



New Albany Planning Commission Agenda
Monday, March 6, 2023 7:00pm

Members of the public must attend the meeting in-person to participate and provide comment 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: February 22, 2023

IV. Additions or corrections to agenda

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

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

VI. Cases:

ZC-17-2023 Rezoning

Request to rezone 26.2+/- acres located on a portion of 13312 Jug Street Road from Limited General Employment (L-GE) of an area known as Jug Street North Zoning District to Limited General Employment (L-GE) for an area to be known as the Harrison Road Triangle Zoning District (PID: a portion of 095-111756-00.000).

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

Motion of acceptance of staff reports and related documents into the record for ZC-17-2023.

Motion of approval for application ZC-17-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

CU-18-2023 Conditional Use

Request for a conditional use permit to operate an industrial manufacturing and assembly conditional use to allow the operation of a concrete batch plant located on a portion of 13312 Jug Street Road (PID: a portion of 095-111756-00.000).

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

Motion of acceptance of staff reports and related documents into the record for CU-18-2023.

Motion of approval for application CU-18-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

CU-19-2023 Conditional Use

Request for a conditional use permit to operate an industrial manufacturing and assembly conditional use to allow the operation of a concrete batch plant located on a portion of 2520 Beech Road SW (PID: a portion of 094-107502-00.000).

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

Motion of acceptance of staff reports and related documents into the record for CU-19-2023.

Motion of approval for application CU-19-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

FPL-20-2023 Preliminary and Final Plat

Preliminary and final plat for Alden Woods which will be located at 6700, 6770, 6800 Central College Road in Franklin County (PID: 222-001997, 222-001998 and 222-00199).

Applicant: Andrew Maletz

Motion of acceptance of staff reports and related documents into the record for - FPL-20-2023.

Motion of approval for application FPL-20-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VAR-27-2023 Variance

Variance to Chapter 1155 associated with development in a floodplain located on at the future site of Taylor Farm park (PID: 222-005165).

Applicant: The city of New Albany

Motion of acceptance of staff reports and related documents into the record for VAR-27-2023.

Motion of approval for application VAR-27-2023 based on the findings in the staff report with the conditions listed in the staff report, subject to staff approval.

VII. Other business

- New Albany Solar Energy Initiative Best Practices Report

VIII. Poll members for comment

IX. Adjournment



**Planning Commission Staff Report
March 6, 2023 Meeting**

**HARRISON ROAD TRIANGLE ZONING DISTRICT
ZONING AMENDMENT**

LOCATION: Located on a portion of 13312 Jug Street Road, adjacent to Harrison Road NW and generally to the north of Jug Street (PID: 095-111756-00.000)

REQUEST: Zoning Amendment

ZONING: L-GE Limited General Employment District to L-GE Limited General Employment District

STRATEGIC PLAN: Employment Center

APPLICATION: ZC-17-2023

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

Review based on: Application materials received February 3, 2023 and February 17, 2023.

Staff report completed by Chelsea Nichols, Planner

I. REQUEST AND BACKGROUND

The applicant requests review and approval of the rezoning of 26.2+/- acres. The request proposes to create a new limitation text for the area known as the “Harrison Road Triangle Zoning District” and will be zoned Limited General Employment (L-GE). Since the rezoning of this property, the applicant acquisitioned the residential parcels immediately to the north, thereby creating new circumstances where additional uses and development standards established in the adjacent business park are appropriate within portions of the site.

The request includes the following changes from the existing L-GE limitation text:

1. Adds industrial product sales as a conditional use;
2. Permits distribution and manufacturing as a primary use only for properties setback a minimum distance of 695 feet from the northern boundary line;
3. Adds commitment to dedicate a maximum of 60 feet of right-of-way and streetscape and utility easements not to exceed 25 feet in width on either side to the city to accommodate the new east-west public street;
4. Allows a maximum building height of 65 feet for structures setback at least 500 feet from the northern property line and a maximum building height of 45 feet for any structure located within 500 feet of the northern boundary line;

II. SITE DESCRIPTION & USE

The overall site consists of a portion of one lot that is located within Licking County. The site is located west of Harrison Road NW and generally north of Jug Street Road. The first reading of the rezoning is scheduled to be heard by City Council on March 7, 2023.

The site is currently zoned Limited General Employment (L-GE) within an area known as the Jug Street North Zoning District, which consists of 484.8+/- acres. The neighboring uses to the north include residential properties owned by the applicant. The neighboring zoning districts include TMD to the east and L-GE to the south and west.

III. PLAN REVIEW

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

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

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

A. New Albany Strategic Plan

The Engage New Albany strategic plan lists the following development standards for the Employment Center future land use district:

1. No freeway / pole signs are allowed.
2. Heavy landscaping is necessary to buffer these uses from adjacent residential areas.
3. Plan office buildings within context of the area, not just the site, including building heights within development parcels.
4. Sites with multiple buildings should be well organized and clustered if possible.
5. All office developments are encouraged to employ shared parking or be designed to accommodate it.
6. All office developments should plan for regional stormwater management.
7. All associated mechanical operations should be concealed from the public right-of-way and screened architecturally or with landscape in an appealing manner.
8. Any periphery security should integrate with the existing landscape and maintain and enhance the character of road corridor.
9. Combined curb cuts and cross-access easements are encouraged.
10. The use of materials, colors, and texture to break up large-scale facades is required.

B. Western Licking County Accord

The zoning district is located within the Western Licking County Accord's Office/Transitional Agriculture and Rural Residential/Agricultural future land use districts. The Western Licking County Accord states that if New Albany annexes land in this area and is able to provide water and sewer services, it would best serve the city of New Albany and Johnstown-Monroe School District as office development in the annexed area.

The accord's land use map is a point in time until any given area begins to develop or change. The proposed zoning meets the WLCA objectives as the proposed rezoning advances the employment center opportunities. The Accord's recommended development standards for the Office District include, but are not limited to:

1. Building should be oriented to the front of the primary public roadways. (pg. 68)
2. Office buildings should be set back from the primary street right-of-way a minimum of 50 feet to maintain a natural greenway as a visual amenity. (pg. 68)
3. Street trees should be provided on both sides of the street at a minimum of 40 feet on center. (pg. 68)
4. Where new development is adjacent to existing residences a buffer zone shall be created with a minimum width of 25 feet. Such screening within the buffer zone shall consist of natural vegetation planted no closer than 3 feet to any property line. Natural vegetation shall have an opaqueness of 75% during full foliage and shall consist of a variety of

- deciduous and evergreen trees which attain 10 feet in height within 5 years of planting. (pg. 65)
5. Reasonable and good faith efforts shall be made to preserve existing trees and tree rows occurring in the planning area. (pg. 64)
 6. To avoid spill-over lighting from commercial development to residential development. (pg. 66)
 7. To avoid light pollution of the night sky. (pg. 66)
 8. Outdoor light pole fixtures shall not exceed thirty (30) feet. (pg. 66)

C. Use, Site and Layout

1. The proposed zoning text is a limitation text. A limitation text can only establish more restrictive requirements than the zoning code.
2. The site is located in the Engage New Albany strategic plan Northeast Area addendum Employment Center land use. The majority of the site is also located in the Western Licking County Accord's Office/Transitional Agriculture district.
3. Due to the proximity of this site to Beech Road, and its location adjacent to commercially zoned land in the existing New Albany International Business Park to the south, the site appears to be most appropriate for commercial development.
4. The text contains a similar list of permitted, conditional, and prohibited uses as other zoning districts that are also zoned Limited General Employment (L-GE), which includes the Jug Street North Zoning District, with the exception of allowing industrial product sales as a conditional use where as it is not permitted or conditional in the Jug Street North Zoning District.
5. The text retains permitted uses including general office activities, data centers, and research & production uses.
6. The limitation text establishes a 695 foot "use restriction line" from the north property line that abuts the Bermuda subdivision. This text retains the restriction that prohibits manufacturing uses north of this line. The text also prohibits distribution uses as a primary north of this line.
 - o The text proposes to permit distribution and manufacturing as primary uses south of this line.
7. This text retains conditional uses including industrial manufacturing & assembly, car fleet and truck fleet parking, and limited educational industries. These uses are currently conditional in the Jug Street North Zoning District.
8. Personal service and retail product sales and services are only allowed as accessory uses to a permitted use in this subarea. This is consistent with the Jug Street North Zoning District.
9. Prohibited uses include mini-warehouses, vehicle services, radio/television broadcast facilities, off-premise signs and sexually oriented business. These uses are also currently prohibited in the Jug Street North Zoning District.
10. Zoning text section D.2. proposes the following setbacks:
 - o Harrison Road NW: a minimum pavement setback of 25 and building setback of 50 feet from right-of-way of Harrison Road NW. This is consistent with surrounding zoning districts, including the existing Jug Street North Zoning District.
 - o New east-west public street: a minimum pavement setback of 25 and building setback of 50 feet from right-of-way of the new east-west public street. This is consistent with surrounding zoning districts and the Jug Street North Zoning District. Northern Boundary: 100 feet for pavement and buildings from the northern boundary line of this Zoning District. This is consistent with surrounding zoning districts and the Jug Street North Zoning District.
 - o Eastern Boundary: 100 feet for buildings and pavement from those portions of the eastern perimeter boundary line of this Zoning District which are located to the north of the anticipated future right-of-way for the planned new east-west public street. This is consistent with the Jug Street North Zoning District. However, the setback shall be 50 feet for buildings and 25 feet for pavement from all other portions of the eastern boundary line of this Zoning District. This is consistent with

- surrounding zoning districts.
- Western Boundary: 25 feet for buildings and pavement. However, the setback will actually be larger at 50 feet given the existence of the overhead electric easement. This is consistent with surrounding zoning districts.
- Stream Corridor Protection: There shall be a minimum 100-foot wide stream corridor protection zone covering the stream which is located within the eastern portion of this Zoning District. The amount of the stream corridor protection zone which is located on each side of the centerline of the stream may vary, provided that no less than 50 feet of this protection zone shall be located on either side of the stream.

D. Access, Loading, Parking

1. The only proposed change relating to access, loading and parking are for the new east-west road. Otherwise, the same access, loading and parking requirements as the established Jug Street North Zoning District are proposed.
 - A new public street generally running east-west through the southern portion of the Zoning District is anticipated to be constructed by the city at some time in the future. The developer proposed to dedicate a maximum of 60 feet of right-of-way to accommodate this public street
 - To the extent necessary, adjacent streetscape and utility easements are to not exceed 25 feet in width on either side.
 - The actual location and other specifications for the new public street shall be determined at the time of a final plat prepared by the city. Prior to the approval of the final plat, the developer shall locate uses and improvements within the Zoning District in a manner that does not encroach upon the anticipated future right-of-way as illustrated in the exhibit.
2. The text states to the extent street improvements are required, the developer shall work with the City Manager, or their designee, to determine the need for appropriate timing and phasing.
3. Subject to other provisions in this text, on public rights-of-way which exist on the date of this text the number, locations, and spacing of curb cuts shall be determined and approved by the City Manager, or their designee, in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.
4. Parking and loading spaces will be provided for each use per code requirements (Chapter 1167) and will be evaluated at the time of development for each individual site.

E. Architectural Standards

1. The same architectural requirements as the established Jug Street North Zoning District are proposed. The proposed change relating to architecture is for building height.
 - The existing Jug Street North Zoning District permits a height maximum of 65 feet, except for building within the “Height Restriction Area” where it is limited to 45 feet. The height restriction area was created to address adjacent properties within the subdivision to the north. Since that time, the applicant has purchased properties within that subdivision that are immediately adjacent to the subject property, which has prompted this zoning change.
 - The maximum building height in the area being rezoned is currently 45 feet.
 - The proposed zoning district states the maximum building height shall be 65 feet, except it shall be 45 feet when a structure is located within 500 feet of the northern boundary line. The is still a stricter requirement than what a straight GE zoning allows.
2. The City’s Design Guidelines and Requirements do not provide architectural standards for warehouse and distribution type facilities. Due to the inherent size and nature of these facilities, careful attention must be paid to their design to ensure they are appropriately integrated into the rest of the business park. The limitation text includes the same specific design requirements for uses not governed by the DGRs as those in the other subareas of

- the Licking County business park, which will ensure the quality and consistent design of these buildings throughout this portion of the business park.
3. Section E.3. of the zoning text requires complete screening of all roof-mounted equipment on all four sides of the building using materials that are consistent and harmonious with the building's façade and character. The text indicates that the screening is provided to screen equipment from off-site view but also to buffer sound generated by the equipment.

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

1. There are no proposed changes to the parkland, buffering, landscaping, open space, and screening requirements.
2. Maximum lot coverage for this subarea is 75%, which is the same requirement as the surrounding L-GE zoning districts.
3. The following landscaping requirements apply to this Zoning District, which are the same requirements as the surrounding L-GE zoning districts, including Jug Street North Zoning District:
 - Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.
 - A "Perimeter Preservation Area" shall apply to the eastern boundary of this Zoning District and the extreme eastern portion of the northern boundary line of this Zoning District to include the minimum pavement setbacks, as illustrated in accompanying "Setback Plan". Within the Perimeter Preservation Area, the developer shall preserve existing healthy and mature trees and vegetation but shall be permitted to allow utilities to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on healthy and mature trees. Trees that are in good health and that are at least four (4) caliper inches in diameter at a height of three (3) feet above the ground shall be preserved where reasonably practical. Trees within Perimeter Preservation Area may be removed if they present a danger to persons or property.
 - Screening by way of mounding and plantings shall be provided along the northern perimeter boundary of this Zoning District. Mounding shall be required at a minimum height of ten (10) feet with a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% on the date that is 5 years after planting to a total height of fourteen (14) feet above the top of the mound. Mounding installed pursuant to this paragraph shall be installed within the minimum pavement setback area as required by this zoning text. Utilities may cross through the area where mounding is required. The plan for this area must be reviewed and approved by the City's Landscape Architect.
 - If there are existing trees within any perimeter area described in the immediately preceding paragraph, the mounding may be omitted and the existing trees may be utilized as the required screening. The requirement for 75% opacity 5 years after installation is still applicable with this alternative and, therefore, if necessary, additional landscaping materials (i.e., deciduous trees, evergreens or bushes) shall be planted along those perimeter boundary areas to meet the 75% opacity requirement. The plan for these areas must be reviewed and approved by the City's Landscape Architect.
 - Required mounding and landscaping shall be installed along the northern boundary line of this Zoning District when it is anticipated (as provided in plans associated with relevant permits) that buildings, paved parking areas, or above-ground equipment or utility infrastructure will be located within 800 feet of the relevant perimeter boundary line.
 - There shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or treed areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.

- Minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

E. Lighting & Signage

1. There are no proposed changes to the lighting and signage requirements.
2. No signage is proposed at this time. Per the text all signage shall meet the standards set forth in Codified Ordinance 1169 (City Sign Code).
3. All lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site. This is a priority development goal of the Western Licking County Accord Plan (pg. 66).
4. The maximum height of light poles is 30 feet, except that light poles located within 300 feet of properties where residential uses exist or are permitted shall be no higher than 18 feet in height.
5. The zoning text requires lighting details to be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

F. Other Considerations

1. The property owner has submitted a school impact statement which states the proposed L-GE zoning will result in fewer children in the Johnstown Monroe Local School District and add significant value to the land resulting in a substantial financial benefit to the school district.

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 provided the following comments. Staff recommends a condition of approval that the city engineer comments be addressed at the time of engineering permits, subject to staff approval.

1. Exhibit A (see attached) contains the recorded plat for Horizon Court which is now under construction. We concur with the applicant’s recommendation to provide right-of-way and easements in accordance with what has already been platted.
2. In accordance with City Code Section 1155 – Flood Damage Reduction we recommend that the applicant conduct a hydrologic/hydraulic analysis to determine the 100-year flood plain limits for the stream located on the parcel being rezoned.

IV. SUMMARY

The proposed limitation text still provides for stricter limitations in use and design than adjacent limited General Employment zoning districts and retains the requirements found in adjacent existing zoning texts. Due to the proximity of this site to Beech Road, and its location adjacent to commercially zoned land in the existing New Albany Business Park to the south, the site appears to be most appropriate for commercial development.

It appears that the proposed zoning text is meeting or exceeds a majority of the development standards found in both the Western Licking County Accord Plan and the Engage New Albany Strategic Plan.

1. The L-GE rezoning application is an appropriate application for the request (1111.06(e)).
2. The overall effect of the development advances and benefits the general welfare of the community (1111.06(f)).
3. The proposed rezoning will allow for the development of businesses that will generate revenue for the school district while eliminating residential units having a positive impact on the school district (1111.06(h)).

V. ACTION

Suggested Motions for ZC-17-2023:

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

Move to approve application ZC-17-2023 based on the findings in the staff report with the following condition:

1. That the city engineer's comments be addressed at the time of engineering permits, subject to staff approval.

Approximate Site Location:



Source: NearMap

401.60-146
February 21, 2023
(Updated 2.27.23)

To: Chelsea Nichols
Planner

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

Re: Harrison Rd. Triangle
Zoning District

We have the following review comments regarding this rezoning application:

- 1) Exhibit A (see attached) contains the recorded plat for Horizon Court which is now under construction. We concur with the applicant's recommendation to provide right-of-way and easements in accordance with what has already been platted.
- 2) In accordance with City Code Section 1155 – Flood Damage Reduction we recommend that the applicant conduct a hydrologic/hydraulic analysis to determine the 100 year flood plain limits for the stream located on the parcel being rezoned.

MEF/JH

(attachments)

CC: Will Walther, Development Engineer

HORIZON COURT DEDICATION AND EASEMENTS



THE KLEINGERS GROUP
 CIVIL ENGINEERING
 300 Montgomery Avenue
 Suite B
 Columbus, OH 43215
 (614) 231-1111



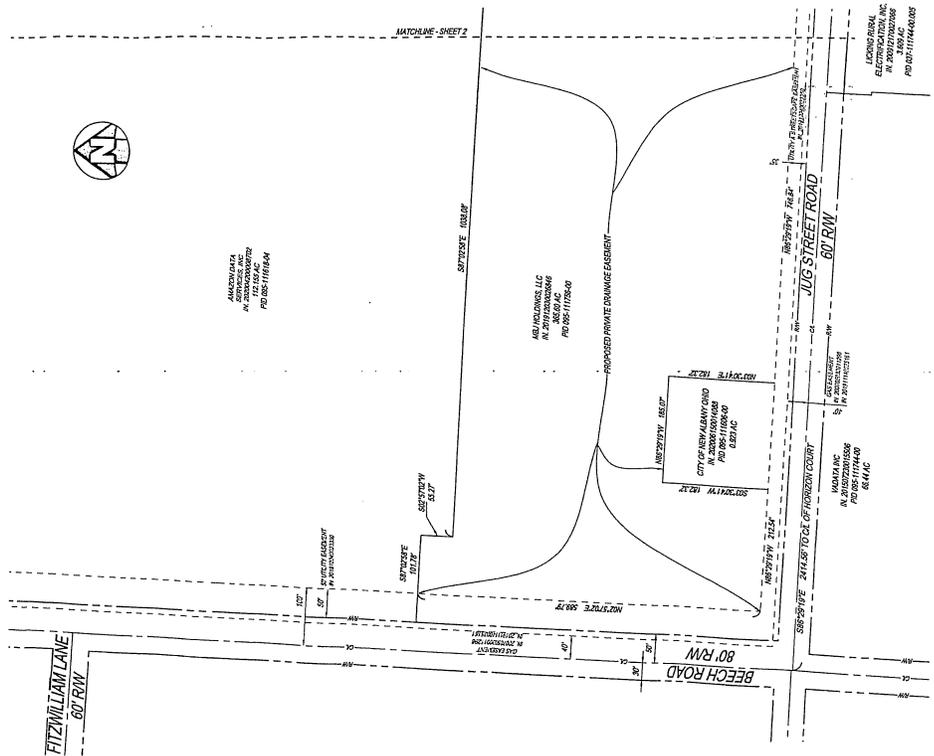
SEAL

NO. DATE DESCRIPTION

HORIZON COURT DEDICATION
 CITY OF NEW ALBANY
 LICKING COUNTY, OHIO

PROJECT NO. 202205310013438
 DATE: 1/17/2023
 SCALE: 1" = 40'

SHEET NO. 4 OF 4



RECORD PLAT

SHEET NO. 4 OF 4

20-17-2023

Permit # _____
Board _____
Mtg. Date _____



Community Development Planning Application

Project Information	Site Address <u>13312 Jug Street Road, Johnstown, OH 43031</u>																																																																								
	Parcel Numbers <u>A portion of 095-111756-00.000</u>																																																																								
	Acres <u>26.2 +/- Acres</u> # of lots created _____																																																																								
	<table border="1"> <thead> <tr> <th>Choose Application Type</th> <th colspan="5">Circle all Details that Apply</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Appeal</td> <td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Certificate of Appropriateness</td> <td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Conditional Use</td> <td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Development Plan</td> <td>Preliminary</td> <td>Final</td> <td>Comprehensive</td> <td colspan="2">Amendment</td> </tr> <tr> <td><input type="checkbox"/> Plat</td> <td>Preliminary</td> <td>Final</td> <td></td> <td colspan="2"></td> </tr> <tr> <td><input type="checkbox"/> Lot Changes</td> <td>Combination</td> <td>Split</td> <td colspan="3">Adjustment</td> </tr> <tr> <td><input type="checkbox"/> Minor Commercial Subdivision</td> <td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Vacation</td> <td>Easement</td> <td></td> <td colspan="3">Street</td> </tr> <tr> <td><input type="checkbox"/> Variance</td> <td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Extension Request</td> <td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Zoning</td> <td colspan="2">Amendment (rezoning)</td> <td colspan="3">Text Modification</td> </tr> </tbody> </table>	Choose Application Type	Circle all Details that Apply					<input type="checkbox"/> Appeal						<input type="checkbox"/> Certificate of Appropriateness						<input type="checkbox"/> Conditional Use						<input type="checkbox"/> Development Plan	Preliminary	Final	Comprehensive	Amendment		<input type="checkbox"/> Plat	Preliminary	Final				<input type="checkbox"/> Lot Changes	Combination	Split	Adjustment			<input type="checkbox"/> Minor Commercial Subdivision						<input type="checkbox"/> Vacation	Easement		Street			<input type="checkbox"/> Variance						<input type="checkbox"/> Extension Request						<input checked="" type="checkbox"/> Zoning	Amendment (rezoning)		Text Modification		
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	Description of Request: <u>A request to rezone the property from L-GE, Limited General Employment to L-GE, Limited General Employment for the purpose of allowing the operation of a concrete batch plant on the subject property.</u>																																																																								
Contacts	Property Owner's Name: <u>MBJ Holdings LLC, c/o Aaron L. Underhill</u> Address: <u>Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260</u> City, State, Zip: <u>New Albany, OH 43054</u> Phone number: <u>614.335.9320</u> Fax: <u>614.335.9329</u> Email: <u>aaron@uhlfirm.com</u>																																																																								
	Applicant's Name: <u>MBJ Holdings LLC, c/o Aaron L. Underhill</u> Address: <u>Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260</u> City, State, Zip: <u>New Albany, OH 43054</u> Phone number: <u>614.335.9320</u> Fax: <u>614.335.9329</u> Email: <u>aaron@uhlfirm.com</u>																																																																								
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.																																																																								
	By: <u></u> Date: <u>2/3/2023</u> Signature of Owner <small>Aaron L. Underhill, Attorney for Owner</small> By: <u></u> Date: <u>2/3/2023</u> Signature of Applicant <small>Aaron L. Underhill, Attorney for Applicant</small>																																																																								

26.2 ACRES

Situated in the State of Ohio, County of Licking, City of New Albany, in Farm Lot 20, Quarter Township 2, Range 15, United States Military District, being part of that 476.757 acre tract of land conveyed to MJB Holdings LLC by deed of record in Instrument Number 201912030026846 (all references refer to the records of the Recorder's Office, Licking County, Ohio) and more particularly bounded and described as follows:

BEGINNING at the common corner of Farm Lots 12, 13, 20 and 21, the northeasterly corner of said 476.757 acre tract, in the westerly line of that 128.851 acre tract conveyed to Robert A. Carr and Deborah B. Carr by deed of record in Instrument Number 201004060006281, the southeasterly corner of the subdivision entitled "Wagoner Farms Section 2", of record in Plat Book 16, Page 146;

Thence South $03^{\circ} 57' 28''$ West, with the westerly line of said 128.851 acre tract, a distance of 162.98 feet to a point;

Thence South $03^{\circ} 12' 17''$ West, the westerly line of said 128.851 acre tract, a distance of 189.68 feet to a point;

Thence crossing said 476.757 acre tract the following courses and distances:

With the arc of a curve to the left, having a central angle of $13^{\circ} 58' 19''$, a radius of 540.00 feet, an arc length of 131.68 feet, a chord bearing of South $15^{\circ} 30' 15''$ West and chord distance of 131.36 feet to a point;

South $08^{\circ} 31' 05''$ West, a distance of 1015.48 feet to a point;

With the arc of a curve to the left, having a central angle of $01^{\circ} 27' 07''$, a radius of 1052.00 feet, an arc length of 26.66 feet, a chord bearing of South $07^{\circ} 47' 31''$ West and chord distance of 26.66 feet to a point; and

North $38^{\circ} 40' 03''$ West, a distance of 2040.53 feet to a point in the southerly line of that 55.98 acre tract conveyed to Miller Road Homestead, LLC by deed of record in Instrument Number 201906130011623;

Thence South $86^{\circ} 45' 56''$ East, with the southerly line of said 55.98 acre tract and with the southerly line of said "Wagoner Farms Section 2", a distance of 1488.29 feet to the POINT OF BEGINNING, containing 26.2 acres of land, more or less.



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

ZONING EXHIBIT

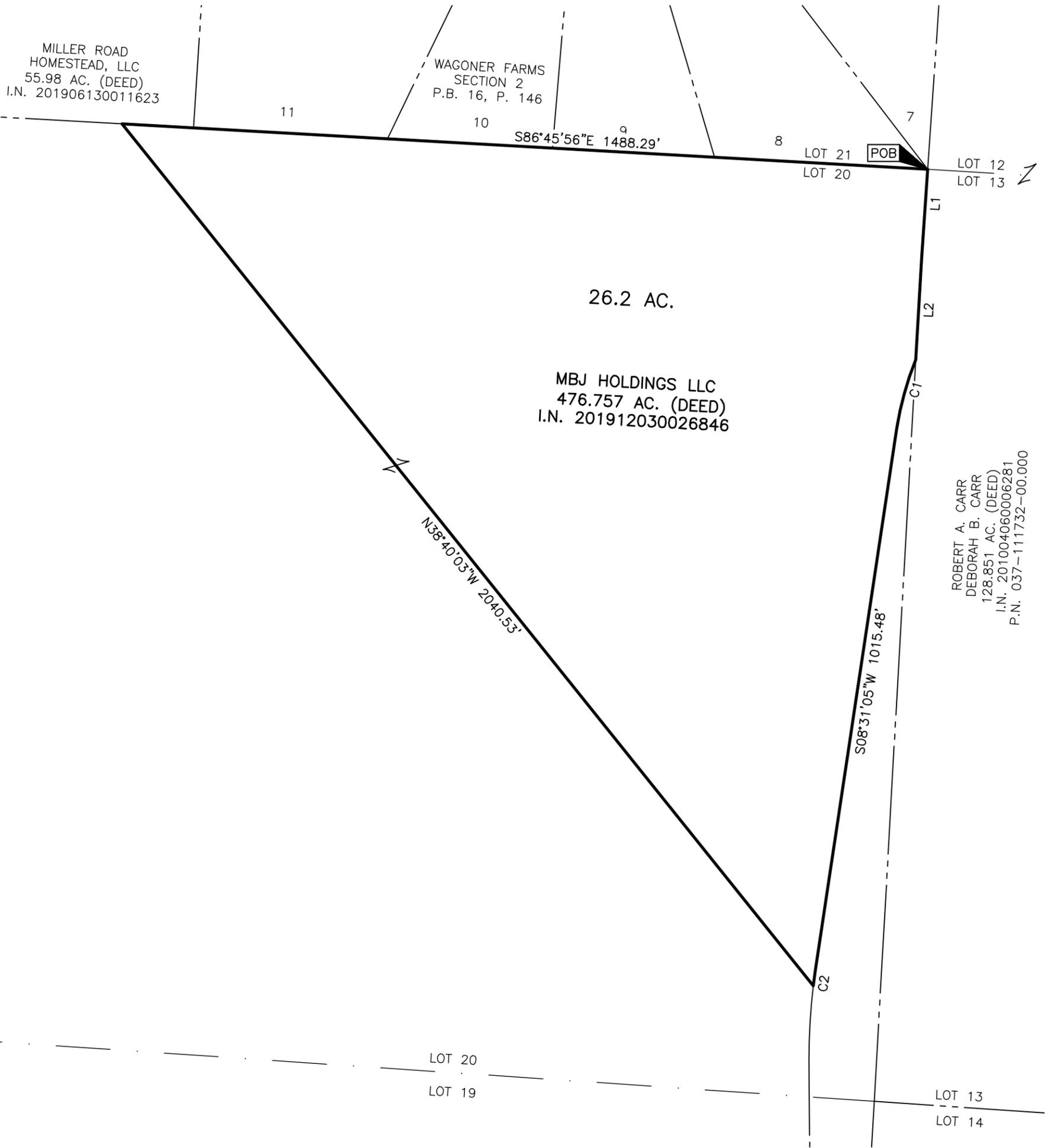
FARM LOT 20, QUARTER TOWNSHIP 2, RANGE 15 UNITED STATES MILITARY DISTRICT CITY OF NEW ALBANY, COUNTY OF LICKING, STATE OF OHIO

Date: September 13, 2022

Scale: 1" = 200'

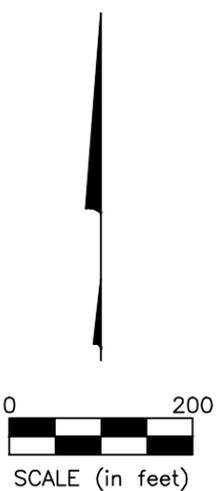
Job No: 2022-0007

Sheet No: 1 of 1



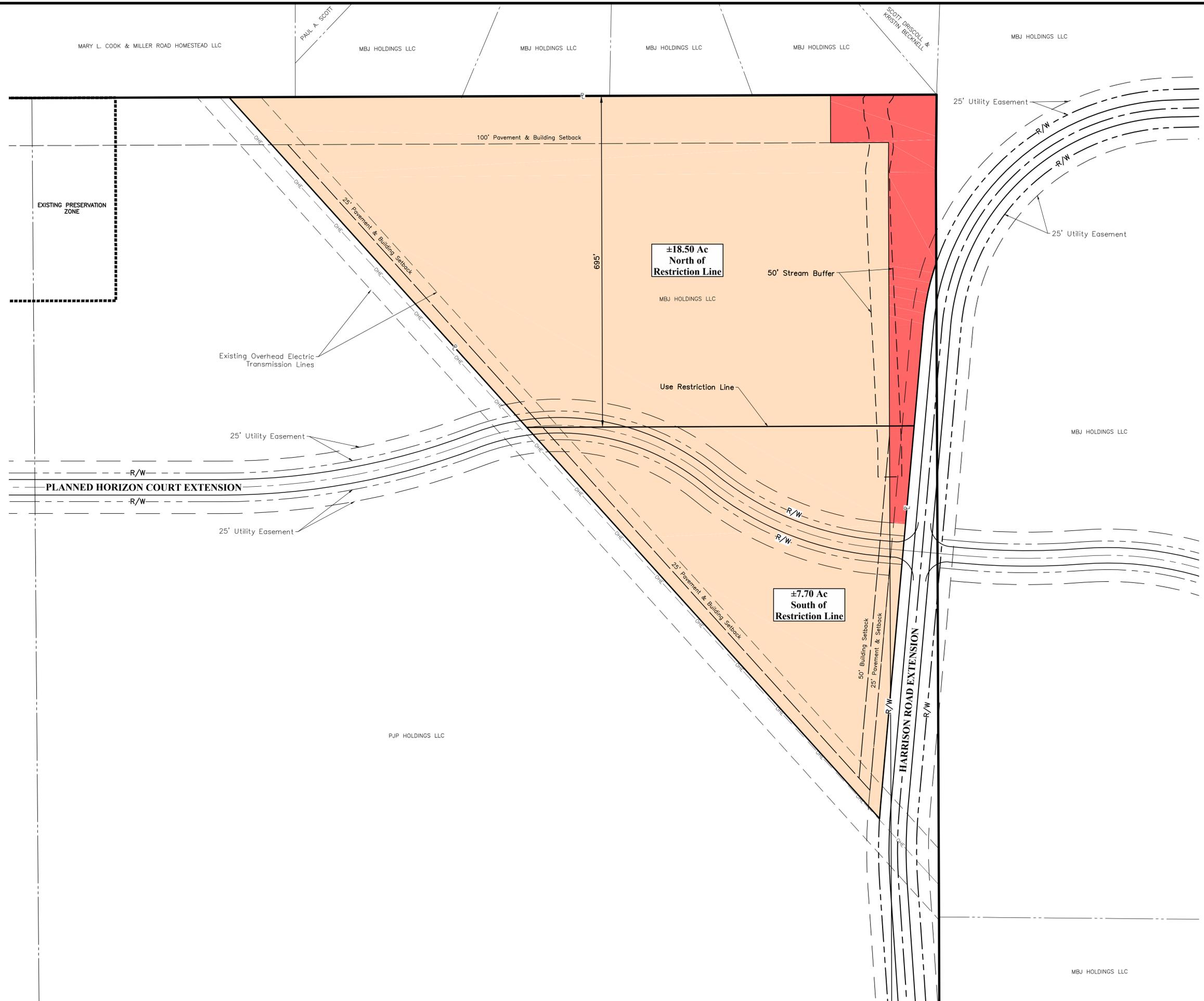
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S03°57'28"W	162.98'
L2	S03°12'17"W	189.68'

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
C1	13°58'19"	540.00'	131.68'	S15°30'15"W	131.36'
C2	1°27'07"	1052.00'	26.66'	S07°47'31"W	26.66'



J:\20220007\DWG\04SHEETS\EXHIBITS\20220007-VS-EXHB-ZONE-03.DWG plotted by DIROMA, THERESA on 9/13/2022 9:47:59 AM last saved by TDIROMA on 9/13/2022 9:41:51 AM

A:\2022\0007\Drawings\04\Streets\Exhibits\Tripoint_Hight_Restriction_Exhibit.dwg - Last Saved: By: cdenina - 2/2/2023 4:29 PM - Last Printed: By: Owens, Nick - 2/2/2023 4:37 PM (No Xrefs)



LEGEND

- Perimeter Preservation Area
- Height Restriction Area - 26.2 Ac

NOTE:
 In the event of a conflict between this exhibit and the limitation text that applies to this zoning district, the standards and requirements contained in the limitation text shall govern.

MARK	DATE	DESCRIPTION

REVISIONS

CITY OF NEW ALBANY, LICKING COUNTY, OHIO
 ZONING EXHIBIT
JUG STREET NORTH

EMHT
 Engineers & Architects
 5500 New Albany Road, Columbus, OH 43254
 Phone: 614.775.5501 Fax: 614.775.5502
 emht.com

DATE
 February 2, 2023

SCALE
 1" = 100'

JOB NO.
 2022-0007

SHEET
1/1

GRAPHIC SCALE

1 inch = 100 feet

HARRISON ROAD TRIANGLE ZONING DISTRICT

LIMITATION (L-GE) TEXT

February 27, 2023

The Harrison Road Triangle Zoning District (hereinafter, the “Zoning District”) consists of 26.2+/- acres located to the west of and adjacent to Harrison Road NW and generally to the north of Jug Street. At the time of this application, the subject property is located in the Jug Street North Zoning District, which consists of 484.8+/- acres. Development is occurring (or in the near future will be occurring) on most of the property that will remain subject to that zoning district. The development pattern within the Jug Street North Zoning District, when combined with the applicant’s acquisition of a number of homes and parcels which abut the northern and eastern boundaries of this Zoning District, have created new circumstances where additional uses are appropriate within portions of the site.

This text sets forth standards for uses and development, with the objective that development standards that are in place with the Jug Street North Zoning District largely remaining in place in this Zoning District. To the extent that a standard in this text conflicts with a standard that is provided in the City of New Albany’s Codified Ordinances, the standard contained in this text shall govern. This Zoning District shall be governed by the relevant provisions of the City’s Codified Ordinances to the extent that this text is silent on any particular matter.

A. Zoning Designation: L-GE, Limited General Employment District

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

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

Distribution and manufacturing uses shall be prohibited within a distance of 695 feet from the northern boundary line of this Zoning District, but shall be allowed elsewhere. In addition, such uses shall be located to the south of the new public street that is anticipated to run generally

east-west through the southern portion of this Zoning District as later contemplated herein. Notwithstanding the foregoing, warehousing, distribution, and similar uses shall be permitted within this 695-foot wide zone if they are ancillary or accessory to another permitted use (other than warehousing or distribution) that is located within this Zoning District. Warehousing and/or distribution uses that do not meet the requirements of the preceding sentence shall not be permitted within 695 feet of the northern boundary line of this Zoning District.

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

1. Street Improvements: To the extent street improvements are required, the developer shall work with the City Manager or his designee to determine the appropriate timing and phasing.

2. Vehicular Access Points – Generally: Subject to other provisions in this text, on public rights-of-way which exist on the date of this text, the number, locations, and spacing of curb cuts shall be determined and approved by the City Manager or his designee in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.

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

4. Traffic Analyses: No traffic studies or analyses shall be required to be submitted to the City relating to this Zoning District given that improvements to Beech Road and Jug Street are being (or will be) constructed by the City and further given that Harrison Road NW has been constructed. All such improvements are adequate to serve this Zoning District.

5. Dedication of Right-of-Way: A new public street generally running east-west through the southern portion of the Zoning District is anticipated to be constructed by the City at some time in the future. The developer shall dedicate a maximum of 60 feet of right-of-way to the City to accommodate this public street, together with, to the extent necessary, adjacent streetscape and utility easements not to exceed 25 feet in width on either side, in a location which shall be substantially consistent with that which is generally illustrated an exhibit which accompanies this text. The actual location and other specifications for the new public street shall be determined by and through the review and approval of a final plat prepared by the City. Prior to the approval of the final plat, the developer shall locate uses and improvements within the Zoning District in a manner that does not encroach upon the anticipated future right-of-way as illustrated in the exhibit.

D. Lot and Setback Commitments:

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

2. Setbacks:

a. Harrison Road NW: There shall be a minimum building setback of 50 feet and a minimum pavement setback of 25 feet as measured from the edge of right-of-way of Harrison Road NW.

b. New Public Street: There shall be a minimum building setback of 50 feet and a minimum pavement setback of 25 feet from the right-of-way of the new east-west public street.

c. Perimeter Boundaries: The following minimum setbacks shall apply from perimeter boundaries of this Zoning District which do not abut a public right-of-way, provided, however, that should a stream corridor protection zone as required by the Codified Ordinances overlap with one of these minimum setback areas, then the greater setback as between the stream corridor protection zone and the minimum required setback shall apply:

i. Northern Boundary: 100 feet for pavement and buildings from the northern boundary line of this Zoning District.

ii. Eastern Boundary: 100 feet for buildings and pavement from those portions of the eastern perimeter boundary line of this Zoning District which are located to the north of the anticipated future right-of-way for the planned new east-west public street. 50 feet for buildings and 25 feet for pavement from all other portions of the eastern boundary line of this Zoning District.

iii. Western Boundary: 25 feet for buildings and pavement.

d. Elimination of Setbacks: In the event that a parcel located within this Zoning District and an adjacent parcel located outside of this Zoning District (i) come under common ownership or control, (ii) are zoned to allow compatible non-residential uses, and (iii) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text as they apply to common property lines shall no longer apply with respect to these parcels.

E. Architectural Standards:

1. Building Height: The maximum building height in this Zoning District shall be 65 feet, except that the maximum building height shall be 45 feet for any structure located within 500 feet of the northern boundary line of this Zoning District.

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

3. Building Design:

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

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

elevations.

c. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances shall be made sufficiently prominent that they can be easily identified from a distance, except on buildings where pedestrian traffic is expected to be minimal such as, but not necessarily limited to, data centers or warehouses, or in the context of multi-building projects where the visibility of building entrances may be obstructed.

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

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

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

g. Except as contemplated in Section E.5.b below, accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged.

4. Building Form:

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

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

5. Materials:

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

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

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

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

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

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

meant to allow for some flexibility to encourage innovative design provided that the spirit and intent of these provisions are met.

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

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

3. Roof-Mounted Equipment: Screening of all roof-mounted equipment shall be required on all four sides of buildings using materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided not only in order to screen the equipment from off-site view but also to buffer sound generated by such equipment. Parapets (among other architectural elements) may be used to provided screening. Where a building is screened from view outside of the Zoning District by a building located within this Zoning District, City staff may waive or reduce these screening requirements provided that the developer demonstrates adequate buffering of sound from off-site.

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

1. Buffering: Buffering of uses and improvements from adjacent rights-of-way located outside of the Zoning District and from other property that is adjacent to this Zoning District shall be provided by means of tree preservation as well as mounding and plantings as detailed in this subsection.

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

b. Perimeter Preservation Area: A "Perimeter Preservation Area" shall apply to the eastern boundary of this Zoning District and the extreme eastern portion of the northern boundary line of this Zoning District to include the minimum pavement setbacks, as illustrated in accompanying "Setback Plan". Within the Perimeter Preservation Area, the developer shall preserve existing healthy and mature trees and vegetation but shall be permitted to allow utilities to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on healthy and mature trees. Trees that are in good health and that are at least four (4) caliper inches in diameter at a height of three (3) feet above the ground shall be preserved where reasonably practical. Trees within Perimeter Preservation Area may be removed if they present a danger to persons or property.

c. Stream Corridor Protection: There shall be a minimum 100-foot wide stream corridor protection zone covering the stream which is located within the eastern portion of this Zoning District. The amount of the stream corridor protection zone which is located on each side of the centerline of the stream may vary, provided that no less than 50 feet of this protection zone shall be located on either side of the stream.

2. Screening: Screening by way of mounding and plantings shall be provided along the northern perimeter boundary of this Zoning District. Mounding shall be required at a minimum height of ten (10) feet with a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% on the date that is 5 years after planting to a total height of fourteen (14) feet above the top of the mound. Mounding

installed pursuant to this paragraph shall be installed within the minimum pavement setback area as required by this zoning text. Utilities may cross through the area where mounding is required. The plan for this area must be reviewed and approved by the City's Landscape Architect.

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

Required mounding and landscaping shall be installed along the northern boundary line of this Zoning District when it is anticipated (as provided in plans associated with relevant permits) that buildings, paved parking areas, or above-ground equipment or utility infrastructure will be located within 800 feet of the relevant perimeter boundary line.

3. Street Trees: A street tree row shall be established along all publicly dedicated rights-of-way within or adjacent to this Zoning District and shall contain one (1) tree for every thirty (30) feet of road frontage. Trees may be grouped or regularly spaced. Minimum street tree size at installation shall be three (3) caliper inches. This requirement may be waived in areas where existing vegetation occurs, subject to approval of the City Landscape Architect. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.

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

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

6. Pedestrian Circulation: Unless they are part of a campus which for safety or security reasons requires access by the public to be restricted, for buildings whose primary use is office, research and production, warehousing, or distribution, an internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk along a public street can access the adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives. The requirement in the preceding sentence shall apply only when one or more of these uses are the primary use(s) of a development parcel. Pedestrian connections shall be provided between parking lots and the front of buildings. A building shall be considered to have offices as its primary use when greater than 50% of its total square footage is occupied by office uses. The requirements of

this paragraph shall not apply to any building with a main entrance which is located 500 feet or more from a public right-of-way.

7. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.

8. All project landscape plans are subject to review and approval by the City Landscape Architect.

G. Lighting:

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

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

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height, except that light poles located within 300 feet of properties where residential uses exist or are permitted shall be no higher than 18 feet in height.

4. Landscape uplighting from a concealed source shall be subject to staff approval. All uplighting fixtures must be screened by landscaping. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

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

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

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

8. No light spillage onto properties which are adjacent to this Zoning District shall be permitted from lighting sources within this Zoning District.

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

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



**Planning Commission Staff Report
March 6, 2023 Meeting**

**HARRISON ROAD TRIANGLE BATCH PLANT
CONDITIONAL USE**

LOCATION: Located on a portion of 13312 Jug Street Road, adjacent to Harrison Road NW and generally to the north of Jug Street (PID: 095-111756-00.000)

REQUEST: Conditional Use

ZONING: L-GE Limited General Employment District

STRATEGIC PLAN: Employment Center

APPLICATION: CU-18-2023

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

Review based on: Application materials received February 3, 2023 and February 17, 2023.

Staff report completed by Chelsea Nichols, Planner

I. REQUEST AND BACKGROUND

The applicant requests approval for a conditional use application to allow the temporary use of a concrete batch plant on 7.7+/- acres within the business park. The site is zoned L-GE and is subject to a rezoning application for an area to be known as Harrison Road Triangle Zoning District. This application is scheduled to be heard by the Planning Commission under application ZC-17-2023.

Industrial manufacturing and assembly uses are a conditional use in the General Employment District. Concrete batch plants fall under the industrial manufacturing and assembly use category therefore a conditional use approval is necessary.

On September 27, 2021, a conditional use application was approved by the Planning Commission (CU-85-2021) to allow for the continued operation of the batch plant at the former Savko site on Worthington Road until September 20, 2026. The batch plant has since been relocated Ganton Parkway.

That Savko site was later sold and on September 19, 2022, a conditional use application was approved by the Planning Commission (CU-101-2022) for the current Savko site. The batch plant at this location on Ganton Parkway is permitted until October 31, 2025. However, the batch plant needs to be relocated again. In addition to relocating this batch plant, the applicant requests an additional site for the operation of a second batch plant. This application covers one of the two sites. The second site was submitted under a separate application (CU-19-2023).

A permanent location has been identified for the batch plant and is located just outside of New Albany in Jersey Township. However, the applicant states that amount of time it will take to pursue and obtain necessary zoning approvals for the permanent site, and to develop it as a permanent location for the batch plant, has created a need to temporarily relocate the batch plant to the proposed property. Therefore, the owner and applicant request the approval of a temporary conditional use to allow for the operation of the batch plant on the lot in question until October 31, 2025.

II. SITE DESCRIPTION & USE

The overall 26.2+/- acre development site is located on a portion of 13312 Jug Street Road, adjacent to Harrison Road NW and generally to the north of Jug Street in Licking County. The site is zoned L-GE, is currently undeveloped and mostly surrounded by commercially zoned properties also located within the business park, with the exception of the unincorporated residential lots to the north. These residential lots immediately adjacent to the north are owned by the same property owner as this application site. The proposed use will be restricted to a location at the southernmost portion of the site as shown on the plan. Per the text, residential uses are located to the north of the site and will be a minimum of 695 feet away from this use.

The use includes the outdoor storage of materials such as (but not necessarily limited to) stone, sand, and gravel. These materials are used to produce and manufacture concrete and cement on the site. More specifically, roller-compacted concrete is produced and a gravity silo cement operation is present. The latter of which produces poured-in-place concrete.

The applicant would like to allow for the operation of a trailer for public and private users. No sales are made from the batch plant, nor from the trailer, and the general public is not solicited nor permitted to visit the site for any purchases.

In requesting the conditional use, the applicant has provided a site plan that demonstrates the intended layout of the batch plant operations. Except for the comments within the applicant's conditional use statement, the layout may be adjusted to meet operational or engineering needs, provided that applicable zoning standards and requirements are met.

III. EVALUATION

The general standards for conditional uses are contained in Codified Ordinance Section 1115.03. The planning commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location meets all of the following requirements:

- (a) *The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.*
- The applicant proposes a temporary concrete batch plant at the site to be in operation until October 31, 2025. The concrete batch plant has been in operation since 2017; first along Worthington Road and now at their current site on Ganton Parkway. It has been used for a combination of public and private development projects in the business campus. For instance, it has produced for immediate delivery the materials that were used to improve Beech Road to the south of State Route 161, and for use in the construction of Ganton Parkway East and Ganton Parkway West as well as Innovation Campus Way West. On the private side, materials have been supplied to various major private projects in the city.
 - The city does benefit from this in that it significantly reduces travel distance for large trucks for tasks such as concrete pours and other work. This means there are less trucks driving through the city in order to get to the projects.
 - Additionally, as the New Albany International Business Park continues to evolve, the city will continue to require the availability of easily accessible concrete to be used in future roadway improvements. Having the batch plant, even if only temporarily, within the city of New Albany ensures just-in-time delivery of this critical building material.
 - The limitation text associated with the rezoning of the property places additional requirements above the General Employment (GE) District requirements for the development of the property. These requirements further ensure that the character of the area is preserved and enhanced by future development.
 - The limitation text establishes setbacks that are more stringent than the minimum GE requirements.
 - Per the proposed zoning text, there is a required 25' pavement and 50' building setback along Harrison Road.

- The batch plant shall be located no closer than 50' from the right-of-way of Harrison Road NW thereby meeting code requirements.
 - Raw materials (stone, sand, gravel, etc.) are proposed to be located within the 50' building setback from the right-of-way along Harrison Road but outside of the 25' pavement setback in accordance with code requirements. The city staff recommends a condition of approval that there be no material storage within the pavement setback and easements along Harrison Road.
 - Per the proposed zoning text, there is a required 25' pavement and 50' building setback along the future east-west street.
 - The site plan currently shows material storage within the right-of-way for the future east-west public street. Staff recommends a condition of approval that material storage within the future right-of-way and utilities must be removed before city mobilization for construction of the future street. At that time, the materials storage must be out of the established right-of-way, easements, and setbacks related to this public street.
 - The materials storage can be within the 50' building setback along the east west-street. The city staff recommends a condition of approval that there be no material storage within the pavement setback and easements along this future east-west street.
 - Per the proposed zoning text, there is a required 25' pavement and building setback from the western boundary. However, the city engineer recommends a condition of approval requiring the batch plant and material storage shall be located no closer than 50' from the western boundary due to an existing easement.
 - The proposed use will be restricted to a location at the southernmost portion of the site as shown on the plan. Per the proposed zoning text, there is a minimum of 695 feet setback from this use to residential uses that are located to the north of the site. This use is meeting that setback requirement
 - Mounding shall be located along Harrison Road in the southeastern portion of the property, located in the general area shown on the site plan, with the final location and configuration to be determined with final engineering approvals. Staff recommends a condition of approval that removal of the mounding is subject to staff approval once this use terminates.
 - One full-service vehicular access point shall be provided on Harrison Road Extension, on the eastern portion of the property.
 - One or more-wheel wash stations shall be provided within the property at the vehicular exit point and shall be required to be used by trucks which are exiting the property. The operator of the batch plant shall clean and sweep Harrison Road NW each day while the batch plant is operating. They shall perform this task to the extent that any dirt or debris is present on the street due to traffic traveling to or from the Property.
- (b) *The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
- The proposed use complements the manufacturing and production, warehouse, data center and distribution uses, which are permitted uses within the overall area. The proposed use is appropriate in the context of the surrounding uses, development patterns, and will contribute to the overall success of the Business Park.
 - Additional design guidelines for manufacturing facilities contained in the zoning text further ensures their compatibility with the character of the area. The same architectural requirements as the surrounding commercial areas are required.
- (c) *The use will not be hazardous to existing or future neighboring uses.*
- The use is subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District shall be used or occupied in such a manner so as to

create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district.

- The applicant, as part of the conditional use statement, has stated that the effects of noise, glare, odor, light, and vibration on adjoining properties is not anticipated to present any untoward or problematic compatibility challenges with adjacent properties.
 - The batch plant's location provides convenient access to construction materials and efficiency for delivery. Easy access to and from State Route 161 for trucks is good for the local environment by providing short routes to and from the highway. The location allows for traffic coming to and from the site to remain on local, city streets. This results in less travel and trips on township and other streets outside of the business park.
 - The site fronts onto the Harrison Road extension, which is the haul road used by Intel and the supplier park construction and delivery trucks. This road was constructed for this purpose and can handle the construction vehicle traffic that will be associated with the use.
- (d) *The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
- The city has made significant investments in the improvement of Harrison Road NW. Given the Property's proximity to nearby development sites, as well as the Beech Road interchange on State Route 161, the batch plant location will ensure efficient passage of vehicles.
 - The nature of the uses is such that they do not require the use of public water or sanitary sewer services.
 - The proposed industrial manufacturing and assembly use will produce no new students for the Licking Heights School District.
- (e) *The proposed use will not be detrimental to the economic welfare of the community.*
- The proposed industrial manufacturing and assembly use generates income tax for the city with its jobs.
 - The establishment of the original batch plant at its former site has also contributed to the city securing several impactful economic development projects with quick construction timelines such as Facebook, Google, and Amazon. To maintain a competitive advantage over other locations, and because speed is one of the most important factors when a company is under construction, the continued operation and relocation of the batch plant, even though it is temporary in nature, has a positive benefit to the city's economic development goals and indirectly aids its fiscal strength.
- (f) *The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*
- The use will be subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district. The city only received a complaint regarding mud on Worthington Road when the batch plant first established in 2017. The city has no other documented complaints regarding its operation since 2017.
- (g) *Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.*
- The applicant requests one full access curb cut along Harrison Road NW.

- The infrastructure in this portion of the city is designed to accommodate the traffic associated with commercial uses and construction vehicles.
- There is no reason to believe that that traffic generated by this use will have any greater impact than traffic for permitted users in the GE district.
- Due to the proximity of this site to the State Route 161, and its location adjacent to commercially zoned land in the existing business park to the east, south and west, the site appears to be appropriate for manufacturing and production uses, especially as this is temporary in nature.

IV. ENGINEER'S COMMENTS

1. The city Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and provided the following comments. Staff recommends a condition of approval that the city engineer comments be addressed at the time of engineering permits, subject to staff approval. Engineering staff recommends that the approach off of Harrison Road be constructed using reinforced Class C Concrete and signage outside of R/W be installed notifying the public of truck traffic entering/exiting the site.
2. Per City Code the stream buffer shall be shown as 100' minimum.
3. We recommend that a permanent wheel wash station be provided by the applicant to ensure that sediment does not get carried offsite onto public roads.
4. Remove all material storage piles from existing easements.
5. We will provide additional comments regarding stormwater management and runoff control when this information becomes available.

V. SUMMARY

The overall proposal appears to be consistent with the code requirements for conditional uses and meets the development standards and recommendations contained in the Engage New Albany Strategic Plan and the New Albany Economic Development Strategic Plan. The proposed industrial manufacturing and assembly use is consistent with the character of the immediately surrounding area. Additionally, this provides a direct benefit to the city for capital improvement projects for infrastructure and private developments. The site is strategically located where vehicles coming to and from the site can utilize the local business park streets and is close to State Route 161. And while it is proposed to be a temporary conditional use, it helps the city achieve the goals and recommendations in the New Albany Economic Development Strategic Plan by supporting additional attracting and encouraging continued growth within the business park. The operation of the proposed batch plant is to cease on October 31, 2025. Therefore, the Planning Commission will have the opportunity to re-evaluate this use in the future to determine its continued appropriateness and necessity.

VI. ACTION

Suggested Motion for CU-18-2023:

To approve conditional use application CU-18-2023 to allow for industrial manufacturing and assembly use for a concrete batch plant based on the findings in the staff report with the following conditions (additional conditions may be added):

1. The batch plant on Ganton Parkway shall be discontinued once this currently proposed batch plant is up and running;
2. That this currently proposed batch plant only be in operation until October 31, 2025 or until the batch plant is able to be relocated in Jersey Township (or elsewhere off this site); whichever comes first, or another conditional use is submitted to extend its use past this date;
3. When in use, the road shall be cleaned daily;
4. Wheel wash is required for existing trucks;
5. That the city engineer's comments be addressed at the time of engineering permits, subject to staff approval;

- a. The approach off of Harrison Road shall be constructed using reinforced Class C Concrete and signage outside of R/W be installed notifying the public of truck traffic entering/exiting the site;
 - b. Per City Code, the stream buffer shall be shown as 100' minimum;
 - c. A permanent wheel wash station shall be provided by the applicant to ensure that sediment does not get carried offsite onto public roads;
 - d. Remove all material storage piles from existing easements;
 - e. We will provide additional comments regarding stormwater management and runoff control when this information becomes available.
6. Only one curb cut is to be constructed with this conditional use; it shall be a full movement curb cut and a site distance analysis shall be conducted to determine if turning movements may be safely conducted, subject to staff approval;
 7. The conditional use terminates if the current use changes;
 8. There shall be no material storage within the pavement setback of Harrison Road;
 9. Material storage within future right-of-way and utilities must be removed before city mobilization for construction of the east-west street. The materials storage must also be out of the established right-of-way, easements, and setbacks related to this future east-west public street.
 10. Removal of the mounding along Harrison Road is subject to staff approval once this use terminates; and
 11. The land shall be restored to a similar condition as exists today once the batch plant terminates use of this site.

Approximate Site Location:



Source: nearmap

401.61-41
February 21, 2023

To: Chelsea Nichols
Planner

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

Re: Conditional Use -
Batch Plant Harrison Rd.

We have the following review comments regarding the conditional use application:

- 1) We recommend that the approach off of Harrison Road be constructed using reinforced Class C Concrete and signage outside of R/W be installed notifying the public of truck traffic entering/exiting the site.
- 2) Per City Code the stream buffer shall be shown as 100' minimum.
- 3) We recommend that a permanent wheel wash station be provided by the applicant to ensure that sediment does not get carried offsite onto public roads.
- 4) Remove all material storage piles from existing easements.
- 5) We will provide additional comments regarding stormwater management and runoff control when this information becomes available.

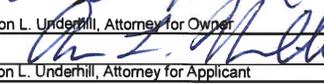
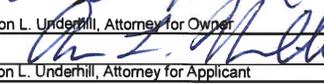
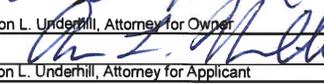
MEF/JH

CC: Will Walther, Development Engineer

Permit # _____
 Board _____
 Mtg. Date _____



Community Development Planning Application

Project Information	Site Address <u>13312 Jug Street Road, Johnstown, OH 43031</u> Parcel Numbers <u>A portion of 095-111756-00.000</u> Acres <u>7.7 +/- Acres</u> # of lots created _____																																																																							
	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Choose Application Type</th> <th colspan="5" style="text-align: left;">Circle all Details that Apply</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Appeal</td> <td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Certificate of Appropriateness</td> <td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Conditional Use</td> <td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td><input type="checkbox"/> Development Plan</td> <td>Preliminary</td> <td>Final</td> <td>Comprehensive</td> <td colspan="2">Amendment</td> </tr> <tr> <td><input type="checkbox"/> Plat</td> <td>Preliminary</td> <td>Final</td> <td></td> <td colspan="2"></td> </tr> <tr> <td><input type="checkbox"/> Lot Changes</td> <td>Combination</td> <td>Split</td> <td>Adjustment</td> <td colspan="2"></td> </tr> <tr> <td><input type="checkbox"/> Minor Commercial Subdivision</td> <td></td><td></td><td></td><td colspan="2"></td> </tr> <tr> <td><input type="checkbox"/> Vacation</td> <td>Easement</td> <td></td> <td>Street</td> <td colspan="2"></td> </tr> <tr> <td><input type="checkbox"/> Variance</td> <td></td><td></td><td></td><td colspan="2"></td> </tr> <tr> <td><input type="checkbox"/> Extension Request</td> <td></td><td></td><td></td><td colspan="2"></td> </tr> <tr> <td><input type="checkbox"/> Zoning</td> <td>Amendment (rezoning)</td> <td></td> <td>Text Modification</td> <td colspan="2"></td> </tr> </tbody> </table> <p>Description of Request: <u>A request for a conditional use for the purpose of allowing the operation of a concrete batch plant on the subject property on a temporary basis.</u></p>	Choose Application Type	Circle all Details that Apply					<input type="checkbox"/> Appeal						<input type="checkbox"/> Certificate of Appropriateness						<input checked="" type="checkbox"/> Conditional Use						<input type="checkbox"/> Development Plan	Preliminary	Final	Comprehensive	Amendment		<input type="checkbox"/> Plat	Preliminary	Final				<input type="checkbox"/> Lot Changes	Combination	Split	Adjustment			<input type="checkbox"/> Minor Commercial Subdivision						<input type="checkbox"/> Vacation	Easement		Street			<input type="checkbox"/> Variance						<input type="checkbox"/> Extension Request						<input type="checkbox"/> Zoning	Amendment (rezoning)		Text Modification	
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Contacts	Property Owner's Name: <u>MBJ Holdings LLC, c/o Aaron L. Underhill</u> Address: <u>Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260</u> City, State, Zip: <u>New Albany, OH 43054</u> Phone number: <u>614.335.9320</u> Fax: <u>614.335.9329</u> Email: <u>aaron@uhlfirm.com</u>																																																																							
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Signature	<p>Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.</p>																																																																							
	<table style="width:100%;"> <tr> <td style="width: 30%;">Signature of Owner</td> <td style="width: 30%;">By: </td> <td style="width: 40%;">Date: <u>2/3/2023</u></td> </tr> <tr> <td>Signature of Applicant</td> <td>By: </td> <td>Date: <u>2/3/2023</u></td> </tr> <tr> <td></td> <td style="font-size: small;">Aaron L. Underhill, Attorney for Owner</td> <td></td> </tr> <tr> <td></td> <td style="font-size: small;">Aaron L. Underhill, Attorney for Applicant</td> <td></td> </tr> </table>	Signature of Owner	By: 	Date: <u>2/3/2023</u>	Signature of Applicant	By: 	Date: <u>2/3/2023</u>		Aaron L. Underhill, Attorney for Owner			Aaron L. Underhill, Attorney for Applicant																																																												
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Conditional Use Statement

Portion of Harrison Road Triangle Zoning District

The property owner/applicant, MBJ Holdings, LLC (“MBJ”), requests approval of a conditional use to allow the temporary operation of an “industrial manufacturing and assembly” use on a portion of 7.7+/- acres of real property (the “Property”) located to the west of and adjacent to Harrison Road NW and generally to the north of Jug Street in the City of New Albany, Licking County. The Property is currently undeveloped and is zoned in the L-GE, Limited General Employment District classification as part of the Jug Street North Zoning District. A companion application to rezone the Property to a separate L-GE district is being considered in association with this conditional use request. The new zoning district will be called the Harrison Road Triangle Zoning District. The primary purpose of the rezoning request is to eliminate a prohibition in the current zoning on the operation of manufacturing uses on the Property. The elimination of this restriction would apply only to the southern portion of the Property as later described in this statement. The applicant requests approval of the conditional use with the condition that such approval will not be effective unless and until the rezoning request is approved and becomes legally effective.

The proposed use has played an important role in recent development of the New Albany International Business Park. Since 2017 and pursuant to an agreement with MBJ, N.M. Savko & Sons, Inc. (“Savko”) has operated a “batch plant” and RCC pug mill (together, the “Batch Plant”) on 14.5+/- acres of real property located in the City on the south side of Worthington Road and generally to the east of its intersection with Ganton Parkway East (the “Original Site”). The City issued a permit to allow the operation of the Batch Plant on the Original Site on a temporary basis. In 2021, the City’s zoning code was amended to provide a new use category -- “industrial manufacturing and assembly” -- as a conditional use in the GE, General Employment and LI, Limited Industrial zoning classifications. The Batch Plant was deemed to fall into this use category. On September 27, 2021, a conditional use application was approved by the Planning Commission for the Original Site which allowed for the continued operation of the Batch Plant at that location until September 20, 2026.

The Original Site was sold in 2022 for the development of a warehousing and distribution facility. Therefore, an alternative location for the Batch Plant was needed. While the sale transaction for the Original Site was pending, a conditional use application to temporarily relocate the Batch Plant was filed for 12.2+/- acres of real property 8680 Ganton Parkway, located to the north of and adjacent to Ganton Parkway East and to the east of Beech Road (the “Ganton Site”). On September 19, 2022, the Planning Commission approved that conditional use request. Since that time, demand for development sites in the Business Park has remained very strong, and MBJ has is entering into a sale contract with a confidential user that will result in a significant development project on the Ganton Site. That transaction is set to close in the next few months. Once again, there is a need to relocate the Batch Plant.

A permanent location was previously identified for the Batch Plant on property located just outside of the City limits. For various reasons, that site is no longer seen as being viable for

this use. MBJ has identified other property outside of the City but near to it, and intends to begin pursuing relevant entitlements later this year. However, the amount of time that it will take to pursue and obtain necessary zoning approvals and to develop it as a permanent location for the Batch Plant have created a need to once again temporarily relocate the Batch Plant within the City.

MBJ hereby requests the approval of a conditional use to allow for the operation of the Batch Plant on the Property until October 31, 2025, the same date on which the conditional use for the Ganton Site was to expire. It is the applicant's desire to cease operation of the Batch Plant on the Property at an earlier date, if approval of a zoning and preparation of a permanent site will allow. The request to have the conditional use permit expire on October 31, 2025 is intended to ensure that there is more than adequate time to obtain the zoning and perform site preparation work on the permanent site while eliminating the need to ask for interim extensions of the expiration date for the conditional use of the Property. Any extension of the permitted time to operate the Batch Plant beyond October 31, 2025 would require the approval of a new conditional use application by the Planning Commission.

The applicant commits that the proposed Batch Plant on the Property will be restricted in that it shall be located not less than 695 feet from the northern boundary line of the proposed Harrison Road Triangle Zoning District (see accompanying exhibit illustrating a Use Restriction Line). In addition, it will be required to be located to the south of a planned new public street that the City expects to build that generally will run east-west through the southern portion of the zoning district, as generally illustrated in an exhibit that is part of this application. So, while this application applies to 7.70+/- acres, practically speaking the use will be confined to less acreage. The proposed use is appropriate for this location for a number of reasons. First, the Property is in the heart of the Business Park and provides for the convenient provision of materials for public and private construction projects. Second, the previous restrictions on manufacturing uses that were in place under the Jug Street North Zoning District are no longer necessary. MBJ has acquired ownership of former agricultural/residential land to the east and northeast, and the City has constructed Harrison Road NW to the east of the site, all since that zoning was approved. In addition, MBJ has purchased the four southernmost homes/lots in the residential subdivision to the north (which are most impacted by any activity on the Property) and controls other real property to the northwest. Significant development is occurring or is planned to occur in the near future in the balance of the Jug Street North Zoning District adjacent to the Property.

The Batch Plant has operated on the Original Site and/or the Ganton Site without incident and in accordance with all zoning and operational requirements of the City since 2017. The use includes the outdoor storage of materials such as (but not necessarily limited to) stone, sand, and gravel. These materials are used to produce and manufacture concrete and cement on-site. More specifically, roller-compacted concrete is produced and a gravity silo cement operation is present, the latter of which produces poured-in-place concrete. The Batch Plant has served and continues to serve both public and private purposes. For instance, it has produced, for immediate delivery, the materials that were used to improve Beech Road to the south of State Route 161, and for use in the construction of Ganton Parkway East and Ganton Parkway West as well as

Innovation Campus Way West. On the private side, materials have been supplied to various major projects in the City, including the Meta/Facebook data center campus.

In the past, an office trailer has been present on the Batch Plant site(s) to house the City's construction management consultants. The applicant would like to allow the operation of such a trailer for public and private users. No sales are made from the Batch Plant nor from the trailer, and the general public is not solicited nor permitted to visit the site for any purchases.

The requested conditional use will be subject to the development standards of the text that is being proposed in conjunction with the pending rezoning application to create the Harrison Road Triangle Zoning District. Vehicular access shall be permitted to and from Harrison Road NW with full turning movements. At such time as the new public street referenced above is constructed and open for public use, the operator of the Batch Plant shall work with the City to determine if access is more safely provided from the new street instead of Harrison Road NW, and if this is the case, it will modify its access improvements accordingly. A wheel wash station shall be provided within the Property at any vehicular exit point onto the public street system and shall be required to be used by trucks which are exiting the Property.

Codified Ordinances Section 1153.03(a)(3) further describes industrial manufacturing and assembly uses as follows:

“A. Characteristics. Firms are involved in heavy manufacturing, processing, fabrication, packaging, or assembly of goods for industrial or construction industries. Raw, secondary, or partially completed materials may be used. Goods are generally not displayed or sold on-site. Relatively few customers come to the manufacturing site.

B. Accessory activities. Accessory activities may include administrative offices, cafeterias, employee recreational facilities, warehouse, storage yards, outlets, and caretaker's quarters. Retail outlets as an accessory to industrial manufacturing and assembly plants shall be treated as retail product sales and service.

C. Examples of heavy industrial manufacturing and assembly include, but are not limited to, metal stamping; pressing and buffing; tool and die shops; machine, sheet metal and welding shops; construction related and building material manufacturing (including milling, planing and joining); vehicle and/or vehicle part manufacturing and fabrication; construction equipment and/or construction equipment part manufacturing; recycling or creation of materials, textiles, lumber, paper, rubber, batteries, etc.”

As described earlier, the temporary Batch Plant will continue to provide for the manufacturing and production of materials used in the construction industry for both public and private projects. Raw materials are used in such production, such as stone, sand, and gravel. No goods are displayed on the site, and no customers come to the Property. Outdoor storage of materials is part of the operation in a storage yard.

Section 1115.03 of the Codified Ordinances provides that the Planning Commission is to approve a conditional use if it meets all of the following requirements in bold below. The

applicant provides support for the use's conformance with such requirements following each of them.

(a) The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.

The zoning limitation text associated with the approved zoning of the Property provides requirements for the use of the Property over and above that which are required by the Zoning Ordinance. The use is consistent with other development types in the area, including a batch plant that has been approved for operation by another party on property to the west of this site.

(b) The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

The existing and future character of the area includes major data center developments, warehousing and distribution facilities, other manufacturing and production uses, and Intel and related future users. Residential uses are located to the north of the proposed Batch Plant site, but will be a minimum of 695 feet from this use. In addition, the residential lots which are located closest to the proposed use are now owned by the applicant. Therefore, the conditional use fits well with the character of the area.

(c) The use will not be hazardous to existing or future neighboring uses.

A Batch Plant has been operated on the Original Site and/or the Ganton Site since 2017. It has not presented any concerns or incidents with neighboring properties. The production from the Batch Plant is not one that includes potential pollutants or combustible materials and does not emit noxious odors. The location of the Property near a number of significant ongoing or planned construction projects also means that any noise will be comparable to noise from construction activities.

(d) The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

The City has already made significant investments in the improvement of Beech Road and the construction of Harrison Road NW. Given the Property's proximity to nearby development sites, as well as the Beech Road interchange on State Route 161, the Batch Plant is perfectly situated to ensure efficient passage of vehicles. The nature of the uses is such that they do not require the use of public water or sanitary sewer services. There is no negative impact on schools, as the uses generate no residents and add value to the Property, which in turn yields real estate tax revenue to the school district. The uses do not have any more likelihood of criminal activity than any existing use in the general vicinity.

(e) The proposed use will not be detrimental to the economic welfare of the community.

The proposed conditional use has been and will continue to be a clear economic benefit to the community. The existence of the use within the Business Park provides the City with opportunities for savings on public projects by having materials at the ready. The presence of the Batch Plant also proves to be attractive to new development in the area, as it provides convenient access to construction materials and efficiency as to delivery. Easy access to and from State Route 161 for trucks is good for the local environment by providing short routes to and from the highway system without the need for sustained usage of the local street system.

(f) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

The conditional use will be subject to Codified Ordinances Section 1153.06, which requires that no land or structure within the GE district shall be used or occupied in such a manner as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district.

(g) Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.

A single point of vehicular ingress and egress shall be provided on Harrison Road NW. The applicant has committed to revisiting this access point at such time as the anticipated new street is constructed through this Zoning District in order to determine if a single point of ingress and egress to and from the new street is safer than the access along Harrison Road NW.

AFFIDAVIT OF FACTS

I, Aaron L. Underhill, in my capacity as attorney for the applicant listed on the zoning application pertaining to 7.7+/- acres known as a portion of Licking County Parcel Number 095-111756-00.000, being first duly sworn, do hereby state and depose the following:

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

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

Further Affiant sayeth not.

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

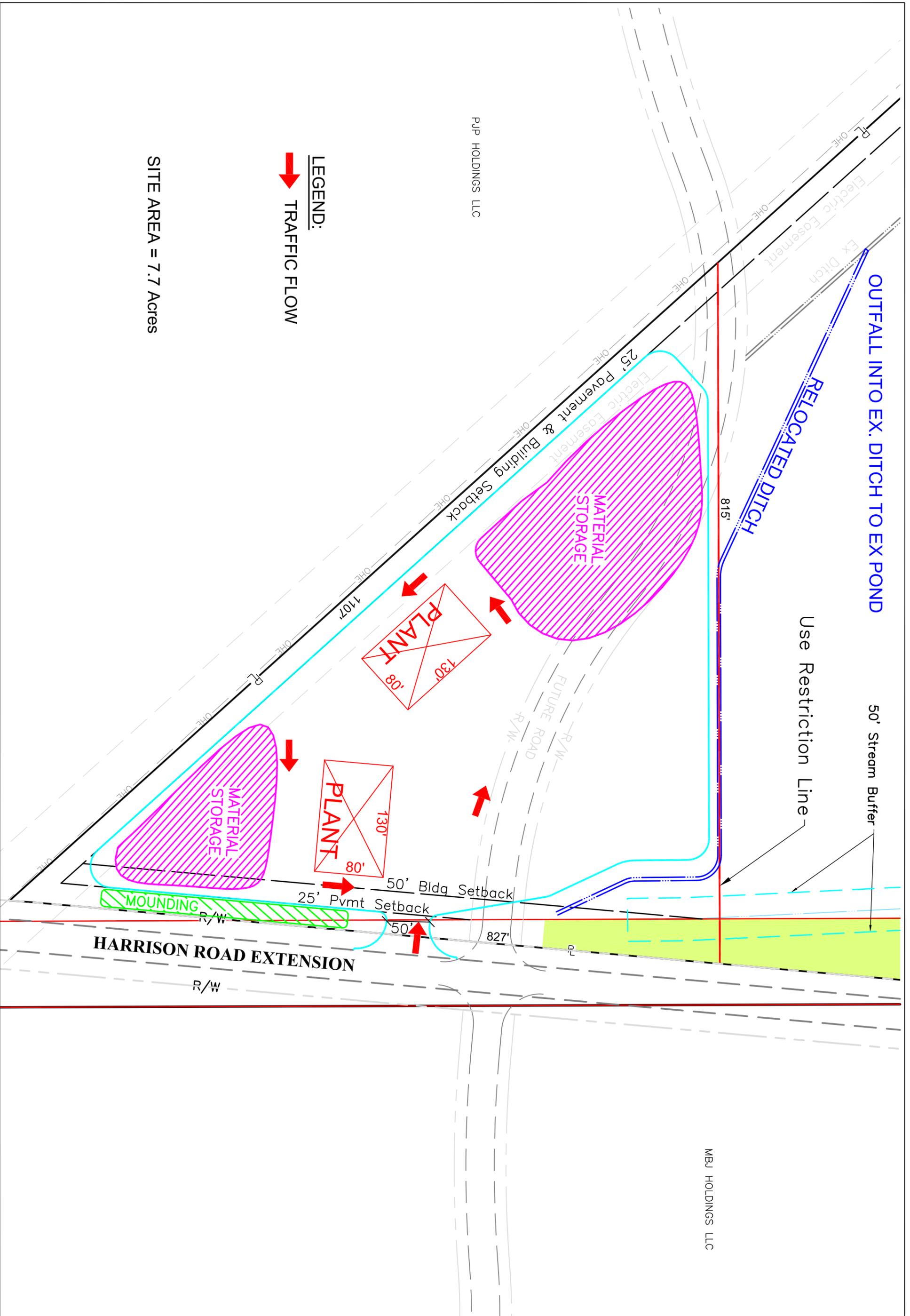
STATE OF OHIO
COUNTY OF FRANKLIN SS.

The foregoing instrument was acknowledged before me on the 3rd day of February 2023, by Aaron L. Underhill, who acknowledged the foregoing signature to be his voluntary act and deed.

Kimberly R. Grayson
Notary Public
My Commission Expires: 1-11-2026



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
01-11-2026

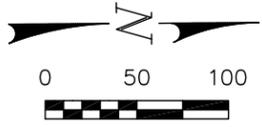


SITE AREA = 7.7 Acres

LEGEND:
 **TRAFFIC FLOW**

→ CONCRETE BATCH PLANT ON HARRISON ROAD EXT.
 →

SITE PLAN





**Planning Commission Staff Report
March 6, 2023 Meeting**

**2520 BEECH ROAD SW BATCH PLANT
CONDITIONAL USE**

LOCATION: Located at the intersection of Morse and Beech SW roads, on a portion of 2520 Beech Road (PID: on a portion of 094-107502-00.000)

REQUEST: Conditional Use

ZONING: L-GE Limited General Employment District

STRATEGIC PLAN: Employment Center

APPLICATION: CU-19-2023

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

Review based on: Application materials received February 3, 2023 and February 17, 2023.

Staff report completed by Chelsea Nichols, Planner

I. REQUEST AND BACKGROUND

The applicant requests approval of a conditional use application to allow the temporary use of a concrete batch plant on 4.64+/- acres within the business park. The site is zoned L-GE and is located within the County Line Road Zoning District.

This request is in conjunction with associated variances (VAR-23-2023) for the proposed temporary batch plant. The variance application will be heard by the Board of Zoning Appeals on March 27, 2023. Staff recommends the approval of this conditional use is contingent upon approval of the variance application.

Industrial manufacturing and assembly uses are a conditional use in the General Employment District. This batch plant use falls under the industrial manufacturing and assembly use category therefore a conditional use review and approval is necessary.

On September 27, 2021, a conditional use application was approved by the Planning Commission (CU-85-2021) to allow for the continued operation of the batch plant at the former Savko site on Worthington Road until September 20, 2026. The batch plan has since been relocated to Ganton Parkway.

That Savko site was later sold and on September 19, 2022, a conditional use application was approved by the Planning Commission (CU-101-2022) for the current Savko site. The batch plant at this location on Ganton Parkway is permitted until October 31, 2025. However, the batch plant needs to be relocated again. In addition to relocating this batch plant, the applicant requests an additional site for the operation of a second batch plant. This application covers one of the two sites. The second site was submitted under a separate application (CU-18-2023).

The applicant indicates that a permanent location has been identified for the batch plant and is located just outside of New Albany in Jersey Township. However, the applicant states that amount of time it will take to pursue and obtain necessary zoning approvals for the permanent site, and to develop it as a permanent location for the batch plant, has created a need to

temporarily relocate the batch plant to the proposed property. Therefore, the owner and applicant request the approval of a temporary conditional use to allow for the operation of the batch plant on the lot in question until October 31, 2025.

II. SITE DESCRIPTION & USE

The overall 4.64+/- acre site is located at the intersection of Morse and Beech SW roads on a portion of 2520 Beech Road SW. The site is zoned L-GE and is currently undeveloped. The site is mostly surrounded by commercially zoned properties with the exception of the unincorporated residential lots to the south.

The use includes the outdoor storage of materials such as (but not necessarily limited to) stone, sand, and gravel. These materials are used to produce and manufacture concrete and cement on the site. More specifically, roller-compacted concrete is produced and a gravity silo cement operation is present. The latter of which produces poured-in-place concrete.

The applicant would like to allow for the operation of a trailer for public and private users. No sales are made from the batch plant, nor from the trailer, and the general public is not solicited nor permitted to visit the site for any purchases.

In requesting the conditional use, the applicant has provided a site plan that demonstrates the intended layout of the batch plant's operations. Except for the comments within the applicant's conditional use statement, the layout may be adjusted to meet operational or engineering needs, provided that applicable zoning standards and requirements are met.

III. EVALUATION

The general standards for conditional uses are contained in Codified Ordinance Section 1115.03. The planning commission shall not approve a conditional use unless it shall in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location meets all of the following requirements:

- (a) *The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.*
- The applicant proposes a temporary batch plant at the site to be in operation until October 31, 2025. The batch plant has been in operation since 2017; first along Worthington Road and now at their current site on Ganton Parkway. It has been used for a combination of public and private development projects in the business campus. For instance, it has produced for immediate delivery the materials that were used to improve Beech Road to the south of State Route 161, and for use in the construction of Ganton Parkway East and Ganton Parkway West as well as Innovation Campus Way West. On the private side, materials have been supplied to various major private projects in the city.
 - The city does benefit from this in that it significantly reduces travel distance for large trucks for tasks such as concrete pours and other work. This means there are less trucks driving through the city in order to get to the projects.
 - Additionally, as the New Albany International Business Park continues to evolve, the city will continue to require the availability of easily accessible concrete to be used in future roadway improvements. Having the batch plant, even if only temporarily, within the city of New Albany ensures just-in-time delivery of this critical building material.
 - The limitation text establishes setbacks that are more stringent than the minimum GE requirements. However, while the application meets the required 100' building and pavement setback along Beech Road, the applicant has requested a variance to the required setback along Morse Road.
 - Per the text, there shall be a minimum building and pavement setback of 300 feet from the Morse Road right-of-way, provided that drive lanes, but not parking areas, may be located no less than 150 feet from such right-of-way. The applicant has requested a setback variance (VAR-23-2023) to allow the batch plant and related gravel parking and

private drive improvements to be located no closer to the right-of-way of Morse Road than the northern boundary line of an existing 40-foot-wide electric easement.

- The limitation text establishes landscaping requirements that are more stringent than the minimum GE requirements. However, the applicant has requested the following variances (VAR-23-2023) related to landscaping and screening requirements:
 - A variance to eliminate the requirement to provide screening along the shared boundary line of the property and the right-of-way for Morse Road, only during the period of time while the batch plant is allowed to operate on the property.
 - A variance to eliminate the requirement for the landscape buffer along Morse Road.
 - The applicant commits that the batch plant will have access to and from the public street network only from an already-existing access point on Beech Road that will be shared with Google. No vehicular access shall be permitted on Morse Road. The city staff recommends that this be a condition of approval.
 - The applicant commits that the batch plant shall not be operated between the hours of 7:00pm and 7:00am.
 - One or more-wheel wash stations shall be provided within the property at the vehicular exit point and shall be required to be used by trucks which are exiting the property. The operator of the batch plant shall clean and sweep the street each day while the batch plant is operating. They shall perform this task to the extent that any dirt or debris is present on the street due to traffic traveling to or from the Property.
- (b) *The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
- The proposed use complements the manufacturing and production, warehouse, data center and distribution uses, which are permitted uses within the overall area. The proposed use will contribute to the overall success of the Business Park.
 - Additional design guidelines for manufacturing facilities contained in the zoning text further ensures their compatibility with the character of the area. The same architectural requirements as the surrounding commercial areas are required.
- (c) *The use will not be hazardous to existing or future neighboring uses.*
- The use is subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district.
 - The applicant, as part of the conditional use statement, has stated that the effects of noise, glare, odor, light, and vibration on adjoining properties is not anticipated to present any untoward or problematic compatibility challenges with adjacent properties.
 - The batch plant's location provides convenient access to construction materials and efficiency for delivery. Even with the new location, there will still be easy access to State Route 161 and the rest of the business park given its direct location on Beech Road. Beech Road is a primary arterial street through the Licking County portion of the business park and provides easy access to surrounding developments.
- (d) *The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
- The City has made significant investments in the improvement of Beech Road. Given the Property's proximity to nearby development sites, as well as the Beech

Road interchange on State Route 161, the batch plant location will ensure efficient passage of vehicles.

- The nature of the uses is such that they do not require the use of public water or sanitary sewer services.
- The proposed industrial manufacturing and assembly use will produce no new students for the Licking Heights School District.

(e) *The proposed use will not be detrimental to the economic welfare of the community.*

- The proposed industrial manufacturing and assembly use generates income tax for the city with its jobs.
- The establishment of the original batch plant at its former site has also contributed to the city securing several impactful economic development projects with quick construction timelines such as Facebook, Google, and Amazon. To maintain a competitive advantage over other locations, and because speed is one of the most important factors when a company is under construction, the continued operation and relocation of the batch plant, even though it is temporary in nature, has a positive benefit to the city's economic development goals and indirectly aids its fiscal strength.

(f) *The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*

- The use will be subject to Codified Ordinance Section 1153.06 which requires that no land or structure within the GE District shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district. The city only received a complaint regarding mud on Worthington Road when the batch plant first established in 2017. The city has no other documented complaints regarding its operation since 2017.

(g) *Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.*

- The applicant commits that the batch plant will have access to and from the public street network only from an already-existing access point on Beech Road that will be shared with Google. No vehicular access shall be permitted on Morse Road. The applicant commits that the batch plant shall not be operated between the hours of 7:00pm and 7:00am.
- The infrastructure in this portion of the city is designed to accommodate the traffic associated with commercial uses.
- There is no reason to believe that that traffic generated by this use will have any greater impact than traffic for permitted users in the GE district.
- Due to the proximity of this site to the State Route 161, and its location adjacent to commercially zoned land in the existing business park to the east, north and west, the site appears to be appropriate for manufacturing and production uses, especially as this is temporary in nature.

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 provided the following comments. Staff recommends a condition of approval that the city engineer comments be addressed at the time of engineering permits, subject to staff approval.

1. We recommend that the applicant obtain written approval from Montauk regarding use of the existing access drive.
2. We recommend that the approach at the proposed 35' curb cut off of the existing access drive be constructed using concrete or RCC.

3. We recommend that a permanent wheel wash station be provided by the applicant to ensure that sediment does not get carried offsite onto public roads.
4. We will provide additional comments regarding stormwater management and runoff control when this information becomes available.

V. SUMMARY

This proposal provides a direct benefit to the city for capital improvement projects for infrastructure and private developments. The site is strategically located where vehicles coming to and from the site can utilize the local public street network from an already-existing access point on Beech Road and is close to State Route 161. And while it is proposed to be a temporary conditional use, it helps the city achieve the goals and recommendations in the New Albany Economic Development Strategic Plan by supporting additional attracting and encouraging continued growth within the business park. The operation of the proposed batch plant is to cease on October 31, 2025. Therefore, the Planning Commission will have the opportunity to re-evaluate this use in the future to determine its continued appropriateness and necessity.

While the proposal does require multiple variances with regard to setbacks, screening, and landscaping; the site is utilizing an existing construction access road on the Google site that is used for construction workers and trucks to access the site.

VI. ACTION

Suggested Motion for CU-19-2023:

To approve conditional use application CU-19-2023 to allow for industrial manufacturing and assembly use for a concrete batch plant based on the findings in the staff report with the following conditions (additional conditions may be added):

1. The batch plant on Ganton Parkway shall be discontinued once this currently proposed batch plant is up and running;
2. That this currently proposed batch plant only be in operation until October 31, 2025 or until the batch plant is able to be relocated in Jersey Township (or elsewhere off this site); whichever comes first, or another conditional use is submitted to extend its use past this date;
3. When in use, the road shall be cleaned daily;
4. Wheel wash is required for existing trucks;
5. That the city engineer's comments be addressed at the time of engineering permits, subject to staff approval;
6. The conditional use terminates if the batch plant discontinues its use at this location;
7. The land shall be restored to a similar condition as exists today once the batch plant terminates use of this site;
8. No vehicular access shall be permitted on Morse Road and access to the batch plant must utilize the existing construction road; and
9. This request is in conjunction with associated variances (VAR-23-2023) for the proposed temporary batch plant. The variance application will be heard by the Board of Zoning Appeals on March 27, 2023. The approval of this conditional use is contingent upon approval of the variance application.

Approximate Site Location:



Source: nearmap

401.61-40
February 21, 2023

To: Chelsea Nichols
Planner

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

Re: Conditional Use -
Batch Plant Beech Rd.
and Morse Road

We have the following review comments regarding the conditional use application:

- 1) We recommend that the applicant obtain written approval from Montauk regarding use of the existing access drive.
- 2) We recommend that the approach at the proposed 35' curb cut off of the existing access drive be constructed using concrete or RCC.
- 3) We recommend that a permanent wheel wash station be provided by the applicant to ensure that sediment does not get carried offsite onto public roads.
- 4) We will provide additional comments regarding stormwater management and runoff control when this information becomes available.

MEF/JH

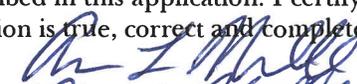
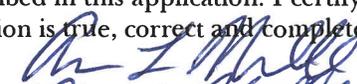
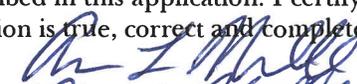
CC: Will Walther, Development Engineer



Community Development Department

Planning Application

Case # _____
 Board _____
 Mtg. Date _____

Project Information	Site Address <u>2520 Beech Road SW, New Albany, OH 43054</u>																																																												
	Parcel Numbers <u>Portion of 094-107502-00.000</u>																																																												
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Signature	<p>Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.</p>																																																												
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Conditional Use Statement

Portion of County Line Zoning District

The property owner/applicant, MBJ Holdings, LLC (“MBJ”), requests approval of a conditional use to allow the temporary operation of an “industrial manufacturing and assembly” use on 4.64+/- acres of real property (the “Property”) located to the northwest of and adjacent to the intersection of Beech Road and Morse Road in the City of New Albany, Licking County. The Property is currently undeveloped with the exception of a construction access drive which serves the Google project to the west. It is zoned in the L-GE, Limited General Employment District classification as part of the County Line Zoning District. .

The proposed use has played an important role in recent development of the New Albany International Business Park. Since 2017 and pursuant to an agreement with MBJ, N.M. Savko & Sons, Inc. (“Savko”) has operated a “batch plant” and RCC pug mill (together, the “Batch Plant”) on 14.5+/- acres of real property located in the City on the south side of Worthington Road and generally to the east of its intersection with Ganton Parkway East (the “Original Site”). The City issued a permit to allow the operation of the Batch Plant on the Original Site on a temporary basis. In 2021, the City’s zoning code was amended to provide a new use category -- “industrial manufacturing and assembly” -- as a conditional use in the GE, General Employment and LI, Limited Industrial zoning classifications. The Batch Plant was deemed to fall into this use category. On September 27, 2021, a conditional use application was approved by the Planning Commission for the Original Site which allowed for the continued operation of the Batch Plant at that location until September 20, 2026.

The Original Site was sold in 2022 for the development of a warehousing and distribution facility. Therefore, an alternative location for the Batch Plant was needed. While the sale transaction for the Original Site was pending, a conditional use application to temporarily relocate the Batch Plant was filed for 12.2+/- acres of real property 8680 Ganton Parkway, located to the north of and adjacent to Ganton Parkway East and to the east of Beech Road (the “Ganton Site”). On September 19, 2022, the Planning Commission approved that conditional use request. Since that time, demand for development sites in the Business Park has remained very strong, and MBJ has entered into a sale contract with a confidential user that will result in a significant development project on the Ganton Site. That transaction is set to close in the next few months. Once again, there is a need to relocate the Batch Plant.

A permanent location was previously identified for the Batch Plant on property located just outside of the City limits. For various reasons, that site is no longer seen as being viable for this use. MBJ has identified other property outside of the City but near to it, and intends to begin pursuing relevant entitlements later this year. However, the amount of time that it will take to pursue and obtain necessary zoning approvals and to develop it as a permanent location for the Batch Plant have created a need to once again temporarily relocate the Batch Plant within the City. MBJ has identified a primary location for a Batch Plant to be temporarily located well to the north of State Route 161, to the west of and adjacent to Harrison Road NW and generally to the north of Jug Street. Given the significant amount of construction activity in the area of the

Property, a need for a second temporary Batch Plant location has been identified to provide materials nearer to continuing projects in this area of the New Albany International Business Park.

MBJ hereby requests the approval of a conditional use to allow for the operation of the Batch Plant on the Property until October 31, 2025, the same date on which the conditional use for the Ganton Site was to expire. It is the applicant's desire to cease operation of the Batch Plant on the Property at an earlier date, if approval of a zoning and preparation of a permanent site will allow. The request to have the conditional use permit expire on October 31, 2025 is intended to ensure that there is more than adequate time to obtain the zoning and perform site preparation work on the permanent site while eliminating the need to ask for interim extensions of the expiration date for the conditional use of the Property. Any extension of the permitted time to operate the Batch Plant beyond October 31, 2025 would require the approval of a new conditional use application by the Planning Commission.

The applicant commits that the Batch Plant will have access to and from the public street network only from an already-existing access point on Beech Road that will be shared with Google. No vehicular access shall be permitted on Morse Road. In addition, the applicant commits that the Batch Plant shall not be operated between the hours of 7:00 P.M. and 7:00 A.M..

The Batch Plant has operated on the Original Site and/or the Ganton Site without incident and in accordance with all zoning and operational requirements of the City since 2017. The use includes the outdoor storage of materials such as (but not necessarily limited to) stone, sand, and gravel. These materials are used to produce and manufacture concrete and cement on-site. More specifically, roller-compacted concrete is produced and a gravity silo cement operation is present, the latter of which produces poured-in-place concrete. The Batch Plant has served and continues to serve both public and private purposes. For instance, it has produced, for immediate delivery, the materials that were used to improve Beech Road to the south of State Route 161, and for use in the construction of Ganton Parkway East and Ganton Parkway West as well as Innovation Campus Way West. On the private side, materials have been supplied to various major projects in the City, including the Meta/Facebook data center campus.

Codified Ordinances Section 1153.03(a)(3) further describes industrial manufacturing and assembly uses as follows:

"A. Characteristics. Firms are involved in heavy manufacturing, processing, fabrication, packaging, or assembly of goods for industrial or construction industries. Raw, secondary, or partially completed materials may be used. Goods are generally not displayed or sold on-site. Relatively few customers come to the manufacturing site.

B. Accessory activities. Accessory activities may include administrative offices, cafeterias, employee recreational facilities, warehouse, storage yards, outlets, and caretaker's quarters. Retail outlets as an accessory to industrial manufacturing and assembly plants shall be treated as retail product sales and service.

C. Examples of heavy industrial manufacturing and assembly include, but are not limited to, metal stamping; pressing and buffing; tool and die shops; machine, sheet metal and welding shops; construction related and building material manufacturing (including milling, planning and joining); vehicle and/or vehicle part manufacturing and fabrication; construction equipment and/or construction equipment part manufacturing; recycling or creation of materials, textiles, lumber, paper, rubber, batteries, etc.”

As described earlier, the temporary Batch Plant will continue to provide for the manufacturing and production of materials used in the construction industry for both public and private projects. Raw materials are used in such production, such as stone, sand, and gravel. No goods are displayed on the site, and no customers come to the Property. Outdoor storage of materials is part of the operation in a storage yard.

Section 1115.03 of the Codified Ordinances provides that the Planning Commission is to approve a conditional use if it meets all of the following requirements in bold below. The applicant provides support for the use’s conformance with such requirements following each of them.

(a) The proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective or purpose of the Zoning Ordinance.

The zoning limitation text associated with the approved zoning of the Property provides requirements for the use of the Property over and above that which are required by the Zoning Ordinance. The use is consistent with construction activities that are ongoing in the immediate vicinity.

(b) The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

The existing and future character of the area includes major data center developments for Meta/Facebook to the east and northeast and Google to the west and northwest. Construction of new data centers is continuing on these sites. All of the developed land in the Licking County portions of New Albany located to the north of Morse Road to State Route 161 contains significant commercial development or in the future will likely include commercial development. A few homes are located along the south side of Morse Road in an unincorporated area, with the vast majority of land being agricultural or unimproved. Therefore, the temporary conditional use fits well with the character of the area.

(c) The use will not be hazardous to existing or future neighboring uses.

A Batch Plant has been operated on the Original Site and/or the Ganton Site since 2017. It has not presented any concerns or incidents with neighboring properties. The production from the Batch Plant is not one that includes potential pollutants or combustible materials and does not emit noxious odors. The location of the Property near a number of significant ongoing or planned construction projects also means that any noise will be comparable to noise from construction activities.

(d) The area will be adequately served by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

The City has already made significant investments in the improvement of Beech Road. Access to and from the temporary use will occur at an existing access point on Beech Road. Given the Property's proximity to nearby development sites, as well as the Beech Road interchange on State Route 161, the Batch Plant is well-situated to ensure efficient passage of vehicles. The nature of the uses is such that they do not require the use of public water or sanitary sewer services. There is no negative impact on schools, as the uses generate no residents and add value to the Property, which in turn yields real estate tax revenue to the school district. The uses do not have any more likelihood of criminal activity than any existing use in the general vicinity. In addition, the proposed use will be operational on the Property for a limited time period.

(e) The proposed use will not be detrimental to the economic welfare of the community.

The proposed conditional use has been and will continue to be a clear economic benefit to the community. The existence of the use within the Business Park provides the City with opportunities for savings on public projects by having materials at the ready. The presence of the Batch Plant also proves to be attractive to new development in the area, as it provides convenient access to construction materials and efficiency as to delivery. Easy access to and from State Route 161 for trucks is good for the local environment by providing short routes to and from the highway system without the need for sustained usage of the local street system.

(f) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

The conditional use will be subject to Codified Ordinances Section 1153.06, which requires that no land or structure within the GE district shall be used or occupied in such a manner as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district.

(g) Vehicular approaches to the property shall be so designated as not to create interference with traffic on surrounding public streets or roads.

A single point of vehicular ingress and egress shall be provided at an existing access point on Beech Road, which will be shared with Google. No access shall be permitted directly to and from Morse Road.

APPLICANT:

MBJ Holdings LLC
c/o Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054

PROPERTY OWNER:

MBJ Holdings LLC
8000 Walton Parkway, Suite 120
New Albany, OH 43054

ATTORNEY:

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

SURROUNDING PROPERTY OWNERS:

Montauk Innovations LLC
2801 Centerville Road, Floor 1, PMB
811
Wilmington, DE 19808

Sidecat LLC
1 Hacker Way
Menlo Park, CA 94025

QTS New Albany 1 LLC
12851 Foster Street
Overland Park, KS 66213

Arvo Pikkarainen and Anna Rimkunas,
Trustees
14617 Morse Road SW
Pataskala, OH 43062

Lori and Cecil Abshire
14637 Morse Road SW
Pataskala, OH 43062

Kenton Investment Group Ltd.
8236 Kesegs Way
Blacklick, OH 43004

Richard and Margie Rogers
14382 Morse Road SW
Pataskala, OH 43062

Fair Lady LLC
8853 Windy Hollow Road
Johnstown, OH 43031

AFFIDAVIT OF FACTS

I, Aaron L. Underhill, in my capacity as attorney for the applicant listed on the conditional use application pertaining to 4.64+/- acres known as a portion of Licking County Parcel Number 094-107502-00.000, being first duly sworn, do hereby state and depose the following:

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

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

Further Affiant sayeth not.

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

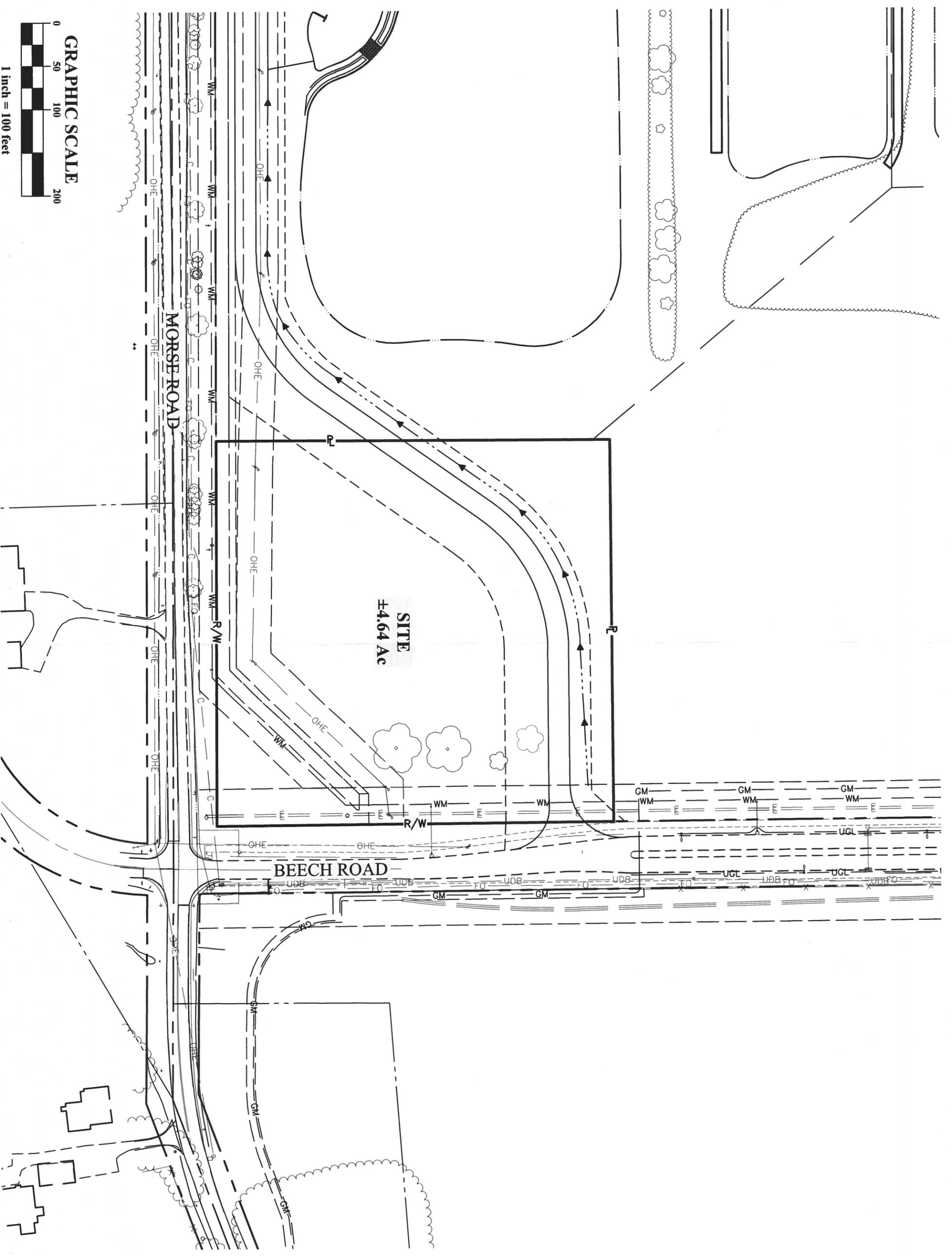
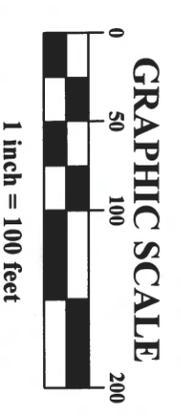
STATE OF OHIO
COUNTY OF FRANKLIN SS.

The foregoing instrument was acknowledged before me on the 6th day of February 2023, by Aaron L. Underhill, who acknowledged the foregoing signature to be his voluntary act and deed.

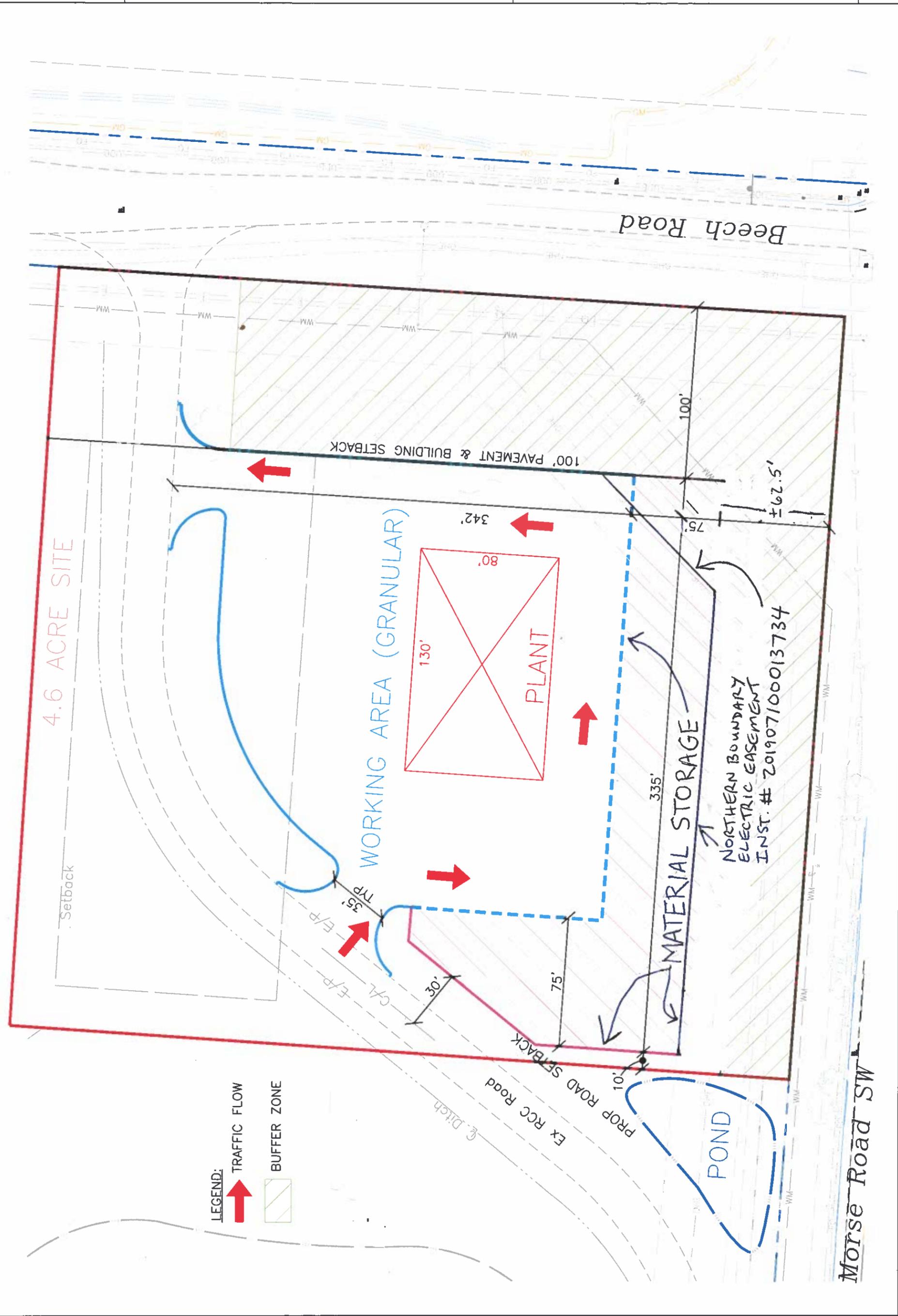
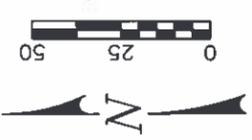

Notary Public

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.



SITE PLAN



LEGEND:
TRAFFIC FLOW
BUFFER ZONE

Morse Road SW



**Planning Commission Staff Report
March 6, 2023 Meeting**

**ALDEN WOODS
PRELIMINARY & FINAL PLAT**

LOCATION: 6700, 6770, 6800 Central College Road (PID: 222-001997, 222-001998 and 222-001999).
APPLICANT: Andrew Maletz
REQUEST: Preliminary & Final Plat
ZONING: Alden Woods: Limited Suburban Single-Family Residential District (L-R-4)
STRATEGIC PLAN: Residential District
APPLICATION: FPL-20-2023

Review based on: Application materials received on February 3, 2023 and February 21, 2023.

Staff report completed by Chelsea Nichols, Planner.

I. REQUEST AND BACKGROUND

The application is for a final plat for a new subdivision to be known as “Alden Woods”. The proposed subdivision consists of 9 traditional single-family lots, as well as three reserves (A-C), and one new public street. The subdivision is zoned Limited Suburban Single-Family Residential District (L-R-4).

City Council reviewed and approved the rezoning application for this subdivision during their meeting on October 18, 2022 (O-30-2022). The approved zoning text contains requirements for open space and parkland within the subdivision.

II. SITE DESCRIPTION & USE

The 8.83+/- acre zoning area is located in Franklin County and is made up of three properties. Each lot contains a single-family home. The site is located on the north side of Central College Road. The site is located generally east of New Albany Condit Road, generally west of the Wentworth Crossing subdivision, and generally south of the Courtyards at New Albany subdivision.

III. PLAN REVIEW

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 recommendation to City Council. 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.

- The final plat is consistent with the approved Alden Woods zoning text. The plat shows 9 new residential lots. The proposed lot layout and dimensions match what was shown on the zoning exhibit and meet the requirements of the zoning text.
- New Albany’s Codified Ordinance requires that 2,400 square feet per home be dedicated as park land and 20% of the total acreage in the subdivision shall be dedicated as open space. For this development the total required park land and open space is 2.26 acres. The applicant is providing three reserve areas that will consist of either open space or parkland, totaling 2.39

acres. Per C.O. 1187.16 wet and dry stormwater basins shall not be considered open space. The proposed amounts meet the Codified Ordinance requirements and the applicant is exceeding the required amount of open space dedication.

- The three (3) reserve areas are shown as Reserves “A”, “B”, and “C”, on the plat According to the text, Reserves “A”, “B”, and “C” shall be owned by the City of New Albany and maintained by the homeowner’s association in perpetuity for the purpose of open space and/or stormwater retention. Reserve C will serve as the parkland and contain playground amenities.
- The plat creates one (1) new publicly dedicated street. The new street meets requirements as described in the zoning text:
 - The final plat for the subdivision dedicates to the city of 50 feet of right-of-way to provide for a curbed public street going northward into the development from Central College Road with a loop configuration.
 - The final plat for the subdivision dedicates to the city of 50 feet of right-of-way to provide for the future extension of the new public street westward from the loop street to the western boundary line of this proposed subdivision.
 - Per the zoning text, the developer of this zoning district shall be required to construct the extension for a distance of 10 feet from the western edge of pavement of the loop street. A sign shall be installed at the end of this 10-foot stub which indicates that it may be extended in the future as a through street. The design of such signage shall be subject to staff approval. This shall be reviewed by city staff during the engineering plan review.
 - The text requires the developer to dedicate 40 feet of right-of-way from the centerline of Central College Road.
- Per the city’s subdivision regulations, C.O. 1187.04, all new streets shall be named and shall be subject to the approval of the Planning Commission. The applicant’s proposed name for the new street is “Woodview Drive”.
- The final plat appropriately shows the proposed lot width to be at least 80 feet and at least 45 feet on a curving street, as required by the R-4 zoning district.
- The final plat appropriately shows the lots to be at least 10,400 square feet, as required by the R-4 zoning district.
- The final plat appropriately shows 30’ front and rear yard setbacks, as required by the R-4 zoning district.
- The text states that a buffer zone shall be provided for a distance of 30 feet from all perimeter boundaries of the site which are not adjacent to Central College Road. Within the buffer zones, existing trees of one caliper inch or more in diameter as measured three feet above grade shall be maintained. No structures, pavement, patios, decks, pools, playsets, or other permanent improvements shall be permitted in the buffer zone, except a fence along rear lot lines may be permitted in accordance with the Codified Ordinances. Understory may be removed within the tree preservation and such area may be grassed or remain in its natural condition.
 - While the buffer zone is indicated on the plat, there is no note on the plat that described these requirements. Staff recommends that it be a condition of approval that a note is added to the plat to reflect the language from the zoning text stating, “A buffer zone shall be provided for a distance of 30 feet from all perimeter boundaries of the site which are not adjacent to Central College Road. Within the buffer zones, existing trees of one caliper inch or more in diameter as measured three feet above grade shall be preserved and maintained. No structures, pavement, patios, decks, pools, playsets, or other permanent improvements shall be permitted in the buffer zone, except a fence along rear lot lines may be permitted in accordance with the Codified Ordinances. Understory may be removed within the buffer zone and such area may be grassed or remain in its natural condition Trees within the buffer zone may be trimmed, cut, or removed if they are diseased, dead, or of a noxious species or if they present a threat of danger to persons or property. The installation, operation and maintenance of utility and drainage facilities for the development shall be permitted. Utility maintenance within said buffer areas shall occur only in easement areas designated on the plat unless otherwise approved by the city

engineer. The owner of each lot shall maintain the portion of the buffer area that falls within the limits of their lots.”

- In addition, there are two trees identified on the plat as a 36” tree and a 48” tree that are to remain and shall not be removed by the developer and/or property owner without permission by city staff. These restrictions are included as a note on the plat.

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 provided the following comments. Staff recommends a condition of approval that these comments be addressed, subject to staff approval.

1. Refer to Exhibit A. Revise sheet 1 of the referenced plat to match all signature and note blocks, including the Drainage Easement note block, as shown on sheet 1 of Exhibit A.
2. Show all of Reserve A as lying within a drainage easement.
3. Refer to sheet 2 of Exhibit A. Consistent with the previously platted subdivision located across the street from the referenced subdivision, provide a minimum right-of-way dedication of 40’ as measured from road centerline along the referenced subdivision’s frontage.
4. Refer to Exhibit B. Add the Buffer Zone note block and other applicable note blocks to the referenced plat.
5. Label the Instrument No. for the existing sanitary sewer easement shown on the plat.
6. Remove the note “As It Now Exists” beneath the Future Street label.
7. Change the label of the 20’ Storm Easement (Lot 1,2, 3 and 4) shown on the referenced plat to 20’ Drainage Easement.
8. Note that the Drainage Easement shown on the referenced plat within Reserve B doesn’t match sheet C-200 provided with the construction plans. Please advise.
9. In accordance with Code Sections 1187.06 Sections (c)(1) and (c)(2), we recommend that the applicant provide evidence that OEPA and ACOE permits are not required to allow construction.
10. We recommend that the applicant have the area to be re-platted reviewed by the Franklin County Engineer’s office and a summary of County Engineer review comments and the applicant’s comment responses be provided for our records.

V. SUMMARY

The final plat is generally consistent with the zoning exhibit plan and meets code requirements.

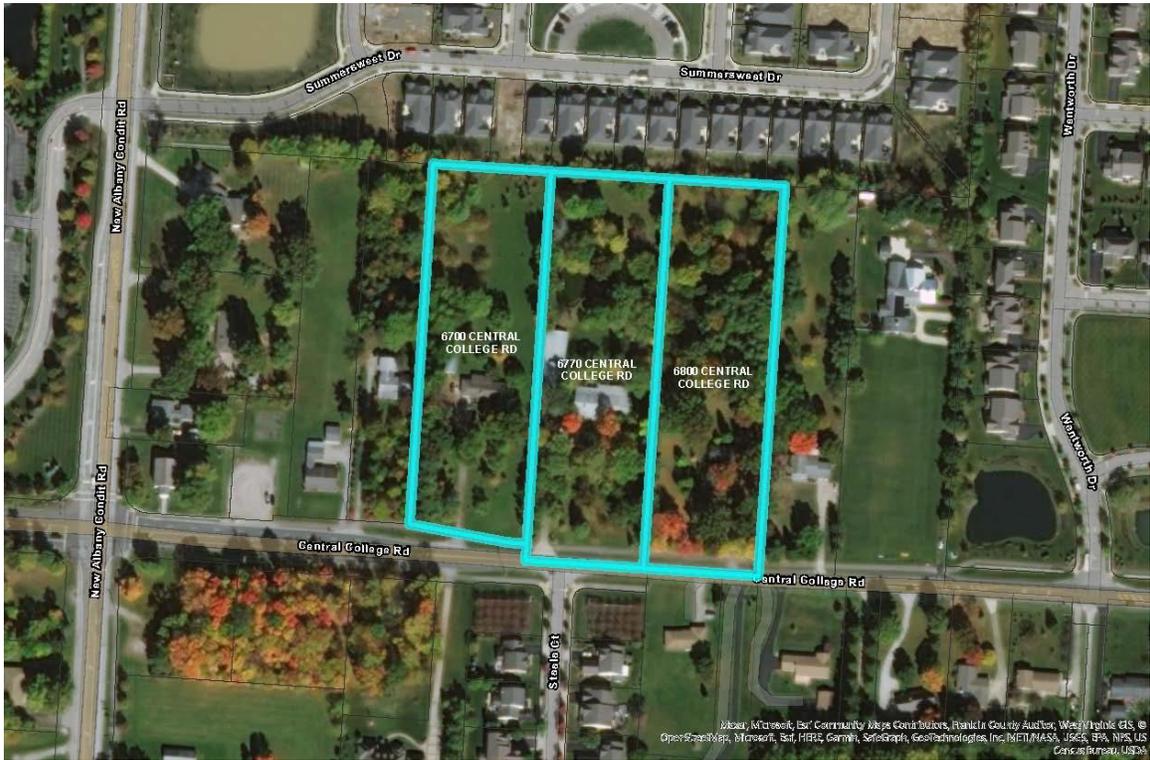
VI. ACTION

Suggested Motion for FPL-20-2023:

Move to approve the preliminary plat and final plat application FPL-20-2023 with the following condition.

1. The city engineer comments must be addressed, subject to staff approval;
2. The plat shall be amended to include a note regarding the buffer zone that matches city staff’s suggested language in this staff report, subject to staff approval.

Approximate Site Location:



Source: Google Earth

404.581-03
February 21, 2023

To: Chelsea Nichols
City Planner

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

Re: Alden Woods Subdivision
Final Plat

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

1. Refer to Exhibit A. Revise sheet 1 of the referenced plat to match all signature and note blocks, including the Drainage Easement note block, as shown on sheet 1 of Exhibit A.
2. Show all of Reserve A as lying within a drainage easement.
3. Refer to sheet 2 of Exhibit A. Consistent with the previously platted subdivision located across the street from the referenced subdivision, provide a minimum right-of-way dedication of 40' as measured from road centerline along the referenced subdivision's frontage.
4. Refer to Exhibit B. Add the Buffer Zone note block and other applicable note blocks to the referenced plat.
5. Label the Instrument No. for the existing sanitary sewer easement shown on the plat.
6. Remove the note "As It Now Exists" beneath the Future Street label.
7. Change the label of the 20' Storm Easement (Lot 1,2, 3 and 4) shown on the referenced plat to 20' Drainage Easement.
8. Note that the Drainage Easement shown on the referenced plat within Reserve B doesn't match sheet C-200 provided with the construction plans. Please advise.
9. In accordance with Code Sections 1187.06 Sections (c)(1) and (c)(2), we recommend that the applicant provide evidence that OEPA and ACOE permits are not required to allow construction.
10. We recommend that the applicant have the area to be re-platted reviewed by the Franklin County Engineer's office and a summary of County Engineer review comments and the applicant's comment responses be provided for our records.

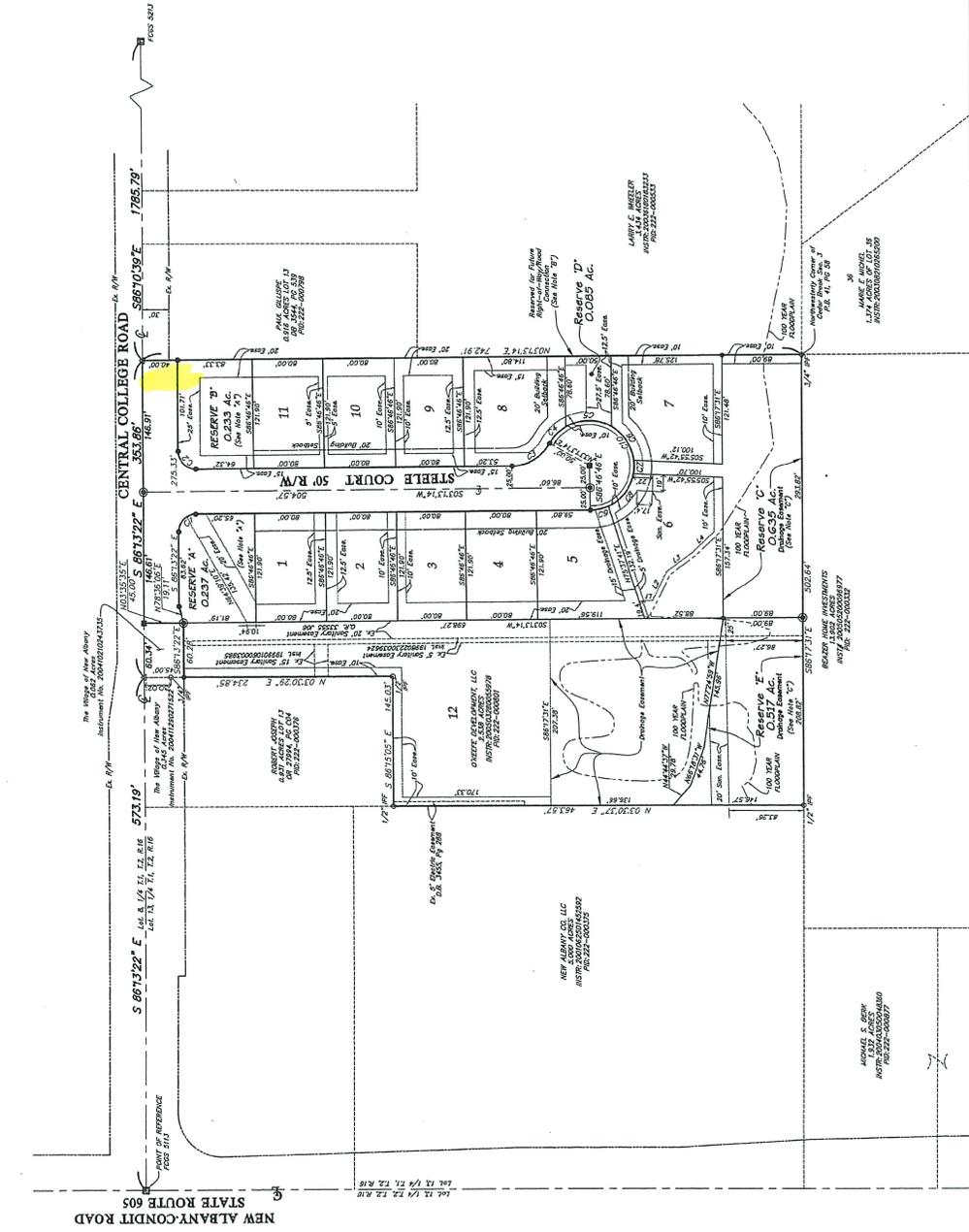
MEF/JMH

(attachments)

cc: Will Walther, Development Engineer

The Enclave at New Albany

Section 1, Part 1



CURVE	DELTA	RADIUS	LENGTH	CHORD BEG.	CHORD END
C1	89.26.34"	20.00'	11.42'	N41.50.04"W	17.42'
C2	80.23.00"	50.00'	32.46'	S78.54.48"W	32.98'
C3	30.00.00"	50.00'	26.18'	N11.42.48"W	26.18'
C4	30.00.00"	50.00'	26.18'	N11.42.48"W	26.18'
C5	60.00.00"	50.00'	52.36'	N11.42.48"W	52.36'
C6	171.51.54"	50.00'	15.09'	N02.51.51"E	15.09'
C7	171.51.54"	50.00'	15.09'	S84.58.14"E	15.09'
C8	55.20.01"	50.00'	48.29'	S77.49.17"E	48.29'
C9	240.92.00"	50.00'	203.44'	S08.02.51"E	203.10'

LINE	LENGTH	BEARING
L1	15.49'	S02.50.17"W
L2	35.31'	S32.22.25"E
L3	34.13'	S37.49.53"E

RESERVE INFORMATION

Part 1 Reserve "A" = 0.237 Ac.
 Part 1 Reserve "B" = 0.233 Ac.
 Part 1 Reserve "C" = 0.635 Ac.
 Part 1 Reserve "D" = 0.517 Ac.
 Part 1 Reserve "E" = 0.517 Ac.
 Reserve Total = 1.707 Ac.

DRAINAGE AREA

Part 1 Reserve "D" = 0.635 Ac.
 Part 1 Reserve "E" = 0.517 Ac.
 Reserve Total = 1.152 Ac.



Permit # _____
 Board _____
 Mtg. Date _____

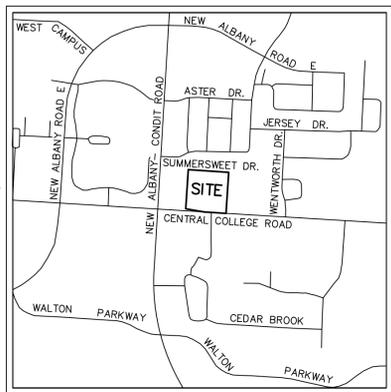


Community Development Planning Application

Project Information	Site Address <u>6700, 6770, 6800 Central College Road</u>					
	Parcel Numbers <u>222-001997, 222-00198 & 222-001999</u>					
	Acres <u>8.45</u> # of lots created <u>9</u>					
Contacts	Property Owner's Name: <u>Central College Development, LLC, Andrew Maletz</u> Address: <u>4075 Chelsea Green W</u> City, State, Zip: <u>New Albany, OH 43054</u> Phone number: <u>614-973-9450</u> Fax: _____ Email: <u>andrew@maletzarchitects.com</u>					
	Applicant's Name: <u>Andrew Maletz</u> Address: <u>4075 Chelsea Green W</u> City, State, Zip: <u>New Albany, OH 43054</u> Phone number: <u>614-973-9450</u> Fax: _____ Email: <u>andrew@maletzarchitects.com</u>					
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.					
	<table style="width:100%; border: none;"> <tr> <td style="border: none;">Signature of Owner</td> <td style="border: none;"></td> <td style="border: none;">Date: <u>2/3/23</u></td> </tr> <tr> <td style="border: none;">Signature of Applicant</td> <td style="border: none;"></td> <td style="border: none;">Date: <u>2/3/23</u></td> </tr> </table>	Signature of Owner		Date: <u>2/3/23</u>	Signature of Applicant	
Signature of Owner		Date: <u>2/3/23</u>				
Signature of Applicant		Date: <u>2/3/23</u>				

ALDEN WOODS SUBDIVISION

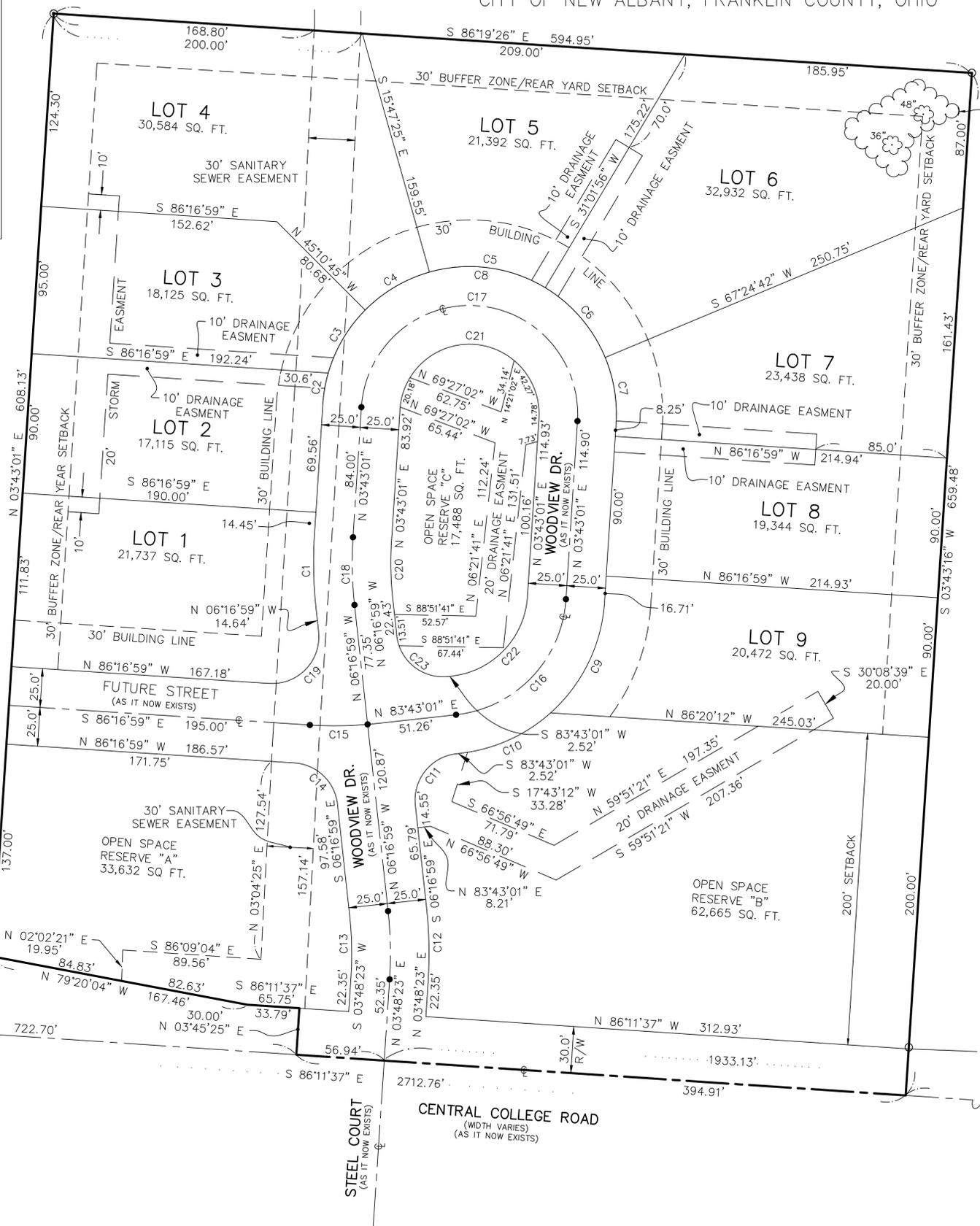
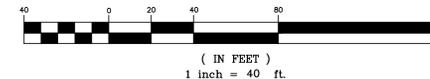
CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO



VICINITY MAP
NOT TO SCALE



GRAPHIC SCALE



* 36" TREE AND 48" TREE ARE TO REMAIN AND SHALL NOT BE REMOVED BY DEVELOPER AND/OR PROPERTY OWNER WITHOUT PERMISSION BY CITY STAFF

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	275.00'	48.00'	47.94'	S 01°16'59" E	10°00'00"
C2	95.00'	20.73'	20.69'	S 09°55'36" W	12°30'04"
C3	95.00'	47.49'	47.00'	S 30°29'56" W	28°38'37"
C4	95.00'	48.73'	48.20'	S 59°30'55" W	29°23'21"
C5	95.00'	77.63'	75.49'	N 82°22'44" W	46°49'20"
C6	95.00'	60.32'	59.31'	N 40°46'41" W	36°22'46"
C7	95.00'	43.55'	43.17'	N 09°27'22" W	26°15'52"
C8	95.00'	298.45'	190.00'	S 86°19'26" E	180°00'00"
C9	105.00'	81.55'	79.52'	N 25°58'02" E	44°30'04"
C10	105.00'	65.06'	64.02'	N 65°58'02" E	35°29'56"
C11	30.00'	47.12'	42.43'	N 38°43'01" E	90°00'00"
C12	275.00'	48.43'	48.36'	N 01°14'18" W	10°05'22"
C13	225.00'	39.62'	39.57'	S 01°14'18" E	10°05'22"
C14	30.00'	41.89'	38.57'	S 46°16'59" E	80°00'00"
C15	250.00'	37.37'	37.33'	N 89°26'05" E	8°33'52"
C16	80.00'	111.70'	102.85'	N 43°43'01" E	80°00'00"
C17	70.00'	219.91'	140.00'	S 86°19'26" E	180°00'00"
C18	250.00'	43.63'	43.58'	N 01°16'59" W	10°00'00"
C19	30.00'	52.36'	45.96'	S 43°43'01" W	100°00'00"
C20	225.00'	39.27'	39.22'	N 01°16'59" W	10°00'00"
C21	45.00'	141.37'	90.00'	S 86°19'26" E	180°00'00"
C22	55.00'	76.79'	70.71'	S 43°43'01" E	80°00'00"
C23	30.00'	47.12'	42.43'	N 51°16'59" W	90°00'00"

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on an assumed meridian and are for the express purpose of calculating angular measurement.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio

IRON PINS: Iron Pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug place in the top and bearing the name PS 8112.

PERMANENT MARKERS; Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated and are to be set with the top end flush with the surface of ground and then capped with an aluminum cap stamped GARCIA SURVEYORS. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of construction/installation of the street pavement and utilities and prior to the Village of New Albany, Ohio's acceptance of these subdivision improvements. The New Albany, Ohio Municipal Engineer shall be notified when the markers are in place.

BRONZE DISK IN PVC ENCASED CONCRETE MONUMENT
1/4 COR. SEC. 8
SEC. 8 AND SECTION 13
TOWN 2 RANGE 16
U.S. MILITARY DISTRICT

FOUND RAILROAD SPIKE
SE. COR., SEC 8
SW COR., SEC 9
NW COR., SEC. 12
NE COR., SEC. 13
TOWN 2 RANGE 16
U.S. MILITARY DISTRICT

Garcia Surveyors, Inc.
P.O. Box 2628
Whitehouse, OH 43571
Phone: (419) 877-0400
Fax: (419) 877-1140

1/31/2023
235S00615

LEGAL DESCRIPTION:

A parcel of land being part of the original 15.90 acre tract conveyed to Madge E Lang by deed of record in Deed Book 1662, Page 407, in Quarter Township One (1), Township Two (2), Range sixteen (16), United States Military Lands, in the City of New Albany, Franklin County, Ohio, said parcel of land being bounded and described as follows:

Commencing at the intersection of Central College Road, as it now exists, with the centerline of New Albany-Conduit Road, as it now exists, said centerline of New Albany-Conduit Road also being known as State Route 605, said point of intersection being marked with a found monument box with a bronze disk in PVC encased concrete monument, said point of intersection also being known as Franklin County Engineer's Monument No. 5113;

Thence in an easterly direction along said centerline of Central College Road, having an assumed bearing of South eighty-six (86) degrees, eleven (11) minutes, thirty-seven (37) seconds East, a distance of seven hundred twenty-two and seventy hundredths (722.70') feet to the intersection of the easterly line of a parcel of land described in Instrument No. 199910190262967, Franklin County Deed Records, currently deeded to the Village of New Albany, said point of intersection being marked with a set mag nail, said point of intersection also being the True Point of Beginning;

1. Thence North three (03) degrees, forty-five (45) minutes, twenty-five (25) seconds East along said easterly line of a parcel of land described in Instrument No. 199910190262967, Franklin County Deed Records, currently deeded to the Village of New Albany, a distance of thirty and zero hundredths (30.00') feet to the intersection of the northerly line of said parcel of land described in Instrument No. 199910190262967, Franklin County Deed Records, currently deeded to the Village of New Albany, said point of intersection being marked with a set concrete monument;

2. Thence North eighty-six (86) degrees, eleven (11) minutes, thirty-seven (37) seconds West along said northerly line of a parcel of land described in Instrument No. 199910190262967, Franklin County Deed Records, currently deeded to the Village of New Albany, a distance of thirty-three and seventy-nine hundredths (33.79') feet to the intersection of the northerly line of a parcel of land described in Instrument No. 200412130282225, Franklin County Deed Records, currently deeded to the Village of New Albany, said point of intersection being marked with a set concrete monument;

3. Thence North seventy-nine (79) degrees, twenty (20) minutes, four (04) seconds West along said northerly line of a parcel of land described in Instrument No. 200412130282225, Franklin County Deed Records, currently deeded to the Village of New Albany, a distance of one hundred sixty-seven and forty-six hundredths (167.46') feet to the intersection of the easterly line of a parcel of land described in Instrument No. 199212310255431, Franklin County Deed Records, currently deeded to Fredrick Roy Meyers & Judy L Doran, said point of intersection being marked with a set concrete monument;

4. Thence North three (03) degrees, forty-three (43) minutes, one (01) second East along said easterly line of a parcel of land described in Instrument No. 199212310255431, Franklin County Deed Records, currently deeded to Fredrick Roy Meyers & Judy L Doran, a distance of six hundred eight and thirteen hundredths (608.13') feet to the intersection of the southerly line of "The Courtyards at New Albany" being recorded in Plat Book 125, Page 84, Franklin County Plat Records, said point of intersection being marked with a set concrete monument

5. Thence South eighty-six (86) degrees, nineteen (19) minutes, twenty-six (26) seconds East along said southerly line of "The Courtyards at New Albany" being recorded in Plat Book 125, Page 84, Franklin County Plat Records, a distance of five hundred ninety-four and ninety-five hundredths (594.95') feet to the intersection of the westerly line of a parcel of land described in Instrument No. 200607110135694, Franklin County Deed Records, currently deeded to Christopher D. Jourdan, & Lindsay E. Robards, said point of intersection being marked with a set concrete monument;

6. Thence South three (03) degrees, forty-three (43) minutes, sixteen (16) seconds West along said westerly line of a parcel of land described in Instrument No. 200607110135694, Franklin County Deed Records, currently deeded to Christopher D. Jourdan, & Lindsay E. Robards, passing through a set concrete monument at a distance of six hundred twenty-eight and forty-three hundredths (628.43') feet, a total distance of six hundred fifty-nine and forty-eight hundredths (659.48') feet to the intersection of said centerline of Central College Road;

7. Thence North eighty-six (86) degrees, eleven (11) minutes, and thirty-seven (37) seconds West along said centerline of Central College Road a distance of three hundred ninety-four and ninety-one hundredths (394.91') feet to the True Point of Beginning.

Said parcel of land containing a total area of 384,278 square feet or 8.822 acres of land, more or less, all contained within Franklin County tax parcel numbers 222-001997-00, 222-001998-00, & 222-001999-00. Said parcel of land having a Present Road Occupied area of 11,847 square feet or 0.272 acres of land, more or less.

The above described parcel of land is subject to any and all leases, easements and restrictions of record.

Said set capped iron rebars being a 5/8" diameter by 30" long iron rebar with a plastic cap stamped "PS ____".

Prior Instrument references are Instrument No. 202108100140522, Franklin County Deed Records, currently deeded to Central College Development, LLC, and Instrument No. 202108190148285, Franklin County Deed Records, currently deeded to Central College Development, LLC.

The bearings used heron are based on an assumed meridian and are for the express purpose of calculating angular measurement.

The above described is based on an actual field survey performed under my supervision during January 2023.

ALDEN WOODS SUBDIVISION

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO

Situate in the County of Franklin, State of Ohio, and being in Quarter Township One (1), Township, Two (2), Range sixteen (16), United States Military Lands, in the City of New Albany, Franklin County, Ohio Containing 8.535 acres and being the same tract as conveyed to Central College Development LLC. and described in deed recorded in Official Record 202108190148285 and in 202108100140522 Recorder's Office, Franklin County Ohio.

The undersigned, Central College Development LLC., by Andrew Maletz, Member and Roland Tokarski, Member, Owners of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its Alden Wood Subdivision, a new subdivision containing Lots numbered 1 thru 9, both inclusive, and areas designated as Reserve "A", Reserve "B" and Reserve "C", does hereby accept this plat of same and dedicates to public use, as such, all or part of Central College Road, and Woodview Drive shown hereon, and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved. Easement areas shown hereon outside of the platted area are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes expressed herein.

In Witness Whereof, Andrew Maletz, Member and Roland Tokarski, Member of Central College Development LLC. has hereunto set there hand this ____ day of _____, 20__.

Signed and acknowledged Central College Development LLC. in the presence of:

Andrew Maletz, member

Roland Tokarski,, member

STATE OF OHIO, COUNTY OF FRANKLIN

Before me a Notary Public in and for said County personally came Andrew Maletz and Roland Tokarski both members of Central College Development LLC. who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for uses and purposes therein expressed.

In witness whereof I have hereunto set my hand and affixed my official seal this ___ day of _____, 20__.

My Commission Expires _____ Notary Public State of Ohio

SURVEYOR'S CERTIFICATION:

We do hereby certify that we have surveyed the premises and prepared the attached plat and that said plat is correct. Dimensions on curves are chord measurements.

Anthony A. Garcia Date
Professional Surveyor No. 8112



Approved this ____ day of _____, 20__.

Mayor, New Albany, Ohio
Approved this ____ day of _____, 20__.

Municipal Engineer, New Albany, Ohio
Approved this ____ day of _____, 20__.

Council Representative to Planning Commission, New Albany, Ohio
Approved this ____ day of _____, 20__.

Chairperson, New Albany, Ohio
Approved this ____ day of _____, 20__.

Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. _____, passed _____, 20__ wherein all of Central College Road and Woodview Drive, shown hereon are accepted, as such, by the Council for the Village of New Albany, Ohio. Approval of this plat shall become null and void unless recorded prior to _____, 20__.

Transferred this ____ day of _____, 20__.

Auditor, Franklin County, Ohio

Deputy Auditor, Franklin County, Ohio
Filed for record this ____ day of _____, 20__ at ____ M.
Fee \$ _____

Recorder, Franklin County, Ohio

File No. _____
Recorded this ____ day of _____, 20__.

Deputy Recorder, Franklin County, Ohio
Plat Book _____, Pages _____

1/31/2023
235S00615

Garcia Surveyors, Inc.

P.O. Box 2628
Whitehouse, OH 43571
Phone: (419) 877-0400
Fax: (419) 877-1140

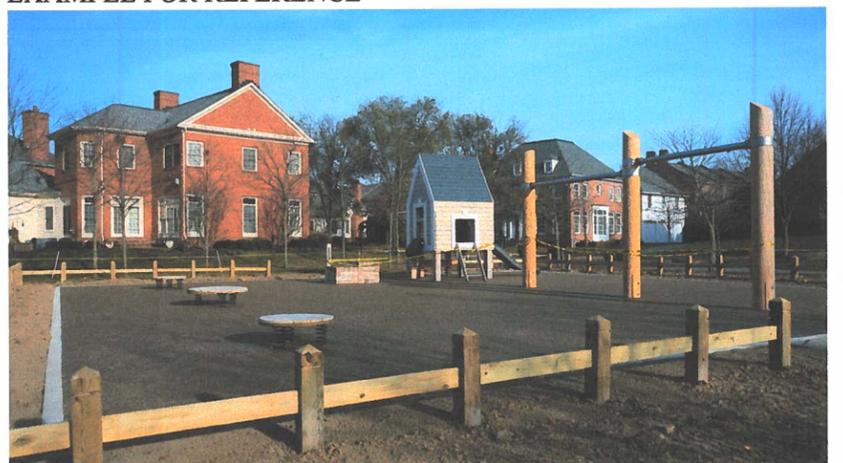


ALDEN WOODS

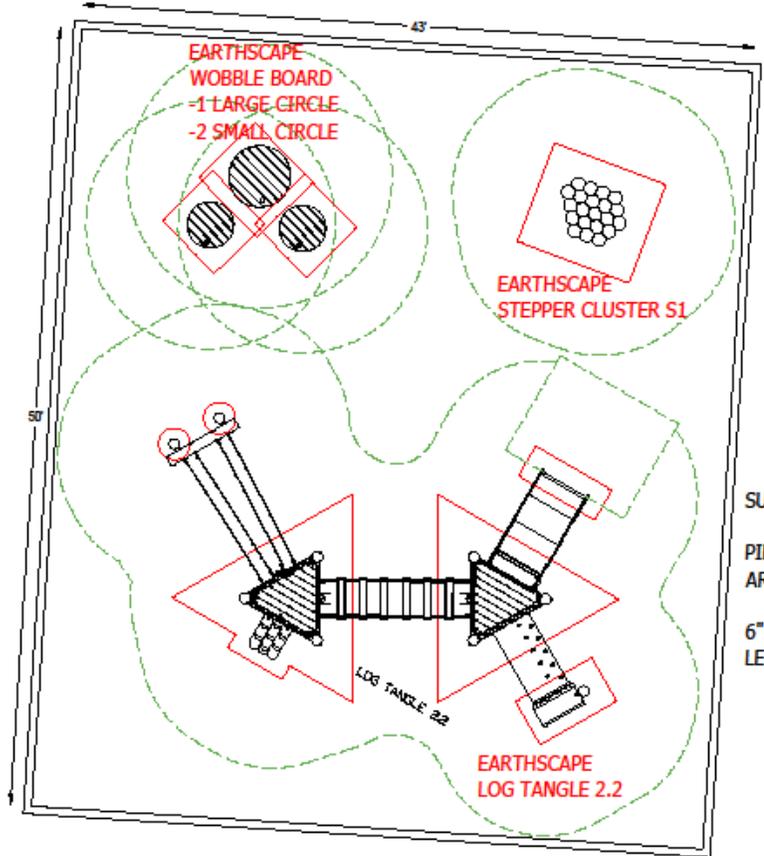
NEW ALBANY, OHIO



PLAYGROUND
EXAMPLE FOR REFERENCE



MALETZ
ARCHITECTURE + BUILD



SURFACING
 PIP
 AREA: 2150 SQFT
 6" CONCRETE CURB
 LENGTH: 190 SQFT



EQUIPMENT SIZE:
SEE DWG

USE ZONE:
SEE DWG

AREA:
SEE DWG

PERIMETER:
SEE DWG

FALL HEIGHT:
3 FT

USER CAPACITY:
25+

AGE GROUP:
2-5

- ✓ ASTM F1487-21
- ✓ CPSC #325



PROJECT NO:
23-4064A

DRAWN BY:
CJS

DATE:
02-23-2023

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

Paper Size
B

ALDEN WOODS PLAYGROUND
 NEW ALBANY, OHIO

*PLAYGROUND SUPERVISION REQUIRED





To: Planning Commission

From: Community Development Department Staff

Date: February 24, 2023

RE: Taylor Farm Variance Application Tabling Request (VAR-27-2023)

The city requests that the Planning Commission table application VAR-27-2023 until the regularly scheduled meeting on March 20, 2023.