



**New Albany Planning Commission Meeting Agenda**  
Monday, June 15, 2026, 7:00 p.m.

Members of the public must attend the meeting in-person to participate and provide comments at New Albany Village Hall at 99 West Main Street. The meeting will be streamed for viewing purposes only via the city website at <https://newalbanyohio.org/answers/streaming-meetings/>

**I. Call to order**

**II. Roll call**

**III. Action on minutes:** May 18, 2026

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

Administration of oath to all witnesses/applicants/staff who plan to speak regarding an application on tonight's agenda. "Do you swear to tell the truth and nothing but the truth."

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

**VI. Cases:**

**ZC-33-2026 Lucille Lynd Rezoning**

Request for a zoning change from Agricultural (AG) and Limited Office Campus District (L-OCD) to Infill Planned Unit Development (I-PUD) with a zoning text to be known as "Beech Interchange Southeast Expansion" for 22.6 +/- acres of land at 13600, 13708, 13705, 13665, 13649, 13639, 13531 & 0 Lucille Lynd Road and a portion of 0 Worthington Rd (PIDs:035-107136-00.000, 035-108378-00.000, 093-107136-01.000, 094-108384-00.000, 094-106830-00.000, 094-106830-02.000, 094-106830-01.000, 094-106740-01.000, 094-106740-01-002, and a portion of 094-106740-00.005).

**Applicant: MBJ Holdings LLC, c/o Aaron Underhill, Esq.**

*Motion of Acceptance of staff reports and related documents into the record for ZC-33-2026.*

*Motion of approval for application ZC-33-2026 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.*

**TM-39-2026 Beech Road Southeast Interchange Zoning Text Amendment**

Amendment to the Beech Road South Interchange Zoning District zoning text (PID: 094-108342-00.000, 094-106998-00.000, portion of 094-106740-00.005, 094-107880-00.000, 094-108720- 01.000, 094-108720-00.000).

**Applicant: City of New Albany**

*Motion of Acceptance of staff reports and related documents into the record for TM-39-2026.*

*Motion of approval for application TM-39-2026 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.*

**VII. Other business**

**VIII. Poll members for comment**

**IX. Adjournment**



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

**I. Call to order**

The New Albany Planning Commission held a regular meeting on Monday, May 19, 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: Mr. Kirby 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-31-20206. 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,  $\frac{3}{4}$  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  $\frac{3}{4}$  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**



## **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.

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 .

#### 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

---

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.
-



**Planning Commission Staff Report  
June 15, 2026 Meeting**

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**BEECH INTERCHANGE SOUTHEAST EXPANSION ZONING DISTRICT  
ZONING AMENDMENT**

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**LOCATION:** 22.6 +/- acres located at 13600, 13708, 13705, 13665, 13649, 13639, 13531 & 0 Lucille Lynd Road and a portion of 0 Worthington Rd (PIDs:035-107136-00.000, 035-108378-00.000, 093-107136-01.000, 094-108384-00.000, 094-106830-00.000, 094-106830-02.000, 094-106830-01.000, 094-106740-01.000, 094-106740-01-002, and a portion of 094-106740-00.005).

**APPLICANT:** MBJ Holdings LLC c/o Aaron L Underhill, Esq

**REQUEST:** Zoning Change

**ZONING:** Agriculture (AG) and Office Campus District (OCD) to Infill Planned Development (I-PUD)

**STRATEGIC PLAN:** Retail and Employment Center

**APPLICATION:** ZC-33-2026

Review based on: Application materials received on May 12 & 29, 2026

*Staff report completed by Kylie Blackburn, Planner*

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### **I. REQUEST AND BACKGROUND**

The applicant requests review and recommendation to city council to rezone approximately 22.6 +/- acres. The request proposes to create a new zoning district to be known as the “Beech Interchange Southeast Expansion Zoning District” by zoning the area to Infill Planned Unit Development (I-PUD) from Agriculture (AG) and Office Campus District (OCD).

The proposed zoning text contains the same list of permitted, conditional, and prohibited uses as other similar zoning districts, such as Beech Interchange Southwest Zoning District, Mink Interchange Zoning District, and Beech Interchange Southeast Zoning District, which are located directly to the west from this site. This zoning district would facilitate the development of mix of industrial, office, and business uses throughout the Zoning District.

### **II. SITE DESCRIPTION & USE**

The overall site consists of eight parcels located within Licking County. The zoning district is generally located to the southeast of and adjacent to State Route 161/Beech Road interchange. The neighboring uses and zoning districts include L-GE and I-PUD. The site is mostly undeveloped with three lots having single family homes on them.

### **III. PLAN REVIEW**

Planning Commission’s review authority of the zoning amendment application is found under C.O. Chapters 1107.02 and 1159.10. Upon review of the proposed amendment to the zoning map, the Commission is to make recommendation to the city council. The staff review is based on city plans and studies, proposed zoning text, and the codified ordinances. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

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

26 0615 Beech Interchange SE Expansion Zoning District ZC-33-2026

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

**Engage New Albany Strategic Plan**

The 2020 Engage New Albany strategic plan designates the area as the Retail future land use category. The strategic plan lists the following development standards for the Retail District 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 pedestrian network and promote connectivity through the site.
- 6. Integrate outdoor spaces for food related businesses.

**A. Use, Site and Layout**

- 1. The proposed text permits uses set forth in the GE, General Employment District. Permitted uses include a mix of industrial, office, and business uses.
- 2. In addition, the following uses shall be prohibited:
  - a. Industrial product sales (See Section 1153.03(a)(1))
  - b. Industrial services (See Section 1153.03(a)(2))
  - c. Mini-warehouse (See Section 1153.03(a)(4)(c)). For purposes of clarification, this prohibition only applies to such facilities that are made available for rental to the general public
  - d. Personal services (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in the zoning district
  - e. Vehicle services (See Section 1153.03(b)(4))
  - f. Radio/television broadcast facilities (See Section 1153.03(c)(1))
  - g. Sexually-oriented businesses (See Section 1153.03(c)(2))
  - h. Off-premises signs (See Section 1153.03(c)(2))
  - i. Data center uses, except when all of the following conditions are met:
    - i. The data center use is associated with and is operated as part of (or in support of) another permitted use or conditional use that is operating within the Zoning District and the data center use is not operated primarily to serve uses, users, or consumers that are not directly associated with such operational use(s) within the Zoning District;
    - ii. The data center use or uses occupy no more than 20% of the total gross square footage of primary buildings located within the Zoning District; and
    - iii. The data center use or uses shall not be issued a certificate of zoning compliance unless and until certificates of zoning compliance and occupancy permits have been issued by the City for those portions of the primary buildings within the Zoning District from which permitted or conditional uses other than data centers are or will be operated.

3. The proposed L-GE text requires the following setbacks which are the same as the southwest zoning district:
  - a. State Route 161: There shall be a zero-foot minimum pavement and building setback from the right-of-way of State Route 161.
  - b. Lucille Lynd: There shall be a minimum pavement and building setback of 50 feet from the existing centerline of Lucille Lynd Road.
  - c. Worthington Road: There shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the right-of-way of Worthington Road.
  - d. Eastern Perimeter Boundary: There shall be a 25-foot minimum pavement setback and a 50-foot building setback from the eastern perimeter boundary of this Zoning District.
  - e. Western Perimeter Boundary: There shall be a minimum pavement and building setback of 25 feet from any portion of the western perimeter boundary line of this Zoning District that is not adjacent to a public street right-of-way.

#### **B. Access, Loading, Parking**

1. Vehicular access to and from this Zoning District shall be permitted along Worthington Road and Lucille Lynd Road.
2. The developer shall work with the City Manager or their designee to determine the need for appropriate timing and phasing of street improvements to serve this Zoning District in accordance with a traffic study being coordinated by the City and the developer, also making reference to the access rights and commitments set forth in the approved zoning for property located immediately adjacent and to the west of this Zoning District.
3. Subject to other provisions in this text, on public rights-of-way which exist on the date of this text the number, locations, and spacing of curb cuts shall be determined and approved by the City Manager or their designee in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.
4. Pedestrian Access:
  - a. An 8-foot wide leisure trail shall be provided along the Zoning District's frontage on Worthington Road. The leisure trail shall be installed no later than the date when the first certificate of occupancy is issued for a building within this Zoning District.
  - b. A 5-foot-wide concrete sidewalk shall be installed along Lucille Lynd Road.

#### **C. Architectural Standards**

1. The proposed architectural standards are consistent with existing I-PUD districts that permit commercial, such as Beech Interchange Southwest Zoning District.
2. The proposed rezoning implements many of the same standards and limitations set forth in the New Albany Architectural Design Guidelines and Requirements and neighboring commercial zoning districts.
3. The city Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities, careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. The limitation text includes the same specific design requirements for uses not governed by the DGRs as those in the other subareas of the business park, which ensures the quality and consistent design of these buildings throughout this portion of the business park.
4. Service and loading areas shall be screened in accordance with the Codified Ordinances unless otherwise provided in the proposed text.
5. There are no maximum building height requirements for GE uses. This is consistent with city code and other zoning districts in the surrounding area.

6. Section IV.D.1. permits exterior building materials to 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, and 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. Architectural precast concrete panels and/or poured-in-place concrete tilt-up panels shall be permitted. The use of reflective or mirrored glass shall be prohibited.
7. Section IV.D.5 of the zoning text requires complete screening of all roof-mounted equipment on all four sides of the building using materials that are consistent and harmonious with the building's façade and character. The text indicates that the screening is provided to screen equipment from off-site view but also to buffer sound generated by the equipment.

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

1. Maximum lot coverage for this subarea is 80%, which is the same requirement as existing I-PUD districts, such as Beech Interchange Southwest Zoning District.
2. Standard tree preservation practices will be in place to preserve and protect trees that are to remain on site during all phases of construction, including the installation of snow fencing at the drip line.
3. State Route 161 Treatment: A four-board white horse fence shall be required generally running parallel to State Route 161 along the perimeter of this Zoning District but outside of the right-of-way.
4. Within the minimum required pavement setback, Worthington Road, landscaping shall be coordinated and consistent throughout. The following also shall be provided:
  - a. A four-board white horse fence shall be required along the street frontages. The final location will be determined as part of a final development plan application or zoning permit application, as applicable.
  - b. A landscaped area shall be required behind the fence and within the required pavement setbacks. This buffer shall consist of deciduous shade trees planted at a rate equal to six (6) trees or more for every 100 lineal feet of street frontage. Such trees may be equally spaced or randomly grouped and shall be of species which are native to Central Ohio. No single species shall be used for more than one-third of the trees required by this paragraph. Minimum sizes for trees required to be planted pursuant to this paragraph shall be two (2) or three (3) caliper inches, provided that no more than 50% of these trees shall be two (2) inches in caliper.
  - c. A landscape buffer to screen parking areas shall be located within the pavement setback along all public rights-of-way other than Lucille Lynd Road. This buffer may contain landscape material, mounding, or a combination of both and shall have a minimum height of 3.5 feet at installation and a minimum opacity of 75% within 3 years of installation.
5. A street tree row shall be established along Worthington Road and any private roads and shall contain one (1) tree for every thirty (30) feet of street frontage. Street trees along Worthington Road shall be installed along the entire street frontage when the first parcel develops in this Zoning District.
6. Within this zoning district, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or tree areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.

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

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.
2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed thirty (30) feet in height.
4. Uplighting of buildings shall be prohibited. Landscape uplighting from a concealed source shall not be permitted.
5. No permanent colored lights or neon lights shall be used on the exterior of any building.
6. All new electrical utilities that are installed in this Zoning District shall be located underground.
7. All other lighting on the site shall be in accordance with City Code.
8. Street lighting must meet the City Standards and Specifications.
9. All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany.

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

The City Engineer, E.P. Ferris reviewed the proposed rezoning application and provided the following comments. At the time of permitting, the following shall be provided:

1. Where not already provided, that 50' of public r/w be dedicated, as measured from road centerline, along the Lucille Lynd Rd. parcel frontage.
2. Provide a traffic study for review and approval.
3. The applicant should perform a tree survey and obtain staff approval for tree removals.
4. Provide a photometrics plan for staff review and approval.
5. Provide a landscape plan for staff review and approval. Show stop bars/signs and site distance triangles at all intersections.
6. Provide documentation showing that all existing private well and septic systems in the subject area have been abandoned in accordance with all applicable environmental regulations.
7. Provide environmental permit approvals when they become available.
8. Provide a fire truck turning radius analysis and obtain Fire Department approval.
9. Provide documentation indicating that ODOT has reviewed and approved the project.
10. All internal roads built as part of this project shall be designed in accordance with public road standards.

#### **V. SUMMARY**

This zoning district facilitates the development of industrial, office, business, and retail uses. The proposed zoning text contains the same list of permitted, conditional, and prohibited uses as other similar zoning districts, such as Beech Interchange Southwest Interchange Zoning District, which is located generally to the west of this site. The proposed text is appropriate given the envisioned employment and manufacturing uses for this area in the Engage New Albany Strategic Plan.

#### **V. ACTION**

##### **Suggested Motion for ZC-33-2026:**

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

**Move to approve application ZC-33-2026, based on the findings in the staff report (conditions of approval may be added)**

**Approximate site Location:**



Source: NearMap

401.60-150  
June 3, 2026

To: Kylie Blackburn  
City Planner

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

Re: Beech Interchange SE  
Rezoning

Our review comments are as follows:

- 1) Where not already provided, that 50' of public r/w be dedicated, as measured from road centerline, along the Lucille Lynd Rd. parcel frontage.
- 2) Provide a traffic study for review and approval.
- 3) The applicant should perform a tree survey and obtain staff approval for tree removals.
- 4) Provide a photometrics plan for staff review and approval.
- 5) Provide a landscape plan for staff review and approval. Show stop bars/signs and site distance triangles at all intersections.
- 6) Provide documentation showing that all existing private well and septic systems in the subject area have been abandoned in accordance with all applicable environmental regulations.
- 7) Provide environmental permit approvals when they become available.
- 8) Provide a fire truck turning radius analysis and obtain Fire Department approval.
- 9) Provide documentation indicating that ODOT has reviewed and approved the project.
- 10) All internal roads built as part of this project shall be designed in accordance with public road standards.



Brief written comment responses appreciated.

MEF/JMH

CC: Josh Albright, Engineer Manager  
Jeremiah Wood, Development Engineer



## Community Development Planning Application

<b>Submission</b>	<p>Submit planning applications and all required materials via email to <a href="mailto:planning@newalbanyohio.org">planning@newalbanyohio.org</a></p> <p>Paper copies are not required at this time however, 12 paper copies of the entire submission will be required ahead of a board hearing date. The planner assigned to your case will inform you when the paper copies need to be delivered to our offices. Fee invoices will be issued to you once the application is entered.</p>																								
<b>Project Information</b>	<p>Site Address <u>13600, 13708, 13705, 13665, 13649, 13639, 13531 &amp; 0 Lucille Lynd Road, New Albany, OH 43054</u></p> <p>Parcel Numbers <u>Please see attached list</u></p> <p>Acres <u>22.6 +/- Acres</u> # of lots created _____</p>																								
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;">Choose Application Type</th> <th style="width: 40%;">Description of Request:</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Appeal</td> <td><input type="checkbox"/> Extension Request</td> </tr> <tr> <td><input type="checkbox"/> Certificate of Appropriateness</td> <td><input type="checkbox"/> Variance</td> </tr> <tr> <td><input type="checkbox"/> Conditional Use</td> <td><input type="checkbox"/> Vacation</td> </tr> <tr> <td><input type="checkbox"/> Development Plan</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Plat</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Lot Changes</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Minor Commercial Subdivision</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Zoning Amendment (Rezoning)</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Zoning Text Modification</td> <td></td> </tr> </tbody> </table>	Choose Application Type	Description of Request:	<input type="checkbox"/> Appeal	<input type="checkbox"/> Extension Request	<input type="checkbox"/> Certificate of Appropriateness	<input type="checkbox"/> Variance	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Vacation	<input type="checkbox"/> Development Plan		<input type="checkbox"/> Plat		<input type="checkbox"/> Lot Changes		<input type="checkbox"/> Minor Commercial Subdivision		<input checked="" type="checkbox"/> Zoning Amendment (Rezoning)		<input type="checkbox"/> Zoning Text Modification					
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Phone Number		Phone Number																							
Email		Email																							
<b>Signature</b>	<p>Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.</p> <p>Signature of Owner <u>By: </u> Date: <u>5/29/26</u></p> <p>Signature of Applicant <u>By: </u> Date: <u>5/29/26</u></p> <p style="text-align: center;"><i>Aaron Underhill, attorney for owner/applicant</i></p>																								

Department Address: 7815 Walton Parkway • New Albany, Ohio 43054 • Phone 614.939.2254

Mailing Address: 99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054

## **BEECH INTERCHANGE SOUTHEAST EXPANSION ZONING DISTRICT (L-GE)**

### **Information concerning specific Code requirements for rezoning submittal by MBJ Holdings, LLC**

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

Response: Currently the property is largely undeveloped but does contain five single-family homes and several ancillary buildings. A portion of the property consisting of 9.6+/- acres is in the process of being annexed to the City and upon such annexation will have a zoning designation of AG, Agricultural District (which is the designation provided to newly annexed property) under the City's Codified Ordinances. The balance of the property is presently in the City and is zoned with the OCD, Office Campus District designation. This rezoning seeks to apply the I-PUD, Infill Planned Unit Development classification to the site in order to allow for the development and operation of General Employment District uses with various listed exceptions.

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

Response: The subject property has high visibility and easy access to a robust vehicular transportation network that makes it attractive for employment-generating uses. A self-storage facility is adjacent to the subject property, which is not an intensive use and therefore will be minimally impacted by development within the new zoning district. Significant employers such as Amgen and Amazon Distribution are found nearby, as well as a number of data centers. The subject property is well-positioned for development which will complement these uses.

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

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

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

Response: Development of the site will occur based on market demand after final zoning approval is received.

Per C.O. 1159.07(b)(2)(J) Verification that an application, if required, has been submitted to the Ohio Environmental Protection Agency in compliance with Section 401 of the Clean Water Act in which anyone who wishes to discharge dredged or fill material into waters of the United States must obtain a Water Quality Certification Permit from the Ohio Environmental Protection Agency. In the case of an isolated wetland either a general state or individual state isolated wetland permit must be obtained from the Ohio Environmental Protection Agency (Sections 6111.021. - 6111.024 of House Bill 231).

Response: See separate written communication from EMH&T.

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

Response: See separate written communication from EMH&T.



**Aaron L. Underhill**  
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New Albany, Ohio 43054

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May 29, 2026

Mr. Chris Christian  
Planning Manager  
City of New Albany  
99 West Main Street  
New Albany, Ohio 43054

**RE: School Impact of Zoning of 22.6+/- Acres Located at 13600, 13708, 13705, 13665, 13649, 13639, 13531 & 0 Lucille Lynd Road, New Albany, OH 43054**

Dear Chris:

MBJ Holdings, LLC owns 22.6+/- acres of real property (the “Property”) located to the north of and adjacent to Lucille Lynd Road, to the southeast of the S.R. 161 and Beech Road interchange and to the south of and adjacent to Lucille Lynd Road. The Property is in the process of being annexed to the City of New Albany. This letter accompanies an application to rezone the Property from the AG, Agricultural District classification (which is the designation provided to newly annexed property) to the I-PUD, Infill Planned Unit Development classification. The site is located in the Licking Heights Local School District.

The proposed rezoning will facilitate the development and operation of the same types of uses that are found throughout the New Albany International Business Park. The Property presently includes five (5) houses. By applying the L-GE zoning classification to the Property, once development of the site occurs the three existing homes and all ancillary buildings will be removed. It also should be noted that the AG zoning classification permits residential development at a density of one unit per five acres, so upon annexation there would be a right for four (4) homes to be located on the site. Therefore, this rezoning presents an opportunity to eliminate residential density in the school district. In addition, this rezoning will provide the means to facilitate a new property tax revenue source for the district.

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

Sincerely,

Aaron L. Underhill  
Attorney for the Applicant

**ZONING DESCRIPTION**  
**22.6 ACRES**

Situated in the State of Ohio, County of Licking, Township of Jersey and City of New Albany, lying in Sections 14, 15, 16 and 17, Quarter Township 3, Township 2, Range 15, United States military District, being all of the remainder of that 1.205 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200005030014048, all of the remainder of that 1.333 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201310100025382, all of that 1.333 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200507260022515, all of that 2.333 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 199911160046886, all of that 1.523 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200310170050569, part of that 80.176 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 199912010048766, all of that 7.910 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201910030021443, all of the remainder of that 101.539 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200005030014047 and part of that 11.363 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201708040016418, that 1.124 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 202306130010379 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

BEGINNING at a common corner of that 4.273 acre tract conveyed to Premier Storage of New Albany, LLC by deed of record in Instrument Number 202205170012301, that 1.523 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200310170050569, in the southerly line of said 7.910 acre tract being in the centerline of Lucille Lynd Road, the line common to said Sections 15 and 16;

Thence North 86° 39' 33" West, with the line common to said 4.273 and 7.910 acre tracts, the centerline of said Lucille Lynd Road and said common section line, a distance of 170.74 feet to a common corner of said 7.910 and 80.176 acre tracts;

Thence North 03° 03' 05" East, with the line common to said 7.910 and 80.176 acre tracts, and with the line common to City of New Albany and Jersey Township, a distance of 48.12 feet to a point in the northerly right-of-way line of said Lucille Lynd Road;

Thence across said 80.176 acre tract with the line common to City of New Albany and Jersey Township, the following courses and distances:

North 87° 23' 26" West, with the northerly right-of-way line of Lucille Lynd Road, a distance of 244.68 feet;

North 86° 46' 52" West, with the northerly right-of-way line of Lucille Lynd Road, a distance of 6.43 feet; and

South 03° 19' 48" West, a distance of 44.99 feet to a common corner of said 4.273 acre tract and that 1.529 acre tract conveyed as MBJ Holdings, LLC by deed of record in Instrument Number 201603150004905, in the southerly line of said 80.176 acre tract, the centerline of Lucille Lynd Road, the line common to said Sections 15 and 16;

Thence North 86° 39' 33" West, with the southerly line of said 80.176 acre tract, the northerly lines of said 1.529 acre tract, that 1.189 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201512160027175, that 0.977 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201411170022766, the centerline of said Lucille Lynd Road, the line common to said Sections 15 and 16, a distance of 293.09 feet to the southeasterly corner of that 0.375 acre tract conveyed as Parcel 14-WL to State of Ohio by deed of record in Instrument Number 200712140031874;

## 22.6 ACRES

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Thence North 03° 12' 02" East, with the line common to said 80.176 and 0.375 acre tracts, with the southerly limited access right-of-way line of State Route 161, a distance of 172.61 feet to a southwesterly corner of that 28.262 acre tract conveyed as Parcel 7-WL4 to State of Ohio, Department of Transportation by deed of record in Instrument Number 200510280034304;

Thence with the southerly limited access right-of-way line of State Route 161, the southerly line of said 28.262 acre tract, the southerly line of that 6.865 acre tract conveyed as parcel 15-WL to the State of Ohio by deed of record in Instrument Number 200712140031874 and the northerly lines of said 80.176 and 7.910 acre tracts, the following courses and distances:

North 59° 11' 52" East, a distance of 107.54 feet;

North 67° 34' 43" East, a distance of 131.51 feet;

North 83° 01' 20" East, a distance of 341.13 feet; and

North 83° 30' 01" East, a distance of 827.94 feet to the common corner of that 10.179 acre tract conveyed as Parcel 9-WL to State of Ohio by deed of record Instrument Number 200703150006554 and the remainder of that 47 acre tract conveyed as parcel Two to Phyllis C. Foor and James D. Foor, Trustees by deeds of record in Instrument Numbers 200103150007969 and 200103150007970;

Thence South 03° 02' 52" West, with the line common to Sections 14 and 15, the easterly line of said 7.910 acre tract, the westerly line of said 47 acre tract, a distance of 147.74 feet to the common corner of said 47, and 1.124 acre tracts;

Thence South 86° 45' 34" East, with the line common to said 47 and 1.124 acre tracts, a distance of 142.00 feet to a common corner of said 1.124 acre tract and that 4.66 acre tract conveyed to Phyllis C. Foor and James D. Foor, Trustees by deeds of record in Instrument Numbers 200103150007969 (1/2 interest) and 200103150007970 (1/2 interest), in the southerly line of said 47 acre tract;

Thence South 03° 02' 52" West, with the line common to said 1.124 and 4.66 acre tracts, a distance of 345.00 feet to a common corner of said 1.124 and 4.66 acre tracts, in the northerly line of that 21.601 acre tract conveyed as Parcel No. 7-WDV3 to the Board of Commissioners of Licking County, Ohio by deed of record in Instrument Number 200510280034302 in the line common to Sections 14 and 17;

Thence North 86° 45' 35" West, with the line common to said 1.124 and 21.601 acre tracts, and the line common to Sections 14 and 17, a distance of 142.00 feet to the common corner of said 1.205 and 1.333 acre tracts, the common corner of Sections 14, 15, 16 and 17;

Thence South 03° 06' 27" West, with the line common to said 21.601 and 1.333 acre tracts, the line common to said Sections 16 and 17, a distance of 45.00 feet to a southwesterly corner of said 21.601 acre tract;

Thence with the line common to said 21.601 and 1.205 acre tracts, the following courses and distances:

South 83° 39' 03" East, with the southerly right-of-way line of Lucille Lynd Road, a distance of 27.55 feet;

South 59° 37' 10" East, with the northerly right-of-way line of Worthington Road, a distance of 64.87 feet;

**22.6 ACRES**

- 3 -

South 30° 53' 31" East, with the northerly right-of-way line of Worthington Road, a distance of 116.02 feet;

South 02° 56' 13" West, with the northerly right-of-way line of Worthington Road, a distance of 90.89 feet; and

South 53° 51' 09" West, with the northerly right-of-way line of Worthington Road, a distance of 137.73 feet to the common corner of said 1.205 acre tract and the remainder of said 101.539 acre tract;

Thence South 51° 03' 15" West, with the northerly right-of-way line of Worthington Road, with the line common to said 101.539 and 21.601 acre tracts, a distance of 58.79 feet to the common corner of the remainder of said 1.333 acre tract and that 0.033 acre tract conveyed as Parcel No. 46-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200608010022415;

Thence South 52° 09' 56" West, with the northerly right-of-way line of Worthington Road, with the line common to said 0.033 and 1.333 acre tracts, a distance of 76.11 feet to the northeasterly corner of that 11.363 acre tract conveyed to MJB Holdings, LLC by deed of record in Instrument Number 201708040016418;

Thence South 56° 43' 07" West, with the northerly right-of-way line of Worthington Road, with the line common to said 11.363 acre tract and said 21.601 acre tract, a distance of 549.06 feet;

Thence South 62° 18' 26" West, with the northerly right-of-way line of Worthington Road, continuing with said common line, a distance of 172.26 feet;

Thence North 03° 22' 51" East, across said 11.363 acre tract, a distance of 416.34 feet to a common corner of said 4.273 and 1.523 acre tracts;

Thence North 03° 04' 11" East, with the line common to said 4.273 and 1.523 acre tracts, a distance of 440.00 feet to the POINT OF BEGINNING, containing 22.6 acres, more or less.

This description was prepared from record information for zoning purposes only, and is NOT to be used for the transfer of real property.

EVANS, MECHWART, HAMBLETON & TILTON, INC.


**AFFIDAVIT OF FACTS**

I, Aaron L. Underhill, in my capacity as attorney for the applicant listed on the zoning application pertaining to 22.6+/- acres to be known as the Beech Interchange Southeast Expansion Zoning District, being first duly sworn, do hereby state and depose the following:

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

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

Further Affiant sayeth not.


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

STATE OF OHIO  
COUNTY OF FRANKLIN SS.

The foregoing instrument was acknowledged before me on the 29<sup>th</sup> day of May, 2026, by Aaron L. Underhill, who acknowledged the foregoing signature to be his voluntary act and deed.



Kimberly R Butt  
Notary Public, State of Ohio  
My Commission Expires 01-11-2031

  
Notary Public  
My Commission Expires: 1-11-2031

**BEECH INTERCHANGE SOUTHEAST EXPANSION  
PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT**

**May 29, 2026**

The Beech Interchange Southeast Expansion Planned Unit Development (PUD) Zoning District (hereinafter, the “Zoning District”) consists of 22.6+/- acres located to the southeast of the interchange at State Route 161 and Beech Road. It is located to the south of and adjacent to State Route 161 and on its east side and extends southward to Worthington Road. It has multiple adjacencies to Lucille Lynd Road. The Zoning District also is adjacent to the Beech Interchange Southeast Zoning District to the west and south, which allows both L-GE uses and retail uses. This rezoning serves to extend similar zoning and development standards as apply to L-GE uses in the existing adjacent zoning district to the property that is the subject of this text.

The standards in this text are the result of a joint effort undertaken by the applicant and the City to study site planning, access, and preferred development requirements for the general area which includes and extends beyond the Zoning District and is generally bordered by State Route 161 on the north, Worthington Road on the south, Beech Road on the west, and the eastern boundary of this Zoning District on the east. Reference is made to certain plans and studies prepared by MKSK which accompanies this application, with certain modifications not reflected therein but which are provided in this text as agreed upon by City staff and the applicant, specifically related to setbacks as provided below.

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

- A. Industrial product sales (See Section 1153.03(a)(1));
- B. Industrial service (See Section 1153.03(a)(2));
- C. Mini-warehouses (See Section 1153.03(a)(4)(c)). For purposes of clarification, this prohibition only applies to such facilities that are made available for rental to the general public;
- D. Personal service (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in this Zoning District;
- E. Vehicle services (See Section 1153.03(b)(4));
- F. Radio/television broadcast facilities (See Section 1153.03(c)(1));
- G. Sexually-oriented businesses (See Section 1153.03(c)(3)); and
- H. Off-premises signs (See Section 1153.03(c)(2)).
- I. Data center uses, except when all of the following conditions are met:

i. The data center use is associated with and is operated as part of (or in support of) another permitted use or conditional use that is operating within the Zoning District and the data center use is not operated primarily to serve uses, users, or consumers that are not directly associated with such operational use(s) within the Zoning District;

ii. The data center use or uses occupy no more than 20% of the total gross square footage of primary buildings located within the Zoning District; and

iii. The data center use or uses shall not be issued a certificate of zoning compliance unless and until certificates of zoning compliance and occupancy permits have been issued by the City for those portions of the primary buildings within the Zoning District from which permitted or conditional uses other than data centers are or will be operated.

## II. Lot and Setback Commitments:

A. Lot Coverage: There shall be a maximum lot coverage in this Zoning District of 80%.

### B. Setbacks:

1. State Route 161: There shall be a zero minimum pavement and building setback from the right-of-way of State Route 161.

2. Lucille Lynd Road: There shall be a minimum pavement and building setback of 50 feet from the existing centerline of Lucille Lynd Road.

3. Worthington Road: There shall be a minimum pavement 25 feet and a minimum building setback of 50 feet from the Worthington Road right-of-way.

4. Eastern Perimeter Boundary: There shall be a minimum pavement 25 feet and a minimum building setback of 50 feet from the eastern perimeter boundary line of this Zoning District.

5. Western Perimeter Boundary: There shall be a minimum pavement and building setback of 25 feet from any portion of the western perimeter boundary line of this Zoning District that is not adjacent to a public street right-of-way.

6. Elimination of Setbacks: In the event that a parcel located within this Zoning District and an adjacent parcel located within or outside of this Zoning District (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement, or landscaping

setbacks set forth in this text as they apply to common property lines shall no longer apply with respect to these parcels.

III. Architectural Standards:

A. Service and Loading Areas: Service areas and loading areas shall be screened in accordance with the Codified Ordinances unless otherwise provided in this text.

B. Building Design:

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

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

3. 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.

4. 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.

5. All elevations of a building that are visible from a public right-of-way shall receive similar treatment in terms of style, materials, and design so that such elevations are not of a lesser visual character than any other.

6. 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.

7. 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.

8. 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. Accessory structures, generators, storage tanks, trash receptacles or any other similar improvement must be located behind a building façade that does not front on a public right-of-way.

C. Building Form:

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

2. 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.

D. Materials:

1. Exterior wall finishes: 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, and 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. Architectural precast concrete panels and/or poured-in-place concrete tilt-up panels shall be permitted. The use of reflective or mirrored glass shall be prohibited.

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

3. Generally, the quantity of materials selected for a building shall be minimized.

4. 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.

5. 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.

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

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

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

a. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while considering the unique nature of the use(s) that will be found therein.

b. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use

of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.

c. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.

d. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

e. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.

7. Buildings constructed within this Zoning District are exempt from the requirement of New Albany Design Guidelines Section 6(I)(A)(1) as it relates to the State Route 161 entrance ramp.

#### IV. Access, Parking, Site Circulation, and Traffic Commitments:

A. Vehicular Access: The developer shall work with the City Manager or their designee to determine the need for appropriate timing and phasing of street improvements to serve this Zoning District in accordance with a traffic study being coordinated by the City and the developer, also making reference to the access rights and commitments set forth in the approved zoning for property located immediately adjacent and to the west of this Zoning District. Subject to other provisions in this text, on public rights-of-way which exist on the date of this text the number, locations, and spacing of curbcuts shall be determined and approved by the City Manager or their designee in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.

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

C. Private Roads: Any creation of private roads is subject to staff approval.

D. Leisure Trail: An 8-foot wide leisure trail shall be provided along the Zoning District's frontage on Worthington Road. The leisure trail shall be installed no later than the date when the first certificate of occupancy is issued for a building within this Zoning District.

E. Sidewalk: A sidewalk shall be installed along Lucille Lynd Road. It shall be constructed of concrete and shall be 5 feet in width.

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

A. Tree Preservation: Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

B. State Route 161 Treatment: A four-board white horse fence shall be required generally running parallel to State Route 161 along the perimeter of this Zoning District but outside of the right-of-way.

C. Treatment Along Worthington Road: Within the minimum required pavement setback along Worthington Road landscaping shall be coordinated and consistent throughout this Zoning District and with the Beech Interchange Southeast Zoning District to the west. The following also shall be provided:

1. Fencing: A standard New Albany white four-board horse fence may (but shall not be required to) be provided within the public right-of-way.

2. Setback Landscaping: A landscaped area shall be required behind the fence and within the required pavement setbacks. This buffer shall consist of deciduous shade trees planted at a rate equal to six (6) trees or more for every 100 lineal feet of street frontage. Such trees may be equally spaced or randomly grouped and shall be of species which are native to Central Ohio. No single species shall be used for more than one-third of the trees required by this paragraph. Minimum sizes for trees required to be planted pursuant to this paragraph shall be two (2) or three (3) caliper inches, provided that no more than 50% of these trees shall be two (2) inches in caliper. The City Landscape Architect may approve deviations to the caliper requirements on a case-by-case basis.

3. Screening of Parking: A landscape buffer to screen parking areas shall be located within the pavement setback along all public rights-of-way other than Lucille Lynd Road. This buffer may contain landscape material, mounding, or a combination of both and shall have a minimum height of 3.5 feet at installation and a minimum opacity of 75% within 3 years of installation.

4. Stormwater Management: Wet and dry stormwater basins shall conform to the standards set forth in Section 1171.08 of the Codified Ordinances unless other design solutions are found to be appropriate. Other design solutions may be appropriate if the City Landscape Architect finds that an alternative design, shape, and appearance is appropriate in particular relationship to streetscape and other site design considerations. One or more stormwater basins may be shared to serve some or all development within this Zoning District and/or within the Beech Interchange Southeast Zoning District located adjacent and to

the west of this Zoning District, so as to eliminate the need for each parcel to have its own on-site basin. Where shared stormwater basins are proposed, they shall be reviewed and approved by City staff without the requirement to be reviewed as part of a final development plan. Installation of stormwater basins shall include simultaneous installation of screening, buffering, and other aesthetic enhancements near the basins.

5. Street Trees: A street tree row shall be established along Worthington Road and any private roads and shall contain one (1) tree for every thirty (30) feet of street frontage. Street trees along Worthington Road shall be installed along the entire street frontage when the first parcel develops in this Zoning District. Street trees shall be located a minimum of ten (10) feet from the edge of the right-of-way unless the City's Landscape Architect approves planting these trees closer to the right-of-way or within the right-of-way. Minimum street tree size at installation shall be three (3) caliper inches. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation. The City Landscape Architect may approve deviations to the caliper requirements on a case-by-case basis.

6. Parking Areas: Within this Zoning District, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or treed areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.

D. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

## VI. Lighting:

A. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

B. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

C. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed thirty (30) feet in height.

D. Uplighting of buildings shall be prohibited. Landscape uplighting from a concealed source shall not be permitted.

E. No permanent colored lights or neon lights shall be used on the exterior of any building.

F. All new electrical utilities that are installed in this Zoning District shall be located underground.

G. All other lighting on the site shall be in accordance with City Code.

H. Street lighting must meet the City Standards and Specifications.

I. Solar Panels may be incorporated and installed as appropriate.

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

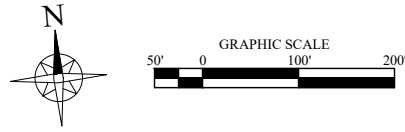
VIII. Utilities: All new utilities installed solely to serve this Zoning District shall be installed underground.

IX. Noise Regulations: The Codified Ordinances currently contain provisions relating to sound which are broad, meaning that noise impacts are evaluated on a site-specific basis. Generally, the goal is to ensure that overall sound levels on a property following development will not impose material negative impacts on neighboring property owners. The City intends to begin evaluating potential updates to the Codified Ordinances to provide more objective standards for evaluating potential and existing sound impacts. Following approval of this zoning, the applicant will work diligently with the City to identify best practices to mitigate sound impacts from new development within this Zoning District, which shall include consultation and coordination with experts to be hired by the City. Should the Codified Ordinances be updated at the time when the first building permit application is filed for development in any portion of the Zoning District, then such development shall comply with those updated standards. In the event that the Codified Ordinances have not been updated by that time, then as a condition of building permit issuance the applicant for this zoning application and the City staff shall negotiate and execute an agreement, to be signed by the City Manager and a representative of the applicant, which details sound mitigation measures and requirements to be applied to the site. Once such an agreement is signed, its contents shall constitute an addendum to the approved zoning text and the standards set forth therein shall become requirements for the Zoning District which are enforceable in the same manner as other zoning requirements. Ultimately, each new user is responsible for maintaining and mitigating noise levels in accordance with such an agreement.

X. Development Review Procedure: This Zoning District contains the same development standards as have been customarily used in L-GE, Limited General Employment Districts throughout the New Albany International Business Park, with the exception that the setback requirements from State Route 161 have been reduced in this text. The elimination of setback requirements from that thoroughfare is being provided due to the parcel configuration for relevant portions of the Zoning District and due to

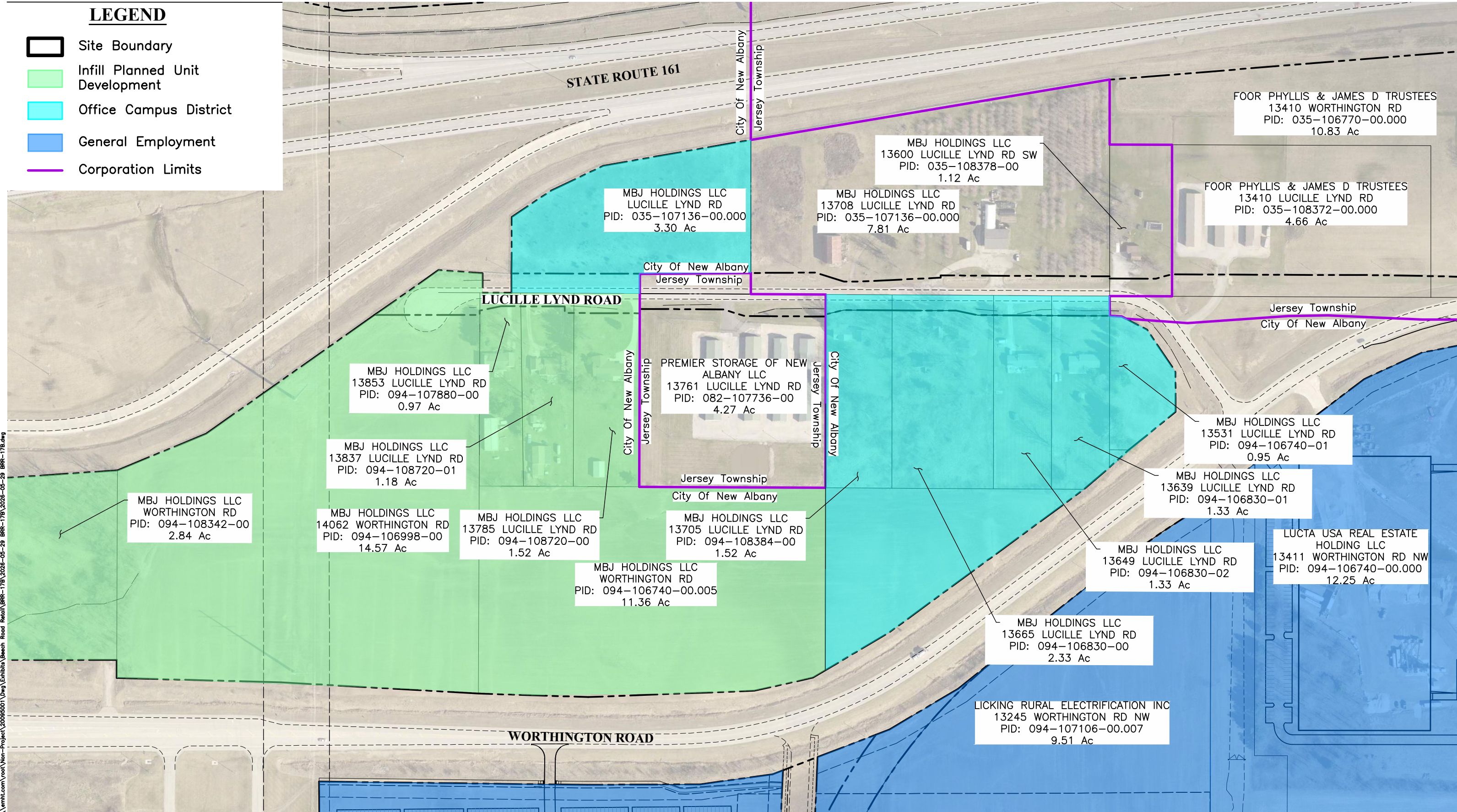
vehicular circulation considerations for future development. Since a zoning limitation text does not allow standards to vary from the underlying GE District code provisions unless they are stricter than that provided in underlying code, a PUD District is being utilized for this Zoning District to facilitate the desired setback from State Route 161. However, it is the intent that development proposals in this Zoning District will be processed and reviewed by the City in the same manner as if they were being developed on a property with an L-GE zoning classification rather than within a planned zoning district. Therefore, final development plan reviews and approvals of development proposals within this Zoning District shall not be required.

# BEECH ROAD RETAIL - REZONING EXHIBIT



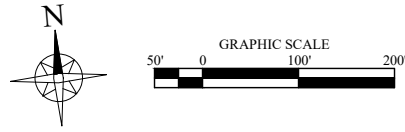
## LEGEND

- Site Boundary
- Infill Planned Unit Development
- Office Campus District
- General Employment
- Corporation Limits









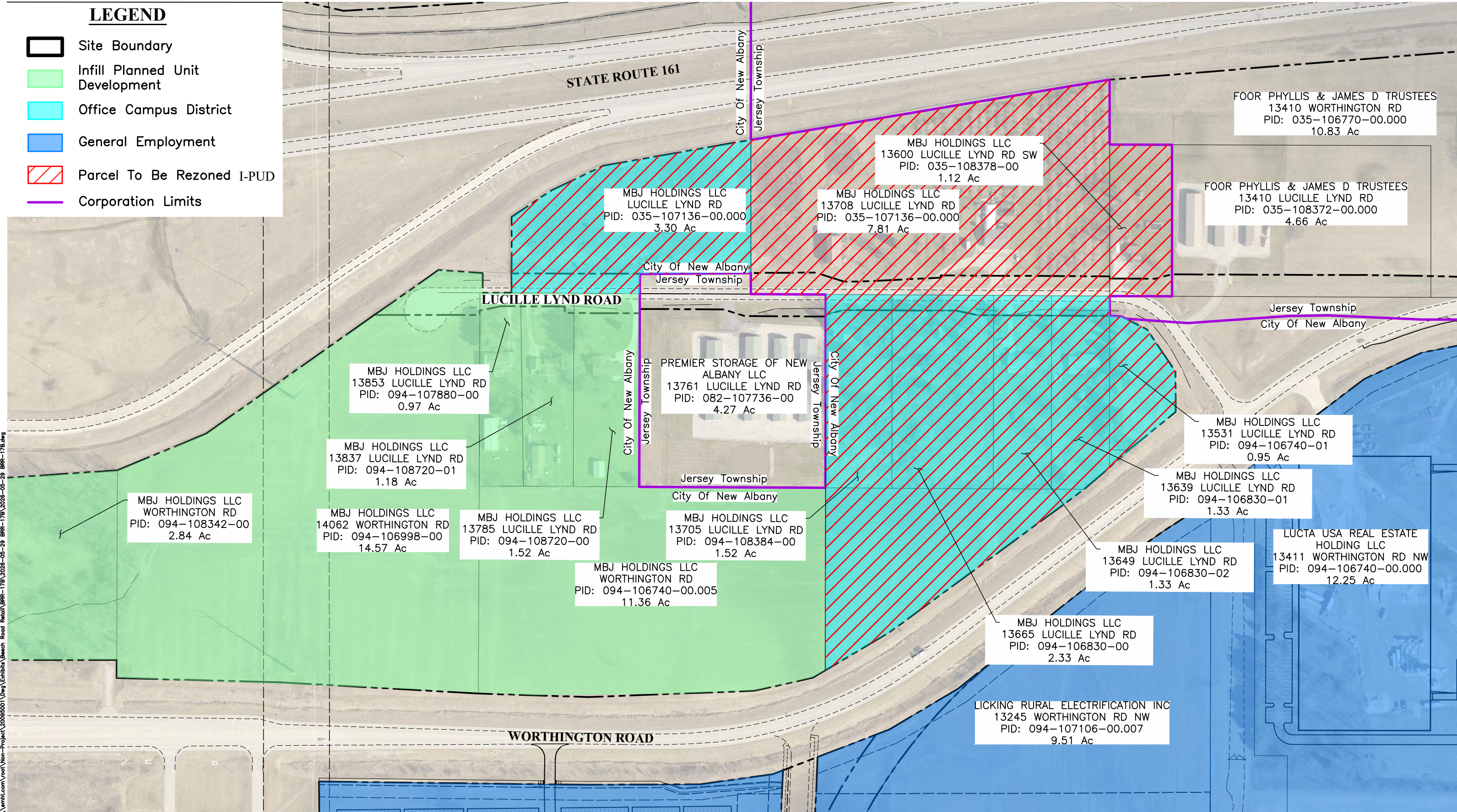
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# BEECH ROAD RETAIL - REZONING EXHIBIT



## LEGEND

-  Site Boundary
-  Infill Planned Unit Development
-  Office Campus District
-  General Employment
-  Parcel To Be Rezoned I-PUD
-  Corporation Limits



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To: Planning Commission

From: City Staff

Re: Text Modification to Beech Interchange Southeast Zoning District I-PUD (TM-39-2026)

Date: June 15, 2026

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### **Background**

City staff is requesting a modification to the Beech Interchange Southeast Zoning District I-PUD zoning text to add new setback and streetscape standards for the extension of Lucille Lynd Road.

The Planning Commission reviewed and recommended approval of the rezoning of this property on January 22, 2025 (ZC-100-2024) and City Council approved the rezoning on February 18, 2025 (O-05-2025).

### **Zoning Text Modification**

The expansion of the road will create the need for additional setbacks within the Zoning District, and the text modification will allow this area to have similar language to the proposed rezoning (ZC-33-2026) that will also be affected by the road extension.

The request is to make a modification to the Beech Interchange Southeast Zoning District I-PUD zoning text to add new setback standards for the extension of Lucille Lynd Road. This modification will also change the wording of the access points within this zoning district due to having the new road extension. All access points will be subject to approval by the City Engineer.

City staff have worked with MKSK to create a document outlining the new setbacks and streetscape that will be the standard for the extension and improvement of Lucille Lynd. The document will be added to the zoning text to ensure that when development does occur, the standards are followed. Staff will present the document during the Planning Commission meeting on June 15, 2026.

### **ACTION**

Should the Planning Commission find that the application has sufficient basis for approval, the following motion is appropriate. Move to approve application TM-39-2026 based on the findings in the staff report (conditions of approval may be added).

**Approximate site location:**



Source: NearMap



**Community Development Planning Application**

<b>Submission</b>	<p>Submit planning applications and all required materials via email to <a href="mailto:planning@newalbanyohio.org">planning@newalbanyohio.org</a></p> <p>Paper copies are not required at this time however, 12 paper copies of the entire submission will be required ahead of a board hearing date. The planner assigned to your case will inform you when the paper copies need to be delivered to our offices. Fee invoices will be issued to you once the application is entered.</p>																									
<b>Project Information</b>	<p>Site Address <u>13785, 13837, and 13853 Lucille Lynd Rd.; 14062 and 0 Worthington Road</u></p> <p>Parcel Numbers <u>094-108342-00.000, 094-108998-00.000, portion of 094-106740-00.005, 094-107880-00.000, 094-106720- 01.000, 094-106720-00.000</u></p> <p>Acres <u>29.28+/-</u> # of lots created _____</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;">Choose Application Type</th> <th>Description of Request:</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Appeal</td> <td>Text modification to update development standards</td> </tr> <tr> <td><input type="checkbox"/> Certificate of Appropriateness</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Conditional Use</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Development Plan</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Plat</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Lot Changes</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Minor Commercial Subdivision</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Zoning Amendment (Rezoning)</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Zoning Text Modification</td> <td></td> </tr> </tbody> </table>		Choose Application Type	Description of Request:	<input type="checkbox"/> Appeal	Text modification to update development standards	<input type="checkbox"/> Certificate of Appropriateness		<input type="checkbox"/> Conditional Use		<input type="checkbox"/> Development Plan		<input type="checkbox"/> Plat		<input type="checkbox"/> Lot Changes		<input type="checkbox"/> Minor Commercial Subdivision		<input type="checkbox"/> Zoning Amendment (Rezoning)		<input checked="" type="checkbox"/> Zoning Text Modification					
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<b>Signature</b>	<p>Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.</p> <p>Signature of Owner _____ Date: <u>5/21/25</u></p> <p>Signature of Applicant <u>By: [Signature] Andrea Underhill, attorney</u> Date: <u>5/22/26</u></p>																									

Department Address: 7815 Walton Parkway • New Albany, Ohio 43054 • Phone 614.939.2254

Mailing Address: 99 West Main Street • P.O. Box 188 • New Albany, Ohio 43054

## BEECH INTERCHANGE SOUTHEAST ZONING DISTRICT

### INFILL PLANNED UNIT DEVELOPMENT (I-PUD) TEXT

DECEMBER 20, 2024

**I. INTRODUCTION:** The Beech Interchange Southeast Zoning District (hereinafter, the “Zoning District”) includes real property located to the southeast of the State Route 161/Beech Road interchange. It encompasses 28.10+/- acres which, prior to the approval of this text, is zoned in the L-OCD, Limited Office Campus District under the City’s Codified Ordinances. The City’s Strategic Plan recommends retail uses for the property within this proposed Zoning District and recommends employment uses for properties adjacent to it to the east. These recommendations reflect the unique location of the property in an area where a variety of non-residential use types are appropriate. The purpose of this rezoning is to create a new I-PUD, Infill Planned Unit Development (I-PUD) District that is flexible to facilitate both the development of service, retail, restaurant, and related uses throughout the Zoning District and opportunities for employment-generating uses to be developed within roughly the eastern two-thirds of the site.

This zoning text is modeled after two others which previously were approved by the City. Retail-type uses and development standards are carried over from the Beech Interchange Southwest District, which was approved in 2023 and is located to the west of this Zoning District across Beech Road. In addition, use rights, development standards, and the review processes set forth herein are similar to the Mink Interchange Zoning District, which was approved in 2016 for property located to the northwest of the interchange of Mink Street and State Route 161. That district allows for the same hybrid of uses as this proposal and has resulted in the construction of a sizable light manufacturing facility. It is expected that existing and ongoing development in the vicinity of that district will yield new retail-type development within the remaining undeveloped portions of the Mink Interchange District in the not-too-distant future. This Zoning District may achieve a similar result while also leaving open the possibility that it will be developed with retail-type uses in its entirety.

**II. SUBAREAS:** The Zoning District is comprised of two subareas. Subarea A includes 7.13+/- acres in the western portion of the site bounded by Beech Road on the west, Worthington Road on the south, State Route 161 on the north, and the western edge of an electric transmission line easement on the east. Subarea B consists of 20.97+/- acres found to the east of and adjacent to Subarea A, between State Route 161 and Lucille Lynd Road.

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

standards. These component standards ensure consistency and quality throughout the development.

A. Permitted Uses: Permitted uses in this Zoning District are as follows:

1. Subarea A and Subarea B: Within each of Subarea A and Subarea B, those uses set forth in the Codified Ordinances of the City of New Albany, C-3, Highway Business District, Section 1149.02. In addition, gasoline and diesel fueling stations with or without convenience stores (and other accessory uses), vehicle charging stations, and restaurants and banks with drive-throughs shall be permitted uses. The conditional uses listed in Section 1149.03 of the Codified Ordinances shall not be permitted uses or conditional uses in this Zoning District. In addition, the following uses shall be prohibited:

- a. Self-service laundries
- b. Funeral services
- c. Automobile sales
- d. Motor vehicle sales and service (combined) establishments
- e. Commercial recreational facilities
- f. Carry out food and beverage establishments with drive-thru facilities. To clarify, this prohibited use is intended to include uses such as drive-thru and carry-out beer and wine sales and is not intended to apply to restaurants with drive-thrus.

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

- a. Industrial product sales (See Section 1153.03(a)(1))
- b. Industrial service (See Section 1153.03(a)(2))
- c. Mini-warehouses (See Section 1153.03(a)(4)(c))
- d. Tool rental and household moving centers, sales of cars, motorcycles, boats and recreational vehicles, repair of TV's, appliances, precision instruments, and business machines, locksmiths, upholsters and furniture refinishing (See Section 1153.03(b)(3)).
- e. Vehicle services (See Section 1153.03(b)(4)) except as associated with "travel centers," as such term is defined in Section II.A.2.d of this text
- f. Radio/television broadcast facilities (See Section 1153.03(c)(1))
- g. Sexually-oriented businesses (See Section 1153.03(c)(3))

3. Special Provisions for Gasoline and Diesel Service Stations: In this Zoning District, the term “gasoline service station” shall include, but not be limited to, service stations selling gasoline, diesel, and/or any other fuel for trucks and/or passenger vehicles, and/or offering charging stations for electric vehicles. This definition is intended to clarify and, if applicable, expand the meaning of the same term as defined in the Codified Ordinances, and shall not in any way restrict or limit that definition. With regard to gasoline service stations in this Zoning District:

a. Sections 1165.08(a) through (d) of the Codified Ordinances shall not apply.

b. Such uses shall be permitted to serve the commercial trucking industry in addition to regular (non-truck) motorists, but the overnight parking of trucks shall be prohibited.

c. Showers and bathing facilities serving truck drivers or others shall be prohibited.

d. No lodging shall be permitted as part of the use.

B. Vehicular Access:

1. Limitations. Vehicular access to and from this Zoning District shall be permitted only along Worthington Road and Lucille Lynd Road. No vehicular access shall be permitted along Beech Road.

2. Access Points: Two vehicular access points shall be permitted along Worthington Road with full turn movements, provided that such access points are at least 500 feet apart. Subject to the provisions of Section B.4 below, the full turn movement access points may serve multiple parcels within the Zoning District. Other vehicular access points shall be permitted along Worthington Road, but only if they are restricted to right-in and right-out turning movements and otherwise meet City spacing and safety standards. Final locations of the proposed access points will be reviewed for approval as part of the first final development plan that is filed for this Zoning District, except that in the case of proposed development of GE, General Employment uses, such locations and specifications shall be reviewed for approval by the City Engineer.

~~3. Lucille Lynd Road: One full movement access point shall be permitted, but not required, on Lucille Lynd Road.~~

4. Internal Circulation: Internally within the Zoning District, private roadways and/or drives shall be utilized to provide vehicular circulation, with locations and specifications for the same to be reviewed and approved as part of one or more final development plans, except that in the case of proposed development of GE, General Employment uses, such locations and specifications

shall be reviewed for approval by the City Engineer. If more than one use/user or property owner is expected to be located or to own property within this Zoning District, then one or more declarations of reciprocal easements or reciprocal easement agreements shall be recorded against the real property within this Zoning District prior to the issuance of the first building permit in the Zoning District to provide for perpetual vehicular and pedestrian cross access easements, cross utility easements, and other easements which are necessary or desirable for efficient development. Maintenance of private drives and sidewalks internal to this Zoning District shall be the responsibility of the owners of property within this Zoning District. A copy of the relevant recorded instrument(s) as contemplated by this paragraph shall be submitted to the City along with the first application for a building permit in this Zoning District.

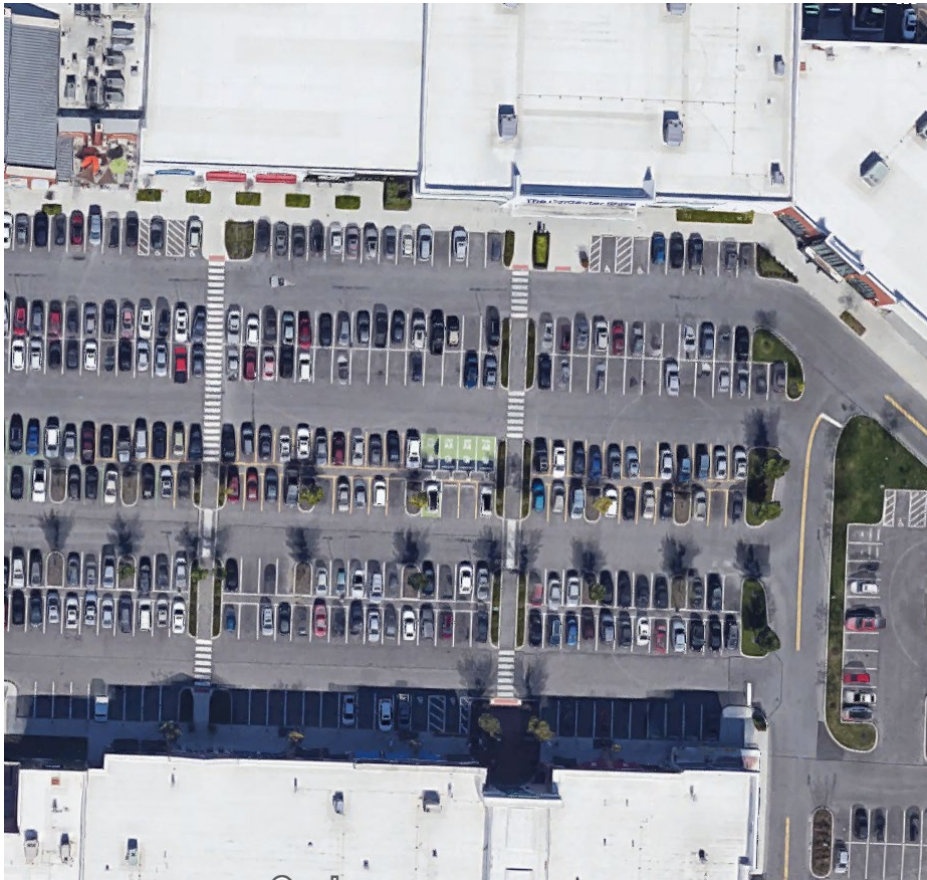
5. Traffic Analysis: In conjunction with the filing of the first final development plan for this Zoning District, or if no final development plan application is required then before filing the first application for a zoning permit in this Zoning District, a traffic study shall be filed by the applicant unless the City Engineer requires less than a full study as determined prior to the filing of the relevant application. The study or analysis which is approved along with the application shall apply to other developments within the Zoning District unless otherwise modified as part of a subsequent approved study or analysis as part of another application. A memorandum of understanding detailing the scope of all required traffic studies/analyses shall be agreed upon by the City Engineer and the applicant prior to the filing of the relevant application.

C. Pedestrian Access:

1. Leisure Trail: An 8-foot wide leisure trail shall be provided along the Zoning District's frontage on Worthington Road and shall connect on the west with an existing leisure trail on Beech Road. The leisure trail shall be installed no later than the date when the first certificate of occupancy is issued for a building within the Zoning District.

2. Sidewalks: A 5-foot wide concrete sidewalk shall be provided on both sides of all roadways internal to the Zoning District..

3. Internal Circulation: For any use and associated development occurring as permitted in the C-3, Highway Commercial District, an internal pedestrian circulation system of walkways shall be created so that a pedestrian using a sidewalk or leisure trail as described above can access adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives. One example of a possible design that meets these requirements is depicted below, but other designs may be provided as determined on a development-by-development basis.



4. Connections: Every development as contemplated in the immediately preceding Section II.C. 3 of this text shall be required to connect into the internal pedestrian circulation system by direct connection to a leisure trail or sidewalk.

5. Along Buildings: Walkways, no less than five (5) feet in width, shall be provided along the full length of the building along any façade featuring a customer entrance and along any façade abutting public parking areas. Such walkways may be omitted to accommodate drive-through lanes, where necessary or desirable to reduce or eliminate conflict between pedestrian and vehicular traffic.

D. Setbacks; Lot Coverage:

The setback standards below are a result of a joint effort undertaken by the City and MKSK to study site planning, access, and preferred development requirements for the general area in relation to the extension of Lucille Lynd Road. A plan and study prepared by MKSK, which accompanies this zoning text, references the plan for more details of setback requirements for this zoning text.

1. State Route 161: There shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the right-of-way of State Route 161.

2. Beech Road: There shall be a minimum pavement setback and a minimum building setback of 50 feet from the Beech Road right-of-way.

3. Worthington Road: There shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the right-of-way of Worthington Road.

4. Lucille Lynd: There shall be a minimum pavement and building setback of 50 feet from the centerline of Lucille Lynd Road.

4. Eastern Perimeter Boundary: There shall be a minimum pavement and building setback of 25 feet from the eastern perimeter boundary of this Zoning District.

5. Internal Parcel Lines: There shall be a zero setback requirement for pavement and a minimum building setback of 10 feet from internal parcel lines within this Zoning District.

6. Canopies: Canopies over fuel pumps as part of a gasoline service station use may encroach into minimum building setbacks, subject to approval by City staff.

7. Lot Coverage: There shall be a maximum lot coverage of 80% in this Zoning District, measured on a parcel-by-parcel basis.

8. Public Street Frontage: An individual parcel shall not be required to have public street frontage, or may have frontage on a public street right-of-way to which vehicular access is prohibited, if that parcel has the right to vehicular access to and from Worthington Road by and through one or more recorded instruments providing perpetual easements in favor of the parcel for these purposes.

E. Architectural Standards: Architectural requirements for buildings in this Zoning District will differ based upon the types and/or locations of intended uses for each building. Requirements for each building type are set forth below. The requirements of the City's Design Guidelines and Requirements ("DGRs") shall apply when a particular standard is not addressed in this text, unless a deviation from the DGRs is approved herein or as part of a final development plan.

1. GE, General Employment Uses: The following architectural standards shall apply to any building containing as its primary use any use which is permitted or conditional under Section II.B.2 of this text (i.e., GE, General

Employment District uses):

a. Service and Loading Areas: Service areas and loading areas shall be screened in accordance with the Codified Ordinances unless otherwise provided in this text.

b. Building Design:

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

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

iii. 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.

iv. 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.

v. All elevations of a building that are visible from a public right-of-way shall receive similar treatment in terms of style, materials, and design so that such elevations are not of a lesser visual character than any other.

vi. 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.

vii. 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.

viii. 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.

c. Building Form:

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

ii. 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.

d. Materials:

i. Exterior wall finishes: 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, and 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. Architectural precast concrete panels and/or poured-in-place concrete tilt-up panels shall be permitted. The use of reflective or mirrored glass shall be prohibited.

ii. Prefabricated metal buildings and untreated masonry block structures are prohibited.

iii. Generally, the quantity of materials selected for a building shall be minimized.

iv. 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.

v. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that

are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and to buffer sound generated by such equipment.

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

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

In conjunction with an application for a certificate of appropriateness for each building or structure in this subarea that is not subject to or governed by the DGRs, the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1144.04(q) of the City Code. In designing such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

i. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while taking into account the unique nature of the use(s) that will be found therein.

ii. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest.

Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.

iii. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.

iv. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

v. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.

2. C-3, Retail-Type Uses: The following architectural standards shall apply to any building containing as its primary use any use which is permitted under Section II.B.1 of this text (i.e., C-3, Highway Business District uses):

a. Style: Buildings shall be designed with a comparable level of detail on all sides.

b. Height: Buildings shall be a minimum of one (1) story and a maximum of two (2) stories, except that hotels and office buildings may exceed two stories and are permitted to be a maximum of 65 feet in height. Architectural elements such as parapets, cupolas, mechanical screening or similar features may exceed these maximum building heights.

c. Materials:

i. Cementitious products such as Hardi Plank or its equivalent, brick, stone, cultured stone, metal, EIFS and composite material (except vinyl) shall be used as exterior wall finish materials where appropriate. Exterior wall finish materials must be used to complete massing elements. The application of brick veneer to a single building façade shall be prohibited. Alternative building materials may be used subject to Architectural Review District approval (Chapter 1157), provided, however, that when Chapter 1157 requires review and action by the Architectural Review Board, said review and action instead shall be undertaken by the Planning Commission. Exterior wall finish materials must be used to complete massing elements.

ii. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring poured concrete exterior walls are prohibited.

iii. Generally, the quantity of materials selected for a building shall be minimized.

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

v. The same palette of exterior finishes and color shall be used on all sides of each building.

d. Roof: General roof massing shall incorporate pitched roofs. Flat roofs shall be permitted, but must integrate strong cornice lines. Acceptable roof materials include natural and synthetic slate, cedar shake, dimensional asphalt shingle, and standing seam metal. Roof elements shall be incorporated that emphasize and reduce the building scale at the building storefront such as, but not limited to, dormers, cupolas, roof spires, and hip and gable roofs.

i. Gutters and Downspouts: Sloped roofs shall be required to employ gutters and downspouts for drainage.

ii. Gutter Specifications: Gutters shall be of a metal type and shall be painted to match fascias.

iii. Scuppers: Scuppers may be used on the rear of a building with a parapet in lieu of interior drains. Scupper boxes on the rear of a building shall be painted to blend in with the exterior color or shall be of a manufactured metal of a color which complements the finished material to which it is affixed. Through-wall scuppers may be permitted where parapet walls are used. Overflow drains may be an open scupper through a parapet. An open scupper shall be detailed to minimize its appearance on the building elevation.

e. Exterior Doors: All exterior doors other than doors whose primary purpose is for the entry or exit of customers shall be made of a heavy gauge metal. Such doors shall be painted with a color that blends with the color of the exterior masonry on the elevation on which the door is located.

f. Service and Loading Areas: Service and loading areas shall be screened in accordance with the Codified Ordinances.

g. Mechanical Equipment: The following standards shall be required and shall be scaled according to the size of the individual tenant. These features

may be scaled to a group of smaller side-by-side tenants when architecturally appropriate:

i. 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, but is not required to be the same material as the building's facade. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment. When the requirements of this subsection cannot be met due to State Route 161 being at a higher elevation than a building in this Zoning District, deviations with regard to the screening requirements from State Route 161 may be approved as part of a final development plan.

ii. Complete screening shall be required of all ground-mounted mechanical and other equipment at ground level by walls, fencing, or landscaping that is consistent and harmonious with the materials on and character of the nearest primary building. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.

3. Buildings constructed within this Zoning District are exempt from the requirement of New Albany Design Guidelines Section 6 (I)(A)(1) which prohibits buildings from backing onto public rights-of-way, as it relates to the State Route 161 entrance ramp.

F. Parking: Parking and loading spaces shall be provided for each use per Section 1167 of the Codified Ordinances of the City of New Albany unless otherwise approved as part of a final development plan.

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

1. Tree Preservation: Standard tree preservation practices will be in place to preserve and protect trees that are to remain on site during all phases of construction, including the installation of snow fencing at the drip line.

2. SR 161 Treatment: A four-board white horse fence shall be required generally running parallel to State Route 161 along the perimeter of this Zoning District but outside of the right-of-way.

3. Treatment Along Beech Road and Worthington Road: Within the minimum required pavement setback along Beech Road and Worthington Road, landscaping shall be coordinated and consistent throughout. The following also shall be provided:

a. Fence: A four-board white horse fence shall be required along the street frontages. The final location will be determined as part of a final development plan application or zoning permit application, as applicable.

b. Setback Landscaping: A landscaped area shall be required behind the fence and within the required pavement setbacks. This buffer shall consist of deciduous shade trees planted at a rate equal to six (6) trees or more for every 100 lineal feet of street frontage. Such trees may be equally spaced or randomly grouped and shall be of species which are native to Central Ohio. No single species shall be used for more than one-third of the trees required by this paragraph. Minimum sizes for trees required to be planted pursuant to this paragraph shall be two (2) or three (3) caliper inches, provided that no more than 50% of these trees shall be two (2) inches in caliper. The City Landscape Architect may approve deviations to the caliper requirements on a case-by-case basis.

c. Screening of Parking: A landscape buffer to screen parking areas shall be located within the pavement setback along all public rights-of-way other than Lucille Lynd Road. This buffer may contain landscape material, mounding, or a combination of both and shall have a minimum height of 3.5 feet at installation and a minimum opacity of 75% within 3 years of installation.

4. Stormwater Basins: Wet and dry stormwater basins shall conform to the standards set forth in Section 1171.08 of the Codified Ordinances unless other design solutions are found to be appropriate. Other design solutions may be appropriate if the City Landscape Architect finds that an alternative design, shape, and appearance is appropriate in particular relationship to streetscape and other site design considerations. One or more stormwater basins may be shared to serve some or all development within this Zoning District, so as to eliminate the need for each parcel to have its own on-site basin. Where shared stormwater basins are proposed, they shall be reviewed and approved by City staff without the requirement to be reviewed as part of a final development plan. Installation of stormwater basins shall include simultaneous installation of screening, buffering, and other aesthetic enhancements near the basins.

5. Street Trees: Street trees already exist along Beech Road. No additional street tree plantings shall be required along that street. A street tree row shall be established along Worthington Road and private roads and shall contain one (1) tree for every thirty (30) feet of street frontage. Street trees along Worthington Road shall be installed along the entire street frontage when the first parcel develops in this Zoning District. Street trees shall be located a minimum of ten (10) feet from the edge of the right-of-way unless the City's Landscape Architect approves planting these trees closer to the right-of-way or within the right-of-way. Minimum street tree size at installation shall be three (3) caliper

inches. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation. The City Landscape Architect may approve deviations to the caliper requirements on a case-by-case basis.

6. Parking Areas: Within this Zoning District there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or tree areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles. Parking areas should be designed to foster pedestrian connectivity by accommodating the required pedestrian connections/walkways and provide landscaping to enhance visual aspects of the development. Particular attention shall be given to quantity or plan material and size of parking lot landscape islands closest to buildings.

7. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for deciduous trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade. The city landscape architect may approve deviations to the caliper requirements on a case-by-case basis.

H. Lighting:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed thirty (30) feet in height.

4. Uplighting of buildings shall be prohibited. Landscape uplighting from a concealed source shall not be permitted.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.

6. All new electrical utilities that are installed in this Zoning District shall be located underground.

7. All other lighting on the site shall be in accordance with City Code.

8. Street lighting must meet the City Standards and Specifications.

I. Signage: Signage for all uses in this Zoning District shall comply with relevant provisions of the Codified Ordinances unless a master signage plan that provides alternative standards is provided for review and approval by the Planning Commission as part of a final development plan. In the event of a conflict between an approved master sign plan and the relevant provision of the Codified Ordinances, the approved master sign plan shall govern. One wall mounted sign per tenant shall be permitted on each elevation of the building that fronts or sides on a public or private road, but parking lot drive aisles shall not be construed as a private road. Retail tenants are permitted one sandwich board sign, not to exceed six (6) square feet in area, per side. The signs may be placed on the sidewalk in front of the appropriate tenant space, but may not be sited in a location that interferes with vehicular sight distance.

H. Utilities: All new utilities shall be installed underground.

I. Phasing of Improvements: Each phase of development in this Zoning District shall include an appropriate share of the proposed vehicular circulation system, landscaping and outdoor spaces, screening and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project at the time of the project's final development plan approval and may not be based solely upon a proportional or equal share of the entire site.

**IV. GENERAL MATTERS:**

A. Development Review Procedure: The majority of the acreage within this subarea may be developed with uses that are permitted in the GE, General Employment District, subject to the limitations described in this zoning text. It is the intent that development proposals for the operation of these uses will be processed and reviewed by the City in the same manner as if they were not being developed within a planned zoning district. Furthermore, it is the intent that any use that is permitted under this zoning text but would not be permitted to be developed and operated in the GE, General Employment zoning classification of the City's Codified Ordinances will be subject to further review by the City's Planning Commission in accordance with relevant provisions of Chapter 1159 (Planned Unit Development) of the City's Codified Ordinances.

The following procedures shall apply to the review of development proposals within this Zoning District:

1. Development proposals for uses that are permitted pursuant to Section II.A.1 above shall be reviewed by City staff in accordance with Chapter 1157 of the City's Codified Ordinances.

2. Development proposals for uses that are permitted in Section II.A.2 shall be reviewed by the City's Planning Commission in accordance with Chapter 1159 of the City's Codified Ordinances.

B. Conditional Uses: Any person owning or having an interest in property may file an application to use such property for one or more of the conditional uses provided by this zoning text. Applications for conditional uses shall follow the procedure and comply with the requirements of Chapter 1115, Conditional Uses, of the Codified Ordinances of the City of New Albany.

C. Appeals and Variances:

1. Appeals:

a. Taking of Appeals: Appeals to the Board of Zoning Appeals concerning interpretation or administration of the text or the underlying zoning ordinance by the Zoning Officer or any other administrative official may be taken by any person aggrieved, including a tenant, or by a governmental officer, department, board, or bureau. Such appeal shall be taken within twenty days after the date of the decision by filing a notice of appeal specifying the grounds thereof with the officer from whom the appeal is taken and the Board of Zoning Appeals.

b. Imminent Peril: An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Officer certifies to the Board of Zoning Appeals, after notice of appeal shall have been filed with him, that by reason of facts stated in the application a stay would, in his opinion, cause imminent peril to life or property. In such case, the proceeding shall not be stayed other than by a restraining order which may, on due cause shown, be granted by the Board of Zoning Appeals, after notice to the Zoning Officer or by judicial proceedings.

c. Nature of Variance: On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of this text or the Zoning Ordinance unreasonable and, therefore, the procedure for variance from development standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change of the primary use of the land or structure permitted.

2. Variance Process: The procedures and requirements of Chapter 1113, Variances of the Codified Ordinances of the City of New Albany

shall be followed in cases of appeals. The Planning Commission shall hear requests for variances in this Zoning District.