

  
**New Albany Planning Commission**  
**September 21, 2020 Minutes**

Planning Commission met in regular session in the Council Chambers at Village Hall, 99 W. Main Street and was called to order by Planning Commission Chair Mr. Neil Kirby at 7:01 p.m.

Those answering roll call:

Mr. Neil Kirby, Chair	Present
Mr. Brad Shockey	Present
Mr. David Wallace	Present
Mr. Hans Schell	Present
Ms. Andrea Wiltrout	Present
Mr. Sloan Spalding (council liaison)	Absent

(Mr. Kirby, Mr. Wallace, Mr. Shockey, Mr. Schell, and Ms. Wiltrout present via GoToMeeting.com).

Staff members present: Steven Mayer, Development Services Coordinator (via GoToMeeting.com); Chris Christian, Planner; Mitch Banchefsky, City Attorney (via GoToMeeting.com); and Josie Taylor, Clerk (via GoToMeeting.com).

Moved by Mr. Wallace, seconded by Ms. Wiltrout to table the consideration of approval for the August 17, 2020 meeting minutes until the next regularly scheduled Planning Commission meeting. Upon roll call: Mr. Wallace, yea; Ms. Wiltrout, yea; Mr. Schell, yea; Mr. Kirby, yea; Mr. Shockey, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5 - 0 vote.

Moved by Mr. Wallace, seconded by Mr. Schell to approve the August 3, 2020 meeting minutes. Upon roll call: Mr. Wallace, yea; Mr. Schell, yea; Ms. Wiltrout, yea; Mr. Shockey, abstain; Mr. Kirby, yea. Yea, 4; Nay, 0; Abstain, 1. Motion passed by a 4 - 0 - 1 vote.

Mr. Kirby asked if there were any additions or corrections to the agenda.

Mr. Christian stated none from staff.

Mr. Kirby asked those present who wished to speak before the Planning Commission to state they swore to tell the truth and nothing but the truth. Mr. Kirby asked Mr. Christian to indicate those who would be speaking before the PC this evening.

Mr. Christian stated Mr. Aaron Underhill, Mr. Richard Kolaska, and Ms. Haley Bogatay were present. Mr. Underhill was sworn in and Mr. Kolaska and Ms. Bogatay indicated they were not speaking this evening.

Mr. Kirby asked if there were any persons wishing to speak on items not on tonight's Agenda. (No response.)

**ZC-66-2020 Zoning Change**

**Rezoning of 3.35+/- acres from R-1 and Infill Planned Unit Development (I-PUD) to Infill Planned Unit Development (I-PUD) located at 4093 Reynoldsburg New Albany Road and 6 Hawksmoor Drive for an area to be known as the "Hawksmoor North Zoning District" (PIDs: 222-000630 & 222-004874).**

**Applicant: D&H Hawksmoor Properties Ltd., c/o Aaron Underhill, Esq.**

Mr. Christian stated the applicant had requested this application be tabled until the November 2020 regularly scheduled PC meeting.

Moved by Mr. Wallace to table ZC-66-2020 to the regularly scheduled November 2020 Planning Commission meeting, seconded by Mr. Kirby. Upon roll call vote: Mr. Wallace, yea; Mr. Kirby, yea; Mr. Schell, yea; Ms. Wiltout, yea; Mr. Shockey, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5 - 0 vote.

### **Other Business**

Mr. Kirby asked if there was any Other Business.

Mr. Christian stated none from staff.

### **Poll Members for Comment**

Mr. Kirby requested comments from members.

PC members stated they had no comments.

Mr. Kirby adjourned the meeting at 7:11 p.m.

Submitted by Josie Taylor.

# APPENDIX



## Planning Commission Staff Report September 21, 2020 Meeting

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### HAWKSMOOR NORTH ZONING AMENDMENT

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LOCATION: 4093 Reynoldsburg New Albany Road (PID: 222-000630) and 6 Hawksmoor Drive (PID: 222-004874)  
APPLICANT: D&H Hawksmoor Properties Ltd., c/o Aaron Underhill, Esq.  
REQUEST: Zoning Amendment  
ZONING: R-1 and Infill Planned Unit Development (I-PUD) to Infill Planned Unit Development (I-PUD)  
STRATEGIC PLAN: Neighborhood Residential  
APPLICATION: ZC-66-2020

Review based on: Application materials received August 21 and 31, 2020.

*Staff report completed by Chris Christian, Planner.*

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

The applicant requests review and recommendation to City Council for a proposed zoning change and preliminary development plan. The request is to rezone 3.35+/- acres to Infill Planned Unit Development (I-PUD) from R-1 and Infill Planned Unit Development (I-PUD).

The rezoning area consists of two properties, one along Reynoldsburg New Albany Road and one that is a part of the Hawksmoor subdivision. The applicant's intent is to combine these properties to create a new residential estate lot, subject to similar development standards found in the existing Hawksmoor (I-PUD) zoning text.

The text also provides development standards for a set of accessory structures that are envisioned to be constructed on the property. This area will be known as the Hawksmoor North Zoning District, and will be zoned Infill Planned Unit Development (I-PUD).

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

The overall site consists of two parcels and it is located within Licking County. One parcel fronts onto Reynoldsburg New Albany Road, is zoned R-1 and contains a single family home. The other parcel is located within the Hawksmoor subdivision and is currently vacant. The immediate neighboring zoning districts include the Hawksmoor I-PUD zoning district located south of and encompassing some portions of the district, Section 5 of the New Albany County Club and other residentially zoned and used properties to the east, west and north of this site

#### **III. PLAN REVIEW**

Planning Commission's review authority of the zoning amendment application is found under C.O. Chapters 1107.02 and 1159.09. 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.

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Per Codified Ordinance Chapter 1159.08 the basis for approval of a Preliminary Development Plan in an I-PUD shall be:

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

#### **A. New Albany Strategic Plan**

The 2014 New Albany Strategic Plan lists the following development standards for the Neighborhood Residential District:

1. Houses should front onto public open spaces and not back onto public parks or roads.
2. Houses should be a minimum of 1.5 stories in appearance and a maximum of three stories.
3. Rear and side loaded garages are encouraged. When a garage faces the street, the front façade of the garage must be setback from the front façade of the house.
4. The maximum width of a garage door facing the street is ten feet.

5. Open space should be sited to protect and enhance existing natural features and environmentally sensitive habitats.
6. Neighborhood open spaces and parks should be located within 1,200 feet of all houses. They should vary in size and be easily accessible to pedestrians.
7. Streets should have five-foot wide sidewalks on both sides of the street, other than in locations approved for eight-foot leisure trails.
8. Leisure trails must be established throughout.
9. Deciduous street trees should be planted 30 feet on center.
10. . Primary roads should be designed according to its designated corridor typology.
11. Sidewalks should be located on all internal subdivision streets and leisure trails located along all external roadway frontages with connections from sidewalks to leisure trails.
12. Cul-de-sacs are discouraged in all developments and a multiplicity of connections should be made.

**B. Use, Site and Layout**

1. The immediate neighboring zoning districts include the Hawksmoor I-PUD zoning district located south of and encompassing some portions of the district, Section 5 of the New Albany County Club and other residentially zoned and used properties to the east, west and north of this site.
2. The zoning district currently contains two residentially zoned properties, one along Reynoldsburg New Albany Road which contains a single family home and one undeveloped property located within the Hawksmoor subdivision. The text requires that the properties be combined into one and that one residential dwelling is permitted within the zoning district. The applicant used the existing Hawksmoor zoning district development standards to create the proposed text in order to create a new estate lot on the subject property.
3. In addition to the rezoning application, the applicant submitted a preliminary development plan showing the general locations of the envisioned development on the site. Due to the proposed I-PUD zoning classification the applicant must return to the Planning Commission for review and approval of a final development plan application.
4. In addition to a single family home, the text permits and provides development standards for the following accessory structures. The proposed locations of these structures are identified on the preliminary development plan.
  - o One entry pavilion with a maximum ground area of 250 square feet.
  - o One, up to 300 square foot conservatory used for gardening, entertainment and leisure activities.
  - o One up to 4,000 square foot sports barn used for entertainment space for the residents and guests.
  - o One, up to 1,100 square foot carriage house which will serve as a guest home for visitors of the property.
  - o One, up to 600 square foot well house designed to store mechanical equipment and may contain a picnic area.
5. The text establishes the following setbacks:

<b>Perimeter Boundary</b>	<b>Existing Hawksmoor Text</b>	<b>R-1</b>	<b>Proposed Text</b>
Front (Hawksmoor Drive)	10 foot building setback	50 foot building setback	135 foot building setback. 115 foot pavement.
Rear (Northern Boundary)	30 foot building setback	50 foot building setback	20 foot building setback. 3 foot pavement setback.

Eastern Boundary	10 foot building setback	20 foot building setback	<u>From 605:</u> 130 building setback for carriage house. 50 foot setback for a gated entry feature. 200 foot setback for all other structures.  <u>Not Adjacent to 605:</u> 30 foot setback
Western Boundary	10 foot building setback	20 foot building setback	Minimum 20 foot setback for the entry pavilion. All other structures must be setback at least 100 feet.
Southern Boundary	10 foot building setback	20 foot building setback	20 foot building setback

- At 4093 Reynoldsburg New Albany Road the existing lot north and south lot lines are considered side lot lines. Once this lot is combined with 6 Hawksmoor, the combined lot will have two frontages and will change how the city’s codified ordinances technically define those side lot lines to a rear yard and an undefined lot line. While it may appear as a reduction in the table above, the applicant requests to keep the northern and southern setbacks prior to the lot combination.
- The 130 foot building setback is consistent with the established building setback of homes located within the Hawksmoor subdivision and surrounding area.

**C. Access, Loading, Parking**

1. The text states that an attached garage with a minimum of three spaces will be provided. Additionally, parking is permitted on the portions of the driveway located north of the entry pavilion and west of the carriage house.
2. Parking will be provided per code requirements (Chapter 1167) and will be evaluated at the time of development of the site.
3. There is an existing sidewalk along Hawksmoor Drive and a leisure trail along 605 therefore there are no additional pedestrian connectivity requirements in the text.

**D. Architectural Standards**

1. The proposed rezoning seeks to implement many of the same or improved standards found in the existing Hawksmoor zoning text. The applicant provided conceptual drawings illustrating the desired architectural form for the envisioned structures on the site. Due to the site being zoned I-PUD, the applicant must return to the Planning Commission for review and approval of a final development plan where final architectural details, in addition to other items will be reviewed in detail.
2. Due to the unique nature of the property, the text permits the front façade of the home to face the western property line rather than oriented towards the front of the property (Hawksmoor Drive). The PDP shows a formal gate along State Route 605 which will act as a formal entrance to address this primary corridor. The final landscaping and building design of the Sports Barn will be reviewed during the FDP appropriately addresses the Street 605.
3. The proposed text retains the maximum 45 foot building height for the primary residential home found in the existing Hawksmoor zoning text. All other structures are permitted to have a maximum height of 25 feet which is consistent with the city’s codified ordinances.
4. The proposed text requires all swimming pools and spas to be fully enclosed and screened from adjoining properties and must meet the fencing requirement of C.O. 1173.

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

1. There are existing street trees along Hawksmoor Drive and Reynoldsburg New Albany road therefore there are no additional street tree requirements in the proposed text.
2. There is an existing 5,610 square foot drainage easement, no build zone, and tree preservation zone located at the rear of the existing Hawksmoor parcel that the applicant proposes to modify as part of this rezoning in order to accommodate the envisioned development on this site.
  - a. The text proposes to eliminate 1,800 square feet of the existing 5,610 square foot tree preservation area that was established in 2015 as part of re-subdivision of lot 6 within the Hawksmoor subdivision in order to offset the removal of a tree preservation that ran through the property.
  - b. In order to offset this removal of 1,800 square feet, the text establishes an additional tree preservation zone(s) elsewhere on the property for a total area of 11,210 +/- square feet, nearly doubling the size of the existing tree preservation area.
  - c. The applicant submitted a tree survey that shows the trees that are proposed to be preserved and removed. The survey states that 81 trees will be preserved on the entire site both within and outside of the new preservation zones identified on the PDP. However, the description of the tree preservation zones in the zoning text and accompanying PDP site plan are not consistent. Staff recommends a condition of approval that the preservation zones are clearly identified on the PDP so it is consistent with the zoning text.
  - d. Since the existing 30 foot drainage easement, no build zone, and tree preservation zone along the rear of the property will be removed/vacated, and new one is proposed to be established, in order to formally modify these areas that are recorded with the county auditor, staff recommends a condition of approval plat must be filed along with the final development plan for review to ensure it is consistent with the approved zoning.

#### **E. Lighting & Utilities**

1. *The proposed text retains the lighting provisions of the existing Hawksmoor zoning text.*
2. *All new utilities are required to be installed underground which is consistent with the existing Hawksmoor zoning text.*

#### **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 the following comments. Staff recommends a condition of approval that the City Engineer's comments are met, subject to staff approval.

1. Revise the existing plat for Hawksmoor to show the expanded acreage associated with the proposed Lot 6. Show all preservation zones, proposed and existing easements associated with Lot 6 on the revised plat. Provide drainage easements where applicable. (see Code Section 1159.07(2) B.)
2. Revise the sanitary and street plans for the subdivision to show how water and sanitary service will be provided and how surface drainage will be managed. (see Code Section 1159.07(02) D.)
3. Provide a schedule for site development. (see Code Section 1159.07(02) F.)
4. Provide documentation verifying that all Ohio EPA and Army Corps of Engineers permitting requirement have been addressed. (see Code Section 1159.07(02) J.&K.)

#### **V. RECOMMENDATION**

##### ***Basis for Approval:***

The proposed rezoning is consistent with the residential development strategies of the 2014 New Albany Strategic Plan. The proposed text retains most of the development standards of the

Hawksmoor I-PUD zoning text which will ensure a uniform, consistent development pattern in the immediate area.

While the applicant proposes to eliminate portions of the existing tree preservation zone, additional tree preservation zones are established in the text that will almost double the size of the existing tree preservation area which capitalizes on and protects additional trees on the site as recommended in the New Albany Strategic Plan.

The proposal is sensitive to the established character of the immediate area and compliments the neighboring properties. The text permits several large accessory structures to be built on the site in addition to a single family home which is consistent with the character and general development pattern of the general vicinity. The size of the property is more in kind with the existing estate lots in Hawksmoor to the west and those found across the street in the New Albany Farms subdivision, as it is a larger estate sized lot. Having larger accessory structures on a site is more appropriate than a typical Country Club sized lot. Additionally while there are more accessory structures than permitted by code, they appear to be appropriately located in relation to each other and well laid out from a site planning perspective.

The proposal meets many of the residential development strategies the 2014 New Albany Strategic Plan including:

1. Preserves and contributes to the pastoral character of the community.
2. Capitalizes and protects natural features on the site.
3. Uses high quality architecture and design.
4. Achieves an appropriate density that is consistent with the immediate area.

Overall, the proposed development meets:

1. The rezoning will result in a more comprehensive planned redevelopment of the area and will ensure compatibility between uses (1111.06(a)).
2. The I-PUD rezoning application is an appropriate application for the request (1111.06(e)).
3. The overall effect of the development advances and benefits the general welfare of the community as it provides a consistent, uniform development pattern similar to the surrounding area (1111.06(f)).
4. Today, two homes may be constructed in this area as it is currently split into two properties. The proposed rezoning will only allow one residential home to be constructed on the site, having a positive impact on the school district (1111.06(h)).

Staff recommends approval provided that the Planning Commission finds the proposal meets sufficient basis for approval.

## **VI. ACTION**

### **Suggested Motion for ZC-66-2020:**

To recommend approval to Council of Zoning Change application ZC-66-2020 with the following condition (additional conditions of approval may be added).

1. A final plat must be filed along with the final development plan application.
2. The PDP must be revised so that the preservation zones are clearly and correctly identified on the plan and are consistent with the zoning text.
3. The City Engineer's comments must be addressed, subject to staff approval.



**Approximate Site Location:**

