condition of approval that all City Landscape

Architect's comments are met at the time of engineering permits, subject to staff approval (condition #2). The City Landscape Architect's comments are:

- O Confirm the color(s) of the proposed vehicular and pedestrian light fixtures outlined on sheet ES202 of the submittal. Per Ganton-PUD Zoning District Part III, Subarea 1 Development Standards, section G- Lighting (iii) all parking lot poles shall be black or New Albany green and constructed of metal.
- O Confirm the proposed wall condition shown on sheet C303 of the submittal. If the proposed wall(s) are to remain, update the plan to include details on the material and height of the wall(s).
- O Update the proposed site plan to include bicycle parking at a ratio of 4 hitches to every 100 vehicular parking spaces.
- o Update the proposed planting plan to include additional deciduous shade trees to properly screen the outlined service area.

E. Lighting and Signage

- A detailed lighting plan was submitted for review; however, clarification is needed regarding the height and color of the proposed light poles. The zoning text requires light poles to be downcast and they must not exceed 30 feet in height, and the finish must be either black or New Albany Green. Additionally, several areas along the property lines show footcandle levels that are not at or near zero, which should be addressed to comply with lighting standards and minimize light spillover beyond the boundaries of the site.
 - o Staff recommends a condition of approval that the applicant meet all lighting standards found in zoning text section III(G) (condition #3).
 - The zoning text states that a master sign plan shall be submitted for subarea 1 as part of a final development plan application. Once a master sign plan is approved, all future sign applications shall be reviewed and approved by the ARB via a certificate of appropriateness application and do not require Planning Commission review. The applicant has submitted a master sign plan and details outlining each proposed sign.
 - Due to the unique nature of the use and the need for effective wayfinding, signage within this subarea requires greater flexibility. As such, the zoning text and master sign plan shall govern signage requirements. In instances where specific signage is not addressed in either document, the relevant provisions of the Codified Ordinances shall apply. All signage should be designed to complement the architectural character of the building, with appropriate scale and placement. Signs should not obscure architectural features such as detailing, windows, entrances, or doorways.
 - The zoning text lays out different types of signs that are permitted in Subarea 1
 - The applicant proposes nine unique sign types including:
 - a. Institute/Donor Name two signs
 - b. Monument (Primary Entry Monument Sign)- one sign
 - c. Horizontal Logo (Building Identification Sign) four signs
 - d. Secondary Directional (Directional Sign) one sign
 - e. Tertiary Directional (Directional Sign) 12 signs
 - f. Tertiary Directional (wide) (Directional Sign) one sign
 - g. Building Numbers (Ancillary Wall Sign) three signs
 - h. Emergency Identification two signs
 - i. Freestanding Address ID -- one sign



Proposed Master Sign Plan

• The proposed signage types, placement, and quantity appear appropriate for the intended use. Additionally, the size of the wall signs is well-proportioned to the building's architectural design and provides sufficient visibility to identify the building from off-site.

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. <u>Staff recommends a condition of approval that the comments of the city engineer are addressed, subject to staff approval (condition #4).</u>

- 1. Add the FDP title block and accompanying notes to the FDP cover sheet.
- 2. Clearly delineate the conservation easement on the FDP and add notes allowing no disturbances within this area.
- 3. Per Army Corps of Engineer requirements add notes to the grading plan requiring all land disturbed within 50' of the conservation easement be reseeded/revegetated within 14 days using a native seed mix.
- 4. The proposed Rose Run culvert will create a new 100-year water surface elevation on the parcel. It is recommended that the lowest opening of all structures and utility boxes be placed a minimum of 2' above the new 100 year water surface elevation
- 5. Add a site data table to the FDP that shows the number of parking stalls required/provided and the number of ADA stalls required/provided.
- 6. Update the landscape plan by adding site distance triangles at curb cuts with public roads. Remove landscape features that may impact motorist view.
- 7. Street, storm water management, sanitary sewer collection and water distribution related details will be evaluated once detailed construction plans become available.

V. SUMMARY

The proposed hospital use aligns with the land use recommendations of the Engage New Albany Strategic Plan and is consistent with the intent and requirements of the approved C-PUD zoning. The design for the building is of high quality and the site strategy, building massing, and exterior elevation seamlessly blend with the existing area and meets the recommendation of the Ganton focus area of the strategic plan to have high-quality development along the frontage of 161. Additionally, the proposal supports the focus area's guidance to incorporate prominent green spaces

that help define the heart of the development achieved through the inclusion of the large central green.

The overall site layout is thoughtfully designed to balance functionality with aesthetics, incorporating purposeful landscaping and open space to enhance the character of the area. The internal sidewalk network provides connections to the proposed leisure trail which will enhance pedestrian connectivity in the area. The extension of Ganton Parkway through the zoning district provides additional vehicular and pedestrian connectivity in the community and access to future development sites, while preserving the character of the immediate area. The signage plan is tailored to the facility's wayfinding needs and aligns with the approved zoning text.

IV. ACTION

Should the Planning Board find sufficient basis for approval, the following motion would be appropriate.

Suggested Motion for FDP-57-2025:

Move to approve Final Development Plan application FDP-57-2025 with the following conditions:

- 1. That the owner dedicates Parcel ID $\bar{2}\bar{2}2$ -005432 to the city for the purposes of parkland and open space.
- 2. All comments from the city's landscape architect are met including:
 - O Confirm the color(s) of the proposed vehicular and pedestrian light fixtures outlined on sheet ES202 of the submittal. Per Ganton-PUD Zoning District Part III, Subarea 1 Development Standards, section G- Lighting (iii) all parking lot poles shall be black or New Albany green and constructed of metal.
 - O Confirm the proposed wall condition shown on sheet C303 of the submittal. If the proposed wall(s) are to remain, update the plan to include details on the material and height of the wall(s).
 - o Update the proposed site plan to include bicycle parking at a ratio of 4 hitches to every 100 vehicular parking spaces.
 - o Update the proposed planting plan to include additional deciduous shade trees to properly screen the outlined service area.
- 3. That the applicant meet all lighting standards found in zoning text section III(G).
- 4. All comments from the city's engineer are met including:
 - o Confirm Add the FDP title block and accompanying notes to the FDP cover sheet.
 - o Clearly delineate the conservation easement on the FDP and add notes allowing no disturbances within this area.
 - o Per Army Corps of Engineer requirements add notes to the grading plan requiring all land disturbed within 50' of the conservation easement be reseeded/revegetated within 14 days using a native seed mix.
 - The proposed Rose Run culvert will create a new 100-year water surface elevation on the parcel. It is recommended that the lowest opening of all structures and utility boxes be placed a minimum of 2' above the new 100 year water surface elevation
 - o Add a site data table to the FDP that shows the number of parking stalls required/provided and the number of ADA stalls required/provided.
 - o Update the landscape plan by adding site distance triangles at curb cuts with public roads. Remove landscape features that may impact motorist view.
 - Street, storm water management, sanitary sewer collection and water distribution related details will be evaluated once detailed construction plans become available.
- 5. All future exterior site and building modifications are subject to future review as part of a final development plan modification application, in accordance with the relevant requirements of the zoning text.

Approximate Site Location:



Source: NearMap

MKSK

Development Review

project name Na wide Children's Hospital

prepared for City of New Albany date July 25, 2025 date received July 17, 2025

COMMENTS

Site Plan

- Con olor(s) of the proposed vehicular and pedestrian ligh tures outlined on sheet E al.
 Per Ganton C-PUD Zoning District Part III, Subarea 1 Development Standar
 light poles shall be black or New Albany green and constructed of metal.
- 2. Con oposed wall c wn on shee al. If the proposed wall(s) are to remain, update the plan to include details on the material and height of the wall(s). See diagram below.
- 3. Update the proposed site plan to include bicycle parking at a ra parking spaces.
- 4. Revise the fence at the west drive access to match the proposed c the main drive along Ganton Parkway. See diagram below.

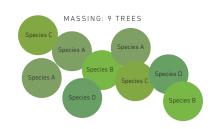
Planting Plan

5. Update the proposed plan ees to properly screen the outlined service area. See diagram below.

Tree Grouping Standards







*NOTES:

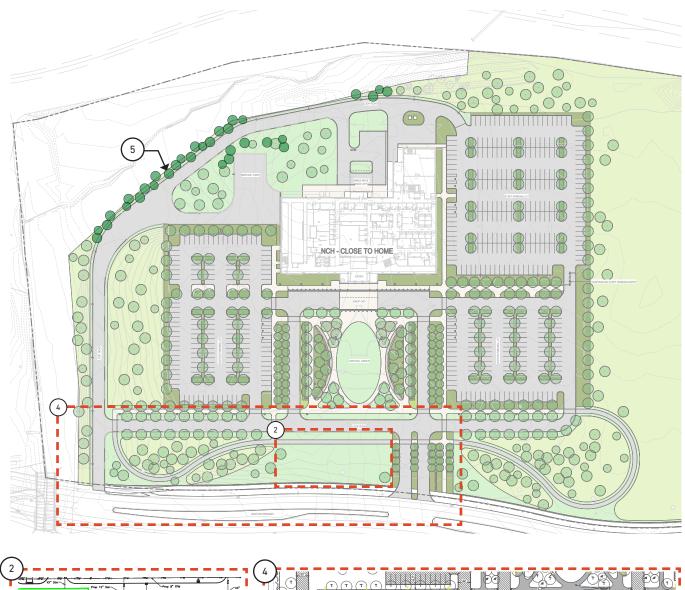
The provided diagram is f a tent purposes only. The diagram should be used to help illustrate the above comments. It is the responsibility of the design consultants to incorporate the above comments as it relates to the site and to adhere to all City requirements and subsequent code. The diagram may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

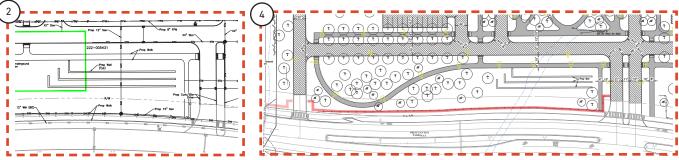
MKSK

Development Review

project name Na wide Children's Hospital

prepared for City of New Albany date July 25, 2025 date received July 17, 2025





Plan Enlargements

City of New Albany

99 West Main Street New Albany, Ohio 43054



404.765-01 July 24, 2025

To: Sierra Saumenig City Planner

From: Matt Ferris, P.E., P.S. Re: Nationwide Children's

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

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

- 1. Please refer to Exhibit A included with this memorandum. Add the FDP title block and accompanying notes to the FDP cover sheet.
- 2. Clearly delineate the conservation easement on the FDP and add notes allowing no disturbances within this area.
- 3. Per Army Corps of Engineer requirements add notes to the grading plan requiring all land disturbed within 50' of the conservation easement be reseeded/revegetated within 14 days using a native seed mix.
- 4. The proposed Rose Run culvert will create a new 100 year water surface elevation on the parcel. We recommend that the lowest opening of all structures and utility boxes be placed a minimum of 2' above the new 100 year water surface elevation
- 5. Add a site data table to the FDP that shows the number of parking stalls required/provided and the number of ADA stalls required/provided.
- 6. Update the landscape plan by adding site distance triangles at curb cuts with public roads. Remove landscape features that may impact motorist view.
- 7. We will evaluate street, storm water management, sanitary sewer collection and water distribution related details once detailed construction plans become available.

MEF/JMH

(attachment)

cc: Josh Albright, Development Engineer







Community Development Department

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

Dear Bryce Shirley,

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

Wednesday, August 20, 2025

The New Albany Planning Commission took the following action on 08/18/2025.

Final Development Plan

Location:

Applicant: Bryce Shirley,

Application: PLFDP20250057

Request: Final development plan to develop a pediatric medical center generally located south and

southwest of State Route 161, north of East Dublin-Granville Road, east of Johnstown Road/U.S. Route 62, and west of Kitzmiller Road (PIDs: 222-005431 and 222-005432).

Motion: To Approve

Commission Vote: Motion Approved with Conditions, 4-0

Result: Final Development Plan, PLFDP20250057 was Approved with Conditions, by a vote of

4-0.

Recorded in the Official Journal this

Condition(s) of Approval:

- 1. The property owner allows for future dedication or installation on the conservation easement parcel, if permitted and the owner and city agree upon an operating agreement.
- 2. All comments from the city's landscape architect are met including:
- o Confirm the color(s) of the proposed vehicular and pedestrian light fixtures outlined on sheet ES202 of the submittal. Per Ganton-PUD Zoning District Part III, Subarea 1 Development Standards, section G-Lighting (iii) all parking lot poles shall be black or New Albany green and constructed of metal.
- o Confirm the proposed wall condition shown on sheet C303 of the submittal. If the proposed wall(s) are to remain, update the plan to include details on the material and height of the wall(s).
- o Update the proposed site plan to include bicycle parking at a ratio of 4 hitches to every 100 vehicular parking spaces.
- o Update the proposed planting plan to include additional deciduous shade trees to properly screen the outlined service area.
- 3. That the applicant meet all lighting standards found in zoning text section III(G).
- 4. All comments from the city's engineer are met including:
- o Confirm Add the FDP title block and accompanying notes to the FDP cover sheet.
- o Clearly delineate the conservation easement on the FDP and add notes allowing no disturbances within this area.
- o Per Army Corps of Engineer requirements add notes to the grading plan requiring all land disturbed

within 50' of the conservation easement be reseeded/revegetated within 14 days using a native seed mix.

- o The proposed Rose Run culvert will create a new 100-year water surface elevation on the parcel. It is recommended that the lowest opening of all structures and utility boxes be placed a minimum of 2' above the new 100 year water surface elevation
- o Add a site data table to the FDP that shows the number of parking stalls required/provided and the number of ADA stalls required/provided.
- o Update the landscape plan by adding site distance triangles at curb cuts with public roads. Remove landscape features that may impact motorist view.
- o Street, storm water management, sanitary sewer collection and water distribution related details will be evaluated once detailed construction plans become available.
- 5. The amount of parking must be recalculated to match any change in the uses.

Staff Certification:

Sierra L Saumenig

Sierra Saumenig Planner



Planning Commission Staff Report August 18, 2025 Meeting

THE COURTYARDS AT HAINES CREEK TEMPORARY SALES TRAILER CONDITIONAL USE

LOCATION: 5675 Lourdes Drive (PID: 222-005481)

APPLICANT: EC New Vision Ohio, LLC

REQUEST: Conditional Use

ZONING: Infill Planned Unit Development (I-PUD)

The Courtyards at Haines Creek Zoning District I-PUD zoning text

STRATEGIC PLAN: Residential APPLICATION: CU-55-2025

Review based on application materials received July 7, 2025, and updated July 31, 2025.

Staff report completed by Lauren Sauter, Planner.

I. REQUEST AND BACKGROUND

The applicant requests a conditional use permit for a temporary sales trailer to operate at 5675 Lourdes Drive in The Courtyards at Haines Creek residential subdivision. The trailer will serve as a sales office for Epcon Communities to showcase homes for this subdivision.

The subdivision is an age-restricted residential community zoned for Infill Planned Unit Development (I-PUD). The I-PUD zoning text allows single-family detached residences (subject to age restriction requirements), publicly or privately owned parks and open spaces, a private amenities center or clubhouse, and model homes and a temporary sales office.

The Planning Commission approved the final development plan for the subdivision on March 4, 2024 (FDP-87-2023), and the final plat for Phase I of the subdivision on November 18, 2024 (FPL-85-2024). The latter case was adopted by city council on January 7, 2025 (O-48-2024).

II. SITE DESCRIPTION AND USE

The Courtyards at Haines Creek subdivision is located on the north side of Central College Road and abuts the transition of Central College Road to Jug Street Road NW, which is where Franklin County and Licking County meet. The subdivision is located fully within Franklin County. The 0.34-acre lot is located along the eastern boundary of the subdivision and near one of the two entrances to the subdivision from Central College Road.

The subdivision is abutted on its north, west, and east sides by city limits. The land immediately south of the subdivision is zoned Agricultural (AG), and the areas generally south are zoned as part of the Business Park. Tidewater is a residentially zoned subdivision located nearby to the west.

III. EVALUATION

General Standards for Conditional Uses (C.O. 1115.03)

The Planning Commission shall not approve a conditional use unless it shall, in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location shall meet all of the following requirements:

- (a) The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.
- (b) The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- (c) The use will not be hazardous to existing or future neighboring uses.
- (d) The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- (e) The proposed use will not be detrimental to the economic welfare of the community.
- (f) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- (g) Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.

Model Home Standards (C.O. 1165.09)

Per code, temporary lot sales offices are temporarily placed in a newly constructed subdivision and used by a homebuilder or developer to display home styles and lot availability in a subdivision to promote the sale of new housing units. The sales office may be staffed and furnished.

The Courtyards at Haines Creek Zoning District text section II(D) specifies that model homes and temporary sales offices shall be in accordance with Section 1133.04(d) of the codified ordinances. Chapter 1133 regulates R-2, R-3, and R-4 single-family residential districts, and Section 1133.04(d) regulates this district's residential model homes and temporary lot sales offices. Because the regulating text that constitutes Section 1133.04(d) is identical to that contained in Section 1165.09 (under Chapter 1165, General Development Standards), the latter Section will be cited within this staff report; however, either code section is applicable.

Section 1165.09(a)

When making its decision to approve, disapprove, or approve with conditions the application, the Planning Commission shall consider that the temporary sales trailer:

- Is appropriately located within the community and sited so that it is easily accessible without creating a nuisance or hazard to nearby properties.
 The proposed sales trailer is located close to the subdivision entrance when entering via Jug Street Road NW. Its site, lot 72, is the closest lot to this point of ingress. The proposed location appears to be appropriate as it is easily accessible and identifiable upon entering the subdivision.
- 2. Is integrated into the residential character of the neighborhood with external lighting in conformity with customary residential lighting.

 The applicant has not explicitly stated whether external lighting shall be used. Staff recommends a condition of approval that any proposed lighting meets the requirements set in the zoning text, subject to staff approval (condition #1).
- 3. Is approved with a limited duration which shall be determined by the Planning Commission after consultation with the applicant. Extensions of time may be granted by the Planning Commission, but decisions must be based on the same criteria as outlined in this section.

The Courtyards at Haines Creek Zoning District text permits temporary sales offices to operate until the first model home is open for use. Additionally, C.O. 1165.09(c)(5) specifies that sales offices in trailers are permitted for a duration of 12 months. The applicant has proposed the sales trailer be used for a period not to exceed one year after the approval of the conditional use.

- 4. Is identified by no more than one sign which shall be in compliance with regulations governing signage.
 - This provision is overridden by the PUD zoning text's signage standards (section XIII(A)), which allows "other signage [to] be used subject to approval by the City of New Albany Planning Commission." The applicant proposes the installation of two ground signs (see the evaluation of the fourth item for Section 1165.09(b)).
- 5. Shall not be used as a general real estate brokerage office where the sale of properties not owned or previously owned wholly or in part by the applicant occurs.

 The applicant has not explicitly stated whether the temporary sales trailer shall be used for the sale of properties that they do not own or have not previously owned. Staff recommends a condition of approval that the sales trailer not be used as a general real estate brokerage office (condition #2).

Section 1165.09(b)

The Planning Commission shall also consider and may set conditions on the following as part of its decision to allow the temporary sales trailer:

- 1. Hours of operation.
 - The temporary sales trailer will operate on Mondays from 11:00am to 6:00pm, on Tuesdays through Saturdays from 10:00am to 6:00pm, and on Sundays from 12:00pm to 6:00pm. These operating hours are generally consistent with other model homes and sales trailers that have been approved by the Planning Commission.
- 2. Number of employees and maximum number of employees on the site at any one time. The applicant states there will be one employee on site Monday through Friday and two employees on Saturdays and Sundays.
- 3. Provisions for parking for employees and customers.

 The proposal indicates that parking will be provided on a temporary asphalt parking lot located in front of the sales trailer. There are six parking spaces provided, including one handicap parking spot. The parking spaces meet size requirements per C.O. 1167.03(a). Access from the parking lot to the trailer is provided via sidewalk. Staff recommends a condition of approval that the temporary parking lot and landscaping be removed at the
- 4. Size, lighting, content and location of signage.

expiration of the permit (condition #3).

- C.O. 1169.10(j), "Residential For Sale/For Lease Signs," permits signs up to 36 square feet in area and eight feet in height for areas with 100 feet or more of street frontage. These signs must not interfere with the safe movement of vehicular and pedestrian traffic and must be removed within 10 days after the sale has occurred. Staff recommends a condition of approval that the temporary signage be removed within 10 days after the sale has occurred (condition #4).
 - a) The first proposed temporary sign is labeled as a "Welcome Center Hours Sign." Its faces feature the temporary sales trailer's hours, the community logo, and the community contact information, and the sign is located 10 feet away from the nearest right-of-way. The sign meets code requirements:
 - i. Sign area: 24 square feet (four feet in width; six feet in height)—meets code
 - ii. Total height: seven feet—meets code.

- iii. Location: does not interfere with the safe movement of traffic—meets code
- b) The second proposed temporary sign is labeled as a "Brochure Box Sign." This sign features a box that protrudes 5.25 inches from the flat sign face and allows customers to take a brochure at times when the sales trailer is not open for business. It is located between the proposed parking lot and sales trailer, close to the trailer's entrance. The brochure box is consistent with similar signs approved by the Planning Commission for temporary sales trailers.
 - i. Sign area: approx. 2.14 square feet (308 square inches)—meets code.
 - ii. Total height: approx. 3.67 feet (44 inches)—meets code.
 - iii. Location: does not interfere with the safe movement of traffic—meets code.



Left: Proposed Welcome Center Hours Sign (a). Right: Proposed Brochure Box Sign (b).

5. Landscaping and screening.

The applicant has included a landscape plan for the temporary sales trailer. The plan uses trees that are six to seven feet in height to screen the sales trailer from Central College Road/Jug Street Road NW. Additional shrubbery is used in front of the trailer and as screening around the Porta Kleen tank in the back.

Section 1165.09(c)

Permission to occupy a temporary sales office for the purpose of home and lot sales within a newly constructed subdivision shall be granted only if the following conditions are additionally met:

- Such facility is located on a main arterial roadway or highway.
 The sales trailer is proposed to be located closely off Central College Road/Jug Street Road NW.
- 2. Such facility is substantially screened by the use of landscaping and/or mounding. The landscape plan shows the sales trailer as being screened from Central College Road/Jug Street Road NW and from generally outside of the subdivision by trees that are six to seven feet in height. Along the eastern boundary of the site, there is a 30-foot tree preservation zone that provides further screening of the sales trailer.

- 3. Such facility shall not create a nuisance to surrounding properties.

 The applicant states the property will not generate glare, fumes, or vibrations to adjoining properties, and any waste generated by sales staff will be disposed of in the onsite dumpster or removed from the premises by staff as needed. Additionally, the trailer and parking lot face away from adjoining properties. With the platted lots, setbacks, tree preservation zone, and landscaping, the sales trailer is not expected to create a nuisance to surrounding properties.
- 4. Such other conditions as the Planning Commission deems appropriate.
- 5. Sales offices in trailers or mobile homes are permitted for a duration of twelve (12) months. Users of such facilities may apply to the Planning Commission for an extension of an additional twelve (12) months.
 See item 3 of the criteria listed by Section 1165.09(a). Staff recommends a condition of approval that the sales trailer Conditional Use is permitted to operate for one year and that any extension in time is subject to review and approval by the Planning Commission,

V. SUMMARY

Basis for Approval:

If the recommended conditions of approval are met, the proposed temporary sales trailer and associated landscaping, parking, and signage are consistent with code requirements. Additionally, the operational aspects of the proposed trailer are consistent with other temporary sales trailers that have been approved to operate in residential subdivisions in New Albany.

or until such time that the model home is open and operable (condition #5).

VI. MOTION

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

Move to approve conditional use application CU-55-2025, subject to the following conditions:

- 1. <u>Any proposed lighting shall meet the requirements set in the zoning text, subject to staff approval.</u>
- 2. The sales trailer shall not be used as a general real estate brokerage office.
- 3. The temporary parking lot and landscaping are to be removed at the expiration of the conditional use permit.
- 4. The temporary signage shall be removed within 10 days after the sale has occurred.
- 5. The temporary sales trailer is permitted to operate for one year and any extension in time is subject to review and approval by the Planning Commission, or until such time that the model home is open and operable.

Approximate Site Location:



Source: CityView



Community Development Department

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

Dear EC New Vision Ohio, LLC,

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, August 19, 2025

The New Albany Planning Commission took the following action on 08/18/2025:

Conditional Use

Location: 5675 Lourdes Drive, New Albany, OH 43054

Applicant: EC New Vision Ohio, LLC

Application: PLCU20250055

Request: Conditional use request to allow a temporary sales trailer with associated landscaping,

parking, and signage for the Courtyards at Haines Creek subdivision on a 0.341-acre site

located at 5675 Lourdes Drive (PID: 222-005481).

Motion: To approve

Commission Vote: Motion Approved with Conditions, 4-0

Result: Conditional Use PLCU20250055 was Approved with Conditions by a vote of 4-0.

Recorded in the Official Journal this August 19, 2025.

Condition(s) of Approval:

- 1. Any proposed lighting shall meet the requirements set in the zoning text, subject to staff approval.
- 2. The sales trailer shall not be used as a general real estate brokerage office.
- 3. The temporary parking lot and landscaping are to be removed at the expiration of the conditional use permit.
- 4. The temporary signage shall be removed at the expiration of the conditional use permit.
- 5. The temporary sales trailer is permitted to operate for one year and any extension in time is subject to the review and approval by the Planning Commission, or until such time that the model home and/or clubhouse is open and operable, subject to staff approval.

Staff Certification:

Lauren Saiter

Lauren Sauter Planner



Planning Commission Staff Report August 18, 2025 Meeting

THE COURTYARDS AT HAINES CREEK ELEVATIONS FINAL DEVELOPMENT PLAN MODIFICATION

LOCATION: Generally located at the northwest corner of Central College Road and

Jug Street Road NW (PID: 222-005158 and 47 others)

APPLICANT: EC New Vision Ohio LLC

REQUEST: Final Development Plan Modification

ZONING: Courtyards at Haines Creek I-PUD Zoning District

STRATEGIC PLAN: Residential District APPLICATION: FDM-58-2025

Review based on: Application materials received July 17 and July 31, 2025.

Staff report completed by Jay Henderson, Planner.

I. REQUEST AND BACKGROUND

This application is for a final development plan modification for home elevations of the subdivision known as "The Courtyards at Haines Creek." The change includes architectural alterations to the previously approved home elevations.

The Planning Commission reviewed the zoning change and preliminary development plan for the property on June 20, 2023 (ZC-07-2023), and the zoning change was adopted by City Council on July 18, 2023 (O-84-2023). The Planning Commission reviewed and approved the final development plan on March 4, 2024 (FDP-87-2023), and the final plat was approved by City Council on January 7, 2025 (FPL-85-2024).

The Planning Commission is hearing the application based on section IX(C)(1) of The Courtyards at Haines Creek zoning text, which states, "In addition, more detailed architectural elevations and/or renderings shall be submitted for approval by the Planning Commission as part of a final development plan application. The Planning Commission shall not have approval rights over each specific home to be constructed in this zoning district, but instead shall approve a baseline set of architectural requirements and guidelines from which each home design will be based." The change in home elevations is the element that triggers review and approval by the Planning Commission.

II. SITE DESCRIPTION & USE

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

III. EVALUATION

Staff's review is based on New Albany's plans and studies, zoning text, and zoning regulations. Primary concerns and issues have been indicated below, with needed action or recommended action in the underlined text. The Planning Commission's review authority is found under Chapter 1159. The property owners within 200 feet of the property in question have been notified.

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 nonresidential 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

The site is located within the Residential District Future Land Use District. The Engage New Albany Strategic Plan lists the following development standards for the Residential District:

- Organically shaped stormwater management ponds and areas should be incorporated into the overall design as natural features and assets to the community.
- Houses should front onto public open spaces and not back onto public parks or streets.
- All or adequate amounts of open space and parkland is strongly encouraged to be provided on-site.
- A hierarchy of open spaces is encouraged. Each development should have at least one open space located near the center of the development. Typically, neighborhood parks range from half an acre to 5 acres. Multiple greens may be necessary in large developments to provide centrally located greens.
- Adequate amounts of open space and parkland are encouraged to be provided on-site.
- Rear or side-loaded garages are encouraged. When a garage faces the street, the front façade of the garage should be set back from the front façade of the house.
- Any proposed residential development outside of the Village Center shall have a base density of 1 dwelling unit per gross acre in order to preserve and protect the community's natural resources and support the overall land conservation goals of the community. A transfer of residential density can be used to achieve a gross density of 1 dwelling unit per acre.
- Private streets are at odds with many of the community's planning principles, such as: interconnectivity, a hierarchy of street typologies, and a connected community. To achieve these principles, streets within residential developments must be public.

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

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

- accounted for when calculating density (i.e. 80% age restricted and 20% non-age restricted).
- Age restriction must be recorded as a deed restriction and included as a requirement in the subdivision's zoning text.

A. Use, Site and Layout

- 1. The proposed modifications include changes to the exterior appearance of the previously approved home elevations for the Courtyard at Haines Creek subdivision.
- 2. The modifications include the following home styles: Palazzo, Portico, and Promenade, with minor changes to the Bedford and Clay home styles.
- 3. There are no proposed changes in uses for the development.
- 4. All proposed elevations continue to meet the maximum building height of the development, 35 feet, and a minimum of 1.5 stories or 1.5 stories in appearance.
- 5. Setbacks will be unchanged.

B. Access, Loading, Parking

1. Per the zoning text, all homes shall be required to have a minimum of 2 off-street parking spaces on their driveways in addition to a minimum of 2 parking spaces within the garage. These requirements will not be changed with this proposal.

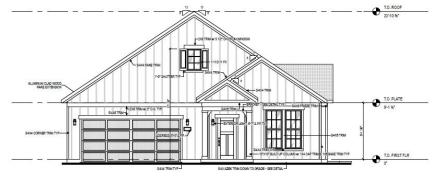
C. Architectural Standards

- 1. The applicant has proposed changes to the previously approved home elevations for the following plans: Bedford, Clay, Palazzo, Portico, and Promenade. To view the full list of changes, see the "Haines Creek" elevation changes sheet in the packet.
- 2. The Bedford and Clay proposed elevations remove the front porch railing from the Bedford Bonus A, Clay Bonus B, and Bonus C, and Portico Ranch C, D, and Bonus A.
- 3. The Palazzo-style homes have proposed changes for Ranch A-D and Bonus A-C. The changes consist of updated windows, columns, a new entry gable with post-and-beam detail, and a reduced porch (Ranch C), as well as removing the four-seasons room on the base elevation.



Palazzo – Ranch D

4. The Portico-style has proposed changes that include additional windows (Ranch A and B, Bonus A), removal of the full front porch (Ranch B), removal of porch rails (Ranch C and D and Bonus A, along with other removals and additions.



- 5. The home style Promenade will include all new elevations, and the entry door will be located in the front, from the previously approved location on the side.
- 6. Minimum 6:12 rise over run roof pitches are being met with the updated elevations.
- 7. Four-sided architecture will be maintained throughout the elevations.
- 8. The City Architect has reviewed the elevations and recommends approval of the proposed designs.

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

1. All garbage cans and other waste containers shall be kept in garages or within approved screened areas. There are no proposed changes for parkland, buffering, landscaping, open space, or screening.

E. Lighting & Signage

1. Updated coach lighting has been provided for staff and is shown in the revised home elevations.

IV. ENGINEER'S COMMENTS

These changes do not require the City Engineer to review the referenced plan in accordance with the engineering-related requirements of Code Section 1159.07(b)(3).

V. SUMMARY

The final development plan modification aligns with the residential land use density recommendations outlined in the Engage New Albany Strategic Plan and is consistent with the zoning text requirements approved as part of the final development plan. The updated elevations continue the unity in home styles while also providing different options for residents. The homes comply with the recommended four-sided architecture and complement the surrounding area. The city architect has stated that the proposed changes are appropriate for the style of architecture in The Courtyards at Haines Creek.

VI. ACTION

Suggested Motion for FDP-58-2025:

Move to approve FDP-58-2025.

Approximate Site Location:



Source: NearMap



Community Development Department

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

Dear EC New Vision Ohio, LLC, Kelly Fankhauser,

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, August 19, 2025

The New Albany Planning Commission took the following action on 08/18/2025.

Final Development Plan Modification

Location: The Courtyards at Haines Creek

Applicant: EC New Vision Ohio, LLC, Kelly Fankhauser,

Application: PLFDM20250058

Request: Final development plan modification to provide updated architecture elevations for the

Courtyards at Haines Creek subdivision generally located at the northwest corner of Central

College Road and Jug Street Road (PID: 222-005158 and 47 others).

Motion: To approve

Commission Vote: Motion Approved, 4-0

Result: Final Development Plan Modification, PLFDM20250058 was Approved, by a vote of 4-0.

Recorded in the Official Journal this August 19, 2025

Condition(s) of Approval: None

Jay Henderson

Staff Certification:

Jay Henderson

Planner



Planning Commission Staff Report August 18, 2025 Meeting

4 HIGHGROVE FARMS BUILDING SETBACK VARIANCE

LOCATION: 4 Highgrove Farms (PID: 222-004636)
APPLICANT: Ghiloni Custom Builders c/o Vince Ghiloni

REQUEST: Variance to the West Nine 2 Subarea C 4(d) to reduce the rear yard setback

requirement from 30 feet to 14 feet

ZONING: West Nine 2 C-PUD (Comprehensive Planned Unit Development)

STRATEGIC PLAN: Residential APPLICATION: VAR-59-2025

Review based on: Application materials received on July 24, 2025

Staff report prepared by Kylie Blackburn, Planner.

I. REQUEST AND BACKGROUND

The applicant is requesting a variance to the West Nine Zoning Text to reduce the required 30-foot rear yard building setback to 14 feet for an addition connecting to the existing home and be located in the northwestern portion of the property.

The addition will consist of two garage spaces, a pool house, and a carriage house-type living space.

A similar request was approved in 2017 for 7014 Hanby's Loop to allow for a reduction of the 30-foot rear yard building setback to 15 feet for the construction of a single-family residence (VAR-62-2017). It was approved with conditions by PC, requiring the applicant not to encroach into the setback no more than one foot as presented to the Commission and to keep their AC unit out of the setback. This property is in the same zoning district as the presented variance and is located south of 4 Highgrove Farms

II. SITE DESCRIPTION & USE

The property is 0.85 acres and contains a single-family home on a corner lot. The lot is located within the New Albany Country Club Section 28 Ebrington. The home was built in 2016, and the current owner bought the house in 2023. The property is southwest of the intersection of Highgrove and Highgrove Farms and west of the New Albany Country Club. The property is surrounded by other residential properties.

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.

IV. ASSESSMENT

Consideration and Basis for Decision

(A)Variance to West Nine 2 C-PUD Zoning Text Subarea C 4(d) to encroach into the 30-foot rear yard setback

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

- 1. This variance request is to allow the addition to be 14 feet from the rear property line, where the West Nine 2 C-PUD Zoning Text Subarea C 4(d) permits a minimum 30-foot rear yard setback.
- 2. The applicant seeks to add an addition that will consist of two garage spaces, a pool house, and a carriage house-type living space.
- 3. Special conditions and circumstances exist that are specific to this parcel and are not common to other properties in the zoning district. This property is a corner lot with frontage on two public streets, and due to how the lot was originally platted—before a home was designed—the orientation of the home resulted in the western lot line being classified as a rear lot line, triggering the 30-foot setback. In contrast, neighboring lots along Highgrove Farms have much larger acreage and greater flexibility in building placement. In addition, the orientation of the existing driveways and existing easements on the north, south, and west of the property creates a unique constraint on development options.

- 4. The proposed variance will not significantly alter the character of the neighborhood or create a substantial detriment to adjacent properties. The property to the west shares a boundary with what is classified as the rear lot line of Lot 4A, yet under current zoning regulations, that neighboring home could add onto its structure as close as 7 feet from this shared line. In contrast, the proposed garage on Lot 4A would maintain a setback of approximately 14 feet at its nearest point—twice the minimum distance permitted for the adjacent lot. The plans for the addition also show a significant amount of landscaping that will be added onto the site acting as a form of screening from the neighboring properties. This is consistent with the existing development patterns in the area.
- 5. The variance preserves the spirit and intent of the zoning requirement. While the West Nine 2 C-PUD Zoning Text requires a 30-foot rear yard setback in Subarea C, it also permits 15-foot rear setbacks for lots 42–55 in the adjacent Ebrington section of the same zoning district, indicating that reduced rear setbacks are consistent with the broader development goals. In this case, although the proposed addition would encroach into the rear yard, the property will still maintain a 30-foot setback along the southern lot line, which serves as its side yard but would have been the rear yard had the home been oriented differently. This orientation also aligns with the existing pattern of homes on Highgrove Farms, helping to preserve a consistent and intentional streetscape. The variance allows the property to conform with both the zoning's intent and the character of surrounding development.
- 6. The variance request does not appear to be substantial. The proposed garage would be only one foot closer to the rear lot line than what is permitted for other properties under the same zoning text. If the home had been oriented with the rear yard on the south side, the structure would meet all setback requirements without a variance. Additionally, allowing this variance supports a consistent streetscape, as it aligns the home's orientation with neighboring properties in Highgrove Farms. This creates a more unified and aesthetically appropriate appearance within the development.
- 7. The granting of the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.
- 8. This variance does not negatively impact the delivery of government services.

IV. SUMMARY

The applicant requests a variance to allow an addition—consisting of two garage spaces, a pool house, and a carriage house-style living space—to be constructed 14 feet from the rear property line, where a 30-foot setback is required by the West Nine 2 C-PUD Zoning Text. Unique site conditions, including the lot's corner configuration, dual street frontage, existing easements, and the orientation of the original home, result in the western property line being classified as the rear yard, creating a unique circumstance. The proposed setback is consistent with development patterns in the area and maintains a greater distance from the shared lot line than what is permitted for the neighboring property to the west. The variance supports a cohesive streetscape and preserves the overall intent of the zoning code.

V. ACTION

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

Move to approve application VAR-59-2025 based on the findings in the staff report (conditions of approval may be added).

Approximate Site Location:



Source: NearMap



Community Development Department

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

Dear Ghiloni Custom Builder Inc,

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, August 19, 2025

The New Albany Planning Commission took the following action on 08/18/2025.

Variance

Location: 4 Highgrove, Unit:lot 4A **Applicant:** Chiloni Custom Builder Inc,

Application: PLVARI20250059

Request: Variance to encroach into the 30-foot rear yard setback on 0.85 acres of land located at 4

Highgrove Farms (PID: 222-004626-00).

Motion: To Approve with Conditions

Commission Vote: Motion Approval with Conditions, 3-1

Result: Variance, PLVARI20250059 was Approval with Conditions, by a vote of 3-1.

Recorded in the Official Journal this August 19, 2025

Condition(s) of Approval:

- 1. The encroachment is only as requested and no more. The approval does not imply that they have the ability to encroach any easement.
- 2. The southern boundary line (side yard opposite of Highgrove Farms) will now have a 30 foot setback.

Staff Certification:

Kylis Blackburn

Kylie Blackburn Planner



Planning Commission Staff Report August 18, 2025 Meeting

NOTTINGHAM TRACE MODEL HOME CONDITIONAL USE

LOCATION: Nottingham Trace Subdivision APPLICANT: Pulte Homes, c/o Nicki Martin REQUEST: Model Home Conditional Use

ZONING: I-PUD Infill Planned Unit Development (Nottingham Trace)

STRATEGIC PLAN: Residential APPLICATION: CU-62-2025

Review based on: Application materials received July 29, 2025.

Staff report completed by Kylie Blackburn, Planner.

I. REQUEST

The applicant requests a renewed conditional use approval for a residential model home to be located on lot 6, 7, and 8 within the Nottingham Trace subdivision. The Planning Commission originally approved the conditional use on February 23, 2022 (CU-15-2022). A condition of approval was placed on the application stating that the conditional use expires after three years and that any extension of the use is subject to the review and approval of the board. The original conditional use approval has expired so the applicant has submitted a new application to allow for the continued use of the model home.

This unit serves as the model home and sales office for Pulte Homes of Ohio, LLC, for the homes within this subdivision. Two lots are used for a temporary parking lot to serve the model home and sales office. There are no proposed site or building modifications compared to what was originally approved in 2018 or in 2022 and all original conditions of approval have been met.

The requested duration of this conditional use is until all lots within the community have been sold or for a period of time to be no less two (2) years.

II. LOCATION

The proposed model home is located at lots 6, 7, and 8 of the subdivision. The Nottingham Trace subdivision comprises 240 age-restricted lots, with 149 of the lots having been developed and 29 in various stages of permitting and construction. The subdivision is approximately 89.6+/- acres.

The final development plan was approved on June 19, 2017 (FDP-31-2017). Phase 1 of this development was approved by the Planning Commission on September 18, 2017; phases 2, 3, and 4 were approved on March 18, 2019, and phases 5 and 6 were approved on December 4, 2023.

III. EVALUATION

General Standards for Conditional Uses (C.O. 1115.03)

The Planning Commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that

support conclusions that such use at the proposed location shall meet all of the following requirements:

- (a) The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.
- (b) The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- (c) The use will not be hazardous to existing or future neighboring uses.
- (d) The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- (e) The proposed use will not be detrimental to the economic welfare of the community.
- (f) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- (g) Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.

<u>Residential model homes</u>. Per Code, these are newly constructed homes or temporary structures placed in a newly constructed subdivision and used by a homebuilder or developer to display home styles and lot availability in a subdivision to promote the sale of new housing units. The model home may be staffed and furnished. (C.O. 1165.11)

The criteria and the applicability of this application are detailed below (Section 1165.11(a)):

- 1. Appropriate location within the community. The model home location is not changing as part of this request. It is located on lot 6 and the temporary parking lot is located on lots 7 and 8. The model home is located close to the subdivision entrance along the primary drive when entering from New Albany-Condit Road on Nottingham Boulevard. There have been no complaints about the model home during the duration of the original conditional use.
- 2. It is integrated in the existing community with customary exterior residential lighting. The home will continue to utilize coach lighting fixtures consistent with the style and architectural features present on the other homes planned within the subdivision. This lighting was approved by the Planning Commission with the original conditional use application.
- 3. The use is approved with limited duration.

 The applicant has stated that they would life

The applicant has stated that they would like to utilize the conditional use until all lots within the community have been sold or for a period of time no less than 2 years. Historically, the Planning Commission has approved conditional uses for other model homes within the community for 1-3 years depending on the size of the subdivision. Since this model is utilized for the entire 240 lot subdivision and only 69 homes have been built, staff recommends the model home approval is permitted for three (3) years and that any extension in time is subject to review and approval by the Planning Commission.

- 4. One sign is permitted.

 The previously approved sign will remain at the site.
- 5. Shall not be used as a general real estate brokerage office.

 The applicant has stated that the model home will not be used as a general real estate brokerage office.

The Planning Commission is also to consider the following (1165.11 (b)):

- 1. Hours of operation
 - The previously approved hours of operation are not proposed to be changed. The model home operates Monday through Friday, from 11:00am to 6:00pm and 12:00pm to 5:00pm on Sunday.
- 2. Number of employees and maximum number of employees at the site at one time. The applicant states that there will be no more than 2 sales representatives staffing the house during its hours of operation which is the same as the original approval.
- 3. Provisions for parking for employees and customers

 There are no changes to the previously approved parking area and there are 11 parking spaces on site. Staff recommends a condition of approval that the temporary parking lot, parking lot lighting, and landscaping are removed at the expiration of the permit.
- 4. Size, lighting, content and location of signage
 There are no proposed changes to the previously approved site lighting or signage.
- 5. Landscaping and screening
 There are no proposed changes to the previously approved site landscaping.

IV. RECOMMENDATION

Staff recommends approval of the conditional use renewal request. There are no proposed changes to what was originally approved by the Planning Commission, all previous conditions of approval have been complied with, and no complaints have been made about the site. The operational aspects of the model home are consistent with successfully operating model homes in other New Albany neighborhoods.

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 CU-62-2025 with the following conditions, subject to staff approval:

- 1) The temporary parking lot, parking lot lighting, and landscaping are removed at the time that the permit expires.
- 2) The Conditional Use Permit is permitted for three (3) years and any extension in time is subject to review and approval by the Planning Commission.
- 3) The sign associated with this application is removed at the time that the permit expires.

Approximate site location:



Source: NearMap



Community Development Department

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

Dear Pulte Homes of Ohio, LLC,

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

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

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

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

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, August 19, 2025

The New Albany Planning Commission took the following action on 08/18/2025.

Conditional Use

Location: 7715 Nottingham Trace Blvd, Unit:67709 Nottingham Blvd., Unit:77703 Nottingham Blvd.,

Jnit:8

Applicant: Pulte Homes of Ohio, LLC,

Application: PLCU20250062

Request: Conditional use extension to allow an existing model home to continue operations in the

Nottingham Trace subdivision (PIDs: 222-004904, 222-004905 and 222-004906).

Motion: To Approve with Conditions

Commission Vote: Motion Approved with Conditions, 5-0

Result: Conditional Use, PLCU20250062 was Approved with Conditions, by a vote of 5-0.

Recorded in the Official Journal this August 19, 2025

Condition(s) of Approval:

- 1. The temporary parking lot, parking lot lighting, and landscaping are removed at the time that the permit expires.
- 2. The Conditional Use Permit is permitted for three (3) years or when the last lot is sold, whichever comes first, and any extension in time is subject to review and approval by the Planning Commission.
- 3. The sign associated with this application is removed at the time that the permit expires

Staff Certification:

Kylie Blackburn

Kylie Blackburn

Planner

PART ELEVEN - PLANNING AND ZONING CODE TITLE ONE - ZONING ADMINISTRATION CHAPTER 1105 DEFINITIONS

CHAPTER 1105 DEFINITIONS¹

1105.01 INTERPRETATION.

For the purpose of this Zoning Ordinance, certain terms and words are to be defined as found in this chapter. Words and terms specifically defined carry their customarily understood meanings. Words used in the present tense include the future tense. The singular form shall include plural and plural shall include singular. The word "shall" is intended to be mandatory. "Occupied" or "used" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied."

Specific terms related to swimming pools, signs, landscaping, and matters specific to the Technology Manufacturing District (TMD) zoning district classification are defined within the specific sections of the Zoning Ordinance where those requirements are found.

(Ord. 08-2006. Passed 9-5-06; Ord. O-04-2022. Passed 3-1-22.)

1105.02 DEFINITIONS.

As used in this Zoning Ordinance, the following terms shall be defined as follows:

- a) "Accessory use" means a use subordinate, secondary, incidental to, and customary in connection with the principal building or use and located on the same lot as the principal building or use.
- b) "Accessory building" or "accessory structure" means a building or structure occupied by an accessory use.
- c) "Administrative and business offices" means offices which carry on no retail trade with the public and maintain no stock of goods for sale to customers.
- d) "Agriculture" means the use of land for growing crops in the open, dairying, pasturage, horticulture, floriculture and necessary accessory uses, as further defined and specified in Section 1129.02.
- e) "Alley" means a public right-of-way ten (10) to twenty (20) feet wide which provides only secondary means of access to abutting property. (Ord. 20-90. Passed 6-19-90.)
- f) "Appurtenance" means something that belongs to or goes with another thing.
- g) "Basement" means a story whose floor level is two (2) feet or more below grade level, but having less than half its clear height above grade level.
- h) "Building" means a structure permanently affixed to the land with one or more floors and a roof supported by columns or walls, used or intended to be used for shelter or enclosure of persons, animals and/or property.
 - (1) "Height of building" means:
 - A. The vertical distance from the average existing grade level around the foundation of the new work to the highest point of the coping of a flat roof or mansard roof or to the top of the highest ridge line of gable, hip or gambrel roofs on the new work. The average existing grade level is determined by measuring at four (4) specific points around the foundation, as follows: two (2) front corners and two (2) rear corners.

¹Cross reference(s)—General definitions - see ADM. 101.02

- B. For new work not requiring a grading plan and spot elevations, building height shall be determined by measuring from the average existing contact ground level for each building elevation to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the top of the highest ridge line for gable, hip or gambrel roofs on that building elevation. The highest as measured for each building elevation shall then be combined and divided by the number of measurements taken to determine the height of the building in relation to this subsection.
- (2) "Building line" means the front yard setback line established by this Zoning Ordinance generally parallel with and measured perpendicularly from the front lot line, defining the limits of a front yard in which no building or structure may be located as provided by this Zoning Ordinance.
- (3) "Principal building" means a building in which is conducted the main or principal use of the property on which such building is located.
- i) "Business day" means any full business day (i.e., 8:00 a.m. to 5:00 p.m.) other than Saturday, Sunday, or a holiday during which the City's offices are closed. For purposes of measuring business days with regard to timing of reviews of applications under this Zoning Ordinance, the first business day of such a review period shall be the first full business day after an application is received by the City.
- j) "Business services" means any profit-making activity which renders services primarily to other commercial, institutional, or industrial enterprises, or which services and repairs appliances and machines used in other businesses.
- k) "Cemetery" means land used or intended to be used for the burial of human dead.
- l) "Certificate of occupancy" means a certificate issued by the Zoning Inspector, pursuant to Section 1109.09, confirming that the requirements of this Zoning Code have been met, and the building can be occupied.
- m) "Clinic, human" means an establishment where patients who are not lodged overnight are admitted for examination and/or treatment by a physician or group of physicians.
- n) "Common ownership" means ownership of two (2) or more parcels by the same owner or by one (1) owner and an affiliated person or entity of that owner.
- o) "Conditional use" means an uncommon or infrequent use which may be permitted in specific zoning districts subject to compliance with certain standards, explicit conditions, and the granting of a conditional use permit as specified in Chapter 1115.
- Data Center" means real and personal property consisting of buildings or structures specifically designed or modified to house networked computers and data and transaction processing equipment and related infrastructure support equipment, including, without limitation, power and cooling equipment, used primarily to provide, as a service to persons other than the company operating the data center, data and transaction processing services, outsource information technology services and computer equipment colocation services, or, used primarily to provide, to a single user, including the user's affiliates, customers, lessees, vendors and other persons authorized by the user, data and transaction processing services.
- p)q) "Design Guidelines and Requirements (DGRs)" means the building, construction and design standards that apply to any environmental change within the City of New Albany. The Design Guidelines and Requirements shall have the force and effect of law.
- q)r) "Director" means the City's Director of Community Development.
- r)s) "Drive-through facilities" mean a designated place, in conjunction with a retail or service establishment, from which persons can conduct the major portion of their business without leaving their motor vehicle.
- s)t) "Dwelling" or "residence" means any building or portion thereof which is designed or used for residential purposes, but not including a cabin, hotel, motel, rooming house, or other such accommodation used for transient occupancy.

- (1) "Multiple-family dwelling" or "multiple-family residence" means a building designed or used as a residence for three (3) or more families living independently and doing their own cooking therein.
- (2) "Single family dwelling" or "single family residence" means a building designed for or occupied exclusively by one family.
- (3) "Two-family dwelling" or "two-family residence" means a building designed for or occupied exclusively by two families living independently.
- t)u) "Essential services" means the erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam, or water transmission or distribution systems; collection, communication, supply, or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, traffic signals, hydrants and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health, safety, or general welfare, but not including buildings.
- <u>u)v)</u> "Failure of delivery" means that a particular notice was not received, due to circumstances beyond the control of the <u>VillageCity</u>, and does not include the lack of mailing of the subject notices in the matter specified in the Zoning Code.
- "Floor area" of a building means the sum of the gross horizontal areas of the building floors, measured from the exterior faces of exterior walls. "Floor area" shall not include basements, elevator and stair bulkheads, unfinished attic spaces, terraces, breezeways, open porches, uncovered steps, or garages.
- w)x) "Frontage" or "lot frontage" means that portion of the lot that directly abuts the street, and has direct access thereto. "Lot frontage" shall be measured along the minimum building setback line for the district within which such lot is located.
- *\vec{y}\) "Garage, private" means a building, or portion of building, designed or used for the storage of motor-driven vehicles owned and/or used by the occupants of the principal use of the property.
- "Gasoline service station" means any building or land used for the sale, offering for sale, and/or dispensing of any vehicular fuels, oils or accessories, including the lubrication of automobiles or motor vehicles and replacement or installation of minor parts and accessories, but not including major repair work, such as motor replacement, body and fender repair, or painting and finishing.
- "Gross density" means a unit of measurement of the number of dwelling units per acre of land divided by the total number of dwelling units within the particular project, development or subdivision excluding all dedicated public streets therein.
- <u>aa)bb)</u> "Home occupations" means any occupation or profession conducted primarily by immediate resident family members, which is clearly incidental and secondary to the dwelling's residential use. A home occupation must meet the standards and requirements specified in Section 1165.09.
- bb)cc "Hospital" means a building or structure containing beds for at least four (4) patients allowing for overnight or continuous care, diagnosis and treatment of human ailments.
- "Hotel" or "motel" means a building in which lodging is provided or offered to the public for compensation and which is open to transient guests, in contradiction to a boarding house or lodging house operated on a membership basis.
- dd)ee) "Institution" means an organization providing social, cultural, educational, religious or health services to member agencies, organizations, and individuals, or to the general public.
- ee)ff) "Loading space" is a space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks.

- ff)gg "Lot" means a division of land separated from other divisions for purposes of sale, lease, or separate use, described on recorded subdivision plat, recorded map or by metes and bound, and includes the terms "plat" and "parcel."
 - (1) "Corner lot" means any lot at the junction of and abutting on two (2) or more intersecting streets, where the angle of intersection is not more than one hundred thirty-five (135) degrees.
 - (2) "Lot coverage" means the ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.
 - (3) "Rear lot line" means that lot line which is opposite and furthest removed from the front lot line. In such a lot where the side lot lines meet to the rear of the lot, or where the rear lot line is less than ten (10) feet, the minimum rear yard shall be computed from the point of intersection of the side lot lines on an imaginary line that is at equal angles from each side lot line. In the case of a corner lot, the rear lot line is opposite and furthest removed from the front lot line of least dimension.
 - (4) "Side lot line" means the lot line running from the front lot line to the rear lot line. This line is also the line dividing two (2) interior lots.
 - (5) "Lot of record" means any lot which individually or as a part of a subdivision has been recorded in the Office of the Recorder, Franklin County, Ohio, as of the effective date of this Zoning Code.
 - (6) "Minimum area of lot" means the area of a lot computed exclusive of any portion of the right-of-way or any public thoroughfare.
 - (7) "Lot width" is the width of a lot at the building setback line measured at right angles to its depth.
- gg)hh) "Manufacturing" means any production or industrial process, including food processing, which combines one or more raw materials or components into a product or which changes the nature of the materials entering the process, and which by the nature of the materials, equipment and/or process utilized is not objectionable by reason of odor, noise, vibration, gas fumes, dust, smoke, refuse, or water-carried wastes.
- hh)ii) "Nonconforming use" means the use of land or a building, or a portion thereof, which does not conform with the use regulations of the district in which it is situated, which use was lawful prior to the enactment of this Zoning Ordinance.
- "Nonresidential use" means a premises not used primarily for human habitation.
- "Nursery" or "day care center" means a facility which temporarily assumes responsibility for more than four (4) children other than those related to the resident of the premises. Such responsibility shall consist of administering to the needs of those children during any part of a twenty-four (24) hour day for a period of two (2) consecutive days.
- "Nursing home" includes convalescent and extended care facilities; an establishment which specializes in providing necessary care, shelter and nursing services and services to those unable to be responsible for themselves.
- <u>II)mm</u> "Open space" means that part of a zoned property, including courts or yards, which is open and unobstructed from its lowest level to the sky, accessible to all tenants upon the zoning property.
- mm)nn) "Off-street parking space" means any parking space located wholly off any street, alley, or sidewalk, either in an enclosed building or on an open lot and where each parking space conforms to the standards as specified in Chapter 1167.
- nn)oo) Park" is a public area of land, usually in a natural state, having facilities for rest and recreation.
- <u>oo)pp)</u> "Parking area" or "parking lot" means any area other than street, drive, or alley used or intended to be used for the storage of motor vehicles, with or without a fee.

- pp)qq) "Personal services" means any enterprise, conducted for gain, which primarily offers services to the general public such as shoe repair, watch repair, retail dry cleaning, barber and beauty shops, and related activities.
- qq)rr) "Private road" means a strip of privately owned land providing access to abutting properties.
- rr)ss Professional offices" means the offices which engage in the providing to the general public services of a professional nature such as legal, medical, accounting, and architectural services.
- "Recreational facilities" means public or privately-operated uses such as country clubs, golf courses, swimming pools, or other areas maintained for the purpose of providing active and passive recreation.
- "Religious exercise facility" means any use, building or conversion of real property for the purpose of any exercise of religion, whether or not compelled by, or central to a system of religious belief and shall be considered to be religious exercise of a person or entity that uses or intends to use the property for that purpose.
- uu)vv) "Residence" see "Dwelling."
- <u>vv)ww)</u> "Restaurant" means a business establishment where food and beverages are prepared and presented for human consumption on the premises.
- ww)xx) "Retail stores" means stores primarily engaged in selling merchandise for personal or household consumption and in rendering services incidental to the sale of goods.
- "Right-of-way" means a strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities, and may include special features required by the topography or treatment such as grade separation, landscaped areas, viaducts and bridges.
- "Secondary school" means an institution that provides secondary education offered after a primary school and before higher, optional education. Secondary schools may also be referred to as junior high, middle, senior high, or high schools and may include public, alternative, technical, vocational, private, or parochial schools.
- "Similar use" means a use not specifically listed in any of the permitted building or use classifications of any district, but which may be found analogous and added to the classification, according to the procedures and requirements of Section 1127.02(e).
- "Street" or "thoroughfare" means a public way for the purpose of vehicular travel, including the entire area within the right-of-way.
- bbb)ccc) "Structure" means anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground, including, among other things, walls, buildings, and patios. "Structure" does not include fences.
- ccc)ddd) "Structural alteration" means any change which would replace or tend to prolong the life of a supporting member of a structure, such as bearing walls, columns, beams, or girders.
- "Use" means the purpose for which a building is arranged, designed, or intended, or for which either land, lot, piece or parcel thereof or a building located thereon or may be occupied or maintained.
- eee)fff) "Variance" means a modification from the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of action by the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.
- fff)ggg) "Yard" means a required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general level of the graded lot upward.

- (1) "Front yard" means that portion of a lot extending across the front of the lot between the side lot lines and being the minimum horizontal distance between the street right-of-way and the front of the building or structure.
- (2) "Rear yard" means that portion of a lot extending across the rear of the lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the rear of the building or structure.
- (3) "Side yard" means that portion of a lot that is located between the side lot line and the nearest building or structure.
- ggg)hhh) "Zoning permit" means an official statement certifying that a proposed building or use complies with all the provisions of this Zoning Code.
- hhh)iii) "Zoning district" means a portion of the VillageCity within which certain regulations and requirements or various combinations thereof apply under the provisions of this Zoning Code.
- <u>iii)jjj</u> "Zoning district map" means the zoning district of the <u>VillageCity</u>, together with all amendments subsequently adopted by <u>VillageCity</u> Council.
- <u>ijjj\kkk)</u> "Zoning Inspector" means the zoning enforcement officer of the VillageCity, hired by the VillageCity Council who is charged with the duty of enforcing the provisions of the Zoning Code.
- kkk)|||| "Zoning Ordinance" or "this Ordinance" means Ordinance 20-90, passed June 19, 1990, as amended, which is codified as Titles One to Five of this Part Eleven Planning and Zoning Code.
- "Marijuana" means recreational or medical marijuana, as defined in ORC 3719.01, that is cultivated, processed, dispensed, tested, possessed, or used for a medical or recreational purpose. In accordance with Chapter 1127 of the Codified Ordinances, the cultivation, processing and dispensing of recreational or medical marijuana shall not be permitted in any zoning district within the city.

(Ord. 20-90. Passed 6-19-90; Ord. 72-92. Passed 12-15-92; Ord. 30-2001. Passed 8-21-01; Ord. 08-2006. Passed 9-5-06; ; Ord. O-07-2015. Passed 3-3-15; Ord. O-19-2017. Passed 11-28-17; Ord. O-03-2022. Passed 3-1-22; Ord. O-04-2022. Passed 3-1-22; Ord. O-24-2024. Passed 1, 8-6-24.)

PART ELEVEN - PLANNING AND ZONING CODE TITLE THREE - ZONING DISTRICTS AND REGULATIONS CHAPTER 1153 LI LIMITED INDUSTRIAL AND GE GENERAL EMPLOYMENT DISTRICTS

CHAPTER 1153 LI LIMITED INDUSTRIAL AND GE GENERAL EMPLOYMENT DISTRICTS¹

1153.01 PURPOSE.

- (a) These regulations are established to provide for a range of industrial and other employment-generating activity, while protecting the health, safety and welfare of the users of the district and residents of the City. Two (2) separate industrial districts are established.
 - (1) <u>LI Limited Industrial District</u>. This district provides areas where most industrial and industrial related activities may locate. Retail activities are limited and residential uses are prohibited. The district is intended for areas which are primarily undeveloped, having larger lots and irregular block patterns.
 - (2) <u>GE General Employment District</u>. This district provides areas for a wider range of employment opportunities. The district allows for a more restricted range of industrial activities, but a wider range of office, business and retail uses. As with the LI District, this district is intended for areas which are primarily undeveloped.
- (b) Nothing in this Chapter shall limit the authority of City Council to also adopt a limited overlay district in the LI-Limited Industrial or GE General Employment District as provided in Chapter 1160.

(Ord. 08-2006. Passed 9-5-06; Ord. 07-2007. Passed 2-20-07; Ord. 20-2008. Passed 7-15-08; Ord. O-15-2011. Passed 8-16-11; Ord. O-07-2015. Passed 3-3-15.)

1153.02 PERMITTED AND CONDITIONAL ACTIVITIES.

Permitted and conditional activities in each district are as shown on the following table. Descriptions and characteristics of activity categories listed are contained in Section 1153.03.

Activity	District		
	LI	GE	
Industrial Categories			
Industrial Product Sales	Р	С	
Industrial Service	Р	С	
 Industrial Manufacturing and Assembly 	С	С	
Manufacturing and Production	Р	Р	
Warehouse and Distribution	Р	P	
Research and Production	Р	Р	
General Office Activities & Data Centers	С	Р	
Personal Service	С	P	

¹Cross reference(s)—Districts established - see P. & Z. Ch. 1125; Noxious or offensive odors - see GEN. OFF. 521.09

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Retail Product Sales and Service	C	P
Vehicle Service	P	Р
Other Activities		
Radio/Television Broadcast Facility	Р	С
Off-Premises Signs	Р	Р
Sexually Oriented Businesses	N	Р
Religious exercise facilities and related uses	P	Р
Car fleet and truck fleet parking	С	С
Park-and-Ride Facility	P	Р
Limited Educational Institutions	N	С
P = Permitted Activity		
C = Conditional Activity		
N = Not Permitted or Conditional		

(Ord. 36-2003. Passed 1-13-04; Ord. 08-2006. Passed 9-5-06; Ord. 07-2007. Passed 2-20-07; Ord. 20-2008. Passed 7-15-08; Ord. O-15-2011. Passed 8-16-11; Ord. O-15-2013. Passed 6-4-13; Ord. O-07-2015. Passed 3-3-15; Ord. O-16-2021. Passed 4-20-21; Ord. O-03-2022. Passed 3-1-22.)

1153.03 ACTIVITY CATEGORIES FOR INDUSTRIAL AND GENERAL EMPLOYMENT DISTRICTS.

(a) Industrial and General Employment Categories.

(1) Industrial product sales.

- A. <u>Characteristics</u>. Firms are involved in the sale, rent or lease of products generally intended for industrial or commercial users. Sales may be wholesale or retail. Emphasis is on on-site sales or order taking and may include display areas. Products may be delivered to the customer.
- B. <u>Accessory activities</u>. Accessory activities may include administrative offices, product repair, and warehouses.
- C. <u>Examples</u>. Industrial product sales activities may include: sale of machinery, and equipment, special trade tools, electrical supplies, janitorial supplies, restaurant equipment, office furniture, and store fixtures. Industrial product sales also include industrial equipment and vehicle rentals.
- D. <u>Exceptions</u>. Firms that primarily engage in retail sales to the general public are classified as retail product, sales and service.

(2) Industrial service.

- A. <u>Characteristics</u>. Firms are engaged in the repair or servicing of industrial, business or consumer machinery, equipment or products. Few customers especially the general public, come to the site.
- B. <u>Accessory activities</u>. Accessory activities may include administrative offices.
- C. <u>Examples</u>. Industrial service activities may include welding shops; machine shops; tool and appliance repair; electric motor repair, truck and large equipment repair, storage and salvage; headquarters for building, heating, plumbing, or electrical contractors; printing, publishing and blueprinting; janitorial and building maintenance services; laundry, dry-cleaning, and carpet cleaning plants; and photofinishing laboratories.

(3) <u>Industrial manufacturing and assembly.</u>

- A. <u>Characteristics.</u> Firms are involved in heavy manufacturing, processing, fabrication, packaging, or assembly of goods for industrial or construction industries. Raw, secondary, or partially completed materials may be used. Goods are generally not displayed or sold on-site. Relatively few customers come to the manufacturing site.
- B. <u>Accessory activities.</u> Accessory activities may include administrative offices, cafeterias, employee recreational facilities, warehouse, storage yards, outlets, and caretaker's quarters. Retail outlets as an accessory to industrial manufacturing and assembly plants shall be treated as retail product sales and service.
- C. Examples of heavy industrial manufacturing and assembly include, but are not limited to, metal stamping; pressing and buffing; tool and die shops; machine, sheet metal and welding shops; construction related and building material manufacturing (including milling, planning and joining); vehicle and/or vehicle part manufacturing and fabrication; construction equipment and/or construction equipment part manufacturing; recycling or creation of materials, textiles, lumber, paper, rubber, batteries, etc.

(4) Manufacturing and production.

- A. <u>Characteristics</u>. Firms are involved in the manufacturing, processing, packaging, or assembly of goods or materials using clean or advanced automated or semi-automated technology. Raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on-site. Relatively few customers come to the manufacturing site.
- B. <u>Accessory activities</u>. Accessory activities may include administrative offices, cafeterias, employee recreational facilities, warehouse, storage yards, outlets, caretaker's quarters, scientific research facilities, and medical and dental laboratories. Retail outlet as an accessory to manufacturing plants shall be treated as retail product sales and service.
- C. <u>Exceptions</u>. Manufacturing of goods to be sold primarily on-site and to the general public are classified in the retail product sales and service category. Manufacturing of products related to research activities under Section 1153.03(a)(5).

(5) Warehouse and distribution.

- A. <u>Characteristics</u>. Firms are involved in the movement, storage and/or sales of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer. The category includes wholesale sales which are not open to the general public and where onsite sales are low.
- B. <u>Accessory activities</u>. Accessory activities may include administrative offices, truck fleet parking and maintenance areas, repackaging of goods, and showrooms or display areas, but generally not for direct sale.
- C. <u>Examples</u>. Warehouse and distribution firms may include warehouse used by retail stores such as furniture and appliance stores; food and hardware distributors; household moving and general freight storage; distribution of industrial items; building materials, plumbing and electrical distributors; truck terminals; parcel services; major post offices; mail order houses; and public mini-warehouses.

(6) Research and production.

- A. Characteristics. Firms engaged in research, synthesis, analysis, development and testing laboratories, including the fabrication, assembly, mixing and preparation of equipment, materials (raw and processed) and components incidental or convenient or necessary to the conduct of such activities. The category also includes production facilities that require the continual or recurrent application of research knowledge and activity as an integral part of the manufacturing process. Such production facilities may produce commercial quantities of products intended for wholesale sales and distribution. An allowed use in this district shall operate entirely within an enclosed structure, emitting no vibrations, dust, smoke, noxious gas, odor or toxic fumes. Noise shall not be emitted past the property limits, if such sound levels exceed typical traffic background noise.
- B. <u>Accessory activities</u>. Accessory activities may include administrative and executive offices for personnel engaged in general administrative, supervisory, purchasing, accounting and other functions related to office operations.
- C. <u>Examples</u>. Firms engaged in pharmaceutical, food science, life science, medical, research, production, development, clinical testing facilities, synthesis, analysis, development, pharmaceutical compounding and testing laboratories; technology and biotechnology firms.
- D. HVAC equipment, emergency power systems and similar operating equipment shall be screened from public rights-of-way and residential districts in accordance with Chapter 1171 of these Codified Ordinances.

(b) Sales and Service Categories.

- (1) General office activities and data centers.
 - A. <u>Characteristics</u>. Firms where activities are conducted in an office setting and generally focus on business or personal services. If the office activity is part of a larger firm, it does not need to be on the same site as the primary activity. Most people coming to the site are employees.
 - B. <u>Accessory activities</u>. Accessory uses may include: cafeterias, health facilities, or other amenities primarily for the use of employees in the firm or building.
 - C. <u>Examples</u>. Examples include professional services such as lawyers, accountants, engineers, or architects; financial businesses such as brokerage houses, lenders, or realtors; data-processing; sales offices; industrial or commercial company headquarters when not adjacent with other portions of the firm; and government offices.

(2) Personal service.

- A. <u>Characteristics</u>. These establishments provide on-site personal services or entertainment to the general public or business person.
- B. <u>Accessory activities</u>. Accessory uses may include administrative offices, product sales and laboratories.
- C. <u>Examples</u>. Examples include barbers, hair salons and personal care services; banks, savings and loans, and credit unions; continuous entertainment activities such as arcades, bowling alleys, ice rinks libraries, and museums; cafes, restaurants, bars, and taverns, day care facilities; laundromats; business and trade schools; dance and martial arts schools; health clubs, gyms, racquet centers, membership clubs, and lodges; medical related offices such as doctors, dentists, optometrist and veterinarians; public service agencies such as employment offices, social service agencies, and permit issuing offices.
- (3) Retail product sales and service.

- A. <u>Characteristics</u>. Firms are involved in the sale, lease or rent of used products or goods to the general public and/or provide on-site product repair or services for consumer and business goods. Goods are displayed and sold on-site, and use or consumption is primarily off-site. Goods are generally taken off-site by the customer at the time of sale or may be delivered by the firm. For items being serviced, customers generally deliver and pick up the items and spend little time at the site.
- B. Accessory activities. Accessory uses may include: offices, storage and display of goods.
- C. <u>Examples</u>. Examples include stores selling apparel, housewares, furniture, hardware, auto parts, flowers, personal care items, sporting goods, office products and machines, and computers; food, produce or meat markets; delicatessens and caterers; tool rental and household moving centers; sales of cars, motorcycles, boats, and recreational vehicles; repair of TVs, appliances, shoes, precision instruments, and business machines; laundry or dry cleaning drop-off; on-site launderer; photo drop-off; quick printing or reproducing; tailors; locksmiths; upholsterers; and furniture refinishing.

D. Exceptions.

- 1. Lumber yards and similar building material sales which sell primarily to contractors and do not have a retail orientation are classified in the industrial product sales category.
- Repair and service of consumer vehicles is classified in the vehicle service category. Repair
 of motor vehicles in conjunction with vehicle sale is classified in the vehicle service
 category.
- 3. Repair and service of industrial vehicles and equipment is classified in the industrial service category.

(4) Vehicle services.

- A. <u>Characteristics</u>. Firms servicing automobiles, light trucks and other consumer vehicles such as motorcycles, boats and recreational vehicles.
- B. <u>Accessory activities</u>. Accessory uses may include offices and sales of parts.
- C. <u>Examples</u>. Examples may include gas stations, vehicle repair, auto body shop, alignment shop, auto upholstery shop, tire sales and mounting, towing and vehicle storage; and surface or garage fee parking.

(c) Other Activity Categories.

- (1) Radio or television broadcast facility. Characteristics. Any and all devices, equipment, machinery, structures or supporting elements necessary to produce nonionizing, electromagnetic radiation within the range of frequencies from one hundred (100) KHz to three hundred (300) GHz and operating as a discrete unit to produce a signal or message.
- (2) Off-premises signs. Subject to regulations of Section 1169.08.
- (3) Sexually oriented businesses as defined, regulated and licensed by Chapter 743 entitled "Sexually Oriented Business Establishments" provided the proposed location of such use is more than seven hundred fifty (750) feet (as measured from property line to property line) from all of the following uses:
 - A. Any other place licensed to operate a sexually oriented business.
 - B. Any elementary school, middle school or high school.

- C. Any child day-care center or nursery school.
- D. Any park, playground, playfield or community center publicly owned or operated.
- E. Any residential use or residential zoning district.
- F. Any place licensed for the sale of beer or intoxicating liquor for consumption on the premises.
- G. Any place of worship.
- H. Any public library.
- (4) Religious exercise facilities and related uses.
- (5) Fleet parking. Shall only be used to park car fleets and truck fleets (fleet parking) providing services directly to and for the benefit of a primary business located on a contiguous real estate parcel as set forth herein. In addition to meeting all of the requirements of this chapter, fleet parking shall also require conditional use approval pursuant to Chapter 1115 of this Zoning Code.
 - A. Characteristics. Fleet parking is permitted only as a conditional use and only when used in conjunction with a contiguous parcel containing the primary business served by the fleet parking (primary business parcel). For the purposes of this chapter, contiguous shall mean that the proposed fleet parking parcel shares a contiguous boundary with the primary business parcel for a continuous length of at least fifteen percent (15%) of the perimeter of the property upon which fleet parking is proposed. The fleet parking parcel cannot be used as a junkyard, salvage yard, impound lot, or similar facility, or for car or truck vehicle repair or service, even if the permitted business use would allow such activities on the primary business parcel.
 - B. <u>Location</u>. Fleet parking shall be located on a parcel which is contiguous with the parcel that contains a permitted primary business associated with the parking area;
 - C. <u>Justification</u>. In addition to the conditional use provisions set forth in Chapter 1115 of this Zoning Code, an applicant for fleet parking must also demonstrate to the Planning Commission that sufficient space for fleet parking does not exist on the primary business parcel, and that it is not practicable to combine the proposed fleet parking parcel with the primary business parcel;
 - D. <u>Setbacks</u>. Fleet parking shall be set back from the public right-of-way at least forty (40) feet; and
 - E. <u>Landscaping</u>. Landscaping shall be provided as follows, subject to the approval of the City Landscape Architect or designee:
 - 1. Car fleet parking:
 - A minimum three (3) foot tall mound but no greater than five (5) feet tall, shall be provided between the public right-of-way and parking area. The mound shall have a slope no steeper than 4:1 on that part of the slope that abuts the parking area. The mound shall have a slope no steeper than 9:1 that part of the slope that abuts the public right-of-way. If necessary due to site constraints and upon a showing of extenuating circumstances, the Planning Commission may approve a steeper slope as part of the conditional use approval for only that part of the slope that abuts the abuts the public right-of-way. In no instance, however, shall the Planning Commission approve a slope steeper than 6:1 for that part of the slope.
 - b) The mound shall be planted with deciduous shade trees at the rate of ten (10) trees per one hundred (100) linear feet. Some evergreen trees may be used as appropriate in the context of the location and to the design intent of the site,

- subject to City Landscape Architect approval. Trees shall be planted with random spacing (naturalized) within tree groupings approximately eight (8) to fifteen (15) feet on center.
- Trees planted on the mound facing public right-of-way shall be located as follows: Trees shall be planted in naturalized massings. Massings shall include no less than three (3) trees and no more than twenty-five (25) trees. No more than ten percent (10%) of massings shall include three (3) trees and no less than fifty percent (50%) of massings shall include less than eight (8) trees. Massings shall be separated by varying distances, from twenty (20) feet to fifty (50) feet. Massings shall be planted on upper ½ of mound, but staggered along contours to avoid the impression that trees are planted in a line.
- d) Tree species shall be native to central Ohio and varied to promote diversity as follows: no given species shall account for more than twenty percent (20%) of the overall quantity of trees. At least five (5) different species shall be used. Tree plant lists must be submitted for review.

2. Truck fleet parking:

- a) A minimum nine (9) foot mound but no greater than fifteen (15) foot tall shall be provided between the public right-of-way and parking area. The mound shall have a slope no steeper than 4:1 on that part of the slope that abuts the parking area. The mound shall have a slope no steeper than 9:1 that part of the slope that abuts the public right-of-way. If necessary due to site constraints and upon a showing of extenuating circumstances, the Planning Commission may approve a steeper slope as part of the conditional use approval for only that part of the slope that abuts the public right-of-way. In no instance, however, shall the Planning Commission approve a slope steeper than 6:1 for that part of the slope.
- b) The mound shall be planted with deciduous shade trees at the rate of twelve (12) trees per one hundred (100) linear feet. Some evergreen trees may be used as appropriate in the context of the location and to the design intent of the site, subject to City Landscape Architect approval. Trees shall be planted with random spacing within tree groupings approximately eight (8) to fifteen (15) feet on center.
- c) Trees planted on the mound facing public right-of-way shall be located as follows: Trees shall be planted in naturalized massings. Massings shall include no less than three (3) trees and no more than twenty-five (25) trees. No more than ten percent (10%) of massings shall include three (3) trees and no less than fifty percent (50%) of massings shall include less than eight (8) trees. Massings shall be separated by varying distances, from twenty (20) feet to fifty (50) feet. Massings shall be planted on upper ½ of mound, but staggered along contours to avoid the impression that trees are planted in a line.
- d) Tree species shall be native to central Ohio and varied to promote diversity as follows: no given species shall account for more than twenty percent (20%) of the overall quantity of trees. At least five (5) different species shall be used. Tree plant lists must be submitted for review.

- (6) <u>Park-and-ride facility</u>. A facility providing daily parking as the principle use which may include accessory shelters for mass transit passengers or carpooling that typically includes parking lots and associated structures located along or near public transit routes.
- (7) <u>Limited educational institutions.</u>
 - A. <u>Characteristics.</u> Facilities offering educational courses and having no rooms regularly used for housing or sleeping of students, including:
 - 1. Secondary schools.
 - 2. Higher education institutions including junior colleges, community colleges, colleges, and universities.
 - B. <u>Accessory activities.</u> Ancillary uses typical of that found on a school campus including, but not limited to, parking lots, signs, gymnasiums, auditoriums, cafeterias, administrative offices, and indoor or outdoor recreational facilities.

(Ord. 36-2003. Passed 1-13-04; Ord. 08-2006. Passed 9-5-06; Ord. 07-2007. Passed 2-20-07; Ord. 20-2008. Passed 7-15-08; Ord. O-15-2011. Passed 8-16-11; Ord. O-15-2013. Passed 6-4-13; Ord. O-07-2015. Passed 3-3-15; Ord. O-16-2021. Passed 4-20-21; Ord. O-03-2022. Passed 3-1-22.)

1153.04 LOT AND YARD REQUIREMENTS.

- (a) <u>Minimum Lot Area</u>. No minimum lot area is required in the LI or GE Districts; however, lot area shall be sufficient to provide for all yards and distances as required by this Zoning Code.
- (b) <u>Lot Width</u>. All lots shall abut a public or private street and have adequate lot width to provide for yards and distances as required by this Zoning Code.
- (c) <u>Side Yards</u>. For any structure or service area within the LI or GE Districts, the required side yard shall be not less than twenty-five (25) feet from any interior lot line.
- (d) Rear Yards. For any structure or service area within the LI or GE Districts, the required rear yard shall not be less than twenty-five (25) feet from any interior lot line.
- (e) <u>Maximum Lot Coverage</u>. For structures and paved areas within the LI or GE Districts the maximum lot coverage shall be seventy-five percent (75%). The remainder of the site shall be landscaped in natural vegetation.
- (f) <u>Distance From Residential Districts</u>. In no case shall any structure, service area, or parking area in any LI District be located less than fifty (50) feet from any district where residences are a permitted use. In no case shall any structure, service area or parking area in any GE District be located less than fifty (50) feet from any district where residences are a permitted use.
- (g) Elimination of Setbacks. In the event that a parcel zoned GE or LI District and an adjacent parcel zoned GE or LI District (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 set forth in this chapter shall no longer apply where these parcels' lot lines abut on Ohio county boundaries.

(Ord. 08-2006. Passed 9-5-06; Ord. 07-2006. Passed 2-20-07; Ord. 20-2008. Passed 7-15-08; Ord. O-15-2011. Passed 8-16-11; Ord. O-07-2015. Passed 3-3-15; Ord. O-14-2018. Passed 6-19-18.)

1153.05 ARCHITECTURE

(a) Except as otherwise expressly provided in this Chapter, this section shall apply in the Limited Industrial (LI) and General Employment (GE) Districts in addition to the provisions of the Architectural Review Overlay District in Chapter 1157, including the New Albany Design Guidelines and Requirements (DGRs) as provided in Section 1157.01.

(1) 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.
- H. Service areas and loading docks shall be screened to limit visibility from off-site.
- When a building is designed for retail use, commercial storefront design shall employ the use of traditional features, including a bulkhead, display window, and transom.
- J. Office buildings shall be designed to have an equal degree of design and finish on all sides/elevations. Building additions, whether attached or detached, shall be complementary in design.
- K. Warehouse/distribution buildings shall be designed to be harmonious in character with other warehouse/distribution buildings on the campus. Façade colors and materials shall be coordinated to complement each other.
- L. Buildings should be sited in relationship to each other to provide convenient pedestrian connections between each building.

(2) 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.

(3) 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. 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).
- C. 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.
- D. 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. Solar energy systems shall be excluded from the requirements of this section.
- E. Building color palettes shall be simple and unobtrusive. Buildings shall avoid overly bright and jarring colors.
- (4) Regulations for Advanced Fabric Structures: A site with a development proposal on a single parcel or multiple contiguous parcels containing at least three hundred (300) acres shall be permitted to include Advanced Fabric Structures as primary or accessory buildings. "Advanced Fabric Structures" shall be defined to mean "a clear-span building with a durable, tensioned fabric used as the primary exterior finish material for its roof, all or some of its exterior facades, or both." When installed, such structures shall comply with the following:
 - A. Utilize tensioned fabric that is certified by its manufacturer as having a useful life of at least twenty (20) years and being able to withstand wind speeds of at least one hundred (100) miles per hour.
 - B. Have a building substructure that consists of aluminum, steel, or some other metallic materials to ensure durability and longevity for the building.
 - C. Have a climate-controlled interior.
 - D. Not exceed sixty-five (65) feet in height at the highest point of the roof.
 - E. Not be required to include windows if the lack of windows is needed for security reasons and/or for temperature control.
 - F. Must adhere to the building and pavement setback requirements of this zoning district, or any limitation text that applies to the property on which they are located, whichever is more restrictive.
- (b) The provisions of the New Albany Design Guidelines and Requirements (DGRs), provided in Section 1157.01, shall not apply to warehousing, distribution, manufacturing, industrial, research and production facilities, and data centers in the Limited Industrial (LI) District and General Employment (GE) District.

1153.065 EXTERIOR DEVELOPMENT.

- (a) <u>Exterior Operations</u>. Exterior operations include: outdoor processing, assembly or fabrication of goods; movement of bulk goods not in containers or pipelines; maintenance, repair and salvage of equipment. Exterior operations shall not be permitted in the GE District.
- (b) Exterior Storage. Exterior storage includes the outdoor storage of: raw or finished goods (packaged or bulk) including gases, chemicals, gravel, building materials; packing materials; salvage goods; machinery; equipment; damaged vehicles, etc. Exterior storage shall be permitted in the LI District but not permitted in the GE District, unless an acceptable plan for screening such storage is submitted to and approved by the Planning Commission.
- (c) Exterior Display. Exterior display includes the display of products, vehicles, equipment and machinery for sale or lease. Display items are intended to be viewed by customers and are not just being stored or parked. Exterior display does not include damaged vehicles, vehicles or equipment being serviced, bulk goods and materials, or other such products. Exterior display shall not be permitted in the LI District but shall be permitted in the GE District.

(Ord. 08-2006. Passed 9-5-06; Ord. 07-2007. Passed 2-20-07; Ord. 20-2008. Passed 7-15-08; Ord. O-15-2011. Passed 8-16-11; Ord. O-07-2015. Passed 3-3-15.)

1153.076 OFF-SITE IMPACTS.

No land or structure in the LI or GE Districts shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district. Such impacts may result from noise, vibration, odor, smoke or dust, or glare. Statements in writing that such uses comply or will comply with such uses may be required by the Planning Commission from the owner. In cases of doubt, the Municipality shall select and arrange for an independent survey by a professional engineer qualified in the particular field and the costs for such service shall be paid by the owner.

- (a) Noise. The sound pressure level of any operation on a lot within the LI or GE Districts shall not exceed the average intensity of street traffic noise in the nearest residential districts, and no sound shall be objectionable due to intermittence, best frequency or shrillness.
- (b) <u>Vibration</u>. No vibrations which are perceptible without the aid of instruments shall be permitted, as measured on the lot within the non-industrial district.
- (c) Odor. No emission of odorous matter in any quantities so as to produce a public nuisance shall be permitted, as measured on the lot within the non-industrial district.
- (d) <u>Dust and Smoke</u>. The emission of smoke, soot, fly ash, fumes, dust or other types of pollutants borne by the wind shall be controlled so that the rate of emission and quantity deposited do not create a public nuisance, as measured on the lot within the non-industrial district.
- (e) <u>Glare</u>. Exterior lighting shall be used in a manner that produces no glare on public highways or non-industrial zoned land.

(Ord. 08-2006. Passed 9-5-06; Ord. 07-2007. Passed 2-20-07; Ord. 20-2008. Passed 7-15-08; Ord. O-15-2011. Passed 8-16-11; Ord. O-07-2015. Passed 3-3-15.)

PART ELEVEN - PLANNING AND ZONING CODE TITLE THREE - ZONING DISTRICTS AND REGULATIONS CHAPTER 1157 ARD ARCHITECTURAL REVIEW OVERLAY DISTRICT

CHAPTER 1157 ARD ARCHITECTURAL REVIEW OVERLAY DISTRICT¹

1157.01 ADOPTION.

There is hereby adopted and incorporated by reference, the New Albany Design Guidelines and Requirements (DGRs), as if set out at length herein.

Section 1: Design Principles and American Architectural Precedent

Section 2: Village Center Residential

Section 3: Village Center Commercial

Section 4: Existing Buildings

Section 5: Residential Outside Village Center

Section 6: Commercial Outside Village Center

Section 7: Isolated Sites

Section 8: Civic & Institutional Buildings

Section 9: Small Cell Design Guidelines and Requirements

(Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.02 PURPOSE.

- (a) The City of New Albany contains numerous architectural and environmental assets that establish an environmental character. This environmental character is directly linked to the economic, social, historical and cultural health and well being of the community. The purpose of the Architectural Review District is to protect and preserve these assets, by regulating the architectural characteristics of structures and their surroundings, as well as the preservation and protection of buildings of architectural or historical significance throughout the City. The Architectural Review District has also been created to recognize, preserve and enhance the architectural and historical character of the community and to prevent intrusions and alterations within the established zoning districts which would be incompatible with their established character.
- (b) The Architectural Review District is an Overlay District. This means that the requirements of this chapter are requirements which must be met in addition to the established requirements and standards of the base district over which the Architectural Review District is placed.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

¹Cross reference(s)—Historic Village District - see P. & Z. Ch. 1135

1157.03 DEFINITIONS.

As used in this chapter, the following words shall be defined as:

- (a) "Applicant" means any person, persons, association, organization, partnership, unit of government, public body or corporation who applies for a certificate of appropriateness in order to undertake an environmental change within the District.
- (b) "Board" means the Architectural Review Board of the City of New Albany.
- (c) "Certificate of Appropriateness" means a certificate authorizing any environmental change within the Architectural Review District.
- (d) "Design Guidelines and Requirements (DGRs)" means the building, construction and design standards that apply to any environmental change within the City of New Albany. The Design Guidelines and Requirements shall have the force and effect of law.
- (e) "District" means the Architectural Review Overlay District.
- (f) "Environmental change" means new construction or alterations which change, modify, reconstruct, remove or demolish any exterior features of an existing structure.
- (g) "Hamlet" or "Hamlet Area" means that area defined as a Hamlet in the Strategic Plan of the City of New Albany.
- (h) "Preserve" or "preservation" means the process, including maintenance, or treating of an existing building to arrest or slow future deterioration, stabilize the structure, and provide structural safety without changing or adversely affecting the character or appearance of the structure.
- (i) "Owner" means the owner of record, and the term shall include the plural as well as the singular.
- (j) "Village Center" or Village Center Area" means that area defined as the Village Center in the Village Center Strategic Plan of the City of New Albany.

(Ord. 10-98. Passed 8-4-98; Ord. 12-99. Passed 10-5-99; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11; Ord. O-23-2022. Passed 7-19-22.)

1157.04 DISTRICT BOUNDARIES.

The Architectural Review District shall consist of all zoning districts in the City of New Albany other than the Technology Manufacturing District (TMD) and except as otherwise provided in the Limited Industrial (LI) and General Employment (GE) District. The ARD shall apply to all environmental changes: private, municipal, and to the extent municipal design review is not pre-empted by state or federal law, all other government environmental changes.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11; Ord. O-04-2022. Passed 3-1-22.)



To: Planning Commission

From: City Staff

Re: Wall Sign Measurement Amendment to the Codified Ordinances

Date: August 18, 2025

Background & Existing Conditions

Enclosed is the proposed codified ordinance modification to chapter 1169.08(c) "Sign Area and Other Measurement Calculations." Based on the amount of recent wall sign variance requests for larger and a greater quantity of these signs in the Licking County portion of the business park, the Board of Zoning Appeals directed the city staff to research and propose code updates. In January of this year, city council approved a wall sign amendment to allow commercial wall signs to be a maximum of 200 square feet. While this cut down the variance requests, staff evaluated changing the definition of how all wall signs are measured including commercial, institutional, retail, etc.

Recommendation

Based on recently approved variance requests, staff and the Board of Zoning Appeals concluded that revising the way wall signs are measured should help reduce the amount of variance requests even further. City staff acknowledge that there will still be sign variance requests but staff and the BZA feel it is appropriate to consider those on a case-by-case basis. The specific modification is included below and a redline copy is also attached to this memo.

1169.08(c)

Current Text: (c) The area of the letters, numbers or emblems mounted on a building wall or wall extension shall be computed by enclosing such letters, numbers or emblems with an imaginary rectangle around the letters, numbers or emblems, and determining the area.

Proposed Text: (c) The area of the letters, numbers, or emblems mounted on a building wall or wall extension shall be computed by calculating the perimeter surface area of the individual elements, excluding any background. Only the perimeter of the letters, numbers, and emblems shall be used in determining the total sign area, as shown in the diagram below.



1169.08 SIGN AREA AND OTHER MEASUREMENT CALCULATIONS.

For the purposes of this chapter, the measurement of sign area and other supporting measurements shall comply with the following standards:

- (a) Sign area shall include the face of all the display areas of the sign not including bracing, framing and structural supports of the sign, unless such support members are made part of the message or face of the sign or are determined by the Village Administrator's designee to be intended solely to make the sign more visible rather than serving any aesthetic or structural purpose.
- (b) For a sign that has two (2) display faces and is perpendicular to a public easement, right-of-way or lot line, the total area of the sign shall be determined by the total area of both sign faces unless otherwise specified. For spherical signs, the sphere shall be bisected by an imaginary line through the center of the sphere, and the surface area of the two (2) half spheres shall be counted as the sign face.
- (c) The area of the letters, numbers or emblems mounted on a building wall or wall extension shall be computed by enclosing such letters, numbers or emblems with an imaginary rectangle around the letters, numbers or emblems, and determining the area.
- (c) The area of the letters, numbers, or emblems mounted on a building wall or wall extension shall be computed by calculating the perimeter surface area of the individual elements, excluding any background. Only the perimeter of the letters, numbers, and emblems shall be used in determining the total sign area, as shown in the diagram below.



- (d) Measurement of Building Frontage. The frontage of a building shall be the width of the facade of the building, excluding any overhang or non-enclosed cover, that faces the principal street or contains the primary entrance, if a building is divided into units, the building unit frontage shall be the width of that unit, as measured from the party wall centerlines, on the frontage of the building.
- (e) Measurement of Lot Frontage. The frontage of a lot shall be the number of linear feet the lot abuts on the principal street. For structures and uses having no direct frontage on public roads, as within shopping centers, frontage shall be counted as the intersection of the building line onto adjacent drives or parking areas.
- (f) Measurement of Ground Sign. The height of ground signs shall be measured from the base of the sign at its point of attachment to the ground to its topmost element. However, if the support of a ground sign is attached to a wall or other man-made base, including a graded earth mound, the sign height shall be measured from the natural grade of the nearest street, drive or parking area.
- (g) <u>Measurement of Sign Location</u>. In determining the location of signs in relation to lot lines, distances shall be measured from the vertical projection of the lot line to the closest point on the sign.

(Ord. O-38-2010. Passed 12-7-10.)