NEW ALBANY
COMMUNITY CONNECTS US

New Albany Planning Commission Meeting Agenda
Monday, August 19, 2024 at 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: August 5, 2024

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:

FDM-08-2024 Final Development Plan Modification
Modification to the approved final development plan for the New Albany Links subdivision driving range (PID: 222-002263).
Applicant: New Albany Driving Range c/o Christopher Ingram, VORYS Law Firm.

Motion of acceptance of staff reports and related documents into the record for FDM-08-2024.

Motion of approval for application FDM-08-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VAR-57-2024
Variance to allow a lot that does not abut a public or private street whereas the West Nine 2 Subarea 4 zoning text section 4b.01(8) states all lots shall abut a private or public street.
Applicant: The New Albany Company, c/o Aaron Underhill, Esq.

Motion of Acceptance of staff reports and related documents into the record for VAR-57-2024.

Motion of approval for application VAR-57-2024 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

FDP-59-2024 Final Development Plan
A final development plan to allow for the construction of a single residential home on 1.654 acres located at 4093 Reynoldsburg-New Albany Road (PID:222-000630).
Applicant: Todd Parker, F5 Design

Motion of acceptance of staff reports and related documents into the record for FDP-59-2024

Motion of approval for application FDP-59-2024 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
Informal Meeting Minutes Monday, August 5, 2024 - DRAFT

I. Call to order

The New Albany Planning Commission held an informal meeting on Monday, August 5, 2024 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:04 p.m. and asked to hear the roll.

II. Roll call

Those answering the roll:

Mr. Kirby	present
Mr. Wallace	present
Mr. Schell	present
Mr. Larsen	present
Ms. Briggs	present
Council Member Wiltrout	present

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

Staff members present: Law Director Albrecht, Development Engineer Albright, Planner II Christian, Planning Manager Mayer, Deputy Clerk Madriguera.

III. Action on minutes: July 15, 2024

Chair Kirby asked whether there were any corrections to the minutes from the July 15, 2024 meeting.

Commissioner Wallace had one change on the top of page three, in the comments attributed to him the word "motion" appeared to be missing after the word "intervening."

Chair Kirby asked if there were any other corrections.

Hearing none, Commissioner Schell moved to approve the July 15, 2024 meeting minutes as corrected. Commissioner Larsen seconded the motion.

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

Upon roll call: Mr. Schell yes, Mr. Larsen yes, Mr. Wallace yes, Ms. Briggs yes, Mr. Kirby yes. Having five yes votes, the motion passed and the July 15, 2024 meeting minutes were approved as corrected.

IV. Additions or corrections to the agenda

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

Planner II Christian answered none from staff.

Chair Kirby administered the oath to all present who would be addressing the commission. Then he reminded everyone that now would be a good time to silence all cell phones.

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

Chair Kirby asked whether there was anyone present who wished to speak on an item not on the agenda.

Hearing none, Chair Kirby introduced the first and only case on the agenda and asked to hear from staff.

VI. Cases:

FPL-55-2024 Final Plat
Final Plat for the dedication of public right-of-way for Ganton Parkway West Phase 3 located west of Beech Road and south of Worthington Road.
Applicant: City of New Albany

Planning Manager Mayer delivered the staff report.

Chair Kirby asked whether there were any comments from engineering.

Development Engineer Albright said there were no comments from engineering.

Chair Kirby noted that the City of New Albany was the applicant, and asked for questions from the panel.

Hearing none, Chair Kirby asked whether there was anyone present from the public who wished to comment on the application.

Hearing none, Chair Kirby moved to accept the staff report and related documents into the record for FPL-55-2024. Commissioner Larsen seconded the motion.

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

Upon roll call: Mr. Kirby yes, Mr. Larsen yes, Mr. Schell yes, Ms. Briggs yes, Mr. Wallace yes. Having five yes votes, the staff report and related documents for FPL-55-2024 were admitted to the record.

Commissioner Larsen moved for approval of FPL-55-2024 as stated in the staff report. Commissioner Briggs seconded the motion.

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

Upon roll call: Mr. Larsen yes, Ms. Briggs yes, Mr. Kirby yes, Mr. Wallace yes, Mr. Schell yes. Having five yes votes, the motion passed and FPL-55-2024 was approved as stated.

VII. Other business

- **City code amendment: C.O. 1105 and 1127 prohibiting the commercial cultivation, processing and dispensing of recreational marijuana**

Planning Manager Mayer delivered the staff report.

Commissioner Wallace asked whether has there been any research or review of adverse environmental effects or problems with odor in the cultivation or processing of marijuana either in Ohio or other places where cultivation has been allowed.

Planning Manager Mayer answered that he was not aware of any.

Law Director Albrecht added that there probably has been but he has not found it.

Chair Kirby remarked that he assumed threre is a lot of caselaw.

Law Director Albrecht responded yes and this is consistent.

Commissioner Wallace asked Law Director Albrecht whether under Ohio law a dispensary can exist without a cultivation center.

Law Director Albrechter responded that he was not sure.

Chair Kirby asked whether there were other questions from the commission.

Hearing none, he asked whether anyone was present from the public to comment on the amendment.

Hearing none, he moved to admit the staff report and related documents into the record for the amendments to C.O. 1105 and 1127 prohibiting the commercial processing, cultivation, and dispensing of medical marijuana. Commissioner Larsen seconded the motion.

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

Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes, Mr. Larsen yes, Mr. Wallace no, Mr. Schell yes, Ms. Briggs yes. Having four yes votes, and one no vote, the motion passed and the documents were admitted to the record.

Commissioner Wallace explained that he voted no because he does not think there is enough evidence to decide whether New Albany should preclude it if the prescription for medical marijuana is correctly prescribed.

Commissioner Schell moved for approval of the amendment to C.O. 1105 and 1127 prohibiting the commercial processing, cultivation, and dispensing of medical marijuana. Commissioner Larsen seconded the motion.

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

Upon roll call: Mr. Schell yes, Mr. Larsen yes, Ms. Briggs yes, Mr. Kirby yes, Mr. Wallace no. Having four yes votes, and one no vote, the motion passed and the amendment was favorably recommended to city council.

Commissioner Wallace explained that he voted no for the same reasons that he voted no on the documents motion.

- **Informal review of the Hamlet Final Development Plan application**
  Applicant Justin Leyda spoke in support of the application; site demolition is underway; a community wide pattern book has been completed it is about 45 pages and includes all of the details; meeting with restauranteurs and retailers; subarea 4 up to almost 8 acres – the parks will revert to the city; parkland open space is about 30 percent which exceeds the minimum, working to preserve trees; introduced parallel parking which slows down traffic; parkland – the PTAB approved the parkland and open space just prior to this meeting; we have introduced a collection of different styles of leisure areas from more formal restaurant space to less structured informal leisure space; Haley explained to the PTAB that the applicant is working with her on an artwalk and will call for proposals from local artists, working on a concept to give artists a platform for a birdhouse; alternative stormwater strategies – no traditional surface ponds there are permeable pavers and vegetated bioretention basins; preliminary architecture

  Applicant Justin Leyda, 4016 Townsfair Way, provided an informal review of the Hamlet Final Development Plan.

  Chair Kirby noted that the renderings showed third floor windows and asked whether the third floor would be habitable.

  Mr. Leyda answered yes and explained that most of the buildings have three stories of habitable space. He continued that this development is a work in progress and one of the reasons he was presenting an informal review for the commission was to explain the following potential conflicts with zoning text and the resulting requests for waivers:

1. Requesting four foot sidewalks in some individual residential areas. Five foot sidewalks are a lttle too wide in some areas.

   Chair Kirby confirmed that the green space did not shrink. He further noted that older concrete sidewalks are three feet.

   Commissioner Briggs asked what the percentage was and whether it was 20%.

   Mr. Leyda answered that it was less than that, and further that this is only internal it is not on primary acess ways.

   Council Member Wiltrout asked whether there other areas in New Albany with four-foot sidewalks.

   Planner II Christian answered that Ashton Grove had four-foot walks.

   Planning Manager Mayer added that there are other areas as well such as Edge of Woods.

   Council Member Wiltrout observed that Pickett Place probably had four-foot walks.

2. Requesting that single family homes in subarea 3 be permitted to front New Albany Condit Road. The current language requires the homes to be duplexes. Permitting single family homes would provide breathing room for the residents.

3. Requesting that the building height in subarea 2 be able to reach 44 feet. This would give the interior the benefit of having nine-foot ceilings.

Council Member Wiltrout asked whether the building heights of 36 feet had a garage, and whether the height could be raised on all of them.

Mr. Leyda answered that they do, and that the they could not do it with all of them.

Commissioner Larsen asked whether this change would this negate the dormers.

Mr. Leyda responded that some would have dormers and further that they were not looking to change the design regulations and guidelines (drg).

Commissioner Briggs asked for more information about subarea 2.

Mr. Leyda indicated the corner location on the site plan.

Commissioner Schell asked to confirm the location of the apartments and townhomes.

Mr. Leyda indicated the location. He explained that everything is built to condominium quality and he expected the rental price to approach 4k per month.

4. Requesting permission to utilize steps with risers but not a full two feet above grade as required by the dgr. The target resident of these units does not have children and there are no basements. He displayed a rendering that is 18-inches above grade and said there will be a step up from the garage.

   Chair Kirby raised the issue of ramping for differently abled persons as a huge selling point.

   Council Member Wiltrout asked whether there are differing heights in New Albany's over 55 communities.

   Planning Manager Mayer stated that Epcon and Nottingham both use differing heights and they may do so pursuant to their zoning texts or pursuant to variances.

   Mr. Leyda remarked that Market and Main has two feet.

   Commissioner Larsen asked whether review of variances from the dgr are conducted by the Architectural Review Board or the Planning Commission.

   Planner II Christian responded that it would be both.

5. Requesting permission to have a commercial tenant utilize up to 10,000 square feet of commercial space. He explained that a larger commercial (not retailer) should be able to use this as an office space and partition it off for partial use as retail space. He continued that the applicants are looking forward to a similar informal presentation before the Architectural Review Board and that they will be back before the commission on September 16th.

Commissioner Wallace remarked that when the commission initially heard this application there was a greater number of apartments.

Mr. Leyda responded that it was 40 flats then and it is still at 40 flats.

Chair Kirby asked whether there an appetite for that much office space – referring to the 10,000 square feet.

Mr. Leyda responded that they have had three conversations.

Planner II Christian indicated that vendors have indicated that the 10,000 square foot limit is burdensome.

Commissioner Larsen remarked that he is concerned that all the buildings would become 10,000 square feet and stated that he would want to restrict it so that not all of them become more than 10,000 square feet.

Mr. Leyda stated that the parking model will be a key factor in these decisions.

Commissioner Larsen stated that the text should address that concern but the plan looks like the applicant is trying to meet the spirit of the project.

Commissioner Schell asked for the approximate number of students.

Mr. Leyda answered that the district planned for 65-67, but the applicant's model comes out to 54-55 students.

Chair Kirby advised Mr. Leyda to please have minimal conditions of approval once the final development plan gets tolerably well-baked.

Mr. Leyda agreed and stated that the applicants had no interest in doing an end-run with this project.

Commissioner Larsen asked whether there were limitations on a drive through with the commercial tenants.

Mr. Leyda answered that coffee shops are permitted to have a drive through.

Commissioner Larsen raised the issue of changing the makeup of subareas. He remarked that such a change would constitute a change to the approved final development plan.

Planner II Christian remarked that the approved zoning text allowed for the boundaries of the subareas to change.

Commissioner Wallace stated that he was concerned that 40 rental units is not very many.

Chair Kirby asked for questions from the public.

Tricia Segnini, 7267 New Albany Links Drive. Ms. Segnini explained that she had concerns about lifting the 10,000 square foot limit. Specifically, she was concerned about missing cute shops or green space. She remarked, however, that she likes what she sees for the most part and is happy to have more commercial.

Mr. Leyda responded that the potential increase is not additive, it is a redistribution of existing space and it could be a second floor.

Matt McFadden, Maynard Place East. Mr. McFadden remarked that this application has come a long way. And, regarding the 44-foot height request, that he would not like to see garage doors while driving on SR 605.

Mr. Leyda remarked that in the civic corridor, the building heights will all feel consistent.

Chair Kirby asked for other questions.

Hearing none, he polled the members for comment.

VIII. Poll members for comment

Commissioner Larsen reported that the US-62 Interchange Workgroup had its second meeting and that work is progressing well. During their second meeting, the group looked at five other areas. The next meeting is September 9th; will be having an open house.

Commissioner Schell mentioned that, as stated at the prior meeting, he would like to tour the area behind the fire department.

Law Diretor Albrecht asked the commission to coordinate with staff and to be careful not to violate the Open Meetings Act.

IX. Adjournment

Hearing no further comments and having no further business, Chair Kirby adjourned the August 5, 2024 informal meeting of the New Albany Planning Commission at 8:50 p.m.

Appendix
FPL-55-2024
Staff Report
Record of Action
City Code Amendments, C.O. 1105 and C.O. 1127.
Memo

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
August 5, 2024 Meeting

GANTON PARKWAY WEST PHASE 3
FINAL PLAT

LOCATION:	6140 Babbitt Road
APPLICANT:	City of New Albany
REQUEST:	Final Plat
ZONING:	Limited General Employment (L-GE)
STRATEGIC PLAN:	Employment Center
APPLICATION:	FPL-55-2024

Review based on: Application materials received July 18, 2024

Staff report completed by Sierra Saumenig, Planner

I. REQUEST AND BACKGROUND

The application is for a final plat to dedicate right-of-way for the third phase of Ganton Parkway West. Ganton Parkway is recommended in the Engage New Albany strategic plan to facilitate additional connections within the New Albany International Business Park. This extension of Ganton Parkway West will provide access to existing and new development sites in the future.

II. SITE DESCRIPTION & USE

The proposed right-of-way dedication extends westward from Ganton Parkway West Phase 2, which created a curb-cut at the Franklin County/Licking County line to provide additional connections within the New Albany International Business Park. The property is zoned L-GE and allows the same uses as the Personal Care and Beauty Park such as office, distribution, and warehousing uses.

III. PLAN REVIEW

The Planning Commission's review authority of the final plat is found under C.O. Section 1187. Upon review of the final plat, the Commission is to make a recommendation to the City Council. The staff's review is based on city plans and studies, zoning text, and zoning regulations.

1. The Planning Commission and City Council approved a final plat for the Ganton Parkway West phase 2 in April 2022 and May 3, 2022, respectively. The right-of-way is being phased in order to allow for flexibility regarding development opportunities. Additional phases will be platted as new development occurs in the area.
2. This plat dedicates right-of-way to the city of New Albany for an extension of Ganton Parkway West. The dedication extension consists of approximately 1,540 +/- linear feet of a new public street totaling approximately 3.818+/- acres. No reserves are being platted or lots being created within this new right-of-way extension.
3. This proposed street dedication location is also identified as a future connection in the Engage New Albany strategic plan. Similar to the development of other roads within the New Albany Business Park, this road will be extended in the future to provide a connection to Worthington Road and is envisioned to ultimately connect back to Johnstown Road in the Village Center, leveraging the freeway frontage in between and providing roadway connections for future development parcels.

4. The plat dedicates 100’ of right-of-way. The street extends through the Winding Hollow L-GE zoning district. The zoning text contains a provision for this roadway and contemplates the general alignment shown on the plat. The text requires the developers of this property to dedicate an amount of right-of-way as mutually agreed upon by the city and the developer for the construction of a public street. The city is supportive of the 100 feet of right-of-way and the zoning requirements are being met.
5. Ganton Parkway West is identified as a minor arterial road typology in the Engage New Albany strategic plan. The plan indicates the road should be designed at a larger scale in order to accommodate heavier traffic traveling into the business park. The 100 feet of right-of-way is consistent with the 115-foot recommendation in the Engage New Albany Strategic Plan .
6. There is an existing streetscape and utility easement on the north side of the street that was recorded via separate instruments to ensure desired street improvements can be accommodated. Additionally, the plat shows a proposed streetscape and utility easement on the south side of the street to also accommodate street improvements.

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

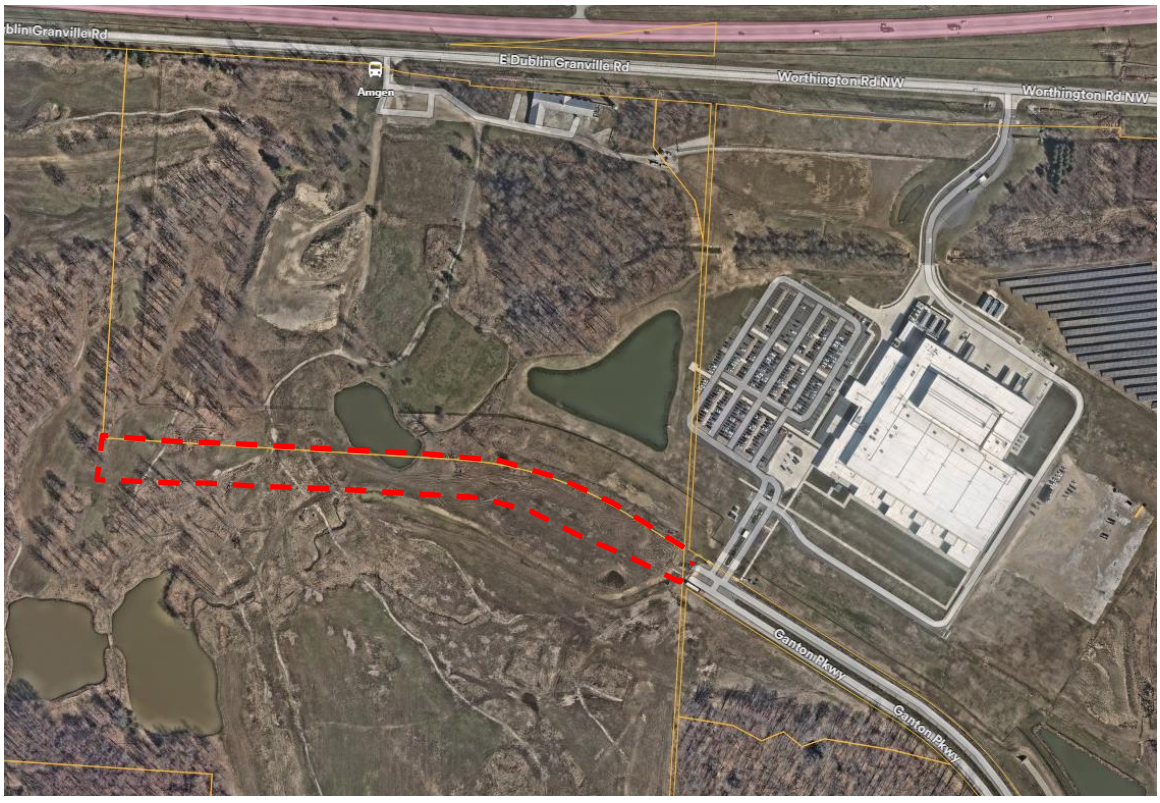
The proposed road plat is consistent with the goals and objectives found in the Engage New Albany strategic plan for this area. This road will serve as a critical connection within the New Albany Business Park and provide access for existing and new development sites in the future.

VI. ACTION

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

Move to recommend approval to City Council of application FPL-55-2024.

Approximate Street Location Shown in Red:



Source: Nearmap

NEW ALBANY

Community Development Department

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

Dear CITY OF NEW ALBANY,

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.

NEW ALBANY

Community Development Department

Decision and Record of Action

Monday, August 12, 2024

The New Albany Planning Commission took the following action on 08/05/2024 .

Final Plat

Location: 6140 Babbitt RD
Applicant: CITY OF NEW ALBANY,

Application: PLFPL20240055
Request: Final Plat for the dedication of public right-of-way for Ganton Parkway West Phase 3 located west of Beech Road and south of Worthington Road.
Motion: To approve

Commission Vote: Motion Approved, 5-0

Result: Final Plat, PLFPL20240055 was Approved, by a vote of 5-0.

Recorded in the Official Journal this August 12, 2024

Condition(s) of Approval: None

Staff Certification:

Sierra Saumenig

Sierra Saumenig
Planner

NEW ALBANY
COMMUNITY CONNECTS US

TO: Planning Commission

FROM: Community Development Department

DATE: August 5, 2024

RE: Amendment to Codified Ordinance Chapter 1105 (Definitions) and Chapter 1127 (General Regulations) for Recreational Marijuana

The city council, at their July 16, 2024 meeting, requested that staff prepare legislation to prohibit recreational marijuana in the city at the August 6, 2024 meeting. This memo contains the city staff's proposed updates to the city codified ordinances regarding the commercial cultivation, processing, and dispensing of recreational marijuana for the Planning Commission to consider and take action on. Ohio Issue 2, the Marijuana Legalization Initiative, was on the ballot in Ohio as an indirectly initiated state statute on November 7, 2023. The ballot measure was approved.

Via ordinance 0-19-2017 the city council adopted legislation that defined medical marijuana, and implemented a prohibition on medical marijuana cultivators, dispensaries and processors.

Current city code is limited to the commercial cultivation, processing and dispensing of medical marijuana. Since the codified ordinances are currently silent on the use of recreational marijuana, this memo contains draft code updates prohibiting the commercial cultivation, processing and dispensing of recreational marijuana for city council consideration. Similar to medical marijuana, the proposed code update will prohibit the commercial cultivation, processing, and dispensing of recreational marijuana and its cultivation on city-owned property.

Section 1105.02 (jjj) to be amended (shown in red font) in the Definitions section of the Codified Ordinances of the city to read as follows:

> (mmm~~jjj~~) **"~~Medical~~ marijuana" means recreational or medical marijuana, as defined in Ohio Revised Code §3719.01, that is cultivated, processed, dispensed, tested, possessed, or used for a medical or recreational purpose. In accordance with Chapter 1127 of the Codified Ordinances, the cultivation, processing and dispensing of recreational or medical marijuana shall not be permitted in any zoning district within the City.**

Additionally, section 1127.02 (j) to be amended (shown in red font) in the General Regulations section of the Codified Ordinances of the city to read as follows:

> (j) **The commercial cultivation, processing and dispensing of ~~medical~~ marijuana, as defined in Section 1105.02 (mmm~~jjj~~), shall not be permitted in any zoning district within the City. The cultivation of marijuana shall not be permitted on city-owned property.**

NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
August 19, 2024 Meeting

NEW ALBANY LINKS DRIVING RANGE
FINAL DEVELOPMENT PLAN MODIFICATION

LOCATION:	7100 New Albany Links Drive (PID: 222-002263)
REQUEST:	Final Development Plan Modification
ZONING:	Comprehensive Planned Unit Development (C-PUD)
STRATEGIC PLAN:	Parks & Green Space
APPLICATION:	FDM-08-2024
APPLICANT:	New Albany Links Golf Club c/o Lucas Bowersock

Review based on: Application materials received August 1, 2024.

Staff report completed by Sierra Cratic-Smith, Planner I

I. REQUEST AND BACKGROUND

The applicant requests a review and approval for the alterations to the New Albany Links Driving Range final development plan. Since the existing conditions do not match the approved 2009 final development plan, and the property requests changes to the landscaping, a final development plan modification is required.

Previously the Planning Commission heard and tabled the final development plan modification on February 21, April 15, May 20, June 17, and July 15, 2024 to allow the applicant to meet with their neighbor to the south.

***

LAW DIRECTOR'S COMMENTS

An issue has been identified regarding the factors that the Planning Commission must consider during their review of the Final Development Plan Modification application for New Albany Links. It is the law director's opinion that the correct procedure to follow relates to the specific provisions set forth in Codified Ordinance Section 1159.09, entitled "Procedure for Approval of Comprehensive Planned Unit Development (C-PUD)", and that the Planning Commission should consider and evaluate the application upon the criteria found in Codified Ordinance Section 1159.08, entitled "Basis of Plan Approval," when coming to a final decision.

This opinion is based on the fact that Codified Ordinance 1150.08 states that it is to be used for the basis for approval of a Comprehensive Plan in a C-PUD and the Preliminary Development Plan in an I-PUD. Previously included Codified Ordinance 1111.06 deals with the initiation of zoning amendments, and is not applicable to the situation at hand.

***

II. SITE DESCRIPTION & USE

The final development plan area includes just the portion of the existing golf course site that contains the driving range. It is located within the New Albany Links subdivision. The property has been developed with a driving range and is located east of the golf club on about 10 acres.

The site is located west along US State Route 62 (Johnstown Road). There is a church on the south side and a residential home on the north side of the driving range.

III. PLAN REVIEW

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

Per Codified Ordinance Chapter 1159.08 the basis for approval of a final development plan in an C-PUD shall be:

(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 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 of dwelling units 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).

A. Engage New Albany Strategic Plan

The 2020 Engage New Albany strategic plan designates the area as the Parks & Green Space future land use category. The strategic plan lists the following development standards for the Parks & Green Space land use category:

1. Protect and improve the existing network of parks, natural open spaces, and stream corridors.
2. Provide for a high quality and diversified park system to meet the recreational needs and enhance the quality of life for all residents.
3. Engage with partners to create a regional park, open space, and trail system that benefits New Albany residents and businesses.

4. Create a continuous network of linear parks, paths, walks, and trails, and thereby enabling the public to travel by non-motorized modes throughout the New Albany community.
5. Create year-round recreational opportunities.

B. Use, Site and Layout

1. The site is located within the Engage New Albany strategic plan park and green space future land use district.
2. The driving range currently has an existing cart parking area with 5 range targets. The site also has a three foot tall net along the east that is parallel to US State Route 62 (Johnstown Road). There is a 50-foot-tall net parallel to the southern border of the property line. There is also a 30-foot no-mow area along the southern border of the property.
3. The New Albany Links C-PUD zoning texts states that the driving range's design shall be based on the National Golf Foundation standards.
    a) The city staff researched the National Golf Foundation website but could not find any development standards. The National Golf Foundation is a membership organization and marketing services provider in golf. Its website states it does track any information on golf courses that are part of an HOA.

C. Access, Loading, Parking

1. There are no changes to the access, loading or parking of the site.

D. Architectural Standards

1. There are no changes to the architecture or buildings on the site.

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

1. In early November, a neighboring property reported to the city staff that golf balls were landing on the side and rear of their property. During a code enforcement inspection, city staff found that the existing mature tree line landscaping on the driving range property had been removed. Because there are landscaping changes to the approved 2009 final development plan it needs to be re-evaluated by the Planning Commission:
    a. In July 2009, the planning commission tabled the original final development plan for the driving range due to concerns about golf ball control. Neighbors to the north spoke of concerns for golf ball retention in the gaps of the landscape along the north, south, and east property lines.
    b. In August 2009, the applicant returned to meet the above concerns by adding additional landscaping along the north and south property lines. In addition, the applicant proposed a 3-4 foot high net to span the east property line along Johnstown Road (US-62). The FDP was approved because the commission found the amount of landscape buffer would be sufficient for golf ball control along all sides of the property.

The images below show the existing conditions when the final development plan was approved in 2009 (Figure 2) and the current 2023/2024 conditions (Figure 1).



August 2023 (Figure 1)



2009 (Figure 2)

2. There are significant changes to the landscaping (see Figures 1 & 2) from 2009. The existing mature tree line that was generally located along the southern and eastern property lines is removed. To prevent golf balls from leaving the property, the applicant is proposing the following:
    a. To use the driving range area for short game practice only. The driving range area requires the use of high lofted, short iron golf clubs. The city staff recommends this be a condition of approval (condition #1).
    b. A 200-foot-long, 50-foot-high net is installed along the 800 +/-- foot-long southern property line. The city staff approved the net in January 2023.
    c. The majority of the southern property line that is not blocked by fencing will have 5-6 foot tall mounds installed with landscaping on the top of them.
    d. The driving range's fairway is immediately surrounded by six (6) mounds at a maximum height of five (5) feet with landscaping on the top of them.
    e. Adding sixty-six (65) 10' and 12' trees of Red Maple, London Plane Tree, and Eastern White Pines species on each mound. These species were intentionally selected for their ability to provide buffering from errant shots. The city staff recommends a condition of approval requiring the owner must maintain and replace the landscaping if found dead or dying. (condition #2).
    f. Establishing a defined fairway by centralizing the range targets so they are equally spaced between the north and south property lines and adding a large

main target colored green at approximately 150 yards to deter the golfers from aiming at the net. The city staff recommends this be a condition of approval (condition #3).

g. The addition of liability signs to warn golfers that errant shots shall be penalized.
h. Establishing a communication protocol from the church to the club staff concerning the church's schedule of upcoming events so that the club can manage the range as may be appropriate.
i. A warm up area is added away from the driving range that allows for the use of longer golf clubs to be used in a contained netted space. The city staff recommends this be a condition of approval (condition #4).

Below is a table summarizing and comparing the final development plans:

Property line	2009 Approval Requirements	**August 2024 Proposal**
Northern Property line (860 feet in length)	• Utilize existing trees and landscaping as a barrier. • Add staggered deciduous trees within two gaps along tree line. • Add black netting to existing horse rail fence (approx. 860 feet in length).	• Utilize existing trees and landscaping as a barrier. • 2 mounds (both immediately north of the targets). o First mound closest to the targets is 87 feet long with a max height of 5 feet with 5 evergreen trees on top. o Second mound adjacent to the first mound 87 feet in length with a max height of 5 feet with 5 evergreen trees on top.
Southern Property line (800 feet in length to water tower)	• Utilize existing trees and landscaping as a barrier. • Add staggered deciduous trees within one gap of the tree line. • 30-foot-wide no-mow zone along property line.	• 30-foot-wide no-mow zone along property line. • 200 ft long, 50 ft tall black net. • 6 mounds (both immediately south of the targets). o The mounds range between 87 to 280 +/- feet in length. o Each mound will be a maximum height of 5 to 6 feet. o All the mounds will have evergreen trees on top • 5 evergreen trees are added to the west of the southern net. • 5 evergreen trees are added in front of the southern net to screen it from view of golfers.
Eastern Property line (465 feet in length)	• Utilize existing trees and landscaping as a barrier. • Add black four rail fence with black netting.	• 1 mound to the east of the target green o The maximum height will be 5 feet with 5 evergreen trees on top.

3. The final development plan shows the tee boxes are positioned at an obtuse angle from the defined fairway. The city staff recommends a condition of approval requiring the tee boxes be straightened (so they are in a straight line) and are perpendicular with the fairway and target (condition #5).
4. The applicant states they will not require the use of limited-flight golf balls on the driving range because they believe that the new modifications that will be a sufficient buffer for errant golf balls. However, limited flight golf balls ensure errant golf balls are less likely to encroach neighboring properties. For this reason, the city staff recommends a condition of approval requiring that only limited-flight golf balls are allowed on the driving range (condition #6).

5. The applicant states that they will not use a black net along the eastern property line because the new modifications sufficiently prevent shots from landing on the public street (US 62). The city staff recommends a condition of approval requiring the installation and use of netting on the horse fence to ensure no golf balls roll onto the public street (condition #7).

F. Lighting & Signage

1. The application proposes to add liability signs to warn golfers that errant shots shall be penalized. The sign is an "A" frame board at 3 square foot. The applicant states there will be multiple signs on the business property.

IV. ENGINEER'S COMMENTS

There are no comments from engineering.

V. SUMMARY

The Planning Commission originally approved this development because they found there was enough existing vegetation when supplemented with additional trees to provide an acceptable buffer to keep golf balls from leaving the property. Since then there have been significant changes to the landscaping which necessitates the Planning Commission's review of the final development plan.

Since the landscaping buffer has substantially been removed, the applicant proposes to keep golf balls on the range through a combination of mounding, landscaping and use restrictions. Only the use of high lofted, short iron golf clubs is permitted in order to ensure golf balls do not leave the property. The city staff also recommend limited flight golf balls are only allowed on the driving range.

The driving range itself has been designed to encourage golfers to focus on hitting balls away from neighboring property by centralizing the fairway, adding colored centralized targets, surrounding this area with mounds and landscaping, and adding additional screening in front of the net located along the southern property line. Screening the net de-emphasizes it, thereby making it less desirable for golfers to aim at. Furthermore, the applicant proposes a separate netted space which will be a designated warm up space for all other irons and drivers (everything that is not a high lofted, short iron golf club).

VI. ACTION

Suggested motion for FDM-08-2024:

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

Move to approve application FDM-008-2024 based on the findings in the staff report subject to the following conditions:

1. The driving range's fairway is only used as a short game area and only allows for the use of short lofted iron golf club .
2. The owner must maintain and replace the landscaping if found dead or dying, subject to staff approval.
3. The range targets are located so they are generally centered between the north and south property lines.
4. The netted space, warm up area outside the driving range is added.
5. The obtuse design of the tees will be redesigned so the tee boxes be straightened (so they are in a straight line) and are perpendicular with the fairway and target.
6. The owner must to use the limited flight golf balls on the driving range.
7. The owner must add black netting to the entire eastern property line's horse fence, subject to staff approval.

Approximate Site Location:



Source: Near Map

Permit # _____
Board _____
Mtg. Date _____

NEW ALBANY

Community Development Planning Application

Project Information

Site Address 7100 New Albany Links Dr

Parcel Numbers _____

Acres _____ # of lots created _____

Choose Application Type	Circle all Details that Apply			
☐ Appeal				
☐ Certificate of Appropriateness				
☐ Conditional Use				
☒ Development Plan	Preliminary	(Final)	Comprehensive	Amendment
☐ Plat	Preliminary	Final		
☐ Lot Changes	Combination	Split	Adjustment	
☐ Minor Commercial Subdivision				
☐ Vacation	Easement		Street	
☐ Variance				
☐ Extension Request				
☐ Zoning	Amendment (rezoning)		Text Modification	

Description of Request: Updated Development Plan for Driving Range

Contacts

Property Owner's Name: New Albany Links Golf Club
Address: 7100 New Albany Links Dr
City, State, Zip: New Albany, OH 43054
Phone number: 614 855 8532 Fax: _____
Email: lbowersock@kempersports.com

Applicant's Name: SAME
Address: _____
City, State, Zip: _____
Phone number: _____ Fax: _____
Email: _____

Signature

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.

Signature of Owner _____ Date: _____
Signature of Applicant _____ Date: 1-11-24

To the Planning Commission,

Attached please find a revised site plan that makes several significant changes to the driving range area. Specifically, you will see that the New Albany Links Golf Club ("Golf Club") proposes to:

(1) Utilize the driving range space for a short game practice area.
    a. The short game practice area will provide golfers an opportunity to hit toward a target green located approximately 150 yards from the teeing area.
    b. Golfers will be restricted to using lofted, short irons in this area.
    c. The practice area will be surrounded by new trees to be planted on earthen mounding.
    d. The teeing area will also be renovated to direct golfers to the target green.
    e. There will also be a fairway to provide a visual guide to the target green.

(2) Separately, a hitting cage area will be installed nearby for practice with drivers and long irons.
    a. The hitting cages will be similar to small batting cage areas such that shots with these longer clubs will be contained within netted areas.

(3) Sixty-five (65) new trees will be planted.
    a. As depicted in the site plan, new trees will be planted along the north and south property lines (where there are currently open areas), as well as around the short game practice area essentially providing two layers of tress for visual buffering and physical containment.
    b. The new trees will be 3-4" caliper, 10-12' in height and will include London Plan, Red Maple, and Eastern White Pines species.
    c. The Golf Club understands and agrees to maintain and replace these trees if found dead or dying.

Additionally, from an operational standpoint, golfers will be notified in the pro shop that the practice range is limited to short irons and that golfers are responsible for damage or injury caused by errant shots. The Golf Club intends to use signage at various locations on the range to reinforce this messaging. The Golf Club is also committed to working with the neighboring Church for its future planned outdoor events or activities.

In view of these changes, we do not believe that black netting along the eastern fence is warranted. We also do not believe that the golf balls utilized in the short game practice area need to be restricted to the limited flight variety either (although we will continue to use our existing inventory of the limited flight balls).

Finally, we appreciate your patience and permitting the Golf Club to reach an amicable resolution with its neighbor. Please let me know if you have any questions or need anything in advance of the Commission's meeting.

-Chris Ingram

NEW ALBANY LINKS
SHORT GAME PRACTICE AREA

LOCATED IN:
SECTIONS 9 & 10, TOWNSHIP 2, RANGE 16
UNITED STATES MILITARY LANDS
CITY OF NEW ALBANY, COUNTY OF FRANKLIN, STATE OF OHIO

FINAL
DEVELOPMENT
PLAN UPDATE

PREPARED FOR:

New Albany Links Golf Course Co. Ltd.
7100 New Albany Links Dr
New Albany, OH 43054

PREPARED BY:

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

DATE:	JUNE 11, 2009
REVISED:	NOVEMBER 18, 2009
REVISED:	OCTOBER 15, 2021
REVISED:	JANUARY 11, 2024
REVISED:	MARCH 14, 2024
REVISED:	APRIL 9, 2024
REVISED:	APRIL 15, 2024
REVISED:	MAY 20, 2024
REVISED:	JUNE 13, 2024
REVISED:	JUNE 25, 2024
REVISED:	JULY 19, 2024

1.00
GRAPHIC SCALE:
50' 0 25' 50' 100'
1"=50'

NORTH

NEW ALBANY LINKS
DRIVING RANGE

SHEET
1 1
20211105

EXISTING TEE BOX
HOLE # 1
EXISTING TEE BOX
EXISTING 8' ASPHALT CART PATH
EXISTING TREES
5' MOUND AND TREES
FAIRWAY
PROPOSED HITTING AREA
RANGE TARGETS (TYP.)
450' (150 YDS.)
5' MOUND AND TREES
TARGET GREEN 450' TO BACK CENTER (150 YDS.)
5' MOUND AND TREES
EXISTING TREES
EXISTING TREES
ZUMSTEIN ERIC
ZUMSTEIN JESSICA
220-001602
MURDAY BENJAMIN M
MURDAY MORGAN R
220-001599
FELL JAMES E TR
220-000808
EXISTING TREES
EXISTING FENCE
WILSON DARRYL
MICHAEL
220-000899
FAIRWAY
EXISTING CART PARKING AREA
EXISTING 8' CART PATH
5' MOUND AND TREES
5' MOUND AND TREES
5' MOUND AND TREES
EVERGREEN TREES
EXISTING NETTING
200
438' (146 YDS.)
612' (204 YDS.)
5' MOUND AND TREES
6' MOUND AND TREES
6' MOUND AND TREES
EXISTING CHAINLINK FENCE
EXISTING WATER TOWER
VILLAGE OF NEW ALBANY
222-002486
EXISTING 30' NO-MOW AREA
NEW ALBANY LINKS SECTION 9
P.B. 101, PG. 35
REESE JOHN R
PIERCE CHARLOTTE
REESE ANNE M
222-002982
NEW ALBANY
CHURCH OF CHRIST
220-001309
WHITMER JOHN E TR
WHITMER CINDA S TR
220-001032
THOMAS DESHAUN L
222-002983

S:\CAD\DATA01\Projects\20\92223\dwg\sheets\Final Development Plan\92223-FDP-EX-2.DWG<04-BLOW UP> - 1 Xref: [\\CAD\DATA01\Projects\20\92223\dwg\xrefs\92223-XRF1.DWG] - No Images - Saved By: SCHAAFA [1/19/2009 10:51:11 AM] - Plotted By:

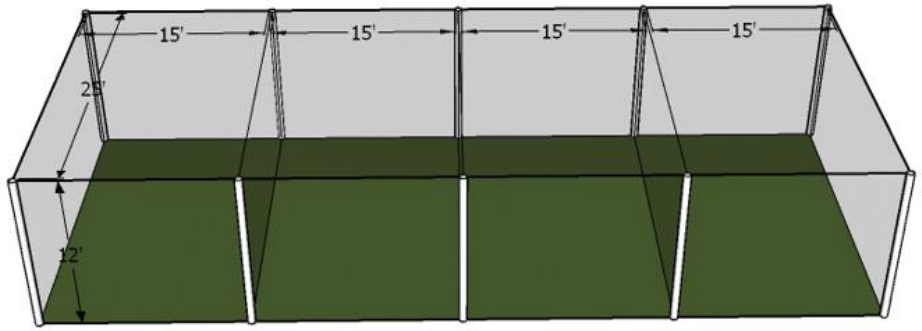
New Albany Links

Driving Range
Final Development Plan
Modification



Install hitting cages for long irons and drivers to provide warm-up area.

Illustrative Examples





Plant 65 fast growing trees for additional screening, defined look and long-term aesthetics.

These will be 3” to 4” caliper trees to include 10’ and 12’ Red Maple, London Plane Tree (known as a great golf ball catcher), and Eastern White Pines planted on 4' to 5'mounding. There will be a heavy concentration of London Plane Trees.



Eastern White Pines



Red Maple



London Plane

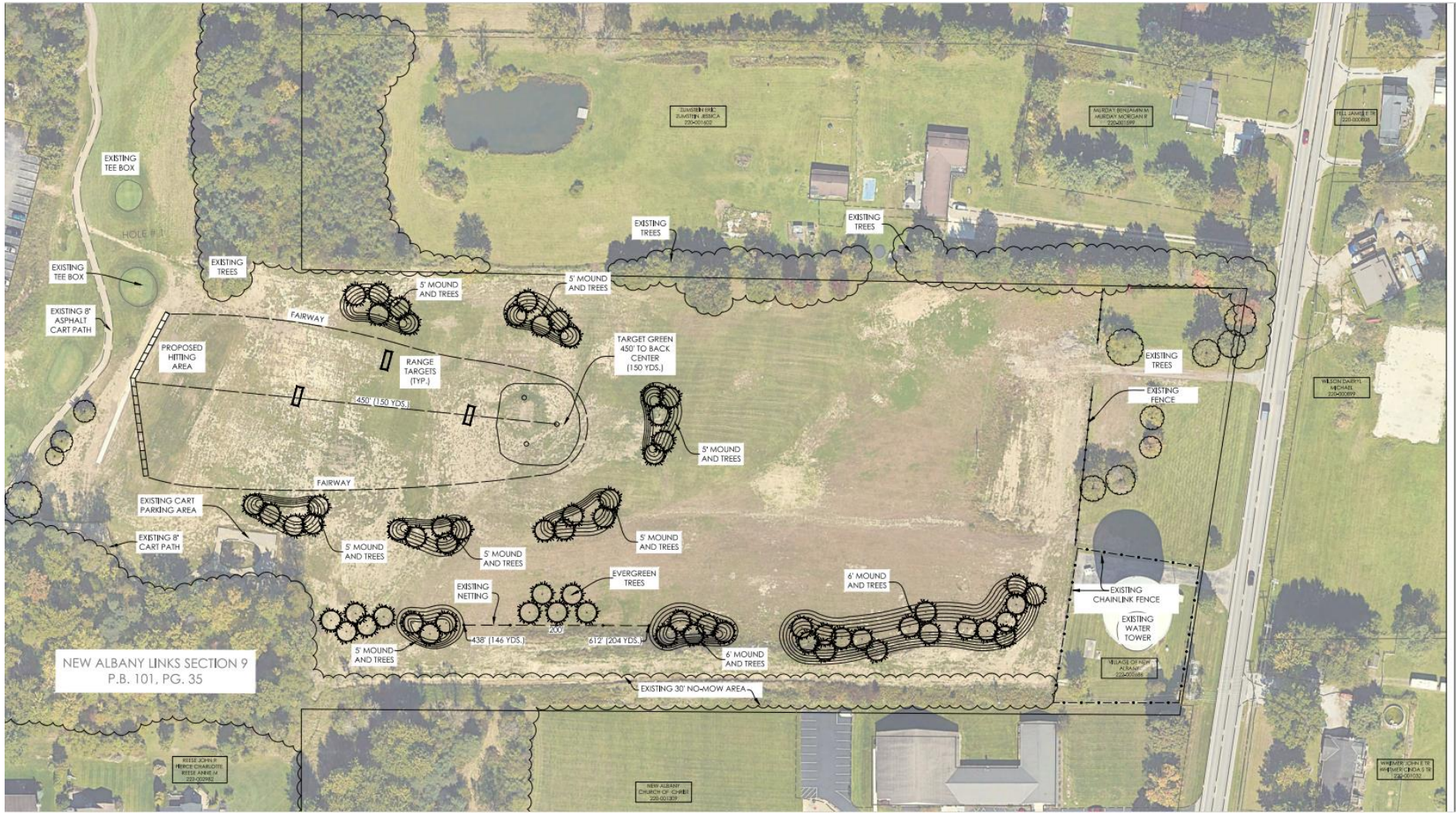
Convert to Short Game Practice Area

Add main target landing green at approximately 150 yards.
Define new fairway to landing green and for better targeting.
Re-construct concrete hitting pad to position golfers properly to hit down the middle.
Limit area to short irons only.





Location of hitting cages is not on the range but located near the practice putting green



NEW ALBANY LINKS
SHORT GAME PRACTICE AREA

LOCATED IN:
SECTIONS 9 & 10, TOWNSHIP 2, RANGE 16
UNITED STATES MILITARY LANDS
CITY OF NEW ALBANY, COUNTY OF FRANKLIN, STATE OF OHIO

FINAL DEVELOPMENT PLAN UPDATE

PREPARED FOR:
New Albany Links Golf Course Co. Ltd.
7100 New Albany Links Dr
New Albany, OH 43054

PREPARED BY:
EMH!

DATE:	JUNE 11, 2009
REVISED:	NOVEMBER 18, 2009
REVISED:	OCTOBER 15, 2021
REVISED:	JANUARY 11, 2024


Location of hitting cages is not on the range but located near the practice putting green

Add Signage

at various locations on the range



Be Aware… This is a Short Game Practice Area.

High lofted irons only from this tee.
This is a public safety issue.

Golfers are responsible for damage or injury caused by errant golf balls. Please err appropriately and aim only at the targets located on the landing areas.

Continue:

To request communication from the church concerning their event schedule so we can monitor, limit or close the range if necessary.



NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
August 19, 2024 Meeting

5700 THOMPSON ROAD
LOT FRONTAGE VARIANCE

LOCATION:	5700 Thompson Road (PID: 222-000479)
APPLICANT:	The New Albany Company c/o Aaron Underhill
REQUEST:	Variance to allow a lot that does not abut a public or private street whereas the West Nine 2 Subarea 4 zoning text section 4b.01(8) states all lots shall have frontage and access on a public or private street.
ZONING:	C-PUD Comprehensive Planned Unit Development West Nine 2 Subarea 4
STRATEGIC PLAN:	Neighborhood Residential
APPLICATION:	VAR-57-2024

Review based on: Application materials received on July 26, 2024

Staff report prepared by Sierra Saumenig, Planner.

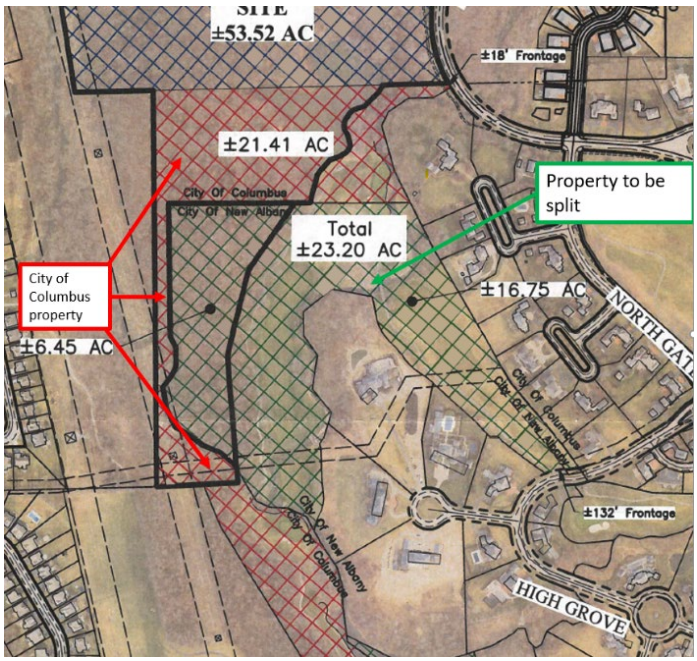
I. REQUEST AND BACKGROUND

The applicant requests a variance to allow for the creation of a lot that does not abut on a public or private street. The West Nine 2 Subarea 4 zoning text section 4b.01(8) states all lots shall have frontage and access on a public and/or private right-of-way.

The applicant states they are requesting this variance in order to split and sell a portion of the property to a new owner to be included with the 52.41 +/- acre estate properties to the north of the site.

II. SITE DESCRIPTION & USE

The property is 23.20 +/- acres in size and is part of the New Albany Country Club golf course. The property is within Franklin County. The property is encompassed by city of Columbus on the north, west, and south sides (as shown to the right). The applicant is requesting to split 6.45 +/- acres to create a new lot, leaving 16.75 +/- acres to remain as part of the golf course.



III. ASSESSMENT

The application complies with application submittal requirements in C.O. 1113.03, and is considered complete. In accordance with C.O. 1113.05(b), all property owners within 200 feet of the subject property in question have been notified of the request via mail.

Criteria

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

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

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

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

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

IV. EVALUATION

A variance to the West Nine 2 Subarea 4 zoning text section 4b.01(8) to allow a lot that does not abut a public or private street.

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

1. West Nine 2 Subarea 4 zoning text section 4b.01(8) states all lots shall have frontage and access on a public and/or private right-of-way. The applicant proposes to split 6.45 +/- acres off a 23.20 +/- site that would not abut a public or private street.
2. It appears that there are special conditions and circumstances that justify the variance request that do not result from the direct action of the property owner. The site is entirely surrounded by city of Columbus property and cannot be combined with adjacent property.

Additionally, while the site is 23.20 acres in size, it has only 132' of frontage due to its unique shape.

3. The proposed variance meets the "spirit and intent" of the zoning requirement. As this lot is uniquely shaped and encompassed by Columbus property, there is no legal way for the applicant to combine the property with the Columbus properties to the north. While the property will not have street frontage, the applicant commits to not building a residence on the 6.45 acre site.
   Staff recommends a condition that no residences shall be permitted to be constructed on the parcel to which the variance applies. Accessory structures and improvements such as paths may be located on the parcel, provided that they are ancillary to a residence located on real property in the City of Columbus to the north of the parcel. (condition #1).
4. The variance does not appear to be substantial as there would be no primary residence on the site. The applicant has stated the 6.45 acre lot will practically and functionally become part of the estate property which includes the Columbus properties but legally, it must stand on its own tax parcel.
5. It does not appear that the essential character of the immediate area will be altered if the variance is granted. As mentioned, the site is encompassed by city of Columbus property and cannot be combined with the estate properties to the north. The remaining acreage after the split would continue to be used as the golf course.
6. It appears the variance cannot be solved in another manner. The variance would not be necessary if the property owners were able to split the 6.45 acres off the parent site and combine it with the Columbus properties. However, that is not possible due to the differing tax districts.
7. The granting of the variance would not adversely affect the delivery of government services.
8. That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

IV. SUMMARY

According to the property owners, the purpose of the lot split is to sell the 6.45 acres to be a part of the city of Columbus properties (estate) to the north. Although the zoning text requires all properties to have access to public or private streets, the site is in a unique location as it is almost entirely surrounded by the city of Columbus. With the condition that no residences shall be built on the property, the variance request does not appear substantial.

V. ACTION

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

Move to approve application VAR-57-2024 based on the findings in the staff report all subject to staff approval (conditions of approval may be added).

1. No residences shall be permitted to be constructed on the parcel to which the variance applies. Accessory structures and improvements such as paths may be located on the parcel, provided that they ancillary to a residence located on real property in the City of Columbus to the north of the parcel.

Approximate Site Location:



Source: NearMap

Permit # _____
Board _____
Mtg. Date _____

NEW ALBANY

Community Development Planning Application

Project Information

Site Address 5700 Thompson Road

Parcel Numbers Portion of Franklin County Auditor Parcel No. 222-000479

Acres 6.45 +/- # of lots created N/A

Choose Application Type	Circle all Details that Apply			
☐ Appeal				
☐ Certificate of Appropriateness				
☐ Conditional Use				
☐ Development Plan	Preliminary	Final	Comprehensive	Amendment
☐ Plat	Preliminary	Final		
☐ Lot Changes	Combination	Split	Adjustment	
☐ Minor Commercial Subdivision				
☐ Vacation	Easement		Street	
☒ Variance				
☐ Extension Request				
☐ Zoning	Amendment (rezoning)		Text Modification	

Description of Request: The subject property is located within subarea 4 of the West Nine C-PUD. Applicant requests a variance from Section 4b.01 (8) of the applicabe zoning text to eliminate the requirement for a parcel to have frontage on a public street or private road.

Contacts

Property Owner's Name: The New Albany Company LLC
Address: c/o Aaron L. Underhill, Esq., Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260
City, State, Zip: New Albany, OH 43054
Phone number: 614.335.9320 Fax: 614939-9329
Email: aaron@uhlawfirm.com

Applicant's Name: Same as above.
Address:
City, State, Zip:
Phone number: Fax:
Email:

Signature

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.

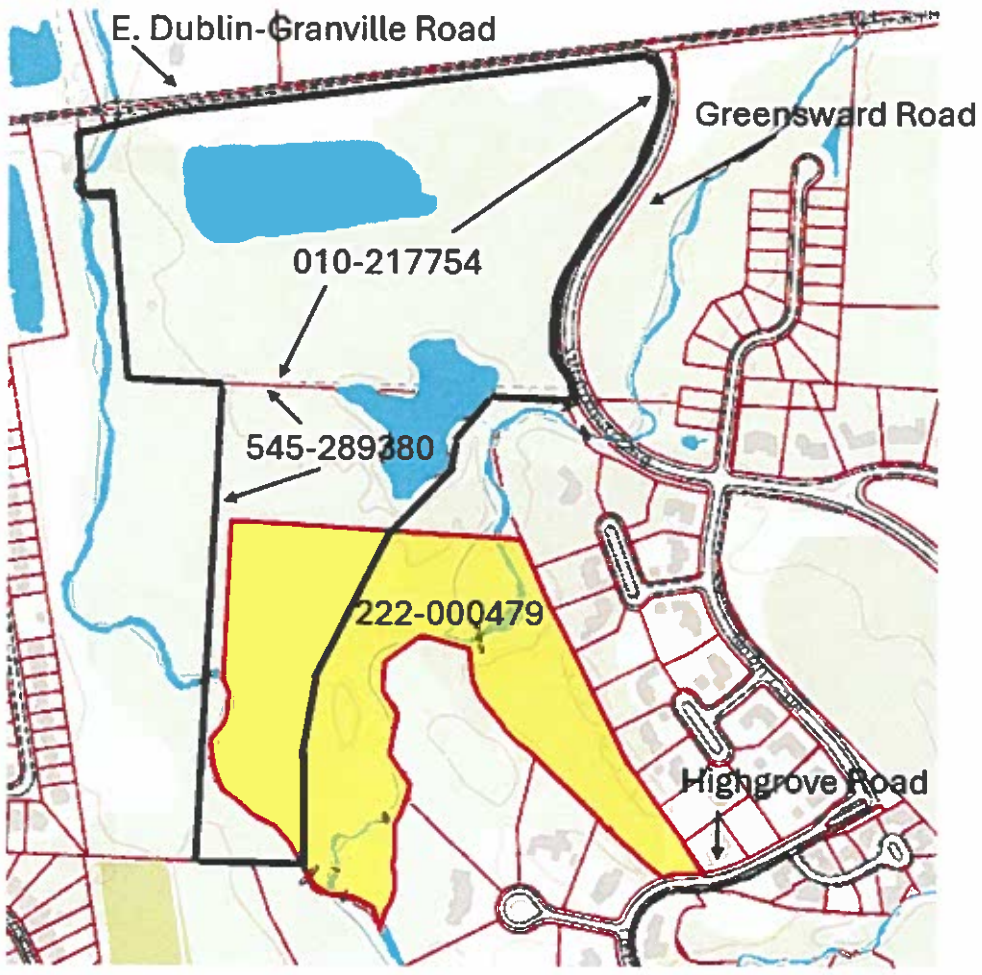
Signature of Owner By: Aaron L. Underhill Date: 7/24/24
Signature of Applicant By: Aaron L. Underhill, Attorney for Owner/ Applicant Date:

VARIANCE APPLICATION SUPPORTING STATEMENT

THE NEW ALBANY COMPANY – GREENSWARD ROAD

Variance Request

This variance request is to eliminate the requirement for a parcel to have a frontage on a public street or private road. The New Albany Company is in contract to sell a very unique residential estate property located to the west of and adjacent to Greensward Road and to the south of and adjacent to East Dublin-Granville Road. The land to be included within the estate property consists of +/-52.41 acres covering all or parts of three different tax parcels, as generally shown below:[1]



[1] Illustrations are provided throughout this supporting statement for purposes of convenience and context, and are intended to demonstrate approximate parcel boundaries and configurations. Actual parcel boundary lines as they exist today are as provided in the records of the Offices of the Franklin County Recorder and Auditor, and actual boundaries for post-lot split conditions shall be provided in a survey and legal descriptions which will be submitted as part of a lot split/subdivision application after this variance is approved.

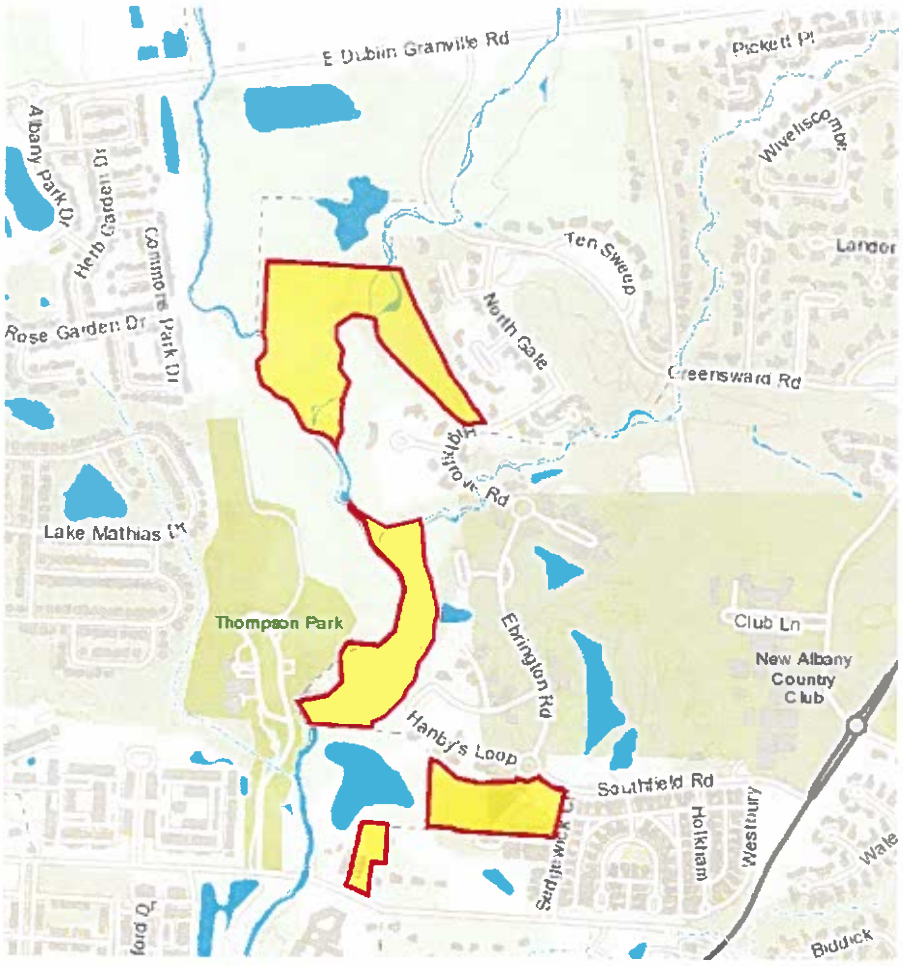
Each of the three tax parcels is located in a separate real estate taxing district in Franklin County. More specifically, the estate property will include:

(1) The entirety of Franklin County Auditor tax parcel number 010-217754, which is located in the City of Columbus and in the Columbus City School District;

(2) A portion of Franklin County Auditor tax parcel number 545-289380, which is located in the City of Columbus and in the New Albany Plain Local School District;[2] and

(3) A portion of Franklin County Auditor tax parcel number 222-000479, which is located in the City of New Albany and in the New Albany Plain Local School District.

The last of the three parcels listed above is the subject of this variance request. As the New Albany Country Club has developed over the years, this parcel has come to consist of four tracts of land recognized by the Franklin County Auditor as one parcel, as illustrated below:



[2] The applicant is seeking relevant lot split/subdivision approvals for this tax parcel from the City of Columbus.

The northernmost tract of parcel number 222-000479 contains a heavily treed area consisting of 6.45+/- acres that the applicant desires to include as part of the estate property. The balance of the northernmost tract is part of The New Albany County Club golf course and therefore cannot and will not be transferred. The map below generally demonstrates the post-lot-split condition:



Existing Parcel Boundaries

Approximate Lot Split Line

The portion of the tract above which is located to the right/east of the proposed lot split line has frontage on Highgrove Road (note that the aerial photo above from the County Auditor's website is out of date and the street has since been constructed to provided frontage at the southeastern tip of the property encompassed within the red line above). However, the portion of the tract that is located to the left/west of the proposed lot split line will not have frontage on a public street. While it is adjacent to another parcel which is under common ownership and is part of the proposed estate property, it cannot be combined with adjacent portions of the estate property because they are in a different real estate taxing district (District #545 as opposed to District #222). In other words, while the western portion of the tract will practically and functionally become part of the estate property, legally it must stand alone as its own tax parcel. .

The subject property is zoned as part of Subarea 4 of the West Nine C-PUD. Section 4b.01(8) of the approved zoning text for that zoning district provides: "*All lots shall have frontage and lot access on a public and/or private right-of-way.*" The applicant seeks a variance from this provision to allow a +/-6.45-acre parcel to be split from Franklin County Auditor parcel number 222-000479 without having frontage on a public street or private road. As part of this variance request, the applicant commits to subject the newly split parcel to a requirement to be memorialized in a deed or other recorded instrument that it may not be developed separately from Franklin County Auditor parcel numbers 545-289380 or 010-217754 and any future vehicular access for it must occur through one or both of those parcels.

The Codified Ordinances provide the factors to be considered when reviewing a variance application. Section 1113.06 provides that a variance shall be approved if all of the findings are made

which are detailed in subsections (a) through (e) thereof (detailed below). Additionally, in *Duncan v. Middlefield* (1986), 23 Ohio St.3d 83, the Ohio Supreme Court provided factors to be weighed in addition to that required by local code. It should be noted that the case provides for a weighing of factors. Not all of them must be met and no single factor controls. The test is described as being a determination of the existence of a "practical difficulty."

Codified Ordinance Factors

The factors that are to be considered when reviewing a variance request pursuant to Code Sections 1113.06(a)-(e) are in bold below, with each being followed by an analysis of that factor in the context of this variance request.

(a) That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district.

The subject property is heavily wooded and prior to the proposed lot split is part of a tract of land which contains portions of The New Albany County Club golf course. Under typical circumstances, the western portion of the tract could be split from the golf course portions and then combined with adjacent property that is under common ownership. However, due to school district and municipal boundaries which converge in this area, the to-be-split property is in a different real estate taxing district (District #222) than the adjacent parcel to which it needs to be combined in order to become part of the estate parcel (District #545). The special conditions that apply here result from the presence of different jurisdictional boundary lines which require land to be located within different parcels for taxing purposes.

(b) That a literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance.

By requiring the subject property to adhere to the street and/or road frontage requirement, effectively it could never be split from the golf course portions of the property without bringing a paved street or road to it. While the subject land will sit on its own tax parcel if the variance and lot split are granted, from a practical and functional standpoint it will be part of a larger estate property. A literal interpretation of the Zoning Ordinance in this case would deprive the applicant of a right to incorporate the land into a larger parcel that otherwise would be permitted if adjacent property were located in the same real estate taxing district.

(c) That the special conditions and circumstances do not result from the action of the applicant.

The jurisdictional irregularities that created the need for this variance are not the result of the applicant's actions. Municipal and school district boundary lines set as a result of state law and various annexations which have occurred over time. They have produced a situation where the property is located in an area with two different municipalities and two different school districts being present.

(d) That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands or structures in the same zoning district.

No special privileges will be granted to the applicant as a result of this variance. Rather, it will place it in a similar position as other property owners who would be able to split the property and combine it with adjacent property to meet the requirement for street or road frontage. If the subject property and the adjacent land under common ownership were located within the same real estate taxing district, then there would be an easy means for combining the split property with an adjacent parcel that has frontage.

(e) That granting the variance will not adversely affect the health and safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity.

The variance will have no adverse effects on health and safety and will not in any manner affect the public welfare or be injurious to private property or public improvements. On the ground, this variance will not change anything with respect to the neighborhood, as it will facilitate the continued existence of a heavily wooded area that will become part of a residential estate lot rather than part of the golf course. The only change resulting from this variance will be to create new parcel lines in the County records.

Duncan v. Middlefield Factors

The factors to be considered and weighed in determining whether a property owner seeking an area variance has encountered practical difficulties in the use of its property include, according to the Ohio Supreme Court in *Duncan v. Middlefield*, those which are bolded below (analysis of this variance is provided after each). Again, the case provides for a weighing of factors. Not all of them must be met and no single factor controls.

(1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

There can be beneficial use of the property without the variance, although it is arguable as to whether or not it could yield a reasonable return. Without the variance, the subject tract would forever become part of the golf course, absent the extension of a public street or private road to it. This would mean that it could never be transferred to another party unless part of a transfer of these golf course itself. By including it in a sale of a larger amount of acreage to a single buyer, it can be incorporated into an estate and enhance the value and privacy of the to-be-transferred site.

(2) Whether the variance is substantial;

This variance is not substantial. It merely provides a work-around for a legal and jurisdictional issue that was not created by the applicant or land owner. If the property were located in most any other area of the City, a lot split and combination with a parcel that has street or road frontage would be possible. This variance is not substantial in that it merely places the subject land on equal footing with other property in the community.

(3) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

The variance will have no effect on the character of the area, as it and the subsequent parcel split merely will be lines on a map with no visual impact from on or off of the site. The character of the area is mostly large-lot residential, and this variance facilitates a lot split which will further and continue the same character by creating an estate lot.

(1) Whether the variance would adversely affect the delivery of governmental services (*e.g.*, water, sewer, garbage);

The variance will not adversely affect the delivery of governmental services. There is no public street access directly to the site right now, as one would have to drive over the golf course to reach it. Presumably, the new condition resulting from the variance will provide a means of access to the public street network through the larger estate parcel which will, for instance, provide a means of emergency access that would cause less damage than driving through a golf course..

(5) Whether the property owner purchased the property with knowledge of the zoning restriction;

The property owner has owned the property for decades. Since then, the properties around it have developed and the as-built conditions on the ground have changed dramatically. Even if the owner did have knowledge of the restriction, it would have been difficult to predict development patterns over time that would leave the site without street or road frontage.

(6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance;

A variance is the only practical means to remedy the property owner's predicament, short of a rezoning of the site to remove the requirement for street or road frontage. That would be a more time-consuming and resource-draining process for both the applicant and the City. The only other alternative would be to have the City of New Albany and City of Columbus agree to a municipal boundary transfer so that the property within the estate property adjacent to the land being split could be relocated from Columbus into the corporate limits of New Albany. This would be an unusual step, and one that is much more complicated than granting a variance to reach the same practical conclusion.

(7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

The spirit and intent of the underlying zoning requirement will be observed and substantial justice will be done by granting the variance. The intent of the applicant is to incorporate the subject land into a larger single-family estate property. The variance is not intended to create a stand-alone development parcel with special privileges. Substantial justice will be done by approving the variance by eliminating a technical issue caused by jurisdictional boundaries.

AFFIDAVIT OF FACTS

I, Aaron L. Underhill, in my capacity as attorney for the applicant, The New Albany Company LLC, which seeks a variance from the zoning regulations applicable to real property located at 5700 Thompson Road and known as a portion Franklin County Auditor Parcel Number 222-000479, 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 Franklin County Auditor's current tax list; and

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

Further Affiant sayeth not.

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

STATE OF OHIO
COUNTY OF FRANKLIN SS.

The foregoing instrument was acknowledged before me on the 24th day of July 2024, by Aaron L. Underhill, who acknowledged the foregoing signature to be his voluntary act and deed.

_____
Notary Public

My Commission Expires: N/A

Eric J. Zartman, Attorney At Law
NOTARY PUBLIC-STATE OF OHIO
My Commission Has No Expiration Date
Sec. 147.03.R.C.

APPLICANT:

THE NEW ALBANY COMPANY
8000 WALTON PKWY STE 120
NEW ALBANY OH 43054

ATTORNEY:

AARON UNDERHILL
UNDERHILL & HODGE LLC
8000 WALTON PARKWAY STE 260
NEW ALBANY, OH 43054

SURROUNDING PROPERTY OWNERS:

CITY OF COLUMBUS OHIO
90 W BROAD ST RM 425
COLUMBUS, OH 43215-9000

JACOB AND LINDSEY OSBORN
5 HIGHGROVE FARMS
NEW ALBANY, OH 43054

L THOMAS WILLIAMS JR
4635 EDGCOTE CT
NEW ALBANY OH 43054-9654

ADAM H. TRAUTNER
SHEILA D TRAUTNER
4615 EDGCOTE CT
NEW ALBANY OH 43054

FARAH B. MAJIDZADEH
KAMRAN MAJIDZADEH
4621 EDGCOTE CT
NEW ALBANY OH 43054

ADEBOMI OMIKUNLE
AKINYINKA AWOSIKA
4930 BROOKSVIEW CIRCLE
NEW ALBANY OH 43054

NICHOLAS AND BARARA
CAVALARIS
6890 CHISWICK CT
NEW ALBANY OH 43054

TARA ANN OBRIEN WU
MICHAEL C WU
6880 CHISWICK CT
NEW ALBANY, OH 43054

MINYANG JI
DEHONG SHEN
6881 CHISWICK CT
NEW ALBANY OH 43054

RITU BAKHRU
MIHIR RAMESH BAKHRU
6889 CHIISWICK CT
NEW ALBANY OH 43054

RACHAEL BOREN
ZACHARY BOREN
4480 NORTHGATE RD
NEW ALBANY OH 43054

KAREN L LEVIN
840 GOLDEN BEAR DRIVE
REUNION FL 34747

VIJAY JAYANTI
6905 CLIVDON MEWS
NEW ALBANY OH 43054

HEATHER K HUNTER TR
ERIC W HUNTER TR
9 HIGHGROVE FARM
NEW ALBANY OH 43054

8 HIGHGROVE FARMS LLC
8 HIGHGROVE FARMS
NEW ALBANY OH 43054

CYNTHIA HEIT-WELCH
RANDALL WELCH
6201 GULF OF MEXICO DR
LONGBOAT KEY FL 34228-1510

DONNA B AKINS TR
6 HIGHGROVE FARMS
NEW ALBANY, OH 43054

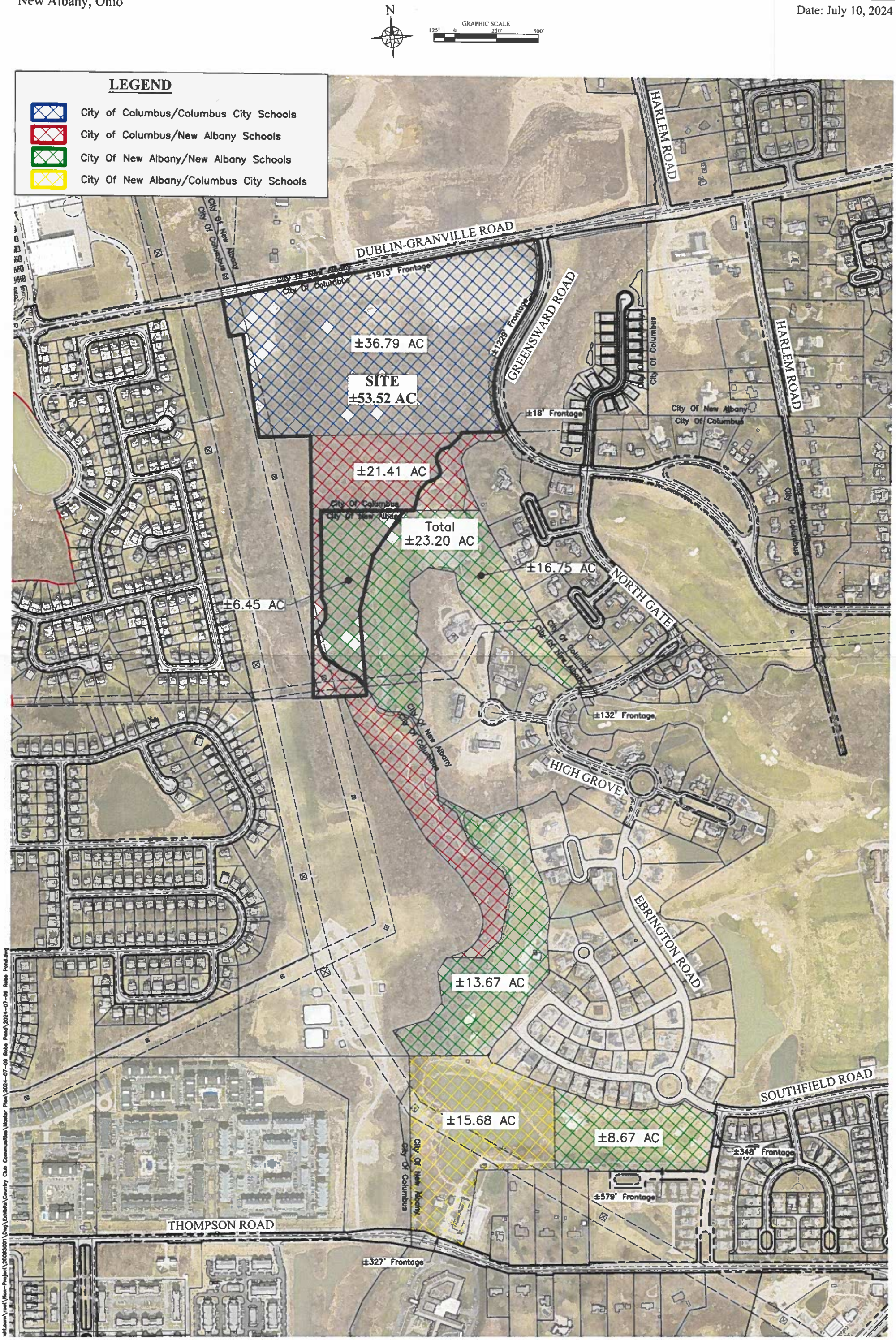
JASON M HURST TRUSTEE
1 HIGHGROVE
NEW ALBANY, OH 43054

County Club Communities - Rob's Pond

New Albany, Ohio

The New Albany Company

Date: July 10, 2024



NEW ALBANY
COMMUNITY CONNECTS US

Planning Commission Staff Report
August 19, 2024 Meeting

4093 REYNOLDSBURG NEW ALBANY ROAD FINAL DEVELOPMENT PLAN

LOCATION:	4093 Reynoldsburg New Albany Road (PID: 222-000630)
APPLICANT:	F5 Design
REQUEST:	Final Development Plan
ZONING:	Hawksmoor North I-PUD
STRATEGIC PLAN:	Residential District
APPLICATION:	FDP-59-2024

Review based on: Application materials received August 1, 2024

Staff report completed by Sierra Cratic-Smith, Planner I.

I. REQUEST AND BACKGROUND

The applicant requests review of a final development plan to allow for the construction of a single residential home on 1.654 acres located at 4093 Reynoldsburg-New Albany Road (PID:222-000630).

Due to the specific development standards in the I-PUD zoning text the Planning Commission must review and approve a final development plan application for all residential homes and accessory structures on this property.

II. SITE DESCRIPTION & USE

The property is 1.654 acres and is located along the west side of Reynoldsburg-New Albany Road. It is north of the Hawksmoor subdivision and south of Belmont Place. The lot is currently undeveloped. However, there are single family residential homes located to the south of this lot in the Hawksmoor subdivision and north within the New Albany Country Club.

III. PLAN REVIEW

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):
That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;

- *(a) That the proposed development is in general conformity with the Strategic Plan/Rocky Fork-Blacklick Accord or portion thereof as it may apply;*
- *(b) That the proposed development advances the general welfare of the Municipality;*
- *(c) That the benefits, improved arrangement and design of the proposed development justify the deviation from standard development requirements included in the Zoning Ordinance;*
- *(d) Various types of land or building proposed in the project;*
- *(e) 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;*

(f) Traffic and circulation systems within the proposed project as well as its appropriateness to existing facilities in the surrounding area;
(g) Building heights of all structures with regard to their visual impact on adjacent facilities;
(h) Front, side and rear yard definitions and uses where they occur at the development periphery;
(i) Gross commercial building area;
(j) Area ratios and designation of the land surfaces to which they apply;
(k) Spaces between buildings and open areas;
(l) Width of streets in the project;
(m) Setbacks from streets;
(n) Off-street parking and loading standards;
(o) The order in which development will likely proceed in complex, multi-use, multi- phase developments;
(p) The potential impact of the proposed plan on the student population of the local school district(s);
(q) The Ohio Environmental Protection Agency's 401 permit, and/or isolated wetland permit (if required);
(r) *The U.S. Army Corps of Engineers 404 permit, or nationwide permit (if required).*

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

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

A. Engage New Albany Strategic Plan

The site is located within the Residential District future land use district. The Engage New Albany Strategic Plan lists the following development standards for the Residential District:

- Houses should front onto public open spaces and not back onto public parks or streets.
- All or adequate amounts of open space and parkland is strongly encouraged to be provided on-site.

- Rear or side loaded garages are encouraged. When a garage faces the street, the front façade of the garage should be set back from the front facade of the house.
- Any proposed residential development outside of the Village Center shall have a base density of 1 dwelling unit per gross acre in order to preserve and protect the community's natural resources and support the overall land conservation goals of the community. A transfer of residential density can be used to achieve a gross density of 1 dwelling unit per acre.
- Private streets are at odds with many of the community's planning principles such as: interconnectivity, a hierarchy of street typologies and a connected community. To achieve these principles, streets within residential developments must be public.

B. Use, Site and Layout

1. The applicant proposes to construct a new one-and-a-half-story single residential family home that is 10,935+/- square feet.
2. The home meets all setback standards for the lot according to the Hawksmoor North zoning text:

Development Standard	Required Minimum	Proposed
Front yard setback	130 feet from right-of-way	185 feet
Rear yard setback	50 feet	54 +/- feet
Side yard (northern lot line) setback	20 feet	24 +/- feet
Side yard (Southern lot line) setback	20 feet	23 +/- feet
Building Height	45 feet	25 feet 6 inches
Maximum lot coverage	None	15.2 %

3. The front façade faces Reynoldsburg-New Albany Road as required by the Hawksmoor North PUD text.

C. Access, Loading, Parking

1. The property currently has an existing driveway from a demolished house. The driveway will be repaved into an asphalt auto court in front of the home.
2. The driveway is proposed to be extended to the rear of the house to a ten-car garage.

D. Architectural Standards

1. According to the Hawksmoor North zoning text section (D) the follow materials and design are required:

Development Standard	Required	Proposed
Primary exterior façade materials	Brick, stone, wood siding, and composite siding. materials (Hardi-plank, its equivalent, or of higher quality).	A combination of white brick and wood siding [meets code].
Siding	Composite or cedar shiplap wood siding	Wood siding [meets code].
Roof pitch	• 6:12 for major roofing (minimum). • Less than 6:12 for minor roofing permitted. • Flat roof for with cornice lines permitted.	• 8:12 major roof [meets code]. • 4:12 minor roof [meets code]
Gutters	Half round with downspouts.	Half round with downspouts [meets code].
Roof	Roofs may be of natural slate, wood	Natural slate [meets code].

Materials	shake or wood shingle, metal standing seam, or an architectural grade fiberglass asphalt shingle.	
Windows	Simulated or true divided light; vinyl or aluminum clad	Aluminum clad, true divided light [meets code].
Water Table / Plinth	Brick plinth when utilizing wood siding.	White brick [meets code].

2. The new home is proposed to have an auto court in the front yard and an access driveway to a ten-car garage in the rear yard. The garage is connected via a breezeway which creates one primary structure. The garages meet all code requirements.
3. Design Guideline Requirements Section II(B)(1) states buildings shall be in one of the architectural styles described in the "American Architectural Precedent" section of these standards. The only permitted exception is in the case of individual lots of record existing prior to 1990. In such cases, any traditional American architectural style may be employed, provided that such architectural style is similar to that of an existing home within a radius of one-quarter of a mile. Properties utilizing this exemption shall not be required to comply with requirements of the Design Guidelines and Requirements which are inconsistent with the architectural style proposed."
    a. The applicant states the design is inspired by English country design that incorporates French casement windows, lime-washed brick, a slate roof, and a historic American color pallet. The design is a rural, mid-century architecture style that is a literal interpretation of the famous French Country home, Hopelands. This shares many similarities to American architecture but the window layout and roof eaves are different.
    b. According to the applicant, the design creates a one-story form and earthy tones.
    c. The design intends to be similar to existing homes within the New Albany Farms and Hawksmoor subdivisions that a quarter mile away.
        i. 1 New Albany Farms Road has an English country style similar to the proposed design.
        ii. 4181 Reynoldsburg New Albany Road has a French country style similar to the proposed design.
        iii. 8 and 17 Hawksmoor have minor roofs with similar concave roof styles as the new proposed home.
4. The text states that it is anticipated that, due to the nature of the proposed homes and related structures as custom "estate homes", architectural designs may continue to evolve beyond the date of final development plan approval and the property owner should be afforded flexibility in this regard in the same manner as would apply to a home being constructed in the City in a subdivision with numerous homes. To this end, architecture approved as part of a final development plan may be modified after its approval without further review by the Planning Commission with the approval of city staff if:
    a. The modifications are permitted under the City's Design Guidelines and Requirements or by a variance granted therefrom which has been previously approved by the Planning Commission,
    b. Do not otherwise cause the need for a variance from this text or other relevant provisions of the Codified Ordinances, and
    c. Will not cause a substantial deviation from the massing or design of the home or other structure when compared to that which was approved by the Planning Commission.

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

1. There are a significant amount of landscaping proposed to be planted on the property including:
    - 50 trees proposed around the property.
    - 110 shrubs proposed around the property.

- 42 shrubs and 8 trees that surround the front elevation along the auto court.
- There are 24 trees used as a landscape buffer for the garage doors in the rear yard.
- There are 12 shrubs used as a landscape buffer around the utilities and mechanical units.

2. The PUD text states air conditioners/heat pumps, garbage cans and carts, irrigation controllers, pumps, generators, and meters which are visible from any point outside of the zoning district shall be entirely enclosed by a privacy wall, a fence, and/or landscaping that is a minimum of four feet high. The city staff recommends a condition of approval requiring that these are screened, per code requirements and be subject to staff approval (Condition #1).

F. Lighting & Signage

1. All new utilities are required to be installed underground which is consistent with the existing Hawksmoor North zoning text.

G. Other Considerations

1. None.

IV. ENGINEER'S COMMENTS

The city engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159 and provided the following comment(s):

1. Please refer to Exhibit A. Add the signature block and notes shown on this exhibit to the referenced submittal.
2. Fifty feet (50') of r/w as measured from the RNA Road centerline is available along the parcel frontage. This is consistent with other dedications in the area.
3. A 12" public water line is available along the east side of RNA Rd. A water service tap may be installed via horizontal directional drilling to provide public water service to the parcel.
4. Gravity sanitary sewer service is available via an existing sewer tap constructed along the north parcel boundary as part of the NACC Section 5-A project.
5. We recommend that the applicant provide evidence that any onsite wastewater treatment or well water systems have been abandoned in accordance with all applicable governmental regulations.

Staff recommends all the City Engineer's comments are complied with and subject to staff approval.

V. SUMMARY

The proposed residential home is a rural, mid-century style addition to the Hawksmoor North subdivision. The design intent is a French style for the new structure given the large size of the property. The mid-century architectural vocabulary is similar to and inspired by surrounding architecture examples along State Route 605 and the New Albany Farms. The new residential home meets the quality design and material standards of the city of New Albany.

VI. ACTION

Suggested Motion for FDP-59-2024:

Move to approve final development plan application FDP-59-2024 based on the findings in the staff report with the following conditions.

1. Air conditioners/heat pumps, garbage cans and carts, irrigation controllers, pumps, generators, and meters which are visible from any point outside of the zoning district shall be entirely enclosed by a privacy wall, a fence, and/or landscaping that is a minimum of four feet high.
2. The City Engineer's comments are complied with and subject to staff approval.

Approximate Site Location:



Source: Nearmap

Permit # _____
Board _____
Mtg. Date _____

NEW ALBANY

Community Development Planning Application

Project Information

Site Address 4093 Reynoldsburg New Albany Road

Parcel Numbers 222-000630-00

Acres 1.654 # of lots created _____

Choose Application Type	Circle all Details that Apply			
☐ Appeal				
☐ Certificate of Appropriateness				
☐ Conditional Use				
☒ Development Plan	Preliminary	Final	Comprehensive	Amendment
☐ Plat	Preliminary	Final		
☐ Lot Changes	Combination	Split	Adjustment	
☐ Minor Commercial Subdivision				
☐ Vacation	Easement		Street	
☐ Variance				
☐ Extension Request				
☐ Zoning	Amendment (rezoning)		Text Modification	

Description of Request: DESIGN REVEIW AND APPROVAL FROM PLANNING COMMISSION PER THE HAWKSMOOR NORTH I-PUD TEXT FOR NEW SINGLE FAMILY HOME.

Contacts

Property Owner's Name: D&H HAWKSMOOR PROPERTIES LLC
Address: 230 West Street, suite 200
City, State, Zip: COLUMBUS, OH 43215
Phone number: 614.314.0118 Fax: _____
Email: TARNOLD@LIFESTYLECOMMUNITIES.COM

Applicant's Name: Todd Parker, F5 Design/Architecture Inc.
Address: PO BOX 86
City, State, Zip: NEW ALBANY, OH 43054
Phone number: 614.937.4894 Fax: _____
Email: tparker@f5design.com

Signature

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.

Signature of Owner _____ Date: 7/26/2024
Signature of Applicant _____ Date: 7/26/2024

City of New Albany
Development Department
Planning Commission
26 July 2024(revised 6 Aug.2024)

Applicant – Todd Parker, F5 Design/Architecture Inc.
On behalf of D&H Hawksmoor Properties LLC
Address of subject Property: 4093 Reynoldsburg New Albany Road
Type of Request: Final Development Plan Approval Per IPUD Requirements

Project Narrative

In accordance with the Hawksmoor North IPUD and City of New Albany requirements, we are submitting a Final Development Plan application for a new one and one-half story single-family residence to be located at 4093 Reynoldsburg New Albany Road, Parcel ID: 222-000630-00. The construction method of this project will be conventional stick framed residence over standard basement with a slab-on-grade with stick-built wood-framed garage components. (and steel posts and beams where needed). An existing driveway will be utilized and resurfaced with asphalt as part of the scope of work.

The program for this project contains a custom residence with attached garage space and a breezeway connected garage to house a growing collection of automobiles for the property owner.

The design of numerous homes built in New Albany within the past thirty years have been inspired by well-known mid-century architecture. The original Rutherford Residence, for example, located in the New Albany Farms area, was based upon a famous English country home called Salutation (designed by the renowned architect Edwin Lutyens).

The home design that we have proposed for 19 Hawksmoor is based upon a French country house known as Hopelands, built near Middleton, Rhode Island in the 1930's.

Proportion, scale, exterior materials, and nuance are traits that landed Hopelands in the architectural history books. We have endeavored to recreate this unique appeal in our proposed design. The exterior of our home has been crafted with an aesthetic eye that places emphasis on human-scaled elements, complementary forms, and historic colors. Through the use of French casement windows, lime-washed brick, and a Slate Roof roof, the exterior pallet of our home is true to the Hopelands inspiration.

We feel that the location of our proposed design, set back one-hundred fifty feet from the road, will nestle into its surrounding environment and feel right at home. Given the one-story roof shape and earthy roof tones, attention to architectural detail, and overall appeal, we thus submit our architectural design for your consideration.

Building placement is consistent with traditional barn locations in the area, as the home is located towards the rear of the 1.65 Acre lot, set back +/-185' from the property line, and oriented parallel to the road. The building footprint, including an open-air covered porch, totals 7,600 and the garage of 3,335 square feet, which results in a lot coverage of 15.2%. The ridge height of this residence and garage are no more than 25'-6" off grade.

City of New Albany
Development Department
Planning Commission
26 July 2024(revised 6 Aug.2024)

Architectural drawings have been submitted to the City as part of this application. This project has been reviewed by Jay McIntyre, representative of the Hawksmoor Homeowners Association, with which this property is affiliated.

Thank you for considering this application, and please reach out if additional information is required.

Regards,

Todd Parker, President, F5 Design/Architecture Inc.

PID	Owner	Mailing Address
222-002064	Michael Meade	4131 Reynoldsburg New Albany Rd., New Albany, OH 43054
222-002067	Daniel Wong	4100 Belmont pl., New albany Ohio, 43054
222-002066	Kenneth Vitellas	4090 Belmont Pl., New lbany, OH 43054
222-001872	Shawn Vadala	4107 Belmont PL. New Albany, OH 43054
222-003482	Andrew Rumpke	4 Hawksmoor, New Albany, OH 43054
222-003481	Patreick Fehring	18133 Mission Pt. , Northville, MI 48168
222-003480	D&H Hawksmoor LTd	230 West St., Suite 200, Columbus, OH 43215
222-003479	Jay McIntyre	1 Hawksmoor, New Albany, OH 43054
222-003497	Hawksmoor LTD	5603 Cooper Rd. Westerville, OH 43081
222-000333	Leslie H Wexner	
222-000547	Bruce Duschesne	4066 Reynoldsburg New Albany Rd., New Albany, OH 43054
222-000843	NACO	8000 Walton parkway, New Albany, OH 43054
222-004893	Kyle Sellers	4127 Reynoldsburg New Albany Road, New Albany OH, 43054

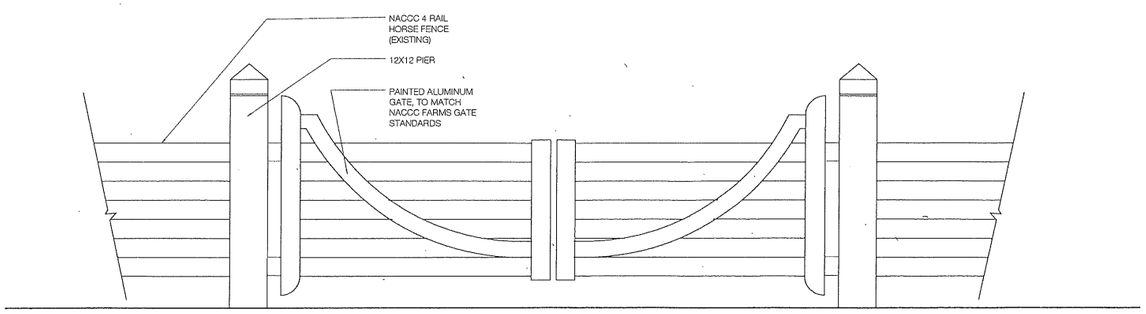


1 SITE PLAN

SCALE: 1/40" = 1'-0"

0 20 40 80

N



2 GATE ELEVATION

SCALE: 1/4" = 1'-0"

0 1 2 4 8

PID: 222-000630

SITE DRAINAGE

ALL GUTTERS/DOWNSPOUTS AND SUMP PUMP DISCHARGE SHALL BE DRAINED TO THE APPROVED STORM SEWER USING 4" RIGID PVC PIPE, BEDDED IN SAND, AND PROPERLY SLOPED MIN $\frac{1}{8}$" PER 1 FOOT.

F5

F5 DESIGN/ARCHITECTURE
PO BOX 86
NEW ALBANY, OHIO 43054

WWW.F5DESIGN.COM

F5MAIL@F5DESIGN.COM
TEL 614.224.4946

PROJECT NAME:

NEW RESIDENCE

4093 REYNOLDSBURG - NEW ALBANY ROAD
NEW ALBANY, OHIO
43054

PERMIT SET

SEAL/SIGNATURE

Drawings and specifications as instruments of professional service shall remain the propoerty of the Architect. These documents are not to be used in whole or in part, for any other projects not at the specified address, without the prior written authorization of F5 Design/Architecture Inc. C.2024

Builder

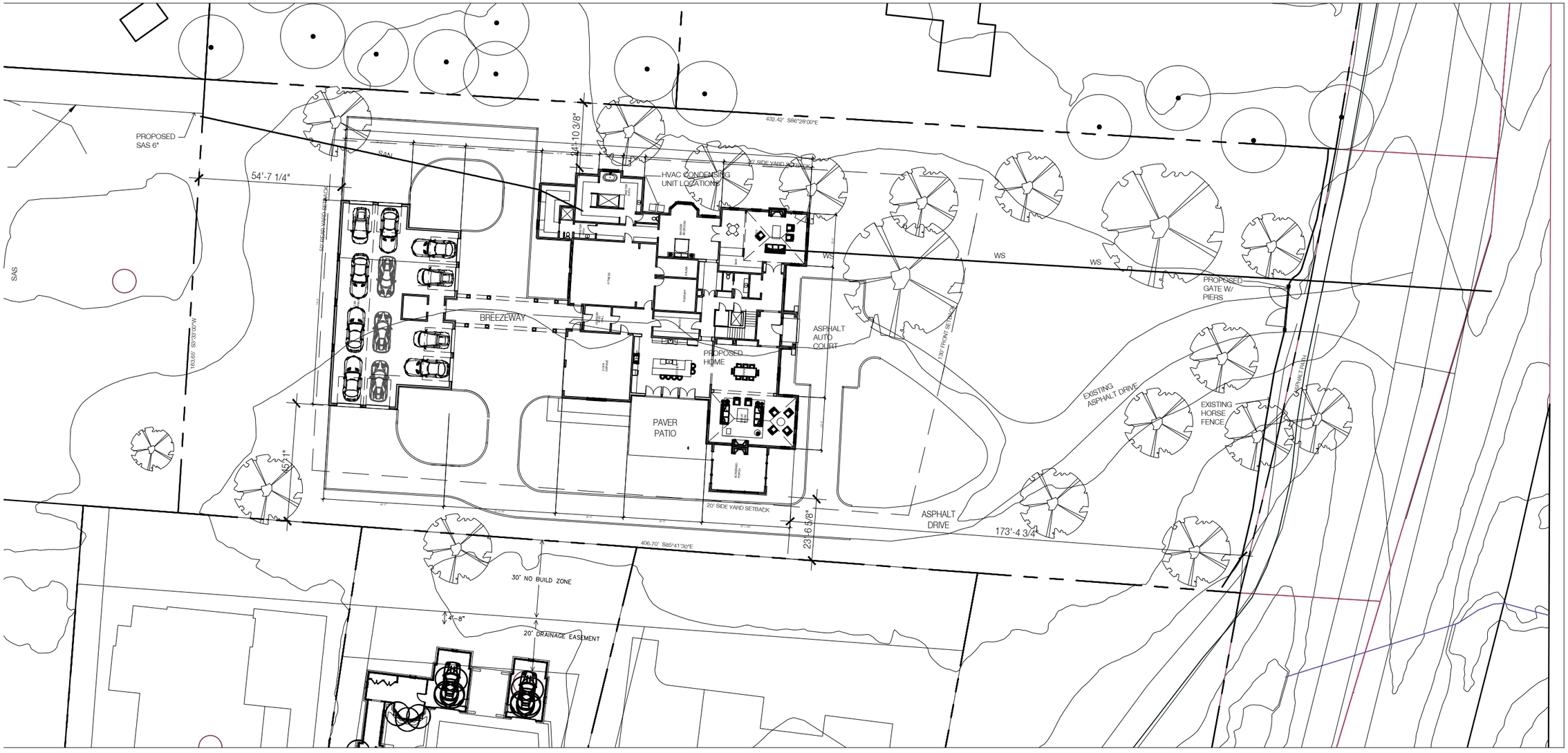
SCALE: 1"=40'-0"

PROJECT NO. 23027

SITE PLAN

19 JUNE 2024

L100

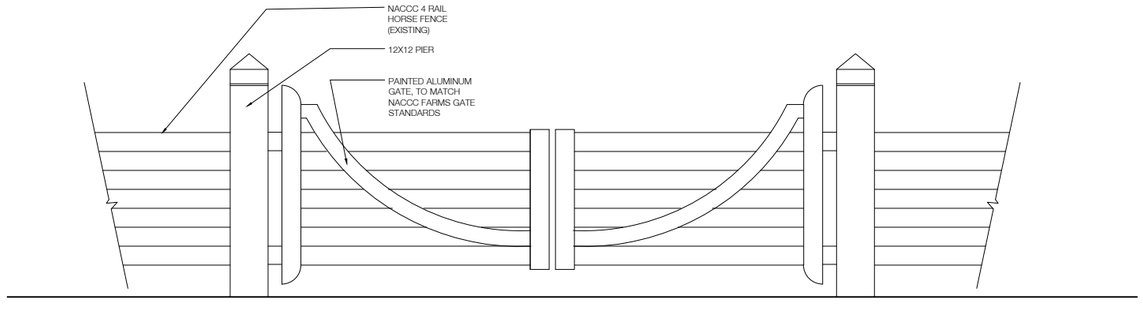


1 SITE PLAN

SCALE: 1/40" = 1'-0"

0 20 40 80

N



2 GATE ELEVATION

SCALE: 1/4" = 1'-0"

0 1 2 4 8

PID: 222-000630

SITE DRAINAGE

ALL GUTTERS/DOWNSPOUTS AND SUMP PUMP DISCHARGE SHALL BE DRAINED TO THE APPROVED STORM SEWER USING 4" RIGID PVC PIPE, BEDDED IN SAND, AND PROPERLY SLOPED MIN $\frac{1}{8}$" PER 1 FOOT.

F5

F5 DESIGN/ARCHITECTURE INC
PO BOX 86
NEW ALBANY, OHIO 43054

WWW.F5DESIGN.COM

F5MAIL@F5DESIGN.COM
TEL 614.224.4946

PROJECT NAME:

NEW RESIDENCE

4093 REYNOLDSBURG - NEW ALBANY ROAD
NEW ALBANY, OHIO
43054

PERMIT SET

SEAL/SIGNATURE

STATE OF OHIO
TODD M. PARKER 12954
REGISTERED ARCHITECT

TODD M. PARKER
LIC. 12954 EXP. 12/31/2025

Drawings and specifications as instruments of professional service shall remain the propoerty of the Architect. These documents are not to be used in whole or in part, for any other projects not at the specified address, without the prior written authorization of F5 Design/Architecture Inc. C.2024

Builder

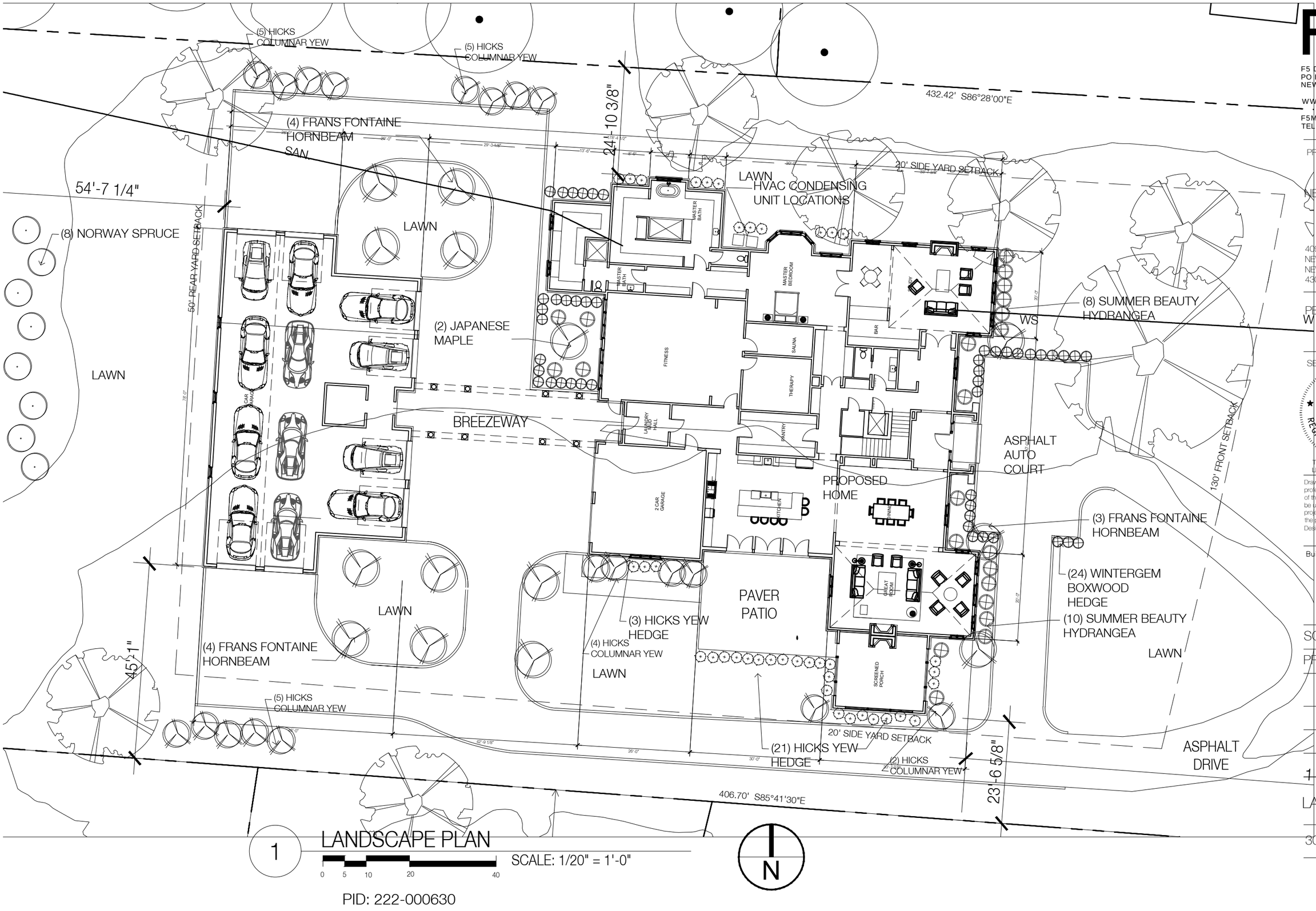
SCALE: AS NOTED

PROJECT NO. 23027

SITE PLAN

30 JULY 2024

L100



1 LANDSCAPE PLAN

SCALE: 1/20" = 1'-0"

0 5 10 20 40

PID: 222-000630

F5

F5 DESIGN/ARCHITECTURE INC
PO BOX 86
NEW ALBANY, OHIO 43054

WWW.F5DESIGN.COM

F5MAIL@F5DESIGN.COM
TEL 614.224.4946

PROJECT NAME:

NEW RESIDENCE

4093 REYNOLDSBURG - NEW ALBANY ROAD
NEW ALBANY, OHIO
43054

PERMIT SET
W

SEAL/SIGNATURE

STATE OF OHIO
TODD M. PARKER 12954
REGISTERED ARCHITECT

TODD M. PARKER
LIC. 12954 EXP. 12/31/2025

Drawings and specifications as instruments of professional service shall remain the propoerty of the Architect. These documents are not to be used in whole or in part, for any other projects not at the specified address, without the prior written authorization of F5 Design/Architecture Inc. C.2024

Builder

SCALE: AS NOTED

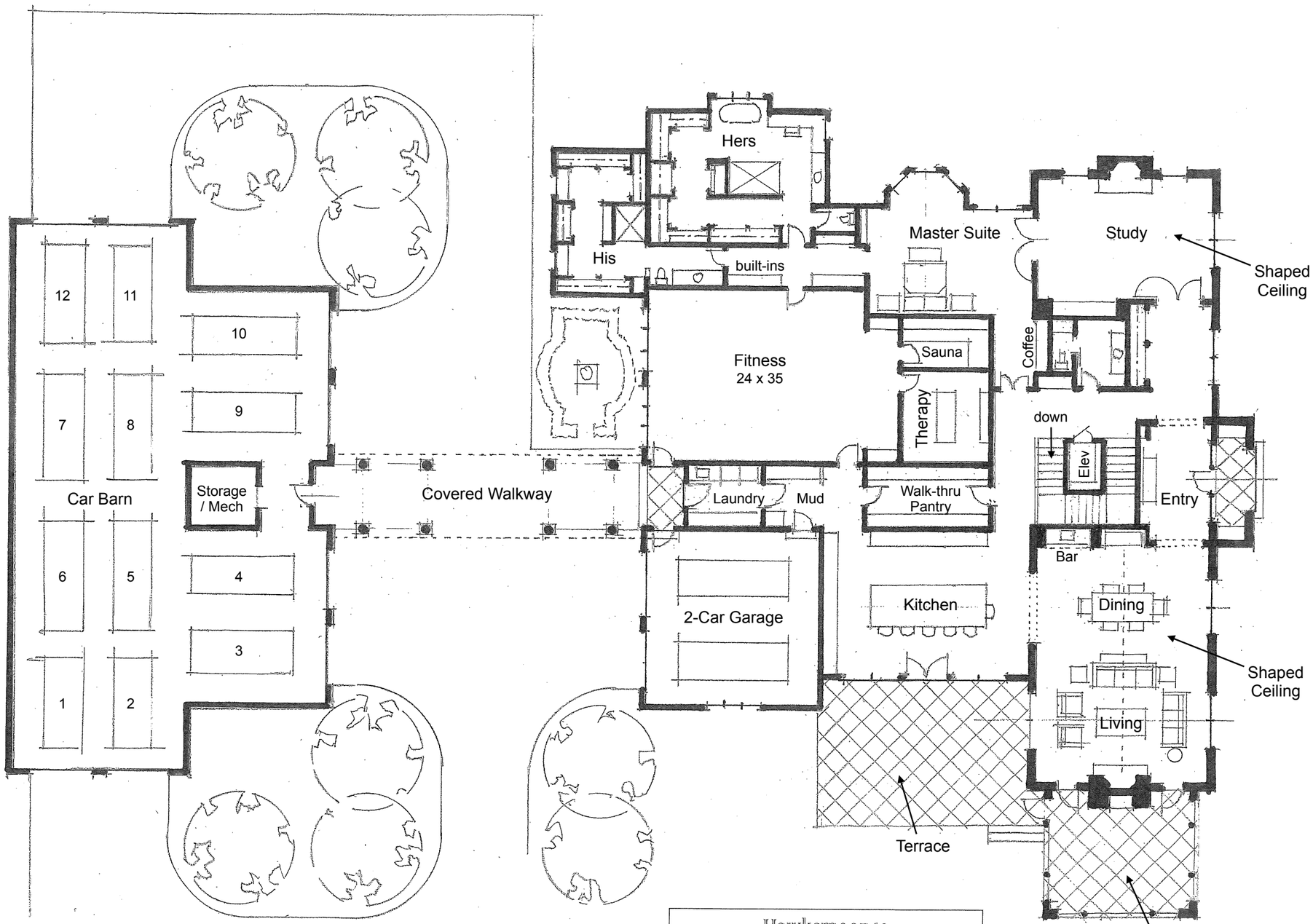
PROJECT NO. 23027

1

LANDSCAPE PLAN

30 JULY 2024

L101



Hawksmoor 19

Schematic First Floor Plan

1/16" = 1'-0" July 18, 2024

F5 Design / Nau & Bullock Architects

NEW RESIDENCE

4093 REYNOLDSBURG NEW ALBANY ROAD
NEW ALBANY, OH 43054



REVIEW SET
30 JULY 2024

4093 REYNOLDSBURG NEW ALBANY RD.

STRUCTURAL ENGINEER:

JEZERINAC GEERS ASSOCIATES
5640 FRANTZ ROAD
DUBLIN, OH 43017

614.766.0066

ARCHITECT:

F5

F5 DESIGN/ARCHITECTURE INC.
PO BOX 86
NEW ALBANY, OHIO 43054

WWW.F5DESIGN.COM
F5MAIL@F5DESIGN.COM
TEL (614) 224-4946

STATE OF OHIO
TODD M. PARKER 12954
REGISTERED ARCHITECT

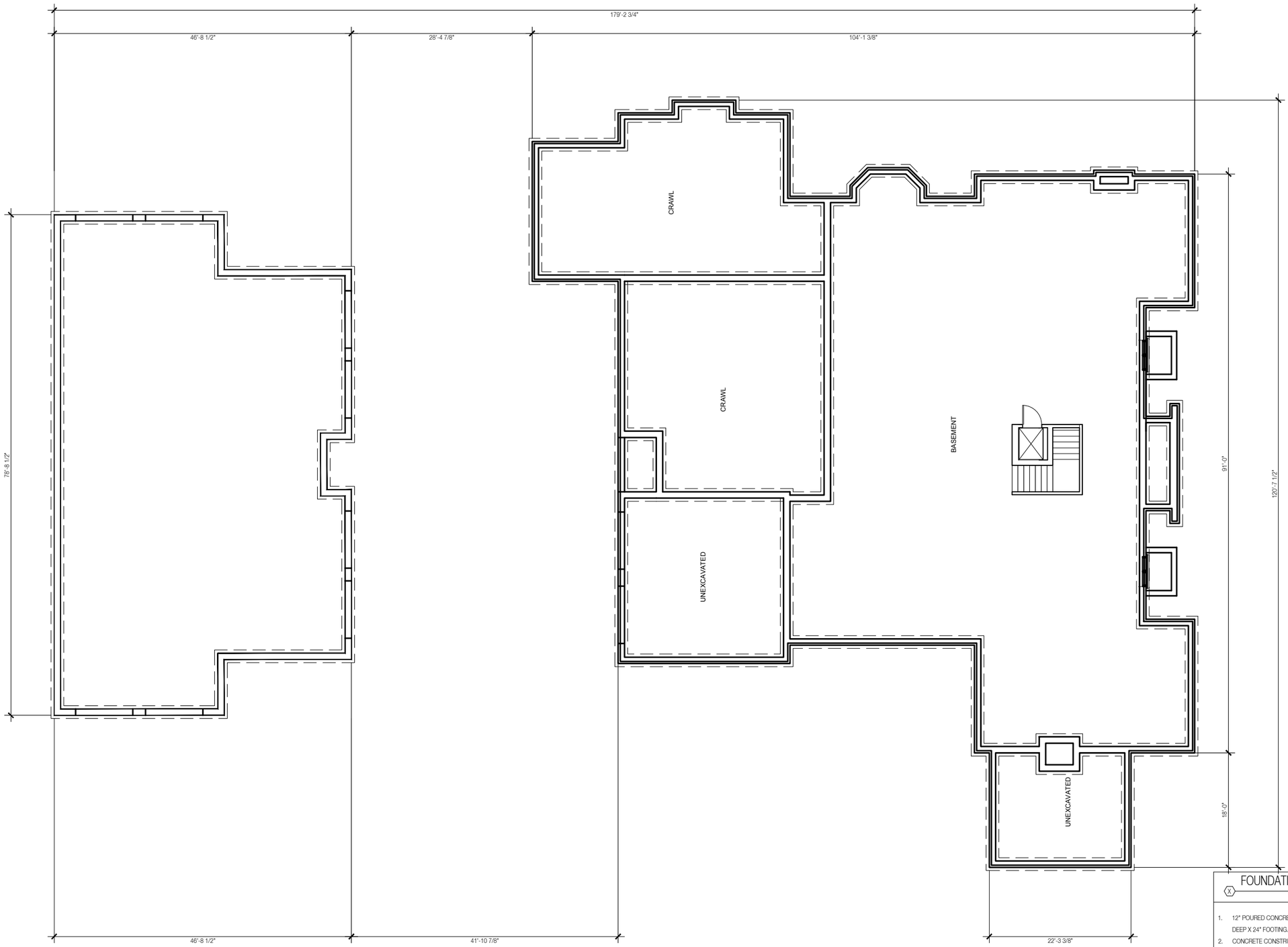
TODD M. PARKER
LIC. 12954 EXP. 12/31/2025

VICINITY MAP



DRAWING LIST:

A000 COVER SHEET
L100 SITE PLAN
L101 LANDSCAPE PLAN
A100 FOUNDATION PLAN
A101 FIRST FLOOR PLAN
A102 ROOF PLAN
A200 EXTERIOR ELEVATIONS
A201 EXTERIOR ELEVATIONS
A202 EXTERIOR ELEVATIONS
A300 COLOR RENDERINGS
A301 COLOR RENDERINGS
EXHIBIT A - CIVIL SITE PLAN
EXHIBIT B - CIVIL SANITARY ELEVATIONS



FOUNDATION PLAN CODED NOTES

1. 12" POURED CONCRETE FOUNDATION WALL w/ 4" BRICK LEDGE AND 8" DEEP X 24" FOOTING.
2. CONCRETE CONSTRUCTION/CONTROL JOINT.
3. HOLD DOWN WALLS AT DOORS TO ACCEPT FLOOR SLAB.
4. 4" COMPACTED GRAVEL FILL OVER 6 MIL VAPOR BARRIER.
5. 10" PORCH FOUNDATION w/ 8" DEEP X 24" FOOTING.
6. 8" DEEP X 24" SQUARE FOOTING.

1 FOUNDATION PLAN

SCALE: 1/16" = 1'-0"

0 4 8 16 32

F5

F5 DESIGN/ARCHITECTURE INC
PO BOX 86
NEW ALBANY, OHIO 43054

WWW.F5DESIGN.COM

F5MAIL@F5DESIGN.COM
TEL 614.224.4946

PROJECT NAME:

NEW RESIDENCE

4093 REYNOLDSBURG - NEW ALBANY ROAD
NEW ALBANY, OHIO
43054

PERMIT SET

SEAL/SIGNATURE

STATE OF OHIO
TODD M. PARKER 12954
REGISTERED ARCHITECT

TODD M. PARKER
LIC. 12954 EXP. 12/31/2025

Drawings and specifications as instruments of professional service shall remain the propoerty of the Architect. These documents are not to be used in whole or in part, for any other projects not at the specified address, without the prior written authorization of F5 Design/Architecture Inc. C.2024

Builder

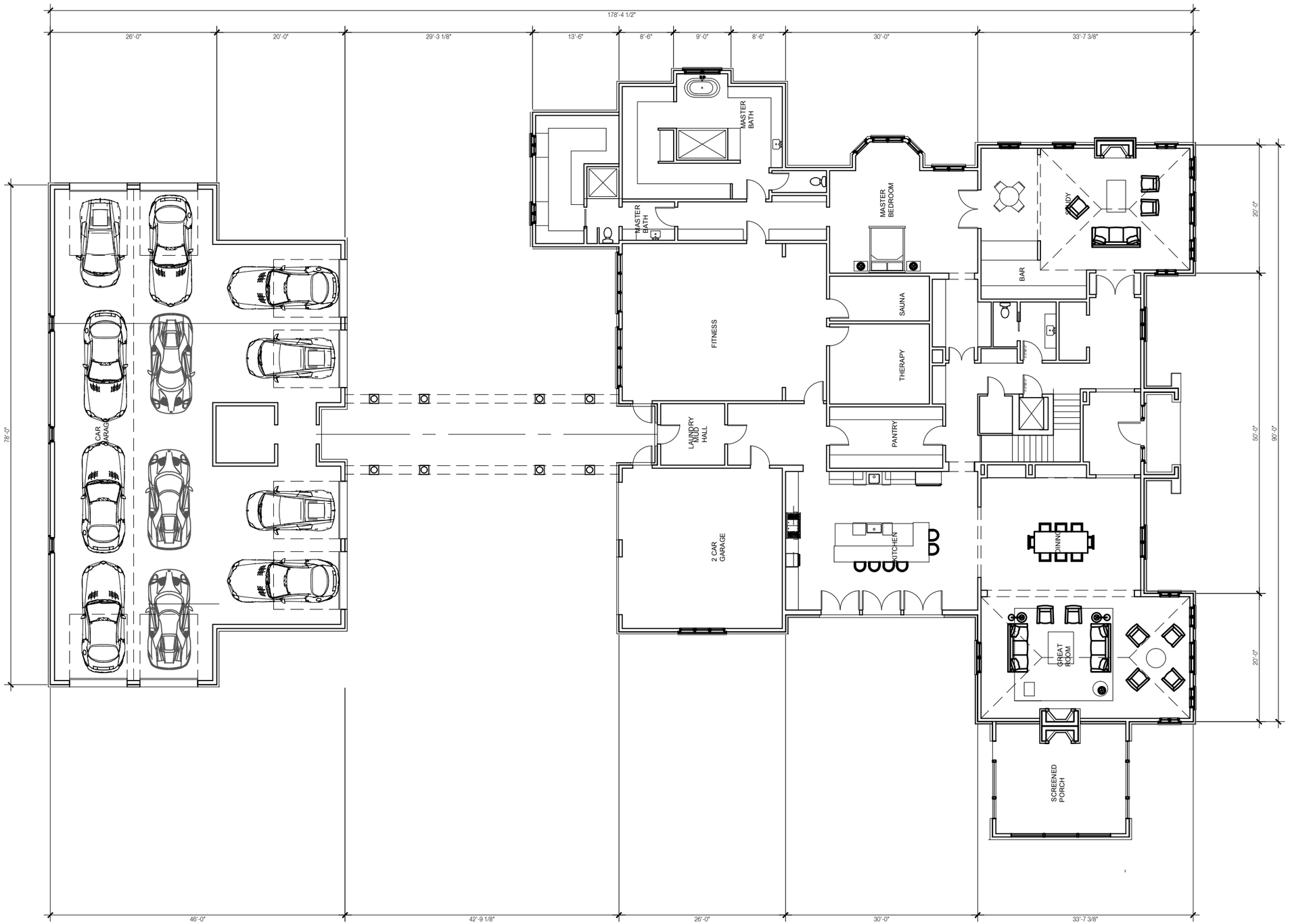
SCALE: 3/32"=1'-0"

PROJECT NO. 23027

FDN. PLAN

30 JULY 2024

A100



1 FIRST FLOOR PLAN

SCALE: 1/16" = 1'-0"

0 4 8 16 32

F5

F5 DESIGN/ARCHITECTURE INC
PO BOX 86
NEW ALBANY, OHIO 43054

WWW.F5DESIGN.COM

F5MAIL@F5DESIGN.COM
TEL 614.224.4946

PROJECT NAME:

NEW RESIDENCE

4093 REYNOLDSBURG - NEW ALBANY ROAD
NEW ALBANY, OHIO
43054

PERMIT SET

SEAL/SIGNATURE

STATE OF OHIO
TODD M. PARKER 12954
REGISTERED ARCHITECT

TODD M. PARKER
LIC. 12954 EXP. 12/31/2025

Drawings and specifications as instruments of professional service shall remain the propoerty of the Architect. These documents are not to be used in whole or in part, for any other projects not at the specified address, without the prior written authorization of F5 Design/Architecture Inc. C.2024

Builder

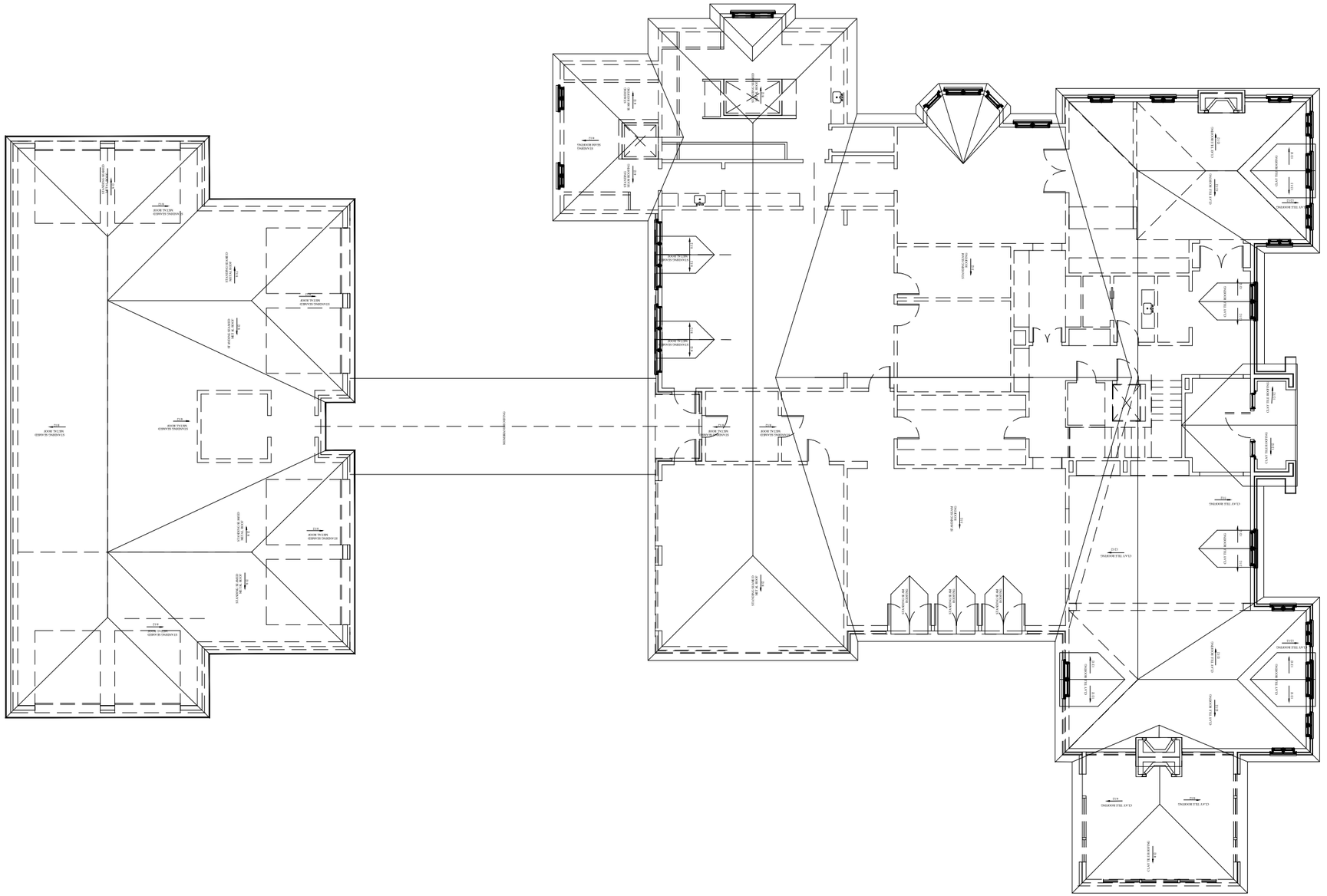
SCALE: 1/8"=1'-0"

PROJECT NO. 23027

FLOOR PLAN

30 JULY 2024

A101



X ROOF PLAN

SCALE: 1/16" = 1'-0"

0 4 8 16 32

F5

F5 DESIGN/ARCHITECTURE INC
PO BOX 86
NEW ALBANY, OHIO 43054

WWW.F5DESIGN.COM

F5MAIL@F5DESIGN.COM
TEL 614.224.4946

PROJECT NAME:

NEW RESIDENCE

4093 REYNOLDSBURG - NEW ALBANY ROAD
NEW ALBANY, OHIO
43054

PERMIT SET

SEAL/SIGNATURE

STATE OF OHIO
TODD M. PARKER 12954
REGISTERED ARCHITECT

TODD M. PARKER
LIC. 12954 EXP. 12/31/2025

Drawings and specifications as instruments of professional service shall remain the propoerty of the Architect. These documents are not to be used in whole or in part, for any other projects not at the specified address, without the prior written authorization of F5 Design/Architecture Inc. C.2024

Builder

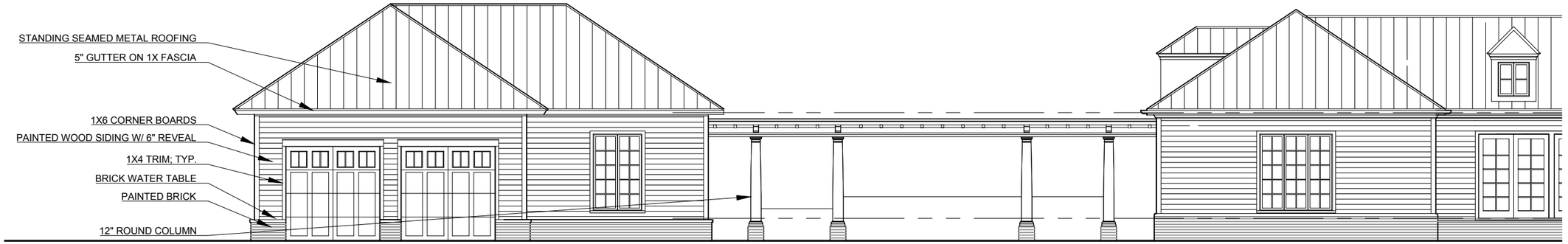
SCALE: 3/32"=1'-0"

PROJECT NO. 23027

ROOF PLAN

30 JULY 2024

A102



3 SOUTH ELEVATION GARAGE

SCALE: 3/32" = 1'-0"

0 1 2 4 8 16



2 SOUTH ELEVATION

SCALE: 3/32" = 1'-0"

0 1 2 4 8 16



1 EAST ELEVATION

SCALE: 3/32" = 1'-0"

0 1 2 4 8 16

F5

F5 DESIGN/ARCHITECTURE INC
PO BOX 86
NEW ALBANY, OHIO 43054

WWW.F5DESIGN.COM

F5MAIL@F5DESIGN.COM
TEL 614.224.4946

PROJECT NAME:

NEW RESIDENCE

4093 REYNOLDSBURG - NEW ALBANY ROAD
NEW ALBANY, OHIO
43054

PERMIT SET

SEAL/SIGNATURE

STATE OF OHIO
TODD M. PARKER 12954
REGISTERED ARCHITECT

TODD M. PARKER
LIC. 12954 EXP. 12/31/2025

Drawings and specifications as instruments of professional service shall remain the propoerty of the Architect. These documents are not to be used in whole or in part, for any other projects not at the specified address, without the prior written authorization of F5 Design/Architecture Inc. C.2024

Builder

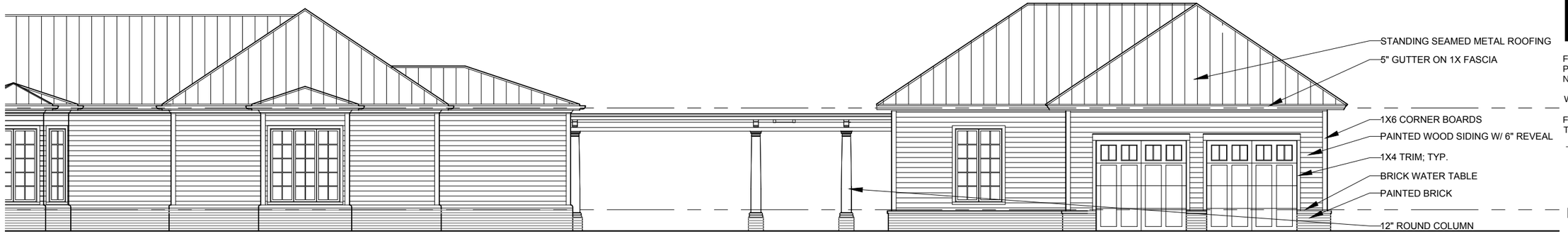
SCALE: 3/32"=1'-0"

PROJECT NO. 23027

ELEVATIONS

30 JULY 2024

A200



1 WEST ELEVATION GARAGE

SCALE: 3/32" = 1'-0"

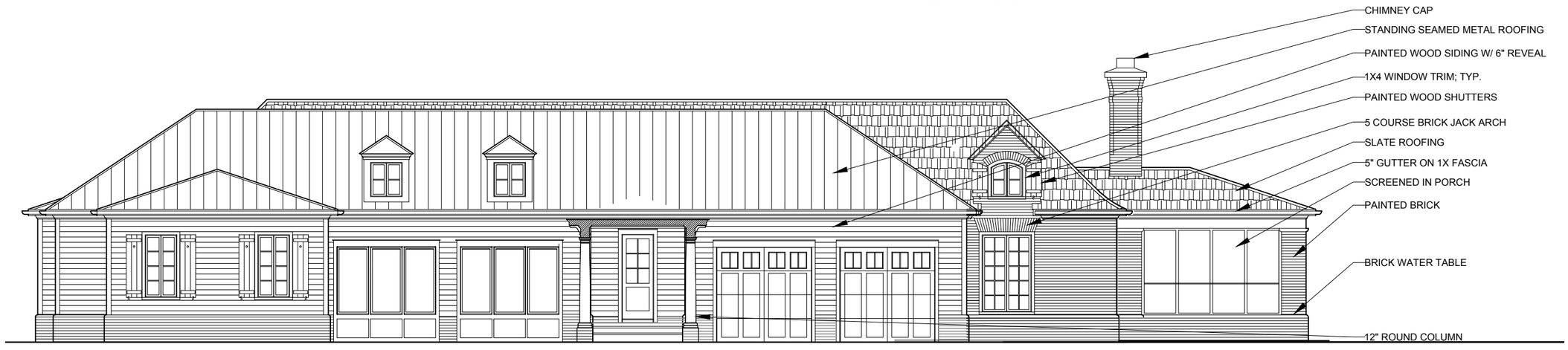
0 1 2 4 8 16



2 NORTH ELEVATION

SCALE: 3/32" = 1'-0"

0 1 2 4 8 16



1 WEST ELEVATION

SCALE: 3/32" = 1'-0"

0 1 2 4 8 16

F5

F5 DESIGN/ARCHITECTURE INC
PO BOX 86
NEW ALBANY, OHIO 43054

WWW.F5DESIGN.COM

F5MAIL@F5DESIGN.COM
TEL 614.224.4946

PROJECT NAME:

NEW RESIDENCE

4093 REYNOLDSBURG - NEW ALBANY ROAD
NEW ALBANY, OHIO
43054

PERMIT SET

SEAL/SIGNATURE

STATE OF OHIO
TODD M. PARKER 12954
REGISTERED ARCHITECT

TODD M. PARKER
LIC. 12954 EXP. 12/31/2025

Drawings and specifications as instruments of professional service shall remain the propoerty of the Architect. These documents are not to be used in whole or in part, for any other projects not at the specified address, without the prior written authorization of F5 Design/Architecture Inc. C.2024

Builder

SCALE: 3/32"=1'-0"

PROJECT NO. 23027

ELEVATIONS

30 JULY 2024

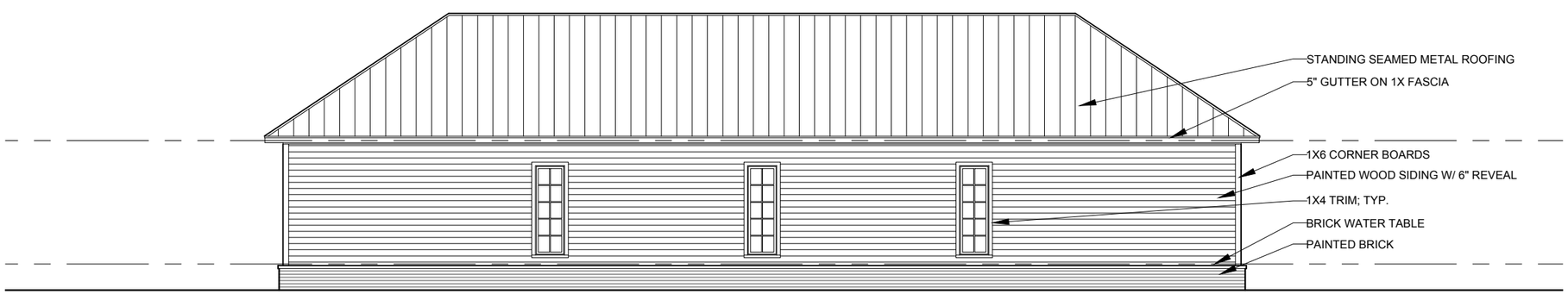
A201



2 GARAGE EAST ELEVATION

SCALE: 3/32" = 1'-0"

0 1 2 4 8 16



1 GARAGE WEST ELEVATION

SCALE: 3/32" = 1'-0"

0 1 2 4 8 16

F5

F5 DESIGN/ARCHITECTURE INC
PO BOX 86
NEW ALBANY, OHIO 43054

WWW.F5DESIGN.COM

F5MAIL@F5DESIGN.COM
TEL 614.224.4946

PROJECT NAME:

NEW RESIDENCE

4093 REYNOLDSBURG - NEW ALBANY ROAD
NEW ALBANY, OHIO
43054

PERMIT SET

SEAL/SIGNATURE

STATE OF OHIO
TODD M. PARKER 12954
REGISTERED ARCHITECT

TODD M. PARKER
LIC. 12954 EXP. 12/31/2025

Drawings and specifications as instruments of professional service shall remain the propoerty of the Architect. These documents are not to be used in whole or in part, for any other projects not at the specified address, without the prior written authorization of F5 Design/Architecture Inc. C.2024

Builder

SCALE: 3/32"=1'-0"

PROJECT NO. 23027

ELEVATIONS

30 JULY 2024

A202





F5

F5 DESIGN/ARCHITECTURE INC
PO BOX 86
NEW ALBANY, OHIO 43054

WWW.F5DESIGN.COM

F5MAIL@F5DESIGN.COM
TEL 614.224.4946

PROJECT NAME:

NEW RESIDENCE

4093 REYNOLDSBURG - NEW ALBANY ROAD
NEW ALBANY, OHIO
43054

PERMIT SET

SEAL/SIGNATURE

STATE OF OHIO
TODD M. PARKER 12954
REGISTERED ARCHITECT

TODD M. PARKER
LIC. 12954 EXP. 12/31/2025

Drawings and specifications as instruments of professional service shall remain the propoerty of the Architect. These documents are not to be used in whole or in part, for any other projects not at the specified address, without the prior written authorization of F5 Design/Architecture Inc. C.2024

Builder

SCALE: NA

PROJECT NO. 23027

MODEL IMAGES

30 JULY 2024

A300





F5

F5 DESIGN/ARCHITECTURE INC
PO BOX 86
NEW ALBANY, OHIO 43054

WWW.F5DESIGN.COM

F5MAIL@F5DESIGN.COM
TEL 614.224.4946

PROJECT NAME:

NEW RESIDENCE

4093 REYNOLDSBURG - NEW ALBANY ROAD
NEW ALBANY, OHIO
43054

PERMIT SET

SEAL/SIGNATURE

STATE OF OHIO
TODD M. PARKER 12954
REGISTERED ARCHITECT

TODD M. PARKER
LIC. 12954 EXP. 12/31/2025

Drawings and specifications as instruments of professional service shall remain the propoerty of the Architect. These documents are not to be used in whole or in part, for any other projects not at the specified address, without the prior written authorization of F5 Design/Architecture Inc. C.2024

Builder

SCALE: NA

PROJECT NO. 23027

MODEL IMAGES

30 JULY 2024

A301