



**New Albany Planning Commission**  
Monday, May 18, 2026 Meeting Minutes - Approved

**I. Call to order**

The New Albany Planning Commission held a regular meeting on Monday, May 18, 2026 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:01 p.m. and asked to hear the roll.

**II. Roll call**

Those answering the roll:

|                                |                                     |
|--------------------------------|-------------------------------------|
| Mr. Neil Kirby                 | present                             |
| Mr. David Wallace              | present                             |
| Ms. Sarah Briggs               | present                             |
| Mr. Bruce Larsen               | absent; <i>arrived at 7:03 p.m.</i> |
| Dr. Taru Saigal                | present                             |
| Council Member Andrea Wiltrout | present                             |

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

Staff members present: Law Director Ben Albrecht, Engineer II Josh Albright, Planner I Kylie Blackburn, Planning Manager Chris Christian, Planner I Jay Henderson, Planner II Sierra Saumenig, Planner I Lauren Sauter, Engineer I Jeremiah Wood, Deputy Clerk Christina Madriguera.

**III. Action on minutes: April 20, 2026**

Chair Kirby confirmed with Law Director Albrecht that, regardless of whether a commission member was present at the meeting, they are qualified to vote on the minutes so long as they believed the minutes are an accurate representation of the meeting.

Chair Kirby asked whether there are any corrections to the minutes. Hearing none, he moved to approve the minutes. Commission Member 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, Dr. Saigal yes, Mr. Wallace abstained from the vote. Having three yes votes the motion passed and the April 20, 2026 meeting minutes were approved as submitted.

Commission Member Larsen arrived at 7:03 p.m.

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

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

Hearing none, he administered the oath to all present who wished to address the commission.

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

Chair Kirby asked whether there were any visitors present who wished to address the commission for an item not on the agenda.

Hearing none, he introduced the first case and asked to hear the staff report.

## **VI. Cases:**

### **CU-26-2026 EdgeConneX Batch Plant Conditional Use**

Request for conditional use to operate an existing batch plant on 12+/- acres at 2675 Clover Valley Road (PID: 095-112056-00.006).

**Applicant: Danis Building Construction Co., c/o Jim Albertson**

Planner I Henderson delivered the staff report.

Chair Kirby asked whether the applicant had anything to add.

The applicant indicated he did not.

Commission Member Saigal asked if the 200-foot distance between the use and the residences is calculated from the property line or from the batch plant itself.

Planner I Henderson responded that it is from the batch plant.

Commissioner Saigal asked how tall the aggregate piles are and how the dust is managed.

Applicant James Albertson responded that they are 15-20 feet tall and that they have an 8-10 foot fence surrounding them. He further responded that the piles are sprayed with water in order to manage the dust.

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

Hearing none, Chair Kirby moved to accept the staff reports and related documents into the record for CU-26-2026. Commission Member Saigal 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, Dr. Saigal yes, Ms. Briggs yes, Mr. Larsen yes, Mr. Wallace yes. Having five yes votes the motion passed and the documents were admitted to the record.

Commission Member Briggs moved for approval of application CU-26-2026 based on the findings in the staff report with the conditions in the staff report, subject to staff approval. Commission Member Saigal 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, Dr. Saigal yes, Mr. Larsen yes, Mr. Wallace yes, Mr. Kirby yes. Having five yes votes the motion passed and the conditional use extension was granted.

The commission wished the applicant good luck. Thereafter Chair Kirby introduced the next case and asked to hear the staff report.

**FPL-28-2026 Hamlet Phase 3 Final Plat**

Request for approval of the final plat for Phase 3 of the Hamlet development project generally located at the southwest corner of the New Albany Condit Road and Central College Road intersection (PIDs: 222-00675 and 222-00685).

**Applicant: NONA Master Development LLC, c/o Aaron Underhill, Esq.**

Planner I Blackburn delivered the staff report.

Engineer I Wood delivered the engineering report.

Chair Kirby asked if the applicant had anything to add.

Applicant Trish Brown said she had nothing to add and had no conflict with the conditions.

Commission Member Larsen noted that the lots are small and asked for details on the footprint of the houses.

Ms. Brown responded that the details are in process, these will be spec homes. She remarked that it is likely that some homes will have a longer driveway to the garage, and it is likely that some will be front loaded.

Commission Member Larsen continued that he was thinking of future applications for swimming pools etc. He confirmed that the developer will disclose the restrictions attendant to lots of this size.

Commission Member Saigal confirmed that there will be sidewalks on Bluestem, an internal sidewalk on Acer Lane, and she asked whether there is an intended use for the reserve.

Ms. Brown responded that there were no plans for the reserve.

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

Hearing none, Chair Kirby moved to accept the staff reports and related documents into the record for FPL-28-2026. Commission Member Saigal 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, Dr. Saigal yes, Mr. Wallace yes, Mr. Larsen yes, Ms. Briggs yes. Having five yes votes the motion passed and the documents were added to the record.

Commission Member Saigal moved for approval of application FPL-28-2026 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval. Commission Member 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: Dr. Saigal yes, Mr. Larsen yes, Mr. Wallace yes, Mr. Kirby yes, Ms. Briggs yes. Having five yes votes, the motion passed and the final plat was approved.

The commission thanked the applicant. Thereafter, Chair Kirby introduced the third and final case on the agenda and asked to hear from staff

**FDP-31-2026 Donato's Final Development Plan Extension**

Request for an extension of an approved final development plan for a proposed Donato's restaurant on 1.228+/- acres generally located at the southwest intersection of Smith's Mill Road and Beech Road (PID: 093-106512-00.000).

**Applicant: J. Carter Bean Architect**

Planner I Sauter delivered the staff report.

Engineer I Wood stated that the engineering comments remain the same as they were with the initial final development plan.

Applicant Carter Bean spoke in support of the application. He explained that site engineering drawings have been completed, and the applicant is committed to moving forward, but they have not started yet.

Commission Member Wallace asked for the basis for the request for an extension.

Mr. Bean responded that the basis was financial. The success of the restaurant relies on development of the surrounding area. The development of the surrounding area has slowed, thus development of the restaurant has slowed.

Commission Member Briggs asked Mr. Bean to discuss the parking flow; more specifically, how a drive-through client would navigate the development. She further confirmed that there is adequate space for three cars to fit.

Engineer II Albright remarked that the maneuvering lane is 22 feet wide.

Planner I Sauter confirmed that the applicant was providing the required amount of space.

Commission Member Larsen asked what financial metric they are trying to meet prior to moving forward.

Mr. Bean responded that he was not sure exactly.

Chair Kirby confirmed that the applicant is moving forward with other plans, such as spending money on engineering and permitting.

Commission Member Saigal asked whether the conditions from the initial application have been met or are outstanding.

Mr. Bean responded that the engineering conditions have been met.

Commission Member Wallace confirmed the length of the extension, one year, and then confirmed that the applicant understood that this extension was for one year.

Chair Kirby asked if anyone from the public was present to comment on the application. Hearing none, he moved to accept the staff reports and related documents into the record for FDP-31-2026. Commission Member Saigal 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, Dr. Saigal yes, Ms. Briggs yes, Mr. Wallace yes, Mr. Larsen yes. Having five yes votes, the motion passed and the documents were admitted to the record.

Commission Member Saigal moved to approve FDP-31-2026 based on the findings in the staff report with the conditions in the staff report, subject to staff approval. Chair Kirby seconded the motion.

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

Upon roll call: Dr. Saigal yes, Mr. Kirby yes, Ms. Briggs yes, Mr. Wallace yes, Mr. Larsen yes. Having five yes votes, the motion passed and FDP-31-2026 was granted.

The commission wished the applicant good luck. Thereafter Chair Kirby introduced the item of other business and asked to hear from staff,

## **VII. Other business**

### **1. Zoning Code Changes: Home Occupations**

Planning Manager Christian delivered the staff report.

Commission Member Wallace asked whether the intent is to limit any home occupation work to the primary dwelling.

Planning Manager Christian responded that the intent is to clarify that an entire accessory structure can be used for home occupation purposes, while maintaining the limit for home occupations in the primary dwelling.

Commission Member Wallace discussed whether the other criteria applies, b,c,d,and e, when the home occupation is not in the primary and asked what would be the effect of a home occupation not in the primary dwelling.

Planning Manager Christian explained there are existing limits on the square footage of accessory structures.

Commission Member Saigal asked whether a cap can be imposed on a combined dwelling home occupation space.

Planning Manager Christian responded yes.

After further discussion, the commission determined the proposed language conveys the intent.

Council Member Wiltout confirmed that non-compliance would be addressed through code enforcement proceedings.

Chair Kirby noted a typographical error in the language, bullet (h) was crossed out and that occupant should be singular.

Planning Manager Christian agreed that the errors should be corrected.

Commission Member Larsen asked staff how the city would handle home occupations that are in the front yard, such as a shade tree mechanic, or if a person has a wood shop.

Planner I Blackburn responded that existing ordinances limit the number and time of possession of inoperable vehicles.

Chair Kirby noted that the woodshop would need to be disassembled daily.

Commission Member Wallace added that homeowners' associations also have proceedings to regulate home occupations.

There was further discussion regarding use of a pool house as a home office and the impact of the COVID-19 Pandemic.

Commission Member Saigal asked whether the 15% limit applies to accessory structures.

Planning Manager Christian answered that it only applies to the primary structure.

Commission Member Larsen discussed whether there are, and whether there should be, limitations on signage.

Planning Manager Christian answered that existing code permits signage for home occupations, and that it helps people to advertise their small business.

Chair Kirby added that the sign helps wayfinding and lets people know where to enter.

Hearing no further questions, Chair Kirby confirmed with Law Director Albrecht that a separate motion to accept the documents was not needed and that the code changes could be recommended to the city council with a single vote.

Law Director Albrecht agreed.

Chair Kirby moved to approve the code changes to the home occupations ordinance 1165.07, and the conforming amendments to the ordinances referencing 1165.07, as modified. Commission Member Saigal 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, Dr. Saigal yes, Mr. Larsen yes, Ms. Briggs yes, Mr. Wallace yes. Having five yes votes, the motion passed and the code changes were favorably recommended, as modified.

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

Chair Kirby asked for comments from the members.

The commission members confirmed that a separate vote to accept the documents for the code changes was not needed.

Hearing no further comment and having completed their agenda, Chair Kirby adjourned the May 18, 2026 meeting at 7:43 p.m. without objection.

Submitted by: Deputy Clerk Madriguera, Esq.

### **Appendix CU-26-2026**

**Staff Report**  
**Record of Action**  
**FPL-28-2026**  
**Staff Report**  
**Record of Action**  
**FDP-31-2026**  
**Staff Report**  
**Record of Action**  
**Approved Proposed Zoning Code Changes to C.O. 1165.07 and Ordinances Referencing Same**



**Planning Commission Staff Report  
May 18, 2026 Meeting**

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**EDGECONNEX BATCH PLANT  
CONDITIONAL USE**

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LOCATION: Located at 12525 Jug Street Road, west of Clover Valley Road and South of Jug Street Road (PID: 095-112056-00.006)  
APPLICANT: Danis Building Construction c/o Jim Albertson  
REQUEST: Conditional Use  
ZONING: L-GE Limited General Employment District  
STRATEGIC PLAN: Employment Center  
APPLICATION: CU-26-2026

Review based on: Application materials received April 7, 2026.

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*Staff report completed by Javon Henderson, Planner I*

**I. REQUEST AND BACKGROUND**

The applicant requests approval for a conditional use application to allow the temporary use of a concrete batch plant on 12.6+/- acres within the business park to extend operations to provide ready-mix trucks to phase 3 of their operations, ¾ mile up Clover Valley Road. The site was recently rezoned on May 6, 2025, to L-GE and known as the Clover Valley Expansion Zoning District (ZC-10-2025).

The site is currently undergoing operations for the batch plant phases 1 and 2, which were approved as a conditional use on June 16, 2025 (CU-38-2025). This concrete batch plant use falls within the industrial manufacturing and assembly use category; therefore, conditional use review and approval are necessary.

**II. SITE DESCRIPTION & USE**

The overall 12.6+/- acre development site is located on a portion of 12525 Jug Street Road, at the southwest corner of Clover Valley Road and Jug Street Road in Licking County. The site is zoned L-GE and is mostly surrounded by commercially zoned properties also located within the business park, with the exception of the unincorporated residential lots to the northeast.

The proposed use will be located at the southern portion of the site, as shown on the plan. The request is to extend operations for phase 3 of operations for a site ¾ mile up Clover Valley Road. Residential uses are located to the north of the site and will be a minimum of 200 feet away from this use. The site will include an 8-foot-high perimeter fence to screen the temporary plant from the rights-of-way.

The use includes the outdoor storage of materials such as (but not necessarily limited to) stone, sand, and gravel. These materials are used to produce and manufacture concrete and cement on the site. More specifically, a gravity silo cement bin will be utilized to produce poured-in-place concrete. The batch plant will only serve for private purposes specific to this project. The application includes the operation of a bulk cement trailer parked on site. No sales are made from the batch plant.

In requesting the conditional use, the applicant has provided a site plan that demonstrates the intended layout of the batch plant operations.

### III. EVALUATION

The general standards for conditional uses are contained in Codified Ordinance Section 1115.03. The planning commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location meets all of the 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.*
- The applicant proposes a temporary concrete batch plant at the site from June 2026 to December 31, 2028.
  - The current conditional use permit does not allow for the transportation of the ready-mix concrete off-site.
  - The city does benefit from this because the plant will significantly reduce travel distance for large trucks for tasks such as concrete pours and other work for this project.
  - Additionally, the trucks will not be using the truck washouts often during operation, which will minimize the water usage.
  - The limitation text associated with the rezoning of the property places additional requirements above the General Employment (GE) District requirements for the development of the property. These requirements further ensure that the character of the area is preserved and enhanced by future development.
  - The limitation text establishes setbacks that are more stringent than the minimum GE requirements.
  - Per the zoning text, there is a required 25' pavement and 50' building setback along Clover Valley and Jug Street Roads.
    - As shown on the site plan, the aggregate piles will be set back a total of 75 feet from the right-of-way.
  - Per the proposed zoning text, there is a required 25' pavement and building setback from the western boundary.
  - Vehicular access with full turning movements is proposed at the existing curb cut on Clover Valley Road with an access gate. The connection to the existing asphalt will be done using a portion of gravel internal to the site.
  - The applicant has stated that BCEI and DBCC will provide clean roads daily as required and an automatic wheel wash for exiting trucks.
- (b) *The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
- The proposed use complements the manufacturing and production, warehouse, data center, and distribution uses, which are permitted uses within the overall area. The proposed use is appropriate in the context of the surrounding uses, development patterns, and will contribute to the overall success of the Business Park.
- (c) *The use will not be hazardous to existing or future neighboring uses.*
- The use is subject to Codified Ordinance Section 1153.06, which requires that no land or structure within the GE District 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.
    - The applicant, as part of the conditional use statement, has stated that the effects of pollutants or combustible materials and noxious odors will not be emitted by the batch plant.
  - The batch plant's location provides convenient access to construction materials and efficiency for nearby off-site delivery. The location allows trucks to travel on site with materials and reduces traffic coming to and from the site.

- The applicant, as part of the conditional use statement, has noted that traffic would be reduced by an estimated 33%.
- (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.*
- The city has made significant investments in the improvement of roadways in this area. Trucks will travel on Clover Valley Road, and a construction access road will be constructed to provide direct access to the site from the batch plant.
  - Public water will be utilized on site for wheel washes, however, this will be at a minute rate compared to other batch plants in the area. Sanitary sewer services will not be necessary for the batch plant.
  - The proposed industrial manufacturing and assembly use will produce no new students for the Johnstown Monroe Local School District.
- (e) *The proposed use will not be detrimental to the economic welfare of the community.*
- The proposed industrial manufacturing and assembly use generates income tax for the city with its jobs.
  - To maintain a competitive advantage over other locations, and because speed is one of the most important factors when a company is under construction, the operation and location of the batch plant, even though it is temporary in nature, has a positive benefit to the city's economic development goals and indirectly aids its fiscal strength.
- (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.*
- The use will be subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District 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.
- (g) *Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.*
- The applicant will utilize an existing full-access curb cut along Clover Valley Road NW.
  - The infrastructure in this portion of the city is designed to accommodate the traffic associated with commercial uses and construction vehicles.
  - There is no reason to believe that the traffic generated by this use will have any greater impact than traffic for permitted users in the GE district.
  - The applicant has stated that access to and from Clover Valley Road will be designated only for batch plant erection and deliveries of raw material to produce the ready-mix concrete.

#### **IV. ENGINEER'S COMMENTS**

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

#### **V. SUMMARY**

The overall proposal appears to be consistent with the code requirements for conditional uses and meets the development standards and recommendations contained in the Engage New Albany Strategic Plan and the New Albany Economic Development Strategic Plan. The proposed industrial manufacturing and assembly use is consistent with the character of the immediately surrounding area. Additionally, this provides a direct benefit to the city for capital improvement projects for infrastructure and private developments. The site is strategically located so that

vehicles coming to and from the site can use the local business park streets.

The proposal is a temporary conditional use that helps the city achieve the goals and recommendations in the New Albany Economic Development Strategic Plan by supporting additional attracting and encouraging continued growth within the business park. The operation of the proposed batch plant is to cease on December 31, 2028.

## **VI. ACTION**

### **Suggested Motion for CU-26-2026:**

**To approve the conditional use application CU-26-2026 to allow for industrial manufacturing and assembly use for a temporary concrete batch plant based on the findings in the staff report, with the following conditions (additional conditions may be added):**

1. That this currently proposed batch plant will only be in operation until December 31, 2028, or another conditional use is submitted to extend its use past this date.
2. When in use, the road shall be cleaned daily.
3. Wheel wash is required for exiting trucks.
4. The conditional use terminates if the current use changes.
5. There shall be no batch plants within the building setback and no material storage within the pavement setback and easements.
6. The land shall be restored to a similar condition as it previously existed once the batch plant terminates use of this site.

### **Approximate Site Location:**



**Source: NearMap**



May 1, 2025

**Dear Property Owner:**

In accordance with the city of New Albany's codified ordinance section 115.05, when a conditional use is requested, the neighboring property owners located within 200 feet of the subject property are to be notified. This letter is to notify you that Danis Building Construction Co. has requested a **conditional use** to allow for a temporary batch plant on 12.6 acres for the property at 12525 Jug Street Road.

The **New Albany Planning Commission** will conduct a public hearing for this application during its meeting on **May 18, 2026**, beginning at 7:00 p.m., during which formal action on the application will occur.

Members of the public must attend the meeting in-person to participate and provide comments at New Albany Village Hall at 99 West Main Street. The meeting will be streamed for viewing purposes only via the city's website at [newalbanyohio.org/streaming-meetings](http://newalbanyohio.org/streaming-meetings).

Please use the QR code to navigate to the city's boards and commissions dashboard to learn more about the project. If you have any questions, please contact Javon Henderson at [jhenderson@newalbanyohio.org](mailto:jhenderson@newalbanyohio.org) or by calling 614-939-2228.

Sincerely,

A handwritten signature in black ink that reads "Javon Henderson". The signature is written in a cursive, flowing style.

Javon Henderson  
Planner





## **Community Development Department**

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

Dear Danis Building Construction Co.,

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, May 19, 2026

The New Albany Planning Commission took the following action on 05/18/2026 .

#### Conditional Use

**Location:** 2675 Clover Valley Road

**Applicant:** Danis Building Construction Co.,

**Application:** PLCU20260026

**Request:** Request for conditional use to operate an existing batch plant on 12+/- acres at 2675 Clover Valley Road (PID: 095-112056-00.006).

**Motion:** To approve

**Commission Vote:** Motion Approval with Conditions, 5-0

**Result:** Conditional Use, PLCU20260026 was Approval with Conditions, by a vote of 5-0.

Recorded in the Official Journal this

#### Condition(s) of Approval:

1. That this currently proposed batch plant will only be in operation until December 31, 2028, or another conditional use is submitted to extend its use past this date.
2. When in use, the road shall be cleaned daily.
3. Wheel wash is required for exiting trucks.
4. The conditional use terminates if the current use changes.
5. There shall be no batch plants within the building setback and no material storage within the pavement setback and easements.
6. The land shall be restored to a similar condition as it previously existed once the batch plant terminates use of this site.

Staff Certification:

Javon Henderson  
Planner



**Planning Commission Staff Report  
May 18, 2026 Meeting**

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**HAMLET AT SUGAR RUN  
PHASE 3 FINAL PLAT**

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LOCATION: Generally located at the southwest corner of the New Albany Condit Road and Central College Road intersection (PIDs: 222-00675 and 222-00685)  
APPLICANT: NoNA Master Development LLC  
REQUEST: Final Plat  
ZONING: Infill-Planned Unit Development (I-PUD)  
STRATEGIC PLAN: Hamlet Focus Area  
APPLICATION: FPL-29-2026

Review based on: Application materials received on April 17, 2026.

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*Staff report completed by Kylie Blackburn, Planner and Chris Christian, Planning Manager*

**I. REQUEST AND BACKGROUND**

The final plat is for the 3<sup>rd</sup> phase of the Hamlet development. The intent of this plat is to establish the primary road network, 17 residential lots, and 2 reserve areas.

The Planning Commission reviewed the zoning change and preliminary development plan for the property on November 7, 2022 (ZC-104-2022) and the zoning change was adopted by City Council on December 6, 2022 (O-40-2022). The Planning Commission reviewed and approved the final development plan and preliminary plat for the subdivision on September 16, 2024 (FDP-53-2024).

**II. SITE DESCRIPTION AND USE**

Phase 3 of the Hamlet development is generally located at the southwest corner of the New Albany-Condit Road and Central College Road intersection. The property is currently vacant.

**III. PLAN REVIEW**

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

Residential Lots

1. There are 17 residential lots included on the final plat application. The intent of this plat is to establish the primary road network and a limited number of lots within phase 3 of the development. To establish additional residential lots in the future, the applicant must return to the Planning Commission for review and approval of a new final plat. The lots are centrally located within the development and applicable setbacks are shown, consistent with the approved final development plan.

Streets and Rights-of-Way

1. The plat creates two (2) new publicly dedicated streets. All of the new streets meet the right-of-way requirements in the zoning text:

- Bluestem Trace provides access to the subdivision from State Route 605, with 50 feet of right-of-way.
  - Acer Lane, a publicly dedicated alley, with 30 feet of right-of-way.
2. The utility easements are shown on the plat.
  3. Per the city's subdivision regulations, C.O. 1187.04, all new streets shall be named and shall be subject to the approval of the Planning Commission. Acer is the Latin genus name for maple trees, which are native to Ohio. Bluestem is a type of native ornamental grass.
  4. The applicant meets and exceeds the State Route 605 right-of-way dedication requirements.
    - A total of 49.61 feet of right-of-way is being provided along the western portion of State Route 605, where the zoning text only requires 40 feet.

Parkland and Open Space

1. The plat contains two (2) reserve areas shown as Reserve "I" and "J".
  - According to the plat notes, Reserve I shall be owned and maintained by the HOA. This is consistent with the final development plan application.
  - Reserve J shall be owned and maintained by the city of New Albany, consistent with the final development plan.

**IV. ENGINEER'S COMMENTS**

The City Engineer reviewed the referenced plat in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and provided the following comments. Staff recommends a condition of approval that the comments of the city engineer are addressed, subject to staff approval (condition #1).

1. Plat should be reviewed by the Franklin County Engineer's office, and a summary of the County Engineer review comments and the applicant's comment response be provided for our records.
2. Show the Sugar Run flood plain and SCPZ on the plat.
3. Add a flood protection elevation table for all lots impacted by the flood plain.
4. Provide drainage easements in all side yard and rear yard swales, and where storm sewer extends outside the right of way, including underground detention structures.

**VIII. ACTION**

***Basis for Approval:***

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

**Suggested Motion for FPL-29-2026:**

Move to approve final plat application FPL-29-2026 with the following conditions:

1. The City Engineer's comments must be addressed, subject to staff approval.

**Approximate Site Location:**



Source: NearMap

404.692-02  
April 30, 2026

To: Kylie Blackburn  
City Planner

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

Re: Hamlet at Sugar Run Plat  
Phase 3

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

1. Plat should be reviewed by the Franklin County Engineer's office, and a summary of the County Engineer review comments and the applicant's comment response be provided for our records.
2. Show the Sugar Run flood plain and SCPZ on the plat.
3. Add a flood protection elevation table for all lots impacted by the flood plain. 2' of freeboard should be provided.
4. Provide drainage easements in all side yard and rear yard swales, and where storm sewer extends outside the right of way, including underground detention structures.

Brief written comment responses appreciated.

(attachment)

MEF/JMH

cc: Joshua Albright, Engineering Manager  
Jeremiah Wood, Development Engineer



## **Community Development Department**

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

Dear NoNA Master Development LLC,

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

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

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

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

Thank you.



## Community Development Department

### Decision and Record of Action

Monday, May 18, 2026

The New Albany Planning Commission took the following action on 05/18/2026 .

#### Final Plat

**Location:** Southwest corner of the New Albany Condit Rd and Central College Rd intersection

**Applicant:** NoNA Master Development LLC,

**Application:** PLFPL20260029

**Request:** Request for approval of the final plat for Phase 3 of the Hamlet development project generally located at the southwest corner of the New Albany Condit Road and Central College Road intersection (PIDs: 222-00675 and 222-00685).

**Motion:** To Approve with Conditions

**Commission Vote:** Motion Approval with Conditions, 5-0

**Result:** Final Plat, PLFPL20260029 was Approval with Conditions, by a vote of 5-0.

Recorded in the Official Journal this May 18, 2026

#### Condition(s) of Approval:

1. The City Engineer's comments must be addressed, subject to staff approval.
  - Plat should be reviewed by the Franklin County Engineer's office, and a summary of the County Engineer review comments and the applicant's comment response be provided for our records.
  - Show the Sugar Run flood plain and SCPZ on the plat.
  - Add a flood protection elevation table for all lots impacted by the flood plain.
  - Provide drainage easements in all side yard and rear yard swales, and where storm sewer extends outside the right of way, including underground detention structures.

Staff Certification:

Kylie Blackburn  
Planner



**Planning Commission Staff Report  
May 18, 2026 Meeting**

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**DONATOS RESTAURANT  
FINAL DEVELOPMENT PLAN EXTENSION**

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LOCATION: Generally near the intersection of Beech Road and Smith’s Mill Road (PID: 093-106512-00.000)  
APPLICANT: J. Carter Bean Architect  
REQUEST: Final Development Plan Extension  
ZONING: Infill Planned Unit Development (I-PUD): Beech Crossing  
STRATEGIC PLAN: Retail  
APPLICATION: FDP-31-2026

Review based on application materials received May 17, 2024, and April 17, 2026.

*Original staff report prepared by Sierra Saumenig, Planner*

*Updated staff report prepared by Lauren Sauter, Planner*

**I. REQUEST AND BACKGROUND – UPDATE:**

The applicant requests extension of the approval of a final development plan for a proposed Donatos restaurant with an associated drive-through located at the southwest corner of Beech Road and Smith’s Mill Road. The proposed use (a Donatos multi-tenant building with a drive-through) is permitted as a carry-out food and beverage establishment with a drive-through facility.

The Planning Commission approved this application with conditions at its hearing on June 17, 2024 (FDP-36-2024). According to C.O. Section 1159.11, if construction has not begun within two years of approval of the final development plan, all approvals shall be invalidated and canceled; New Albany City Council approved updates to C.O. Section 1159.11 on May 5, 2026, to specify that a one-time extension of approval may be requested by the applicant for review by the Planning Commission, given the applicant documents in writing one of the following:

- a. Financial issues that would alter the expected timeline;
- b. Delay in acquiring a required building or utility permit necessary to carry out the provisions of the final development plan;
- c. Presence of an environmental or other public safety issue; or
- d. Other unique reasons deemed permissible by the Planning Commission.

The applicant requests this extension for financial issues that altered the expected final development plan timeline. The proposed development has not been modified from its original approval; as such, the report and conditions of approval remain unchanged. The conditions of the original submittal still apply and should be included in the motion.

The subject property is zoned for Infill Planned Unit Development (I-PUD) and is located within the Beech Crossing Zoning District, which was reviewed and approved by the Planning Commission on January 22, 2020 (ZC-102-2019).

**II. SITE DESCRIPTION AND USE**

The site is generally located north of State Route 161, south of Smith’s Mill Road and west of Beech Road. The site is 1.22 acres and is currently undeveloped. This is the fifth proposed development for this zoning district. The Planning Commission approved a final development

plan application for Duke and Duchess on October 20, 2020; for Holiday Inn Express on February 19, 2020; and for Taco Bell on August 21, 2023.

### III. EVALUATION

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

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

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

It is also important to evaluate the PUD portion based on the purpose and intent. Per Section 1159.02, PUDs 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 Retail future land use category:

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

**A. Use, Site and Layout**

- 1. The applicant proposes to develop a 6,929-square-foot multi-tenant building with a Donatos restaurant and drive-through. The proposed Donatos utilizes 2,087 square feet of the building and the drive-through would be on the eastern elevation of the proposed building.
- 2. The proposed building also includes patio space in the front for outdoor eating. Staff recommends a condition that allows staff to review changes or modifications to the patio space that would not include changing the size or location that future tenants may request (condition #2).
- 3. The existing total site size is 1.22 acres. The proposed development is in an appropriate location given its proximity to the New Albany Business Park and State Route 161.
- 4. The Beech Crossing I-PUD zoning text places a limitation on total acreage that can be utilized for retail uses in the Beech Road-Smith’s Mill Road area. The intent is to limit retail development to a maximum of 92 acres in this general area. Once 92 acres have been developed with retail uses found in the C-3 and GE zoning districts, the remainder of the land from all of these subareas can only allow non-retail General Employment (GE) zoning district uses listed in their respective zoning texts. This 1.22-acre development is subject to this overall 92-acre retail limitation.
- 5. The development site is accessed by a private road, which was reviewed and approved by the Planning Commission on October 21, 2019 (FDP-72-2019). This private road, Beech Crossing, was constructed by another private developer and each property is to include street trees and a sidewalk along the road. The applicant has proposed a 5-foot sidewalk and street trees.
- 6. According to zoning text section C(1), the applicant is required to install a leisure trail along Smith’s Mill Road. The site plan meets this standard by providing an 8-foot-wide leisure trail within the front yard of the lot along Smith’s Mill Road.

- a) The City Landscape Architect has reviewed the plans and recommends that the applicant modify the trail alignment along Smith’s Mill Road to align with the adjacent site. Staff recommends this as a condition of approval (condition #1a).
- 7. Per zoning text section C(4), the applicant is required to connect the building into the existing pedestrian circulation system. The applicant is meeting this requirement by providing a direct connection into the proposed leisure trail along Smith’s Mill Road and the proposed sidewalk along the outparcel access road, Beech Crossing.
- 8. The zoning text requires that the total lot coverage, which includes all areas of pavement and building, to not exceed 80 percent of the total area. The proposed development is at 67 percent lot coverage, thereby meeting this requirement.
- 9. The PUD zoning text requires the following setbacks from these perimeter boundaries:
  - a. Smith’s Mill Road:
    - i. Required minimum: 75-foot building and 55-foot pavement
    - ii. Proposed: 55+/- foot pavement and 116+/- foot building setback [requirement met]
  - b. Internal Parcel Boundaries (eastern property line):
    - i. Required minimum: 10-foot building and pavement setback
    - ii. Proposed (eastern property line): 10-foot pavement and 68.52-foot building setback [requirement met]
  - c. Outparcel Access Road (western and southern properties lines) (Beech Crossing):
    - i. Required minimum: 15-foot building and pavement setback
    - ii. Proposed southern property line: 15+/- foot pavement and 46.42+/- foot building setback [requirement met]
    - iii. Proposed western property line: 15+/- foot pavement and 65.20+/- foot building setback [requirement met]

**B. Access, Loading, Parking**

- 1. The site is proposed to be accessed from two curb cuts along Beech Crossing.
  - a. The applicant proposes one right-in, right-out access point on the west side of the property and one full-access point on the south side of the property.
    - i. The City Engineer has evaluated the proposed right-in, right-out access and has no concerns.
  - b. Per Beech Crossing zoning text requirement II.B.1(c), as part of a final development plan approval, two vehicular access points along the Outparcel Access Road/Beech Crossing may be permitted for any outparcel with side and rear boundary lines that are contiguous to the Outparcel Access Road, subject to approval of the City Engineer and if supported by a traffic analysis provided by the applicant. The City Engineer may waive the obligation for this traffic analysis. The city’s traffic engineer has reviewed the request for a second access point. They are supportive of allowing the second full access point and have waived the obligation of the traffic analysis.
- 2. Codified Ordinance 1167.05(d)(11) requires a minimum of one parking space for every 200 square feet of gross floor area for retail shopping centers. The building is 6,929 square feet in size; therefore, 35 parking spaces are required. The applicant is providing 35 parking spaces.
- 3. Additionally, the city parking code requires a minimum number of stacking spaces in the drive-through lane to be provided. The required number of drive-through stacking spaces must equal 25 percent of the total required parking spaces for the drive-through tenant space. Based on this calculation, 7 stacking spaces must be provided, and the applicant is meeting this requirement by providing 9.
- 4. Per C.O. 1167.03(a), the minimum parking space dimensions required are 9 feet wide and 19 feet long. The applicant is meeting this requirement.
- 5. Per C.O. 1167.03(a), the minimum maneuvering lane width size is 22 feet for this development type. The applicant is meeting this requirement.

### **C. Architectural Standards**

1. The purpose of the New Albany Design Guidelines and Requirements is to help ensure that the New Albany community enjoys the highest possible quality of architectural design. The zoning text contains architectural standards and the site also falls under Section 6 of the Design Guidelines and Requirements: Commercial Outside Village Center.
2. The zoning text states that buildings with this use shall be a minimum of one story and a maximum of two stories in height, and this requirement is being met as the multi-tenant building is a one-story building.
3. The primary building material for the restaurant is brick, which is a permitted building material in the zoning text.
4. Zoning text section E.4(b) states that all rooftop mechanical units must be screened to limit off-site visibility and sound. The applicant meets this requirement through the use of a parapet wall on all four sides of the building.
5. DGR Section 6(I)(A)(4) states that the number, location, spacing, and shapes of window openings shall be carefully considered, particularly for buildings in retail use, and shall impart a sense of human scale. The applicant meets this requirement.
6. DGR Section 6(I)(A)(6) states that all visible elevations of a building must receive similar treatments in style, materials and design so that no visible side is of a lesser character than any other. The applicant is meeting this requirement by using the same materials on all building elevations.
7. DGR Section 6(I)(A)(12) states that buildings shall have active and operable front doors along all public and private streets. The restaurant fronts Smith's Mill Road to the north and Beech Crossing to the east. The building is designed with active and operable front doors along Smith's Mill Road and one door along Beech Crossing on the east façade of the proposed building. On the south façade of the building facing Beech Crossing, the Donatos space lacks an active and operable door, but the other two spaces have active and operable doors on this side.
8. C.O. 1171.05(b) states that all trash and garbage container systems must be screened, not be located in front yards, and meet the minimum required pavement setbacks. All of these requirements are met, as the applicant proposes to install a dumpster enclosure in the rear of the lot. It meets the minimum pavement setback and is completely screened with a dumpster enclosure and landscaping.

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

1. Per Beech Crossing zoning text requirements G(a) and G(3)(a), a four-board horse fence is required to be installed along Smith's Mill Road. This requirement is met.
2. Per zoning text requirement (G)(3)(b)(i), a minimum of 6 trees per 100 lineal feet must be installed within the required setback area along Smith's Mill Road. The applicant is meeting this requirement by providing 13 trees along their approximately 218 feet of frontage along Smith's Mill Road.
3. Per zoning text requirement G(3)(c), a minimum 3.5-foot-tall landscape buffer must be provided to screen parking areas along all public rights of way. The proposed landscape plan shows that a 3.5-foot-tall landscape buffer installed along the parking areas that are along public rights of way, therefore this requirement is being met.
  - a) The City Landscape Architect has reviewed the plans and has recommends that the applicant add evergreen shrubs (36 inches in height) to screen utilities near the proposed dumpsters. Staff recommends this as a condition of approval (condition #1b).
4. Per zoning text requirement G(3)(d), a landscape buffer is required to be installed within the required setback of any interior side parcel line and shall consist of a 10-foot-tall landscape buffer with grass and landscaping and deciduous trees planted at a rate of 4 trees for every 100 feet of side property line and deciduous shrubs must be planted under the trees. The applicant is required and proposes to install these 12 trees and shrubs along the east side within the 10-foot setback. Therefore, this requirement is being met.

5. Per zoning text requirement G(7), a minimum of one tree for every 10 parking spaces is required and at least 5 percent of the vehicular use area shall be landscaped. The applicant is providing 35 parking spaces and exceeding this requirement by providing 5 trees. Eight percent of the total parking area is landscaped. This requirement is being met.
6. Per zoning text requirement G(8), a master landscape plan was completed as part of the first final development plan. The applicant is providing trees along Smith's Mill Road in a landscape buffer; however, the types of trees and locations are not consistent with the master landscape plan. Staff recommends a condition of approval that the proposed trees should be consistent with what is shown on the master landscape plan (condition #3).
7. General Site Landscaping Requirement:
  - o Codified Ordinance 1171(5)(e) requires parking lots over 20,000 square feet to have a minimum of one tree per 5,000 square feet of ground coverage and a total tree planting equal to 10.5 in tree trunk size for every 2,000 square feet of ground coverage. The applicant states that the internal ground coverage is 35,789 square feet, requiring 7 trees at 14 inches in total caliber (CAL). The applicant proposes to provide 7 trees at 30 inches total CAL, meeting the requirement.

#### **E. Lighting & Signage**

1. Section II(H)(1) of the zoning text requires all parking lot light poles to be downcast and use cut-off type fixtures in order to minimize light spilling beyond the boundaries of the site. Site lighting proposed on the site matches that on the existing Duke and Duchess site and meets the requirements. In addition, a detailed photometric plan was submitted showing that there will be no light spillage from this site.
2. Section II(H)(3) states that all parking lot poles within the entire zoning district shall be black or New Albany Green, be constructed of metal, and not exceed 30 feet in height. The applicant is proposing to use the same black metal poles that are installed at the existing Duke and Duchess site within the development, and they do not exceed 18 feet in height.
3. As part of this final development plan application, the applicant has submitted a sign plan for the site.
4. The applicant proposes installing six wall signs, which is one for each tenant space. Three are on the front elevation (Smith's Mill Road) and three are on the rear elevation (Beech Crossing).
5. The applicant proposes to install one monument sign at the northwest corner of the site along Smith's Mill Road to be consistent with the existing Taco Bell monument sign on the northeast corner of Smith's Mill Road.
6. Staff recommends a condition of approval that the final copy of these proposed signs and future signage is subject to staff approval (condition #4).

#### **Wall Signs**

Zoning text section I(1) permits one wall-mounted sign per retail tenant on each elevation of the building that fronts or sides on a public or private road. The proposed building faces two public streets or private drives; therefore, two wall signs are permitted for each tenant. Additionally, C.O. 1169.15(d) permits a wall sign on each building frontage either on a public or private road, with 1 square foot per linear square foot of building frontage, not to exceed 50 square feet.

#### **Smith's Mill and Beech Crossing Elevation Wall Signs (six identical sign designs and sizes):**

- a. Lettering height: 24 inches [meets code]
- b. Area: 46.67 square feet [meets code]
- c. Location: northern elevation facing Smith's Mill Road and southern elevation facing Beech Crossing
- d. Lighting: external lighting [meets code]
- e. Relief: 2.5 inches [meets code]
- f. Colors: 3 color (white, black, red) [meets code]

- i. The two unoccupied spaces would have the same requirement and are limited to the usage of 4 colors.
- g. Material: aluminum [meets code]
- DGR Section 6(II)(A)(8) states that signage for this building type shall be as simple and unobtrusive as possible and shall avoid overly bright or jarring colors. The applicant is proposing six wall signs that are appropriately scaled for the building and are appropriate for this area given the desired development type.

#### **Ground Mounted Signs**

The applicant proposes to install one monument sign at the northwest corner of the site along Smith's Mill Road. Monument signage along Smith's Mill Road is intended to match the existing sign plan for the retail within the neighbor Canini Trust Corp development along US-62. The proposed sign meets those standards as proposed. The signs feature three tenant spaces.

#### **IV. ENGINEER'S COMMENTS**

The City Engineer has reviewed the application and provided the following comments. These comments can also be found in a separate memo attached to this staff report. Staff recommends a condition of approval that the comments of the city engineer are addressed, subject to staff approval (condition #5).

1. Remove the "Preliminary Not for Construction" note block from all sheets when resubmitting the plans.
2. Revise the Site Data Table by adding a line indicating "Parking Required."
3. Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
4. Show the recorded instrument number on the plans for all existing easements shown on the FDP.
5. Show the location of the stop bar/signs on the landscape plan at both curb cuts and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.
6. Provide a fire truck turning analysis using the template for the 48-foot Plain Township fire truck.
7. Engineering staff will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available.

#### **V. SUMMARY**

The proposal meets many of the goals of the Engage New Albany Strategic Plan such as providing pedestrian access along roadways and into the site, as well as utilizing high quality building materials that are consistent with other buildings in the immediate area. The proposed development is in an appropriate location given the context of the surrounding area and serves as an amenity for the New Albany Business Park. Additionally, the applicant proposes a multi-tenant building that generally meets the requirements set forth in the zoning ordinance, development text, and landscape master plan and as a result, no variances are required.

#### **V. ACTION**

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

#### **Move to approve final development plan application FDP-36-2024, subject to the following conditions:**

1. The city's landscape architect comment shall be addressed as part of permitted, subject to staff approval:
  - a. That the applicant modifies the proposed leisure trail along Smith's Mill Road to align with the adjacent site.
  - b. Provide evergreen shrubs that are 36 inches in height to screen utilities.

2. That staff can review changes or modifications to the proposed patio that would not include changing the size or location.
3. That the applicant revises the landscape plans to be consistent with the approved master landscape plan.
4. The final copy of the proposed signs and future signage is subject to staff approval.
5. The city engineer's comments must be addressed, subject to staff approval:
  - Remove the "Preliminary Not for Construction" note block from all sheets when resubmitting the plans.
  - Revise the Site Data Table by adding a line indicating "Parking Required."
  - Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
  - Show the recorded instrument number on the plans for all existing easements shown on the FDP.
  - Show the location of the stop bar/signs on the landscape plan at both curb cuts and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.
  - Provide a fire truck turning analysis using the template for the 48-foot Plain Township fire truck.
  - Engineering staff will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available.

**Approximate Site Location:**



Source: NearMap

404.685-01  
June 5, 2024  
(Revised)

To: Sierra Saumenig  
City Planner

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

Re: Donato's Multi Tenant Bld. FDP

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

1. Please remove the "Preliminary Not for Construction" note block from all sheets when resubmitting the plans.
2. Revise the Site Data Table by adding a line indicating "Parking Required".
3. Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
4. Please show the recorded instrument number on the plans for all existing easements shown on the FDP.
5. Show the location of the stop bar/signs on the landscape plan at both curb cuts and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.
6. Provide a fire truck turning analysis using the template for the 48' Plain Township fire truck.
7. We will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available.

MEF/JMH

cc: Josh Albright, Development Engineer

May 4, 2026

**Ms. Lauren Sauter**  
**Planner I**  
**Community Development Department**  
7815 Walton Parkway  
New Albany, Ohio 43054

**Re: PLFDP20240036**  
**Donatos Retail Center**  
Smiths Mill Road at Beech Crossing  
New Albany, Ohio 43054

Dear Ms. Sauter:

Attached herein, please find our application for formal extension of Final Development Plan PLFDP20240036, which was previously approved on June 17, 2024.

It is our understanding that a *one-time timeframe extension of 1 year* may be requested as a result of one or more of the following:

- a) Financial issues that would alter the expected FDP timeline;
- b) Delay in acquiring a required building or utility permit necessary to carry out the provisions of the FDP;
- c) Presence of an environmental or other public safety issues;
- d) Other unique reasons deemed as permissible by the Commission.

When the Owner purchased this property, and subsequently obtained Final Development Plan approval, several other nearby developments were, either, planned or under construction. Most notably a semiconductor manufacturing complex, expected to create 3,000 direct, permanent jobs when completed in 2025.

Given this anticipation, the goal of our development is to provide convenient, nearby retail and restaurant options in service of the growing workforce. Furthermore, the viability of businesses occupying this development will be wholly dependent on having nearby customers to serve. Once it was announced that progress had slowed on the semiconductor manufacturing facility, so did interest from potential tenants.

As such, our request for extension is most closely associated with Item 'a', 'Financial issues that alter the expected FDP timeline'. By granting this extension, our development will more closely align with the timeframe of those surrounding and result in more viable conditions for tenants to succeed.

That said, the Owner is eager to see this development through and intends to complete it as previously approved, inclusive of all conditions listed in the Record of Action.

Thank you for your consideration.

Sincerely,



**Carter Bean**



## Community Development Department

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

Dear J. Carter Bean Architect,

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

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

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

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

Thank you.



## Community Development Department

### Decision and Record of Action

Tuesday, June 18, 2024

The New Albany Planning Commission took the following action on 06/17/2024 .

#### Final Development Plan

**Location:** 093-016512-00.000 southwest corner of Beech Road and Smith's Mill Road

**Applicant:** J. Carter Bean Architect,

**Application:** PLFDP20240036

**Request:** Final Development Plan for a multi-tenant building

**Motion:** To approve with conditions

**Commission Vote:** Motion Approved with Conditions, 4-0

**Result:** Final Development Plan, PLFDP20240036 was Approved with Conditions, by a vote of 4-0

Recorded in the Official Journal this June 18, 2024

#### Condition(s) of Approval:

1. The city's landscape architect comment shall be addressed as part of permitted, subject to staff approval:
  - a. That the applicant modifies the proposed leisure trail along Smith's Mill Road to align with the adjacent site.
  - b. Provide evergreen shrubs that are 36" in height to screen utilities.
2. That staff can review changes or modifications to the proposed patio that would not include changing the size or location.
3. That the applicant revises the landscape plans to be consistent with the approved master landscape plan.
4. The final copy of the proposed signs and future signage is subject to staff approval.
5. The city engineer comments must be addressed, subject to staff approval.
  - o Remove the "Preliminary Not for Construction" note block from all sheets when resubmitting the plans.
  - o Revise the Site Data Table by adding a line indicating "Parking Required".
  - o Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
  - o Show the recorded instrument number on the plans for all existing easements shown on the FDP.
  - o Show the location of the stop bar/signs on the landscape plan at both curb cuts and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.

- o Provide a fire truck turning analysis using the template for the 48' Plain Township fire truck.
  - o Engineering staff will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available.
6. That the exterior light poles' pedestal heights will be six inches rather than 36 inches.

Staff Certification:

*Sierra Saumenig*

Sierra Saumenig  
Planner



## Community Development Department

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

Dear Carter Bean,

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.

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

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

Thank you.



## Community Development Department

### Decision and Record of Action

Tuesday, May 19, 2026

The New Albany Planning Commission took the following action on 05/18/2026 .

#### Final Development Plan

**Location:**

**Applicant:** Carter Bean

**Application:** PLFDP20260031 (FDP-31-2026)

**Request:** Request for an extension of an approved final development plan for a proposed Donatos restaurant on 1.228+/- acres generally located at the southwest intersection of Smith's Mill Road and Beech Road (PID: 093-106512-00.000).

**Motion:** To approve

**Commission Vote:** Motion Approved with Conditions, 5-0

**Result:** Final Development Plan PLFDP20260031 was Approved with Conditions by a vote of 5-0.

Recorded in the Official Journal this May 19, 2026.

#### Condition(s) of Approval:

1. The city's landscape architect comments shall be addressed as part of permits, subject to staff approval:
  - a. The applicant modifies the proposed leisure trail along Smith's Mill Road to align with the adjacent site.
  - b. Provide evergreen shrubs that are 36 inches in height to screen utilities.
2. That staff can review changes or modifications to the proposed patio that would not include changing the size or location.
3. That the applicant revises the landscape plans to be consistent with the approved master landscape plan.
4. The final copy of the proposed signs and future signage is subject to staff approval.
5. The city engineer's comments must be addressed, subject to staff approval:
  - o Remove the "Preliminary Not for Construction" note block from all sheets when resubmitting the plans.
  - o Revise the Site Data Table by adding a line indicating "Parking Required."
  - o Expand the view port on the cover sheet to show the existing regional basin that will be utilized for stormwater management.
  - o Show the recorded instrument number on the plans for all existing easements shown on the FDP.
  - o Show the location of the stop bar/signs on the landscape plan at both curb cuts and show the site distance triangle. Adjust proposed landscaping if motorist view is impeded in any way.

- o Provide a fire truck turning analysis using the template for the 48-foot Plain Township fire truck.
- o Engineering staff will evaluate storm water management, sanitary sewer collection and roadway construction related details once detailed construction plans become available

Staff Certification:

*Lauren Sauter*

Lauren Sauter  
Planner



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To: New Albany Planning Commission  
From: Community Development Department and Office of the Clerk  
Date: May 19, 2026  
Re: Proposed Amendment to New Albany Codified Ordinance 1165.07 Home Occupations and to Correct Cross References

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The Community Development Department is proposing an amendment to New Albany Codified Ordinance 1165.07, the home occupations ordinance. This amendment seeks to modernize the ordinance and to ensure that New Albany is not imposing overly burdensome regulations on home occupations.

In the process of drafting the substantive amendment to 1165.07, Planning Manager Chris Christian noticed several instances in Municode where the incorrect section number is in the language of the ordinance. The Clerk's Office is proposing amendments to 745.04, 1105.02, 1129.03, 1131.03, 1135.04, 1137.04, 1141.02, and 1169.11 to make these corrections, no substantive change to the law is being proposed.

Key - The proposed language is underlined and language proposed for removal is stricken through. For ease of reading and to conserve space, most of the unaffected language has been omitted.

*Motion to accept the staff report and related documents into the record for the proposed amendment to C.O. 1165.07, and the conforming amendments to the ordinances referencing C.O. 1165.07.*

*Motion to favorably recommend to council the proposed amendment to C.O. 1165.07 and the conforming amendments to the ordinances referencing C.O. 1165.07.*

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### **1165.07 HOME OCCUPATIONS.**

Home occupations or professions shall be regulated as permitted, accessory, or conditional uses pursuant to Chapters 1129 through 1139. A home occupation shall comply with the following standards:

- (a) The use shall be clearly incidental and secondary to residential use when located in the primary dwelling and not more than fifteen (15) percent of the primary dwelling unit floor area is devoted to the home occupation.
- (b) The home occupation shall not generate greater traffic volume than is normal for a residential neighborhood.
- (c) Not more than one person, other than immediate family residing at the premises, shall be employed in such occupation.
- (d) External indication of such home occupation shall be limited to one non-illuminated sign, not more than two (2) square feet, attached flat against the structure.
- (e) The sale of products, stock, or commodities shall be limited to those produced on the premises.

- (f) Any need for parking generated by conduct of the home occupation shall meet off-street parking requirements of this Zoning Code, and shall not be located in any front yard.
- (g) No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to normal sense off the lot, if the occupation is conducted in a single-family residence; or outside the dwelling unit if conducted in other than a single-family residence.
- (h)
- ~~(h) No home occupation shall be conducted from any accessory building on the lot.~~  
~~In particular, a home occupation shall consist primarily of rendering specific personal services, such as those performed by a seamstress, member of the clergy, physician, dentist, lawyer, engineer, architect, accountant, artist, or private teacher.~~ The home occupation shall be performed by the occupant of the premises and shall include employment of not more than one non-resident of the premises.

**745.04 AREAS WHERE SMOKING IS NOT REGULATED.**

Notwithstanding any other provision of this chapter to the contrary, the following areas shall be exempt from the prohibitions in Sections 745.02 and 745.03:

- (a) Private residences used for that purpose or as home occupations as defined in 1105.02( bb) and 1165.07 of the Village Code, except if used as a licensed childcare, adult day care, or health care facility.

\*\*\*unaffected language omitted to conserve space

**1105.02 DEFINITIONS.**

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

\*\*\*unaffected language omitted to conserve space

- (aa) "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.
- (bb) "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 1165.07.

\*\*\* unaffected language omitted to conserve space

**1129.03 PERMITTED USES.**

- (a) Agricultural uses, customary agricultural buildings and structures incidental to the carrying out of the principal agricultural activity, and/or no more than one single-family detached dwelling.
- (b) Home occupations, subject to the requirements of Section 1165.07.

\*\*\* unaffected language omitted to conserve space

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**1131.03 ACCESSORY USES.**

\*\*\* unaffected language omitted to conserve space

- (f) Home occupations, subject to the regulations of Section 1165.07.

**1135.04 CONDITIONAL USES.**

- (a) Single-family dwelling units, provided these dwellings meet the standards of the R-4 District.
- (b) Home occupations, as regulated in Section 1165.07.

\*\*\* unaffected language omitted to conserve space

**1137.04 CONDITIONAL USES.**

- (a) Single-family dwelling units, provided these dwellings meet the standards of the R-4 District.
- (b) Home occupations, as regulated in Section 1165.07.

\*\*\* unaffected language omitted to conserve space

**1141.02 PERMITTED USES.**

- (a) Any use or structure specified as permitted in the R-1 District.
- (b) Two-family dwellings.
- (c) Home occupations, as regulated in Section 1165.07.

**1169.11 SPECIAL SIGNS.**

\*\*\* unaffected language omitted to conserve space

- (d) Home Occupation Signs. Home occupation signs as regulated by Section 1165.07 shall be limited to one non-illuminated sign, not more than two (2) square feet, attached flat against the structure. Such sign shall contain no more than two (2) colors.
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