

ROCKY FORK - BLACKLICK ACCORD

IMPLEMENTATION PANEL

MEETING MINUTES

September 19, 2019

6:00 p.m.
New Albany Village Hall
99 West Main Street, New Albany, OH

I. Call to Order

Meeting opened at approximately 6:02 pm at New Albany Village Hall with the following members present: Todd Brubaker, Mike Chappellear, Jay Herskowitz, Ron Lachey, Dave Paul and Ralph Smithers. Mike Chappellear chaired the meeting. Staff members present were Marc Rostan, City of Columbus, and Chris Christian, City of New Albany.

II. Record of Proceedings

Mr. Paul motioned to approve the minutes of August 15, 2019 meeting, seconded by Mr. Smithers. Minutes approved by a 4-0 vote (Mr. Lachey and Mr. Herskowitz abstained).

III. Old Business

5150 Warner Rd (Z19-053)

Review and action regarding a Columbus application to rezone a site generally located west of North Hamilton Rd., north of Warner Rd., south of Eden Valley Dr, and west of Limerock Dr.

<i>Acreage:</i>	8.63 ac +/-
<i>Current Zoning:</i>	R and LB (Plain Township)
<i>RFBA District:</i>	L-AR-1
<i>Proposed Use/Zoning:</i>	Multifamily residential
<i>Applicant(s):</i>	Preferred Living c/o David Hodge, Underhill and Hodge LLC
<i>Property Owner(s):</i>	Patsy Parker, et al.

Mr. Rostan presented background information on the context of the application.

Mr. David Hodge, Underhill and Hodge, and Mr. Jared Smith, Preferred Living, presented on behalf of the applicant.

Mr. Hodge and Mr. Smith responded to questions about the site as asked by the panel.

Mr. Smithers motioned to approve the application as submitted. Mr. Paul seconded. The application was approved by a 6-0 vote.

IV. New Business

V. Adjournment

With no further business, Mr. Chappellear adjourned the meeting at 6:31 pm.

ROCKY FORK - BLACKLICK ACCORD

IMPLEMENTATION PANEL

MEETING AGENDA

January 15, 2020

6:00 p.m.
New Albany Village Hall
99 West Main Street, New Albany, OH

I. Call to Order

II. Organization

III. Record of Proceedings

- A. Approve record of proceedings from September 19, 2019 meeting

IV. Old Business

V. New Business

(Review procedure: staff report; applicant presentation; panel comments; public comments)

1. Central College Dining District Rezoning (ZC-107-2019)

Review and action regarding a New Albany application to rezone a property located at 6678 Central College Road for an area to be known as the “Central College Dining District”

Acreage: .93 ac +/-
Current Zoning: Agricultural (AG)
RFBA District: Office
Proposed Zoning: Infill Planned Unit Development (I-PUD)
Applicant(s): TFFTP LLC, c/o Aaron Underhill
Property Owner(s): Lions Club of New Albany Community Center, Inc., Aaron Underhill

VI. Adjournment

THE ROCKY FORK-BLACKLICK ACCORD

STAFF REPORT

January 15, 2020

City of New Albany Rezoning Application Case No: ZC-107-2019

Review and Action on the Central College Dining District rezoning application for .93 +/- acres located at the northeast corner of Central College Road and State Route 605 (PIDs: 222-001983 and 222-001991).

Request: Rezone Agricultural (AG) to I-PUD (Infill Planned Unit Development)

Proposed Use: Proposal to expand the permitted uses at this site to allow a “specialty dining facility” which includes a brewery and/or winery as a secondary use; administrative offices; religious facilities; and food truck operations.

Applicant: TFFTP LLC c/o Aaron Underhill

INTRODUCTION/PROPOSAL SUMMARY:

TFFTP LLC c/o Aaron Underhill requests review and recommendation to rezone .93 +/- acres from Agricultural (AG) to Infill Planned Unit Development (I-PUD). An infill planned unit development is an area of land in which one use or a variety of uses may be accommodated in a pre-planned environment under more flexible standards than those restrictions that would normally apply under the zoning code.

The proposed uses are limited and will allow a historic building on the site to be repurposed to allow for a restaurant use which can include a brewery and/or winery. Other permitted uses include food truck operation on site, churches or other similar religious facilities and administrative offices with the exception of medical office uses. While this site is located in the Rocky Fork Blacklick Accord’s Office district, the site and intersection serves as a transitional area between residentially zoned areas to the east and the city’s business park to the west. Based on the transitional nature of the area, it is evaluated based on the Accord’s Village Mixed Use District recommendations. The application meets the Accord’s Village Mixed Use District recommendations by providing “retail, restaurants, administrative businesses and professional office, and personal and consumer services.”

CONSIDERATIONS:

- This rezoning encompasses a total of .93 +/- acres.
- The site is currently zoned Agricultural (AG) in which agricultural uses, home occupations and publically owned parks and open space are permitted.

***SPECIAL NOTE:** This review is based on the proposed application’s conformance to the Rocky Fork-Blacklick Accord. Nothing noted in this review is intended to speak to the application’s conformance with other city zoning requirements and policies.*

- The application is solely for rezoning the site. A preliminary site plan and architectural renderings are submitted with this application. The applicant is required to return to the Planning Commission for review and approval of a final development plan application under the new I-PUD zoning classification to finalize the site and architectural modifications.
- The proposed I-PUD zoning text allows for the adaptive reuse of the existing historic structure on the site to be used for:
 - “Specialty dining facility” which can include a brewery and/or winery as a secondary use.
 - Food truck operations on site,
 - Churches or other similar religious facilities, and
 - Administrative offices with the exception of medical office uses.
- The proposed uses appear to be appropriate due to the proximity of this site being adjacent to commercial uses and other retail/restaurant uses. This site serves as a transitional area to residential to the east.
- The proposed text contains operational limitations for the proposed restaurant and food truck uses.
 - No more than two food trucks may be operated within the zoning district with the exception that a third food truck is permitted during special events only and the text does not permit food trucks to be parked on site overnight.
 - Food trucks are permitted to operate between the hours of 10:00am to 10:00pm with the exception of special events which allow for food truck operation until 11:00pm. Special events include operations or activities that lead to an increased activity on the site as compared to normal and customary business operations. Some examples of “special events” include, but are not limited to, weddings, receptions and holiday celebrations such as Independence Day and Labor Day. The text states that a maximum of two special events are permitted each month.
 - Food trucks are required to be powered via a permanent electric source and outdoor generators are not permitted.
 - Outdoor music is required to be played at a volume that is not audible from off-site and is no louder than the noise that is generated from automobile traffic on the adjacent roads.
 - Light from the food trucks is required to be directed in a way that does not result in any light spillage onto adjacent properties and is only used to provide light for the cooking area and pedestrian safety.
 - The proposed text prohibits knockdown kitchens, catering trucks, mobile cookers and concessions stands from being operated on site.
- The required and proposed setbacks for this zoning district are as follows. The 250 foot rural setback does not apply in the Village Mixed Use land use district.

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Zoning Boundary	Required Setbacks Proposed in the Text	Accord Recommendation
State Route 605	30 foot building and pavement	The Accord recommends a minimum 40 foot building and pavement setback however, the application is proposing to match the existing pavement and building setbacks.
Central College	15 building and pavement	The Accord recommends a minimum 30 foot building and pavement setback however, the application is proposing to match the existing pavement and building setbacks.
Northern Boundary	30 foot building and 5 foot pavement	<ul style="list-style-type: none"> • The accord recommends that a 25 foot buffer zone be established between this use and adjacent residential uses. • The applicant is not providing this buffer zone but is installing all required landscape screening and is also providing a 6 foot privacy fence.
Eastern Boundary	100 foot building and 10 foot pavement	<ul style="list-style-type: none"> • The accord recommends that a 25 foot buffer zone be established between this use and adjacent residential uses. • The applicant is not providing this buffer zone but is installing all required landscape screening and is also providing a 6 foot privacy fence.
Western Boundary (Not adjacent to right-of-way)	10 foot pavement setback from the western perimeter boundary that is not adjacent to State Route 605	<ul style="list-style-type: none"> • The accord recommends that a 25 foot buffer zone be established between this use and adjacent residential uses. • The applicant is not providing this buffer zone but is installing all required landscape screening and is also providing a 6 foot privacy fence.

- The proposed text states that a minimum of 10 bicycle parking spaces shall be installed on site.
- The text requires that a minimum of 40 parking spaces are provided on site. The Rocky Fork Blacklick Accord is silent on parking requirements for this type of use therefore New Albany City Code applies. The city parking code requires a minimum one space per 75 square feet. The applicant is proposing an alternative of one space provided per 80 square feet of building space. The proposal is consistent with city code requirements and appears to provide an appropriate amount of parking.
- The text requires the installation of leisure trail and street trees to be installed along Central College Road and State Route 605. The text also requires the installation of a paved pedestrian access route between the parking lot area and the food truck zone to the existing building on site and a sidewalk that provides a connection between the

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leisure trail along Central College Road and to the entrance of the building. These text provisions meet the Accord recommendation of establishing pedestrian connections between parking areas and the front of buildings.

- The text allows for the existing historic building to be enhanced which includes allowing the building to be repainted, replacing and upgrading the building trim, construction of an outdoor deck and a pedestrian entrance on the eastern elevation of the building.
- The text permits the installation of a maximum 15 foot tall brewery tank adjacent to the building entrance in the general location that is illustrated on the preliminary site plan submitted for review.
- The text requires the installation of a six foot tall privacy fence and 6 foot tall arborvitae along the eastern, northern, and western boundary line of the zoning district that abut residential uses. This will provide headlight screening as well as a buffer between this site and adjacent residential uses.
- The proposed text states that all security lighting will be motion sensor type.
- Two of the overall goals listed on page 15 of Accord is to provide high quality schools and produce plans to finance services and schools. The proposed rezoning does not permit residential uses to be developed on the site therefore there is no negative impact to the New Albany Plain Local School District.
- The proposed zoning text includes new such as:
 - The installation of new utilities underground.
 - Bicycle parking is provided at the building.
 - The addition of leisure trail.
 - The addition of street trees
 - Tree preservation.
 - Parking lot screening that is at least 4 feet tall.

STAFF'S COMMENTS AND RECOMMENDATION:

Staff is supportive of the proposed rezoning due to the transitional area of the property. The specialty dining facility is intended to provide a dining options and seeks to create a place for families to walk or bike to. The abundant amount of bicycle parking on site and the construction of the new deck on the eastern elevation will activate and encourage outdoor use to this corner of Central College Road and State Route 605.

The intent of the zoning is to provide a narrowly tailored set of regulations to provide for the reuse of the property while preserving the historical structure. The text only allows the existing structure to be used. The text states that no additional structures shall be permitted to be constructed on the site and that construction of any structures in this district shall require the approval of another rezoning application. The text also does not allow the existing structure to be outfitted with a ventilation/exhaust hood for cooking. These

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regulations ensure the building and site cannot be completely redeveloped as part of this application.

The proposed text allows the applicant to reuse and enhance a historic building and improve the site. Even though the application is not meeting all of the recommended setbacks, the landscaping and screening requirements are still being met. The overall effect of the development advances and benefits the general welfare of the community and will allow for the development of a neighborhood scaled restaurant on this site. This proposal scores 91.66% on the report card for the Accord's Village Mixed Use development standards.

Approximate Site Location:



Source: Google Earth

SPECIAL NOTE: This review is based on the proposed application's conformance to the Rocky Fork-Blacklick Accord. Nothing noted in this review is intended to speak to the application's conformance with other city zoning requirements and policies.

PROJECT: Central College Dining District (I-PUD) Rezoning –ZC-107-19 (.93+/- acres)
APPLICANT: TFTFP LLC, C/O AARON UNDERHILL
EXISTING ZONING: AGRICULTURAL (AG)
RFBA DISTRICT: Office. Staff evaluated the application under the Village Mixed Use land use type.

EVALUATION CHECKLIST
 EVALUATED FOR RFBA: JANUARY 15, 2020
 BY: CHRIS CHRISTIAN (NEW ALBANY)

SUB-AREA	REQUESTED ZONING	RFBA DISTRICT	USE TYPE	ACREAGE	Sq. Ft. OR # OF UNITS	PROPOSED DENSITY	PERMITTED DENSITY		PUBLIC PARKLAND	
							BASE (8K/ACRE)	BONUS (10K/ACRE)	PROVIDED	REQUIRED
	I-PUD	Village Mixed Use	Retail	.93			7,440	9,300	N/A	N/A
TOTAL ACREAGE				.93						
TOTAL OFFICE SPACE (NONE PROPOSED)				.93	N/A				-	-
TOTAL RETAIL SPACE				.93					-	-
TOTAL RESIDENTIAL (NONE PROPOSED)				N/A	N/A				-	-

EVALUATION SUMMARY	YES	PARTIAL	NO	?	COMMENTS
1.0 Key Principles	4	0	0	0	
2.0 Strategies	5	2	0	0	
3.0 General Development Standards	16	0	0	0	
4.0 District Development Standards	11	3	1	0	
TOTAL	36	5	1	0	91.66% (incl. half of partials) compliant [38.5/42 = 91.66%]

KEY:
 ✓ = met p = partially met ? = cannot determine (-) N/A = not applicable X = did not meet

1.0 Key Principles	Yes	No	Comments
1.1 .1Maintain aesthetic character of rural roads.	-	-	
1.2 Use open space as an organization element.	-	-	N/A
1.3 Use a compact form of development in town and village clusters with defined edges such as green belts and natural corridors.	-	-	N/A
1.4 Develop mixed uses in town and village centers.	-	-	N/A
1.5 Develop diversity in housing prices and types.	-	-	N/A

1.6 Create a center focus that combines civic, cultural, and recreational uses,	-	-	N/A
1.7 Create an ample supply of squares, greens parks and landscaping.	✓	-	This proposed text meets landscaping standards for this development type. No additional open space is required.
1.8 Guarantee permanent protection of greenbelts, streams, creeks, woodlands, grasslands, wetlands, and historic sites.	✓	-	This proposed text allows for an adaptive reuse of an existing historical church building.
1.9 Development in town must be located within easy walking or biking distances of other neighborhoods, schools, retail centers and transit stops.	✓	-	The proposed development allows for additional walking of a retail center.
1.10 Development must pay its own way. (No criteria to review this stnd established)	✓	-	The impact statement provided in the zoning text gives a good gauge for the positive impact of the development on the community.

2.0 Strategies	Yes	No	Comments
2.1 Development should be compatible with the rural landscape.	-	-	N/A
2.2 Higher density residential should be located adjacent to open space.	-	-	N/A
2.3 Reserve the natural features.	p	-	The applicant is preserving select existing trees on site.
2.4 Retail development should be community-based.	✓	-	Text proposes retail space to not exceed past the square footage of the existing building, however does allow for food truck operation onsite
2.5 Developers should be encouraged to mix uses and housing types where appropriate.		-	N/A
2.6 Historic and cultural resources should be protected and preserved.	✓	-	This proposed text allows for an adaptive reuse of an existing historical church building.
2.7 Scenic qualities along roadways should be maintained.	✓	-	The text provides additional landscaping to be installed in the setback areas of the roadways.
2.8 Rural character of the land along regional roads should be maintained.	-	-	N/A
2.9 Density bonuses and design flexibility are encouraged to allow cluster development.		-	N/A
2.10 Neighborhood commercial uses should be confined to the community centers or plazas.	p		This is not a typical neighborhood commercial use and is appropriate for this area.
2.11 Future development should have adequate facilities such as parkland, schools, and police protection, to support the new development. (Community-wide strategy.)	✓	-	This site will be adequately served by existing facilities.
2.12 Land that has direct access to the expressway should be designated for light industry, office or commercial use.	✓	-	This site is on the corner of Central College and State Route 605 and has a direct connection to the highway via New Albany Road East.

3.0 General Development Standards	Yes	No	Comments
3.1 Open Space			
3.1.1 Strategies to preserve and maximize open space.	-	-	N/A
3.1.2 Maintain major stream corridors in their natural state or allow such state over time.	-	-	NA
3.1.3 Construct pathways through stream corridors.	-	-	NA
3.1.4 Rural road open space should be left in its natural wooded state, be allowed to revert to that state, or remain as farmland or grassland.	-	-	NA
3.1.5 Open space should connect with stream and rural road spaces and with each other.	-	-	N/A
3.1.6 Maximum lot coverage of buildings and parking lots shall not exceed 70%.	✓	-	Maximum lot coverage is 50%
3.2 General Landscape, Screening & Buffering			
3.2.1 Street trees on both sides of new public and private streets at a maximum separation of 30 feet apart, unless tree groupings (of equal quantity) are more practical.	✓	-	The proposed text commits to installing street trees with a separation of 30 feet.
3.2.2 Preserve or replace hedgerows on rural roads and arterials. Within rural road setback, provide 4 trees/100 lineal feet in natural hedgerow manner. Mix of 2” caliper trees.	✓	-	This is not a rural road and the applicant is providing hedgerow screening for parking.
3.2.3 Landscaping within the setback along roadways should appear natural in character.	✓	-	The installation of street trees and existing landscaping enhances the character of the site.
3.2.4 Site layout should avoid unnecessary destruction of wooded areas. Attempt to preserve existing trees and tree rows.	✓	-	The proposed text commits to preserve the existing trees between the proposed parking lot and existing building.
3.2.5 Landscape designs reviewed by registered landscape designer or architect.	✓	-	The proposed text requires a final development plan to be reviewed and approved prior to construction, at such time the City’s Landscape Architect will review the proposed site landscaping features.
3.2.6 Minimum size at installation shall be 2” caliper for deciduous shade and ornamental trees and 6’ high for evergreen trees. Landscaping requirements may be waived if healthy plant material within the setback area is preserved.	✓	-	The proposed zoning text is meeting these requirements.
3.2.7 Headlight screening of parking lots should be a minimum of 4 feet high.	✓	-	The text is meeting this requirement.
3.2.8 Mounding for screening purposes are usually 4’ foot high having a 3:1 slope beginning at the setback line, a 5’ wide crest, and sloping gently to the R.O.W. line. Mounds should be landscaped with a mix of shrubs, deciduous, evergreen, and ornamental trees.	-	-	N/A – No Mounding
3.3 Lighting			
3.3.1 Fully shielded, cut-off lighting used.	✓	-	All proposed lights are cut-off and fully shielded.
3.3.2 Security lighting is “motion sensor” type.	✓	-	Applicant states all security lighting will be motion sensor type.
3.3.3 Outdoor light poles do not exceed 30 feet.	✓	-	The proposed text states lighting will be a maximum of 18 feet.
3.3.4 All wiring is underground.	✓	-	Proposing all new utilities to be underground utilities
3.3.5 All external outdoor lighting fixtures are similar.	✓	-	All parking lot lighting is proposed to be downcast and cut-off, as well as all building lighting to be installed on the first floor only and not uplight the building.
3.3.6 Ground mounted lighting is shielded and landscaped.	✓	-	No landscaping or building up-lighting is permitted.
3.4 Roadways			
3.4.1 Roadways should follow the Roadway Plan.	✓	-	
3.4.2 Appropriateness of street light fixture, type, and light level of the luminaire.	-	-	N/A
3.4.3 Size and use of streets should be consistent with Accord.	✓	-	The text meets all right-of-way and street width requirements.

4.0 District Development Standards	Yes	No	Comments
4.1 Village Mixed Use			
4.1.1 The mixed-use area is envisioned to have a diversity of commercial and attached residential uses in close proximity to each other.	p	-	Residential is not planned for this site, but the proximity of the site to existing and future residential development creates mixed-use feel within the area. Additionally the building is zoned for a diverse commercial uses.
4.1.2 A wide variety and combination of land uses are permitted in this district including retail, restaurants, administrative business and professional office, research facilities, personal and consumer services, and attached and single family residential.	✓	-	The proposed zoning text is limited to a single site with 1 existing building however the applicant is providing a variety of uses to be permitted in this zoning district.
4.1.3 Base density of 8,000 sq. ft. per acre, with an increase to 10,000 sq. ft. per acre with strict adherence to development standards	✓	-	The existing building is less than 8,000 sq ft.
4.1.4 Residential uses may not exceed 35% of mixed-use area.	-	-	N/A
4.1.5 Base density is 1.5 units per acre, with a density bonus of up to 6.0 dwelling units per acre net (not more than 3.0 dwelling units per acre gross) with strict adherence to the development standards.	-	-	N/A
Village Mixed Use Streets			
4.1.7 The maximum length of a block is 500 feet.	-	-	N/A
4.1.8 The primary town arterial street should have a 110 foot right-of-way with a landscaped median.	-	-	N/A
4.1.9 Arterial streets may be two-way with diagonal on-street parking on the retail side of the street.	-	-	N/A
4.1.10 The streetscape should include deciduous street trees planted 40 feet on center.	✓	-	The applicant exceeds this standard by providing street trees every 30 feet.
4.1.11 All power and communication utility lines should be underground.	✓	-	The zoning text states all utilities will be installed underground.
4.1.12 Decorative street lighting should be provided.	-	-	N/A
4.1.13 Sidewalks, other than in retail areas, should be four feet wide and located a minimum of ten feet behind the curb.	✓	-	The applicant is providing additional 8 ft asphalt leisure trail connection.
4.1.14 In retail areas, the sidewalk should extend generally from the back of curb to the “build to” line to create a wide comfortable pedestrian area in front of the buildings.	✓	-	Applicant is proposing within the text to have at least one concrete sidewalk between the front door and parking areas.
4.1.15 The rural 250-foot setback does not apply in this district.	✓	-	The applicant is providing a setback less than 250 feet from Central College Road.
4.1.16 Narrower streets are encouraged, where appropriate to protect a pedestrian friendly scale.	-	-	N/A—this is an existing road.
Parking			
4.1.16 Parking areas should be located behind buildings. Diagonal on-street parking should be provided in front of buildings for retail uses only.	p	-	Parking spaces do not exceed past the front of the building however it is located in the side yard.
4.1.17 Parking should be consolidated into public parking lots behind the buildings. Private parking areas for individual commercial uses should be discouraged. Shared parking between individual commercial, retail and residential uses is encouraged.	p	-	Parking that is being provided on site could be shared with other sites in the future.
4.1.18 The following parking ratio requirements should not be exceeded: • Retail: 1 space per 250 gross square feet	p		The Accord is silent on parking for this type of use. New Albany City Code states that 1 space per 75 square feet shall be provided for

<ul style="list-style-type: none"> • Office: 1 space per 250 gross square feet • Residential: 2 spaces per unit. <p>These parking ratios should be used in designing parking areas for mixed-use development for which shared parking is encouraged to reduce parking areas.</p>			this use type. The applicant is providing 1 space for every 80 square feet. Staff believes that this is appropriate.
4.1.19 Bicycle parking should be conveniently provided at the front and/or rear of all buildings.	✓	-	Providing commitment to be located on site.
4.1.20 Parking areas located behind buildings should contain curbed landscaped spaces with deciduous trees. These landscaped areas shall amount to not less than five percent of the vehicular use area and be located throughout the parking area to minimize the visual impact.	✓	-	The applicant is meeting this requirement.
4.1.21 Parking lots should be screened from all public right-of-way, residential areas and open space by a 4-foot (48”) minimum evergreen hedge or masonry wall.	✓		The text is meeting this requirement.
4.1.22 When abutting dissimilar uses, a minimum shared 25-foot buffer zone shall be maintained.	-	X	A buffer zone does exist however it is less than the recommended 25 feet ranging between five and ten feet.
Civic / Public Space			
4.1.21 Common open spaces and/or public greens that are framed by buildings are encouraged.	-	-	N/A
4.1.22 For residential uses, a minimum of 20 percent of the gross site area will be set aside as publicly accessible open space. This open space must be fronted on at least two sides by a public street.	-	-	N/A
Site Orientation			
4.1.23 For retail uses along Central College Road, a “build to” line should be established ten feet back from the street right-of-way, which provides for a 30 foot wide setback from the curb with sidewalk and street trees. At least 80 percent of the building elevation must be constructed to the “build to” line.	-	-	This is an existing, historic building.
4.1.24 For office and residential uses, a “build to” line should be established 50 feet from the street right-of-way.	-	-	N/A
4.1.25 Attached and/or multi-tenant buildings are encouraged. Excessive gaps and non-usable spaces between buildings are discouraged.	-	-	N/A
4.1.26 When open spaces between buildings occur, pedestrian connections should be established between the rear parking area and the sidewalk in front of the building.	-	-	The text is only allows the existing building to remain on site.,
4.1.27 Buildings and individual establishments (i.e. shops, stores, offices) should have front and rear entrances whenever possible.	✓	-	This is an existing building with one front entrance and one side entrance. The applicant is proposing to add one new side entrance.
Architecture			
4.1.28 The massing and architectural detailing of buildings should be stronger and more prominent at corner locations.	-	-	N/A – Existing Building
4.1.29 Individual building length should not exceed 200 feet. Building height should be a minimum of two stories and not exceed three stories.	--	-	N/A – Existing Building
4.1.30 Sloped or pitched roofs are encouraged. Flat roofs are allowed only with highly detailed or decorative cornices.	-	-	N/A – Existing Building
4.1.31 The maximum use of see-through glass is encouraged on the street level of buildings. Reflective, opaque and non-translucent building materials are discouraged at street level. Operable recessed windows on all building levels are encouraged.	-	-	N/A- Existing Building
4.1.32 The rear elevation of buildings facing the parking areas should be designed in a coordinated manner with high quality building materials, lighting and signage. Rear entrances should be attractively designed. Loading and refuse areas should be consolidated, shared and	-	-	N/A – Existing Building

attractively and completely screened.			
4.1.33 Building materials should be traditional and natural such as brick, stone, wood, and glass.	-	-	N/A – Existing Building
4.1.34 Storefronts should relate directly and clearly to the street. Extensive use of glass is encouraged for storefronts.	-	-	N/A – Existing Building
4.1.35 The building height should not exceed two and one half stories in appearance. The minimum building height should be no less than one and one half stories in appearance.	-	-	N/A – Existing Building.
4.1.36 Architectural massing shall be broken up to maximize a village scale.	-	-	N/A – Existing Building
4.1.37 Any side of a building which faces a public right-of-way, or green shall be of compatible material in style as the other sides of the building.	-	-	N/A – Existing Building
4.1.38 For multi-family residential developments, garage doors shall not face the street.	-	-	N/A—Existing Building



FILE COPY

Community Development Department

Planning Application

RECEIVED
DEC 16 2019
Case # ZC-107-2019
Board _____
Mtg. Date _____

Project Information

Site Address 6678 Central College Rd., and New Albany Condit Rd.
Parcel Numbers 222-001983 and 222-001991
Acres 0.93 +/- Acres # of lots created _____

Choose Application Type	Circle all Details that Apply			
<input type="checkbox"/> Appeal				
<input type="checkbox"/> Certificate of Appropriateness				
<input type="checkbox"/> Conditional Use				
<input checked="" 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	

Description of Request: Request to rezone the subject property to I-PUD, Infill Planned Unit Development from its current zoning of AG, Agricultural. Review and approval by RFBA.

Contacts

Property Owner's Name: Lions Club of New Albany Community Center, Inc., c/o Aaron L. Underhill
Address: Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260
City, State, Zip: New Albany, Ohio 43054
Phone number: 614.335.9320 Fax: 614.335.9329
Email: aaron@uhlawfirm.com

Applicant's Name: TFTFP LLC, c/o Aaron L. Underhill
Address: Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260
City, State, Zip: New Albany, Ohio 43054
Phone number: 614.335.9320 Fax: 614.335.9329
Email: aaron@uhlawfirm.com

Signature

Site visits to the property by City of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives, employees and appointed and elected officials to visit, photograph and post a notice on the property described in this application. I certify that the information here within and attached to this application is true, correct and complete.

By: *Aaron L. Underhill*
Signature of Owner Aaron L. Underhill, attorney for owner Date: 12/16/19
By: *Aaron L. Underhill*
Signature of Applicant Aaron L. Underhill, attorney for applicant Date: 12/16/19

November 20, 2019

TFTFP LLC
Attn: Brian Hamrick
2020 Thistlewood Drive
Columbus, Ohio 43235

Re: Consent to file rezoning application

Dear Brian:

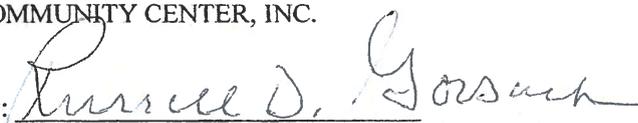
Please accept this letter as providing you and your attorney, Aaron L. Underhill of Underhill & Hodge LLC, with permission to file a rezoning application with the City of New Albany pertaining to our property located at 6678 Central College Road and 0 New Albany-Condit Road in New Albany, Ohio and being Franklin County parcel numbers 222-001983 and 222-001991.

This letter may be presented to the City if necessary to provide evidence of our consent.

Sincerely,

LIONS CLUB OF NEW ALBANY
COMMUNITY CENTER, INC.

By:


Print Name: RUSSELL D. GORSUCH
Title: BOARD MEMBER

Date: November 26, 2019

APPLICANT:

TFTFP LLC
c/o Aaron L. Underhill
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, OH 43054

PROPERTY OWNER:

Lions Club of New Albany
Community Center, Inc.
P.O. Box 233
New Albany, OH 43054

ATTORNEY:

Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, OH 43054

SURROUNDING PROPERTY OWNERS:

New Albany Co LP
5906 East Dublin Granville Road
New Albany, OH 43054

Discover Properties LLC
2500 Lake Cook Road
Riverwoods, IL 60015

Jennifer Haag
1303 Poppy Hills Drive
Blacklick, OH 43004

Larry Piper
6690 Central College Road
New Albany, OH 43054

Frederick Myers and Judy Doran
6696 Central College Road
New Albany, OH 43054

Robert and Roseanne Verst
5772 Buckeye Parkway
Grove City, OH 43123

The New Albany Company LLC
8000 Walton Parkway, Suite 120
New Albany, OH 43054



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

P: 614.335.9321
F: 614.335.9329
aaron@uhlfirm.com

December 16, 2019

Stephen Mayer
Development Service Manager
City of New Albany
99 West Main Street
New Albany, Ohio 43054

RE: School Impact of Zoning of 0.93+/- acres located at the northeast corner of the intersection of Central College Road and New Albany-Condit Road in New Albany, Ohio (the "Property")

Dear Steve:

This letter accompanies an application to rezone the Property from an AG, Agricultural designation to an I-PUD, Infill Planned Unit Development designation to repurpose an existing building, historically used as a church, for the limited purpose of allowing a restaurant use in accordance with the limits set forth in the accompanying zoning text. The property consists of 0.93+/- acres located in the New Albany-Plain Local School District. The purpose of this letter is to analyze the impact of this zoning on this school district.

As this rezoning will not allow for residential development and instead adds only a commercial use, it will result in no new financial burdens on the school district and provide a new revenue source for them.

The obvious positive financial impact of developing the Property alleviates the need to undertake a detailed analysis of the impact the development would have on the local school district. In general terms, the rezoning will permit the development of the Property with a non-residential use, which will provide the school with a substantial financial benefit. This zoning will add significant value to the land and will provide the means to provide additional value by way of improvements.

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

Sincerely,

Aaron L. Underhill
Attorney for the Applicant

**CENTRAL COLLEGE DINING
ZONING DISTRICT**

**Information concerning specific Code requirements for
rezoning submittal by TFTFP, LLC**

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

Response: The proposed zoning amendment will have minimal impact on adjacent and proximate properties. Land surrounding the subject property is zoned for both commercial and residential uses. This rezoning is intended to repurpose an existing building historically used as a church for the limited purpose of allowing a restaurant use in accordance with the limitations in the zoning text.

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

Response: None.

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

Response: Upgrades to the site will begin in the summer of 2020, dependent upon receipt of zoning and final development plan approvals and relevant permits.

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

Response: No such applications/permits are required.

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

Response: No such applications/permits are required.

Legal Description
For Central College Dining District

Parcel I (222-001983-00):

Situated in the State of Ohio, County of Franklin and in the City of New Albany:

In the southeast Quarter of Section 8, Township 2, Range 16, U.S.M. Lands and being a part of the 110.268 acre tract conveyed to Helen S. and Paul A. Baker by Deed of record in Deed Book 1338, Page 620, Recorder's Office, Franklin County, Ohio, said part being more particularly described as follows:

Beginning at an iron pin at the southwest corner of said Quarter-section and in the center line of Harbaugh Road 219.80 feet to a spike; thence north parallel to the center line of Davis Road 247.72 feet to an iron pin, passing an iron pin at 30.00 feet; thence west, parallel to Harbaugh Road 219.80 feet to a spike in the center line of Davis Road, passing an iron pin at 189.80 feet; thence South with the center line of Davis Road 247.72 feet to the place of beginning, containing 1.25 acres.

Parcel II (222-001991-00):

Situated in the State of Ohio, County of Franklin and in the City of New Albany:

In the southeast Quarter of Section 8, Township 2, Range 16, U.S.M. Lands and being a part of the 110.268 acre tract conveyed to Helen S. and Paul A. Baker by Deed of record in Deed Book 1338, Page 620, Recorder's Office, Franklin County, Ohio, said part being more particularly described as follows:

Beginning at a point in the center line of the Central College Road, which point is distant 219.8 feet easterly from the intersection of the center lines of the Central College Road and Davis Road (State Route 605); said point of beginning being also the southeast corner of a 1.25 acre tract owned by the Franklin E. U. B. Church; thence in a northerly direction along the east line of said 1.25 acre tract and parallel with the center line of Davis Road a distance of 247.72 feet to a point, the same being at the northeast corner of said 1.25 acre tract; thence easterly, parallel with the center line of the Central College Road a distance of 97.0 feet to a point; thence southerly, parallel with the center line of Davis Road a distance of 247.72 feet to the center line of the Central College Road; thence westerly along the center line of the Central College Road a distance of 97 feet to the place of beginning, which place of beginning is marked by an iron pin, containing 0.55 acres, more or less.

Less and excepting:

Situated in the State of Ohio, County of Franklin, Village of New Albany, located in Section 8, Township 2, Range 16, United States Military Lands, and bounded and described as follows:

**PARCEL NO. 4WD
FRA-605-0.96**

Being a parcel of land lying on the right side of the centerline of a survey of FRA-605-0.96 made by EVANS, MECHWART, HAMBLETON & TILTON, INC. in 1998 and 2003, under the supervision of Jeffrey A. Miller, Registered Surveyor No. 7211, and recorded in Book _____, Page _____, of the records of Franklin County and being located within the following described points in the boundary thereof:

Beginning at Franklin County Engineer's Monument No. 5113 found at the centerline intersection of New Albany-Condit Road (State Route 605) with Central College Road (Centerline New Albany-Condit Road Station 1+919.274 and Centerline Central College Road Station 2+000.000) and being a southwesterly corner to Grantor's tract;

thence North 03° 31' 16" East, with the centerline of said New Albany-Condit Road and Grantor's westerly line, a distance of 38.387 meters (125.94 feet) to a railroad spike (Centerline New Albany-Condit Road Station 1+957.661);

thence North 03° 44' 43" East, continuing with the centerline of said New Albany-Condit Road and Grantor's westerly line, a distance of 11.515 meters (37.78 feet) to a point (Centerline New Albany-Condit Road Station 1+969.176) at Grantor's northwesterly corner and at the southwesterly corner of that 0.453 acre tract conveyed to Raymond E. Kaylor and Lori A. Kaylor of record in Official Record 29344D08;

thence South 86° 13' 29" East, with a line common to Grantor's tract and said 0.453 acre tract, a distance of 12.192 meters (40.00 feet) to an iron pin set (12.192 meters (40.00 feet) right of Centerline New Albany-Condit Road Station 1+969.170);

thence across Grantor's tract and with the existing easterly right-of-way line, the following courses:

South 03° 44' 43" West, a distance of 11.547 meters (37.88 feet) to an iron pin set (12.192 meters (40.00 feet) right of Centerline New Albany-Condit Road Station 1+957.575 (Back), 12.192 meters (40.00 feet) right of Centerline New Albany-Condit Road Station 1+957.623 (Ahead));

South 03° 31' 16" West, a distance of 13.997 meters (45.92 feet) to an iron pin set (12.192 meters (40.00 feet) right of Centerline New Albany-Condit Road Station 1+943.578) at a point of curvature to the left;

thence southeasterly, with the arc of said curve, having a central angle of 89° 48' 42", a radius of 12.192 meters (40.00 feet), and an arc length of 19.111 meters (62.70 feet), with the

PARCEL NO. 4WD
FRA-605-0.96

-2-

proposed easterly right-of-way line for New Albany-Condit Road, a chord bearing and distance of South 41° 23' 05" East, 17.214 meters (56.48 feet) to an iron pin set (12.192 meters (40.00 feet) left of Centerline Central College Road Station 2+024.304) at a point of tangency in the existing northerly right-of-way line for Central College Road;

thence South 03° 42' 34" West, across Grantor's tract, a distance of 12.192 meters (40.00 feet) to the centerline of Central College Road and Grantor's southerly line (Centerline Central College Road Station 2+024.304);

thence North 86° 17' 26" West, with Grantor's southerly line and said centerline, a distance of 24.304 meters (79.74 feet) to the *Point of Beginning*, containing 0.079 hectare (0.195 acre), more or less, of which 0.075 hectare (0.187 acre) lies within the existing roadway occupied, and located in Auditor's Parcel Number 222-001983.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Bearings are based on the Ohio Lambert (South) Coordinate System as established by the National Geodetic Survey, North American Datum of 1983 (1986 Adj.). Control for bearings are from FCGS Monument Numbers 5211 and 5113, having a bearing of South 86° 08' 40" East.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Grantor claims title by Deed Book 2985, Page 9 in the records of the Recorder's Office, Franklin County, Ohio.

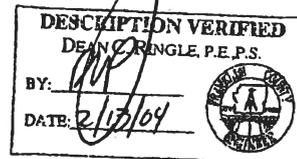
EVANS, MECHWART, HAMBLETON & TILTON, INC.



Jeffrey A. Miller
Registered Surveyor No. 7211

0-74-G
SPLIT 0.187 ACRES
OUT OF (222)
1983

SLIT 0.187 ACRES
OUT OF (222) 1983



Situated in the State of Ohio, County of Franklin, Village of New Albany, located in Section 8, Township 2, Range 16, United States Military Lands, and bounded and described as follows:

**PARCEL NO. 4-WDV (formerly 4WV)
FRA-605-0.96**

Being a parcel of land lying on the right side of the centerline of a survey of FRA-605-0.96 made by EVANS, MECHWART, HAMBLETON & TILTON, INC. in 1998 and 2003, under the supervision of Jeffrey A. Miller, Registered Surveyor No. 7211, and recorded in Book _____, Page _____, of the records of Franklin County and being located within the following described points in the boundary thereof:

Beginning, for reference, at Franklin County Engineer's Monument No. 5113 found at the centerline intersection of New Albany-Condit Road (State Route 605) with Central College Road (Centerline New Albany-Condit Station 1+919.274 and Centerline Central College Station 2+000.000) and being a southwesterly corner to Grantor's tract;

thence South 86° 17' 26" East, with the centerline of said Central College Road and Grantor's southerly line, a distance of 24.304 meters (79.74 feet) to a point (Centerline Central College Road Station 2+024.304), and being the *True Point of Beginning*;

thence North 03° 42' 34" East, across Grantor's tract, a distance of 12.192 meters (40.00 feet) to an iron pin set in the existing northerly right-of-way line for Central College Road (12.192 meters (40.00 feet) left of Central College Road Station 2+024.304);

thence South 86° 17' 26" East, across Grantor's tract and with said existing northerly right-of-way line, a distance of 64.798 meters (212.59 feet) to an iron pin set (12.192 meters (40.00 feet) left of Central College Road Station 2+089.101);

thence across Grantor's tract and with proposed northerly right-of-way line, the following courses:

North 03° 42' 34" East, a distance of 3.048 meters (10.00 feet) to an iron pin set (15.240 meter (50.00 feet) left of Central College Road Station 2+089.101);

South 86° 17' 26" East, a distance of 7.410 meters (24.31 feet) to an iron pin set in Grantor's easterly line and the westerly line of that 1.42 acre tract conveyed to Larry G. Piper of record in Official Record 13054E12 (15.240 meters (50.00 feet) left of Central College Station 2+096.512);

thence South 03° 31' 19" West, with Grantor's easterly line, the westerly line of said 1.42 acre tract, and the westerly line of that 0.037 hectare tract conveyed to the Village of New Albany of record in Instrument Number 199908170208847, a distance of 15.240 meters (50.00 feet) to Grantor's southeasterly corner and the southwesterly corner of said 0.037 hectare tract, in the centerline of Central College Road (Centerline Central College Road Station 2+096.562);

PARCEL NO. 4-WDV (formerly 4WV)
FRA-605-0.96

-2-

thence North 86° 17' 26" West, with Grantor's southerly line and said centerline, a distance of 72.257 (237.06 feet) to the *True Point of Beginning*, containing 0.090 hectare (0.223 acre), more or less, of which 0.088 hectare (0.217 acre) lies within the existing roadway occupied.

Of the above described parcel, 0.052 hectare (0.128 acre) is located in Auditor's Parcel Number 222-001983, of which 0.052 hectares (0.128 acre) lies within the existing right-of-way occupied, and 0.038 hectare (0.095 acre) is located in Auditor's Parcel number 222-001991, of which 0.036 hectare (0.089 acre) lies within the existing right-of-way occupied.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Bearings are based on the Ohio Lambert (South) Coordinate System as established by the National Geodetic Survey, North American Datum of 1983 (1986 Adj.). Control for bearings are from FCGS Monument Numbers 5211 and 5113, having a bearing of South 86° 08' 40" East.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Grantor claims title by Deed Book 2985, Page 9 in the records of the Recorder's Office, Franklin County, Ohio.

EVANS, MECHWART, HAMBLETON & TILTON, INC.



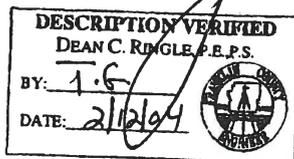
Jeffrey A. Miller 2-17-04
Jeffrey A. Miller
Registered Surveyor No. 7211

SPLIT .128 ACRES OUT OF

(222) 1983

∴
.095 ACRES OUT OF

(222) 1991



HIGHWAY EASEMENT DESCRIPTION

Being situated in Plain Township, Franklin County, State of Ohio and being located in Southeast Quarter Section 8, Township 2, Range 16, United States Military Lands and being part of the 110.268 Acre tract conveyed to Helen S. and Paul A. Baker by deed, recorded in Deed Book 1338, Page 620 and being part of a more recent transaction of 1.80 Acre tract (Parcel I containing 1.25 Acre and Parcel II containing 0.55 Acre) conveyed to Lions Club of New Albany Community Center, Inc. by deed recorded in Deed Book 2985, Page 9. Both deeds recorded in Franklin County Recorder's Office, Franklin County, Ohio

Beginning at an iron pin at the intersection of the centerlines of New Albany-Condit Road (S.R. 605) and Central College Road. Said iron pin marks the southwest corner of the southeast Quarter Section 8.

Thence with the quarter section line and the centerline of New Albany-Condit Road N. $0^{\circ}03'45''$ E. for a distance of 247.72 feet (Passing a spike nail at 163.72 feet, which marks the southwest corner of a 0.453 Acre tract surveyed out of the 1.80 Acre referred to above by Evans-Mechwart-Hambleton-Tilton, Inc. July 8, 1969) to a P.K. Nail at the northwesterly corner of the Lions Club of New Albany Community Center, Inc. Parcel No. I, and the southwesterly corner of the F.L. and J.A. Love 1.5 Acre tract as shown of record in Deed Book 2274, Page 695, recorded in Recorder's Office, Franklin County, Ohio.

Thence with and along the southerly line of said Love 1.5 Acre tract, and the northerly line of the said Lions Club of New Albany Community Center, Inc. Parcel No. 1 EAST for a distance of 40.0 feet (passing an iron pin in the existing East Right-of-Way of S.R. 605 at 30 feet) to a point on line.

Thence with a line parallel to and 40 feet easterly from the centerline of New Albany-Condit Road (measured at right angles to said centerline) S. $0^{\circ}03'45''$ W. for a distance of 207.72 feet (passing the southerly line of above mentioned 0.453 Acre tract at 84.0 feet) to a point that is 40 feet northerly of the centerline of Central College Road.

Thence with a line parallel to and 40 feet northerly from the centerline of Central College Road (measured at right angles to said centerline) EAST for a distance of 276.8 feet (passing the easterly line of 1.25 Acre, Parcel No. I and the westerly line of 0.55 Acre, Parcel No. II of the aforementioned tracts at 179.8 feet, calculated by L. W. Curl) to a point in the East line of said 0.55 Acre Parcel No. II, also the East line of the 1.80 Acre tract.

Thence with the East line of said 0.55 Acre tract and the 1.80 Acre tract S. $0^{\circ}03'45''$ W. for a distance of 40.0 feet (passing an iron pin called for in Deed of 1.8 Acre in the northerly Right-of-Way line of Central College Road at 10 feet) to an iron pin (called for in Deed of 1.8 Acre) in the centerline of Central College Road at the southeast corner of the said 1.80 Acre tract and the 0.55 Acre tract, Parcel II.

Thence with and along the centerline of Central College Road and the southerly line of said 1.80 Acre tract, also the southerly lines of 0.55 Acre (Parcel II) and 1.25 Acre (Parcel I) WEST for a distance of 316.80 feet (passing the West line of said 0.55 Acre tract at 97 feet) to the beginning containing 0.482 Acre of land more or less of which 0.361 Acre is in the present Right-of-Way of both New Albany-Condit Road (S.R. 605) and Central College Road.

HIGHWAY EASEMENT DESCRIPTION

Page 2

The foregoing Highway Easement Description was prepared by L. W. Burl, Assistant Engineer to Franklin County Engineer, July 22, 1969 from copy of description of 1.80 Acre out of the Abstract of Title, and from the copy of description for deed purpose and Plat of Survey by Evans-Mechwart-Hambleton-Tilton, Inc., furnished to Franklin County Engineer's Office.

CENTRAL COLLEGE DINING DISTRICT
I-PUD
January 9, 2020

The Central College Dining District (the “Zoning District”) consists of 0.93+/- acres located to the northeast of and adjacent to the intersection of Central College Road and State Route 605. The property is developed with a historic church building which over the years has been used for religious purposes and as a meeting place for the Lions Club. The purpose of this zoning is to provide for an adaptive reuse of the building with modifications to the site to accommodate the new use. More specifically, this zoning will allow for the operation of a restaurant, brewery, and/or winery (or some combination thereof), with food service to be provided by means of food trucks as more specially detailed in this text.

The intent of this zoning is to provide a narrowly tailored set of regulations to provide for the productive use of a property that is historically significant but has been underutilized. This property is subject to the Rocky Fork Blacklick Accord Community Plan, and the existing building (referenced as *circa* 1836) appears first on the Plan’s historic inventory of structures (see Page 7 of the Plan). The proposed use provides for a creative repurposing of the structure which will allow for it to remain on the site. The applicant intends to remodel and update the interior of the building, preserve and restore its interior, and to restore the exterior aesthetics. The use is intended to provide a dining option that is unique not only to New Albany but to central Ohio in general, and seeks to provide an atmosphere that is conducive to families and community gathering.

I. DEVELOPMENT STANDARDS:

A. Generally: Unless otherwise specified in the submitted drawings or in this written text, the development standards of Part Eleven, Title Five of the Codified Ordinances of the City of New Albany shall apply to this Zoning District. In the event of a conflict between the standards contained in this text and those which are contained in the Codified Ordinances, this text shall govern. Where this text is silent on any standard, the standard contained in the Codified Ordinances shall be applied.

B. Permitted Uses: The following uses shall be permitted in this Zoning District:

1. One “Specialty Dining Facility”, defined to mean “a dining establishment that is permitted to have a kitchen only if it does not include a ventilation/exhaust hood for cooking, which such establishment provides interior and exterior dining areas for consumption of food prepared in food trucks (such term being defined below), and which may include the sale of alcohol for on-site consumption and may also include a micro-brewery and/or winery.” Micro-breweries and wineries shall be operated in a manner that primarily serves patrons and customers that will consume alcoholic beverages on-site, but such uses shall be permitted to sell such beverages for off-site consumption on a limited basis. Production of beer will occur less frequently than daily and will be

accessory and secondary to the primary purpose of the Specialty Dining Facility, which is to provide food and beverage service. Production of significant quantities of beer is not intended and shall be prohibited.

2. “Food Trucks”, defined to mean “a licensed and operable motor vehicle or trailer with a kitchen where food is prepared primarily for on-premise consumption within a specialty dining facility and for limited off-premise consumption, which such vehicle or trailer is intended to be transient and operated temporarily within this Zoning District.”

3. Churches and other similar religious facilities.

4. Administrative (but not medical) office uses.

C. **Setbacks**: The following setback requirements shall apply to this Zoning District:

1. **State Route 605**: There shall be a minimum pavement and building setback of 30 feet from the right-of-way of State Route 605.

2. **Central College Road**: There shall be a minimum pavement and building setback of 15 feet from the right-of-way of Central College Road. An existing or redesigned stoop or steps at the entry into the building shall be permitted to encroach a maximum of 5 feet into the minimum required setback. A limited portion of the parking lot shall be permitted to encroach into the minimum pavement setback for a distance of no more than 1-foot to provide a maneuvering area for vehicles.

3. **Northern Perimeter Boundary**: There shall be a minimum building setback of 30 feet from the northern perimeter boundary line of this Zoning District. There shall be a minimum pavement setback of 5 feet from the northern boundary line of this Zoning District, except in the northeastern portion of the site, where the minimum pavement setback shall be 10 feet.

4. **Eastern Perimeter Boundary**: There shall be a minimum pavement setback of 10 feet and a minimum building setback of 100 feet from the eastern perimeter boundary line of this Zoning District.

5. **Western Perimeter Boundary Not Adjacent to Right-of-Way**: There shall be a minimum pavement setback of 10 feet from the western perimeter boundary line of this Zoning District that is not adjacent to State Route 605. A dumpster and related enclosure shall be located a minimum of 5 feet from this boundary line. No buildings shall be permitted to be constructed between that perimeter boundary line and the eastern perimeter boundary line of this Zoning District.

6. **Food Truck Zone**: A “Food Truck Zone” is shown on the accompanying preliminary development plan. Food Trucks shall be permitted to be parked and operated only within the Food Truck Zone, except during “special events” as

contemplated in Section I.D.2. The final location and configuration of the Food Truck Zone shall be reviewed and approved as part of a final development plan, provided, however, that the location and configuration shall be approved if it does not encroach into the minimum pavement setback from the northern perimeter boundary line of this Zoning District and does not increase in area from that which is shown in the preliminary development plan by more than 15%. The Food Truck Zone shall be paved using asphalt or concrete, as determined at the time of final development plan approval.

D. Operational Requirements: The following operational requirements shall apply to Food Trucks.

1. No more than two (2) Food Trucks may be operated within this Zoning District any one time, except that during special events a third Food Truck shall be permitted to be operated from within no more than three (3) parking spaces located generally adjacent to the Food Truck Zone.

2. Food Trucks shall not be parked within the Zoning District overnight. Food Trucks shall be permitted to be operated only from 10:00 AM to 10:00 PM, except that during “special events” such operations may extend to 11:00 PM. The building and outdoor deck shall not be subject to these time limitations. “Special events” shall be defined to mean a one-time event or infrequently occurring event which consists of operations or activities that are an extension of a Special Dining Facility use but provide extra ancillary activities that may lead to increased activity on the site as compared to times of normal and customary business operations. Examples include, but are not limited to, gatherings of private groups for special occasions (such as wedding receptions) or events that invite the general public to participate in special activities or to celebrate holidays such as Independence Day, Memorial Day, Labor Day, etc.” No more than two (2) such special events that are not being held for private groups shall be undertaken in the same calendar month.

3. Food Trucks shall be powered using a permanent electric source found within the Zoning District. Outdoor generators shall not be permitted to be used to serve food trucks.

4. Outdoor music shall be played at a volume that is not audible from off-site and is no greater than that generated by background traffic noise in the area.

5. Lights from food trucks shall be directed so as not to spill off-site. Lighting within the cooking and serving spaces of the food truck shall be permitted. Exterior lighting of a food truck shall be limited to the purpose of providing illumination for pedestrian safety.

6. Signage shall be permitted on the exterior of food trucks without a permit being necessary if (a) it is painted on or permanently affixed to the food truck, or (b) consists of a menu or advertisement meant to provide information to on-site customers. Sandwich boards used by food trucks shall be permitted, but no other ground-mounted temporary or permanent signage shall be permitted to identify or otherwise serve food trucks.

7. Food Trucks shall be located a minimum distance of 25 feet from all facades of the existing structure in this Zoning District.

8. At least one trash can/receptacle shall be provided near each food truck in a location that is not visible from adjacent public streets. No liquid waste or grease shall be disposed into sanitary sewers or storm drains.

9. Restroom facilities within the existing building shall be available for use by food truck customers during all times when food trucks are operating.

10. For purposes of illustration only, the photos below demonstrate examples of vehicles and trailers that would meet the definition of a “food truck”:





11. For purposes of clarification and illustration, the following concession operations are not to be considered “food trucks” for purposes of this text and are prohibited from operating within this Zoning District:

- a. So-called “knockdown concessions”, defined to mean “a food preparation area that must be assembled on-site for use and then disassembled for

removal from the site. Such concessions are not contained within a vehicle or structure.” Examples of this type of prohibited concession are provided below:



b. “Catering trucks”, defined to mean “trucks carrying pre-packaged and non-prepackaged hot and cold foods which do not contain a kitchen within the vehicle.” An example of a catering truck is illustrated below:



c. “Mobile Cookers/BBQ Pits”, defined to mean “a cooking device with wheels which does not meet the definition of a food truck. An example of a Mobile Cooker/BBQ Pit is illustrated below:



E. Lot Coverage: There shall be a maximum lot coverage of 50% in this Zoning District.

F. Access, Loading, Parking and Other Traffic Commitments:

1. Vehicular Parking: A minimum of 40 vehicular parking spaces shall be provided to serve the uses which are permitted as contemplated in Section I.B.1 above. Vehicular parking for other permitted uses shall be provided per Section 1167 of the Codified Ordinances unless otherwise approved as part of a final development plan. In the event that a particular use does not have a parking requirement defined by such section of the Codified Ordinances, the Planning Commission shall review and approve the amount of parking required for that use as part of a final development plan taking into account customary parking ratios for similar uses and/or data from the proposed user in support of the number of spaces being provided.

2. Bicycle Parking: A minimum of 10 bicycle parking spaces shall be provided. Locations for and types of these spaces shall be approved as part of a final development plan.

3. Vehicular Access: Vehicular access to this Zoning District shall be provided from one full movement access point on Central College Road.

4. Pedestrian Access: An asphalt leisure trail that is 8 feet in width shall be constructed along the Zoning District's frontage on Central College Road and State Route 605 in locations which are reviewed and approved as part of a final development plan. A concrete private sidewalk of at least 5 feet in width shall be provided to connect the leisure path on Central College Route to the entrance to the existing building. A paved route of pedestrian ingress and egress between the parking area on the site and the existing building and Food Truck Zone shall be located and shall have specifications that are approved as part of a final development plan.

5. Loading and Service Areas: Loading and service areas shall be fully screened from off-site view by the use of walls, fences, and/or landscaping.

G. Architectural Standards:

1. Existing Structure: Only the structure that exists within this Zoning District on the date that this text becomes legally effective will be permitted to be operated. No additional structures shall be permitted to be constructed on the site pursuant to this zoning, it being the intent that construction of any new structures in this Zoning District shall require the approval of another zoning application for this site. In the event of a casualty event and notwithstanding any other relevant provision of the Codified Ordinances, the existing building may be reconstructed in general conformance

with size and the exterior architecture that exists prior to occurrence of the casualty event, as reviewed and approved as part of a final development plan.

2. Enhancements to Existing Structure: Photographs of the existing building, as well as an image demonstrating the architectural intent of upgrades to the existing structure in this Zoning District, accompany this text. Detailed specifications for these upgrades shall be presented for review and approval as part of a final development plan. These enhancements may include, but will not necessarily be limited to, the following:

- a. Painting of the building in a manner that is consistent with its historical character.
- b. Replacements and upgrades to trim.
- c. Construction of a deck adjacent to the east-facing façade of the building, and incorporation of pedestrian doors to provide access to and from the deck.
- d. Enhancements to the entrance into the building which faces Central College Road.
- e. Incorporation of a pedestrian door on the north side and/or east side of the building to provide a means for accepting deliveries and removing trash from the building.

3. Brewery Tank: When a permitted brewery is operated or planned to be operated in this Zoning District, a “Brewery Tank” shall be permitted to be located in southwest quadrant of the Zoning District as generally illustrated on the preliminary development plan. This feature is intended to provide a design element that is unique to the community and serves the additional purpose of identifying the use on the site. In addition, this element shall provide a source of drinking water for bicyclists and pedestrians using the adjacent leisure trail system when temperatures allow. The Brewery Tank shall be permitted to encroach up to 5 feet into the required minimum building setback from State Route 605 but shall not encroach into the minimum required building setback from Central College Road. The Brewery Tank shall not occupy a ground area that is greater than 150 square feet unless otherwise approved in a final development plan. The final design of the Brewery Tank shall be presented for review and approval as part of a final development plan. An example of this feature is as follows (the actual design and aesthetic may vary from this image):



4. Height: The maximum building height (as measured per the Codified Ordinances) shall not exceed 35 feet. The maximum height of the Brewery Tank shall be 15 feet.

H. Buffering, Landscaping, Open Space and Screening Commitments

1. Street Trees: Deciduous street trees shall be required to be planted within the rights-of-way of State Route 605 and Central College Road. These trees shall be spaced shall be planted at the rate of 1 tree per 30 lineal feet on average, provided that where a street tree meeting this spacing requirement would need to be planted in a location that interferes with an existing improvement or an existing preserved tree on the site, it may be relocated so as not to interfere therewith.

2. Fencing Along Rights-of-Way: A four-board white horse fence shall be installed along State Route 605 and Central College Road, except where the sidewalk extending from the leisure trail on Central College Road to the primary building entrance is located and where vehicular access is provided to and from the site.

3. Screening of Parking: Surface parking areas shall be screened in accordance with Codified Ordinances Section 1171.06(b). A 6-foot tall privacy fence and hedgerow of 6-foot tall arborvitae shall be installed to provide screening along the eastern boundary line and the northern boundary line of this Zoning District and along the portion of the western boundary line of this Zoning District which does not abut a public street right-of-way, provided, however, that this fence shall transition to a 4-board white horse fence near State Route 605 as generally shown on the preliminary development plan and as reviewed and approved as part of a final development plan.

4. Recreational and Outdoor Dining Areas: Open spaces within this Zoning District may be utilized for low-intensity recreational and game activities. In addition, seating areas allowing for outdoor dining shall be permitted within green spaces, with locations and using fixtures and/or removable furniture that are reviewed and approved as part of a final development plan.

5. Tree Preservation: Existing trees located between the existing building and the proposed parking lot shall be preserved. 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.

I. Dumpsters, Lighting, Outdoor Display Areas and other Environmental Commitments

1. Mechanical Equipment: Any external mechanical equipment shall be screened at ground level from all adjacent public streets and from properties which are outside of but adjacent to this Zoning District with materials that are similar to or the same as used on the majority of the building, or with fencing or landscaping that achieves complete opacity when viewed from off-site.

2. Service Areas and Dumpsters: Service areas and dumpsters shall be fully screened from off-site view at ground level using walls, fencing, and/or landscaping that achieves completed opacity when viewed from off-site. Exterior storage of materials, supplies, equipment, or products is prohibited.

3. Lighting:

a. Parking Lot Light Poles: Light poles within the parking lot shall not exceed 18 feet in height, shall be cut-off type fixtures, and shall be downcast. Parking lot lighting shall be from a controlled source in order to eliminate light spilling beyond the boundaries of the Zoning District. Parking lot lights shall be turned off each night by no later than 10:30 PM.

b. Street Lighting: One street light shall be provided to the north of the intersection of State Route 605 and Central College Road and a second street light shall be provided to the east of the same intersection in locations that are approved as part of a final development plan, provided that the street light to be provided on State Route 605 generally shall be located across from an existing street light located on the west side of State Route 605. The fixture, color, height, and other specifications for street lighting shall match the existing street light across State Route 605.

- c. No building or landscaping uplighting is permitted within this zoning district.
- d. Fully shielded, cut-off type lighting fixtures shall be required.
- e. Prohibited Lighting: No permanent colored lights or neon lights shall be used on the exterior of any building.
- f. Security Lighting: Security lighting, when used, shall be of a motion-sensor type.
- g. All permanent lighting fixtures, plans, and specifications shall be provided for review and approval of a final development plan.

J. Graphics and Signage Commitments

1. Locations: One wall sign shall be permitted above the primary entrance into the structure in this Zoning District. When a Brewery Tank is utilized on the site, a graphic and text shall be permitted to be located thereon to identify the use of the site. When a Brewery Tank is not utilized, a ground sign shall be permitted to be installed near the intersection of State Route 605 and Central College Road. A secondary directional sign shall be permitted at the access point into the site from Central College Road for the limited purpose of wayfinding for traffic.
2. Specifications: Specifications for signs shall meet relevant provisions of the Codified Ordinances and shall be reviewed and approved as part of a final development plan.
3. Illumination: Signs shall be externally illuminated. Internally illuminated wall-mounted and ground-mounted signage shall be prohibited.
4. Prohibited Signs: No signs shall be painted directly on the surface of the building, wall or fence. No wall murals shall be allowed. No roof signs or parapet signs shall be permitted nor shall a sign extend higher than the roof of a building. No flashing, traveling animated or intermittently illuminated signs or banners, tethered balloons, or pennants shall be used. Temporary interior window advertisements are prohibited, as are streamers, gas filled devices, revolving or rotating signs, and neon signs, and signs.
5. Other Requirements: All signage shall conform to the standards set forth in Section 1169 of the Codified Ordinances, unless otherwise stated above or approved as part of a final development plan.

K. Utilities. All new utilities shall be installed underground.



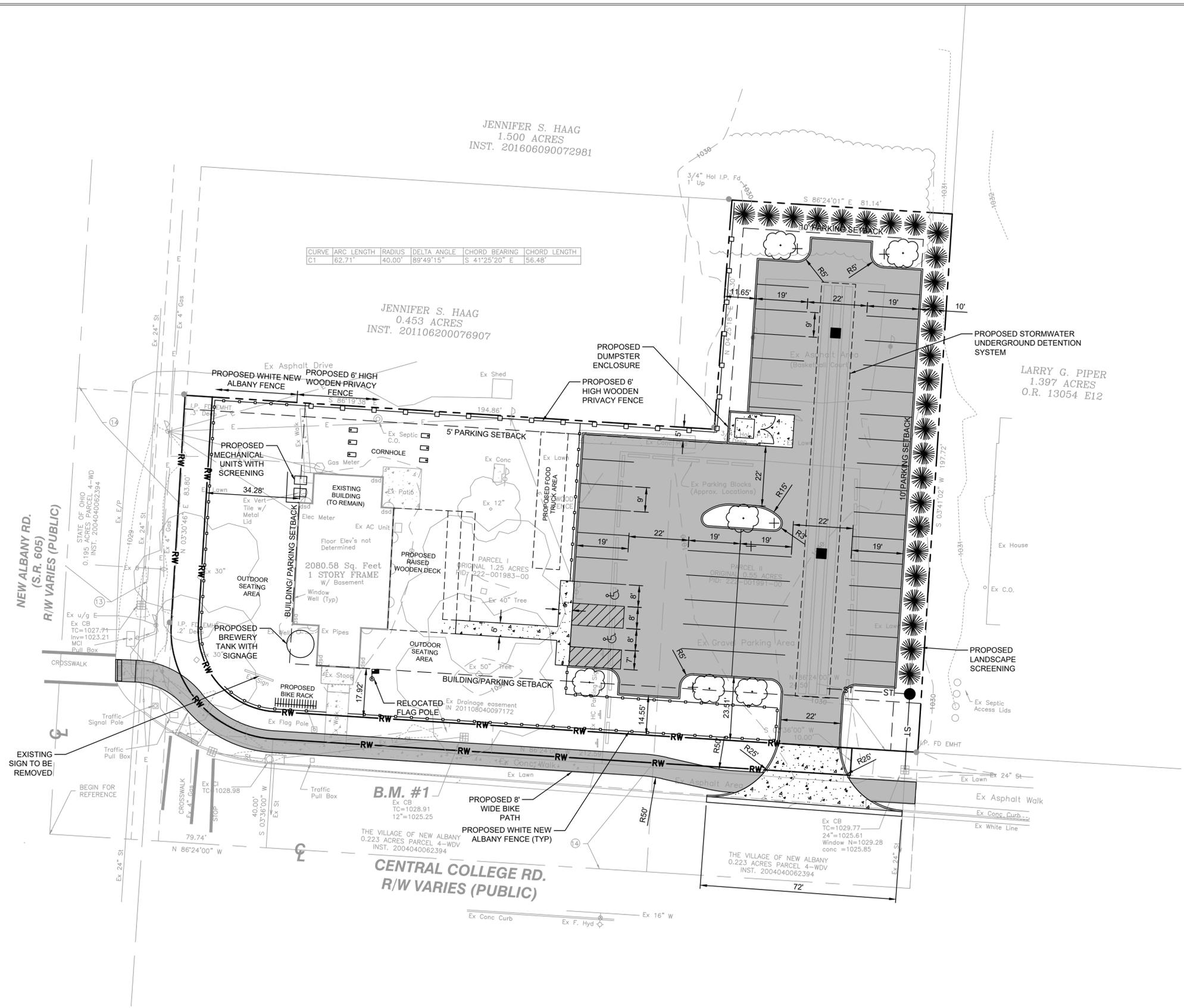
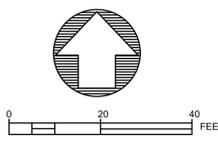








C:\USERS\ELMASIAN\ELMASIAN ENGINEERING, LLC\ONEDRIVE - ELMASIAN ENGINEERING, LLC\ADD\SEI048_SITE.DWG 12/11/2019



SITE DATA

PARCELS: 222-001983-00, 222-001991-00
 ACREAGE: 1.25 AC. (DEED - 222-001983-00)
 +0.55 AC. (DEED - 222-001991-00)
 1.80 AC. (DEED TOTAL)
 0.511 AC. (ACTUAL - 222-001983-00)
 +0.426 AC. (ACTUAL - 222-001991-00)
 0.937 AC. (ACTUAL TOTAL)
 0.94 AC. (ACTUAL)
 -0.85 AC. (PROPOSED)
 0.09 AC. (ROW TO BE DEDICATED)
 0.31 AC. (36.5%) EXISTING IMPERVIOUS
 0.40 AC. (47.1%) PROPOSED IMPERVIOUS
 PARKING SPACES: (43) SPACES INCLUDING (2) ADA ACCESSIBLE



NO.	DATE	REVISION

SITE PLAN
NEW ALBANY BREWERY
 6678 CENTRAL COLLEGE RD NEW ALBANY, OH 43054

DATE: 12/11/2019
 SCALE: 1" = 20'
 SHEET NO.: 2 OF 2
 FILE NO.: SEI048