

  
**New Albany Planning Commission**  
**February 7, 2022 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 7:04 p.m.

Those answering roll call:

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

Staff members present: Chris Christian, Planner; Benjamin Albrecht, Interim City Attorney; and Josie Taylor, Clerk.

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

Mr. Christian stated none from staff.

Mr. Kirby asked if there were any persons wishing to speak to the Planning Commission (hereafter, "PC") on items not on tonight's Agenda. (No response.)

### **Other Business**

#### **Review and recommendation to City Council regarding updates to the Office District (O), Office Campus District (OCD) and General Employment District (GE) to add secondary school and higher education uses as a conditional use**

Mr. Christian presented the updates and discussed the reasons for the changes.

Mr. Kirby asked why these uses were not already in the zoning classes. Mr. Kirby stated he would like some guidance as to when this use would not be appropriate.

Mr. Christian stated he was not sure why it had not been included originally, but noted they had a specific section of code where it was limited. Mr. Christian stated the intention was to spread out these uses in the business park, as needed, so it may have been an oversight.

Mr. Kirby asked if they belonged there natively, then why was it not a traditional use rather than a permitted use.

Mr. Christian stated he believed there may have been outside considerations such as traffic or whether the use was appropriate given the location in the business park, etc.

Mr. Kirby stated okay. Mr. Kirby stated he wanted to better understand the guidance regarding these prior to a developer asking for this conditional use and the PC then needing to approve or deny it.

Mr. Christian stated he believed it would fall back to the conditional use criteria now used.

Mr. Kirby stated okay.

Mr. Wallace stated the language spoke of secondary but not primary schools and asked what was the reason for this.

Mr. Christian asked if he meant why were primary schools excluded.

Mr. Wallace stated yes, why not primary schools.

Mr. Christian stated he was not sure, but thought the need was to provide educational opportunities in the business park, such as for technical and vocational schools, and primary schools were felt not to be appropriate.

Mr. Kirby stated this would be work force development and they would not be old enough to work.

Mr. Christian stated that did not mean a future primary school was not possible. Mr. Christian stated it was just not included as part of this conditional use.

Mr. Wallace stated that if it was work force related, then sixth (6th) grade was too young to be included, so he did not understand the distinction as it seemed odd.

Mr. Schell asked whether there was language on housing that could permit future dorms.

Mr. Christian stated it could be proposed in the future through a different process, such as a PUD application, but not through this process.

Ms. Briggs noted that on page 7 the housing or sleeping of students was mentioned.

Mr. Christian stated that the type of school that would allow dorms was not part of this process.

Mr. Schell asked if such a use would need to go before the PC.

Mr. Christian stated yes, that would be a different use.

Mr. Wallace asked what the process would be for private school, K through 12, and asked how they would get the primary school in.

Mr. Christian stated they would need to file a rezoning application.

Mr. Wallace asked if a variance would be needed.

Mr. Christian stated they did not allow variances in that case.

Moved by Mr. Kirby to accept the staff reports and related documents into the record for recommendations to City Council regarding updates to the Office District, Office Campus District, and General Employment District, seconded by Ms. Briggs. Upon roll call: Mr. Kirby, yea; Ms. Briggs, yea; Mr. Schell, yea; Mr. Wallace, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Moved by Ms. Briggs to recommend approval of the recommendations to City Council regarding updates to the Office District, Office Campus District, and General Employment District, to City Council, seconded by Mr. Schell. Upon roll call: Ms. Briggs, yea; Mr. Schell, yea; Mr. Wallace, yea; Mr. Kirby, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

### **Appointment of Board of Zoning Appeals representative**

Mr. Kirby stated it may be preferable to wait until the new PC member joined before voting on this.

Mr. Schell stated he would be fine with voting now or later.

Mr. Christian stated it was a quorum issue and there was a meeting later this month.

Mr. Schell stated he would be happy to do it.

Moved by Mr. Kirby to appoint Mr. Schell as the interim PC representative to the Board of Zoning Appeals until the issue was revisited at the regularly scheduled April 2022 PC meeting, seconded by Mr. Wallace. Upon roll call: Mr. Kirby, yea; Mr. Wallace, yea; Mr. Schell, yea; Ms. Briggs, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

### **Poll Members for Comment**

None.

Mr. Kirby adjourned the meeting at 7:14 p.m.

Submitted by Josie Taylor.