


New Albany Planning Commission
October 18, 2021 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 7:03 p.m.

Those answering roll call:

Mr. Neil Kirby, Chair	Present
Mr. David Wallace	Present
Mr. Hans Schell	Present
Ms. Andrea Wiltrout	Present
Ms. Sarah Briggs	Present
Mr. Matt Shull (Council liaison)	Present

Staff members present: Steven Mayer, Development Services Coordinator; Chris Christian, Planner; and Josie Taylor, Clerk.

Mr. Shull swore Ms. Briggs in as a member of the Planning Commission.

Moved by Ms. Wiltrout, seconded by Mr. Wallace to approve the September 20, 2021 meeting minutes, as amended per Mr. Kirby's comment regarding the word change from "adaptive" to "active" on additional condition 4 for FDP-83-2021. Upon roll call: Ms. Wiltrout, yea; Mr. Wallace, yea; Mr. Kirby, yea; Mr. Schell, yea; Ms. Briggs, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

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

Mr. Christian stated none from staff.

Mr. Kirby swore all who would be speaking before the Planning Commission (hereafter, "PC") this evening to tell the truth and nothing but the truth.

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

**FDM-106-2021 Final Development Plan
Modification Final Development Plan Modification to the Oxford subdivision to adjust the
planned site orientation of lot 1 at the entry to the subdivision(PID: 222-004696-00). Applicant:
Maletz Development LLC, c/o Andrew Maletz**

Mr. Christian presented the staff report.

Mr. Kirby asked if the applicant wanted to provide comments.

Mr. Tom Rubey, New Albany Company, reviewed the history of this lot and its development. Mr. Rubey also discussed the design of the home and stated he and Mr. Andrew Maletz, the architect on this project, would be happy to answer any questions.

Mr. Kirby asked if the homes on lots 1 and 20 would look like siblings who shared common elements but were not identical.

Mr. Rubey stated yes.

Mr. Kirby stated one of the goals was not to back onto US-62. Mr. Kirby asked if there would still be some landscaping between lot 1 and US-62.

Mr. Rubey stated that existed today.

Mr. Kirby stated it was already there.

Mr. Rubey stated it was already there and would be supplemented, but the initial screening was installed when the subdivision went up.

Mr. Kirby asked if the bike path would loop around this lot.

Mr. Rubey stated yes.

Mr. Kirby stated the least architecturally interesting side of the house, the east elevation, faced US-62.

Mr. Rubey stated architecturally they were most concerned with roof forms, the height of roofs, the roof massing, etc. Mr. Rubey stated the mixture of materials, the shutters, and those things were sufficient.

Mr. Schell asked how significant was the landscaping that was there, would it block the house.

Mr. Rubey stated it would still be seen, but it included mature trees and he believed Mr. Maletz was adding landscaping.

Mr. Maletz stated they were adding additional landscaping for screening purposes and were shooting for 50% obscenity on the lot, which is what it had now.

Mr. Schell asked if it would be mostly trees.

Mr. Maletz stated it would be trees, ornamentals, and evergreens.

Mr. Kirby said the additional landscaping should do a good job buffering the lot.

Mr. Rubey stated yes.

Moved by Mr. Kirby to accept the staff reports and related documents into the record for FDM-106-2021, seconded by Ms. Wilttrout. Upon roll call: Mr. Kirby, yea; Ms. Wilttrout, yea; Ms. Briggs, yea; Mr. Schell, yea; Mr. Wallace, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

Moved by Ms. Wilttrout to approve FDM-106-2021 based on the findings in the staff report, with the conditions listed in the staff report, seconded by Mr. Schell. Upon roll call: Ms. Wilttrout, yea; Mr. Schell, yea; Mr. Wallace, yea; Ms. Briggs, yea; Mr. Kirby, yea. Yea, 5; Nay, 0; Abstain, 0. Motion passed by a 5-0 vote.

Other Business

Mr. Christian stated the City was redesigning the signs used to indicate a property would be rezoned. Mr. Christian stated the signs would now have a QR code that linked to a part of the website that would show proposed projects and re-zonings.

Ms. Wiltrout asked if the projects on the website would be updated.

Mr. Christian stated they would provide information to help the public find such projects.

Ms. Wiltrout stated it should be easy to find.

Mr. Mayer stated the goal was to make information easier to find.

Mr. Kirby asked if anything could be done about how search engines found things as he had tried to locate zoning maps and had located one from 2017.

Mr. Mayer stated he would speak to the IT Manager and the Chief Communications Officer about this.

Mr. Kirby stated they might want to develop a list of terms likely to be searched on and then use that list to ensure when those searches occurred people would locate the most recent information.

Mr. Mayer stated the City had received notice about a rezoning meeting in December which would occur on December 20th, a holiday week. Mr. Mayer asked PC members to indicate their schedules for that week and if they could attend the meeting.

Poll Members for Comment

None.

Mr. Kirby adjourned the meeting at 7:26 p.m.

Submitted by Josie Taylor.

APPENDIX



Planning Commission Staff Report October 18, 2021 Meeting

OXFORD LOT 1 FINAL DEVELOPMENT PLAN MODIFICATION

LOCATION: NACC Section 29—Oxford—Lot 1 (PID: 222-004696-00).
APPLICANT: Maletz Development LLC, c/o Andrew Maletz
REQUEST: Final Development Plan Modification
ZONING: Parcel 226 I-PUD Zoning District
STRATEGIC PLAN: Residential District
APPLICATION: FDM-106-2021

Review based on: Application materials received on September 20, 2021.

Staff report completed by Chris Christian, Planner.

I. REQUEST AND BACKGROUND

The applicant requests to modify the final development plan for the Oxford Subdivision located which is regulated by the Parcel 226 I-PUD Zoning Text. The modification proposes to modify the orientation requirements of lot #1.

The original final development plan for this subdivision was approved by Planning Commission on June 16th, 2014. The Final Development Plan requires the houses or architectural features on lots 1 and 20 face each other and share a build-to-line parallel to U.S. 62.

On June 20, 2019, the Planning Commission approved this same exact request for lot 20 (FDM-42-2019). At that time, the proposed floor layout and home design was known for lot 20 and not for lot 1. The Planning Commission determined that it would be more appropriate to evaluate this request for lot 1 once the home was designed for the site, knowing that the applicant would have to return in the future to make the same request that was granted for lot 20.

The applicant is requesting the same final development plan modification that was approved for lot 20 by the Planning Commission—to not require the home on lot 1 to face lot 20 and be parallel to US-62. Instead, the applicant proposes to allow the homes to better relate the homes along Oxford Loop North and the other homes within the subdivision.

II. SITE DESCRIPTION & USE

The subdivision is located north of Morse Road, west of Johnstown Road, south of Temple Beth Shalom, and east of the Rocky Fork Creek in Franklin County. The subdivision has thirty lots, with 19 homes currently built or under construction. The site borders an agricultural parcel and the Rocky Fork Creek to the west and the remainder of the surrounding land is residential.

III. PLAN REVIEW

Staff's review is based on New Albany plans and studies, zoning text, and zoning regulations. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text. Planning Commission's review authority is found under Chapter 1159.

The Commission should consider, at a minimum, the following (per Section 1159.08):

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

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

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

- a. Ensure that future growth and development occurs in general accordance with the Strategic Plan;*
- b. Minimize adverse impacts of development on the environment by preserving native vegetation, wetlands and protected animal species to the greatest extent possible*
- c. Increase and promote the use of pedestrian paths, bicycle routes and other non-vehicular modes of transportation;*
- d. Result in a desirable environment with more amenities than would be possible through the strict application of the minimum commitment to standards of a standard zoning district;*
- e. Provide for an efficient use of land, and public resources, resulting in co-location of harmonious uses to share facilities and services and a logical network of utilities and streets, thereby lowering public and private development costs;*
- f. Foster the safe, efficient and economic use of land, transportation, public facilities and services;*
- g. Encourage concentrated land use patterns which decrease the length of automobile travel, encourage public transportation, allow trip consolidation and encourage pedestrian circulation between land uses;*

- h. Enhance the appearance of the land through preservation of natural features, the provision of underground utilities, where possible, and the provision of recreation areas and open space in excess of existing standards;*
- i. Avoid the inappropriate development of lands and provide for adequate drainage and reduction of flood damage;*
- j. Ensure a more rational and compatible relationship between residential and non-residential uses for the mutual benefit of all;*
- k. Provide an environment of stable character compatible with surrounding areas; and*
- l. Provide for innovations in land development, especially for affordable housing and infill development.*

A. Engage New Albany Strategic Plan

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

- Organically shaped stormwater management ponds and areas should be incorporated into the overall design as natural features and assets to the community.
- Houses should front onto public open spaces and not back onto public parks or streets.
- All or adequate amounts of open space and parkland is strongly encouraged to be provided on-site.
- A hierarchy of open spaces is encouraged. Each development should have at least one open space located near the center of the development. Typically, neighborhood parks range from a half an acre to 5 acres. Multiple greens may be necessary in large developments to provide centrally located greens.
- Adequate amounts of open space and parkland are encouraged to be provided on site.
- Rear or side loaded garages are encouraged. When a garage faces the street, the front façade of the garage should be set back from the front facade of the house.
- Any proposed residential development outside of the Village Center shall have a base density of 1 dwelling unit per gross acre in order to preserve and protect the community’s natural resources and support the overall land conservation goals of the community. A transfer of residential density can be used to achieve a gross density of 1 dwelling unit per acre.
- Private streets are at odds with many of the community’s planning principles such as: interconnectivity, a hierarchy of street typologies and a connected community. To achieve these principles, streets within residential developments must be public.

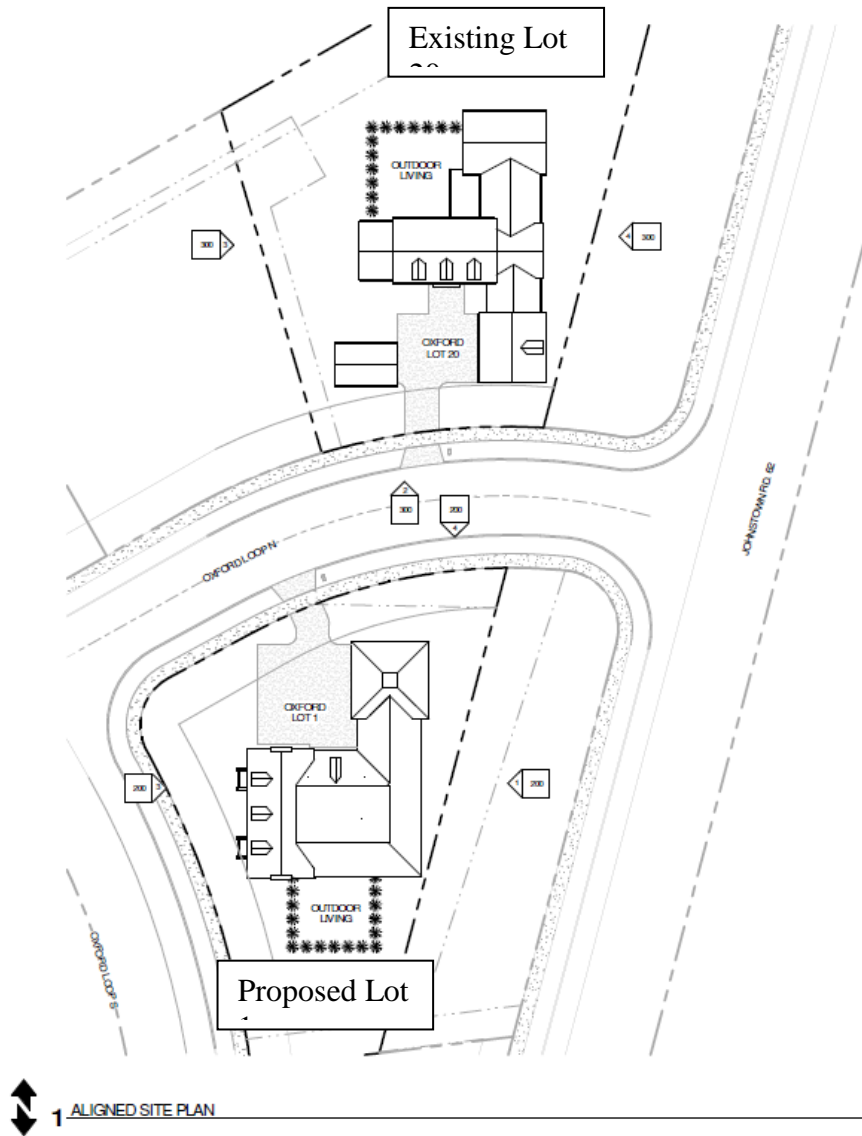
B. Use, Site and Layout

1. The final development plan modification proposes to modify the orientation of the home on lot 1 of the Oxford subdivision.
2. The approved final development plan for the Oxford subdivision requires that the homes and/or architectural features on lots 1 and 20 face each other and share a build-to-line parallel to US-62.
3. On June 20, 2019, the Planning Commission approved this same exact request for lot 20 (FDM-42-2019). At that time, the proposed floor layout and home design was known for lot 20 and not for lot 1. The Planning Commission determined that it would be more appropriate to evaluate a request for lot 1 once the home was designed for the site, knowing that the applicant would have to return in the future to make the same request that was granted for lot 20.
4. The intent of this requirement was to create a gateway as you drive into the Oxford subdivision and at the time, it appeared that the most appropriate way to accomplish this was to require the homes to be built up to and parallel to the US-62 right of way as shown in the conceptual rendering submitted with the previous final development plan modification on the next page. This requirement ensured that homes would not back onto US-62 as which is a residential development standard found in the Engage New Albany Strategic Plan.



5. As the subdivision has developed, it has become clearer that while it is still important to maintain a strong gateway into the subdivision along US-62, there are more ways than one to accomplish this gateway other than the requirements of the original final development plan.
6. The Planning Commission approved the existing home orientation of lot 20 as shown below. While not being parallel to US-62, the home on lot 20 provides an appropriate gateway into the subdivision as it properly addresses Oxford Loop and the curvature of the internal subdivision road. As proposed, both lots will appropriately address one another, provide an

appropriate gateway into the subdivision and not back onto US-62 all of which accomplish the original intent of the final development plan requirement.



C. Access, Loading, Parking

1. No proposed changes.

D. Architectural Standards

1. No proposed changes.

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

1. No proposed changes.

F. Lighting & Signage

1. No proposed changes.

IV. RECOMMENDATION

Basis for Approval:

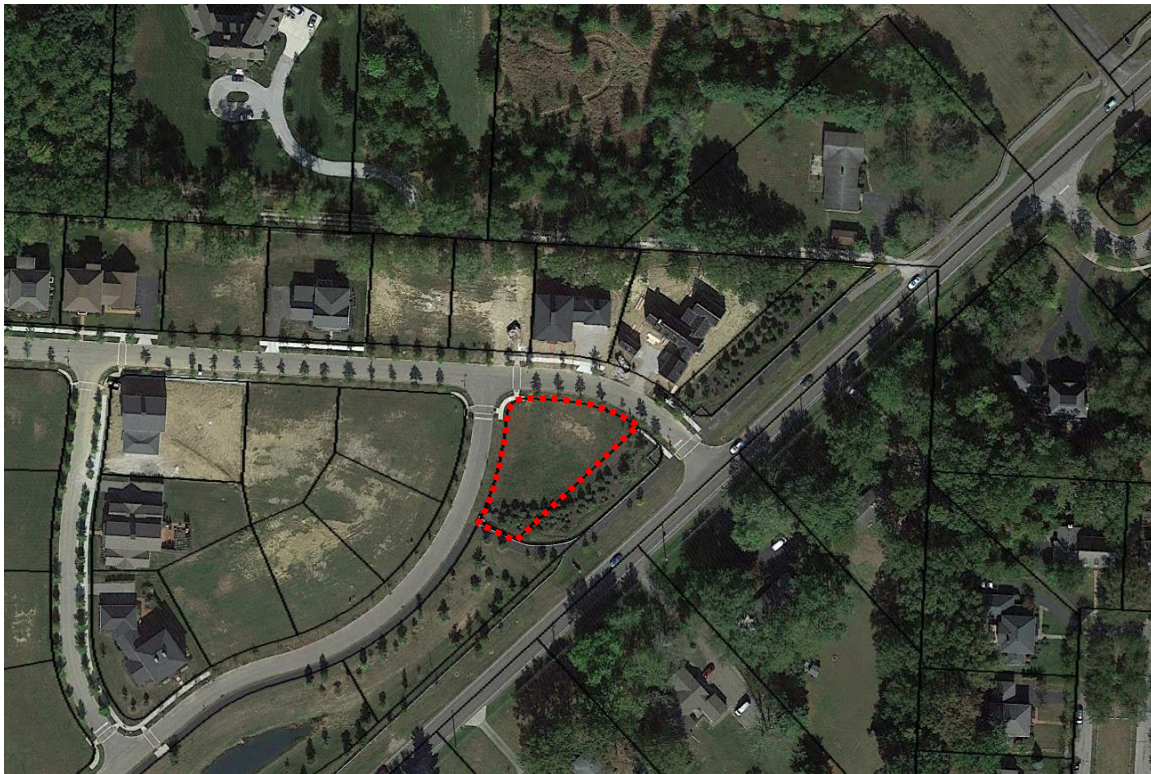
Staff recommends approval of the application should the Planning Commission find that the application has sufficient basis for approval. Staff is supportive of the proposed design for lot 1 as it matches the design for lot 20 that was approved by the Planning Commission. This design meets the original intent of the final development plan which was to create a gateway into the Oxford subdivision and not back homes onto public streets which is an important development standard found in the Engage New Albany Strategic Plan. The proposed home orientation allows the home to address the curvature of internal streets rather than having them be built up to the US-62 build-to-line and still accomplish the goals of the requirement. Additionally, there are existing entry features and landscaping along US-62 that aid in establishing a gateway into the subdivision. The home utilizes four-sided architecture that properly addresses US-62 and meets all other code requirements.

VI. ACTION

Suggested Motion for FDM-106-2021:

Move to approve application FDM-106-2021 based on the findings in the staff report (conditions of approval may be added)

Approximate Site Location:



Source: Google Earth