


New Albany Planning Commission
June 6, 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 7:00 p.m.

Those answering roll call:

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

Staff members present: Steven Mayer, Development Services Coordinator; Benjamin Albrecht, Interim City Attorney; and Josie Taylor, Clerk.

City Council members present: Michael Durik and Chip Fellows.

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 to the PC on items not on tonight's Agenda. (No response.)

Other Business

Engage New Albany Strategic Plan Addendum Workshop
Planning and Zoning Code Updates Workshop
Design Guidelines and Requirements Update Workshop

Mr. Christian presented the workshop topics.

Ms. Sarah Lilly, Associate Planner, MKSK, presented the process used in the review conducted, the findings, and recommendations.

Mr. Christian presented a review of the proposed updates.

Mr. Kirby asked if in the PUD rezoning process the Architectural Review Board would review a rezoning application prior to the PC reviewing the plans.

Mr. Christian stated, yes, the order would be the Architectural Review Board first and then the PC.

Mr. Kirby asked if the PC would still review it.

Mr. Christian stated yes.

Mr. Schell stated there were lots of concerns the first time the hamlet concept was reviewed. Mr. Schell noted this was very similar to the original proposal.

Mr. Mayer stated that the NoNA project had issues as the City did not have Code ordinances in place at that time for the hamlets.

Mr. Jeff Pongonis, MKSK, stated MKSK had developed the capacity plan to meet the City's rules and guidelines based on the work staff had done on the Codes and ordinances. Mr. Pongonis stated this was similar to NoNA in part due to the size and features of the hamlet land.

Mr. Schell asked what the acreage was in this location.

Mr. Pongonis stated it was 33 acres.

Mr. Wallace asked how the hamlet density of six (6) per acre compared to that of Keswick.

Mr. Pongonis stated they had used Keswick as part of the study.

Ms. Lilly stated Keswick had a density of fifteen (15).

Mr. Wallace asked if the density was then just part of this conceptual plan.

Mr. Pongonis stated yes.

Mr. Mayer stated the building heights were also similar to those in Keswick.

Mr. Wallace asked how the heights of forty (40) feet and 55 feet here related to the heights seen in Keswick.

Mr. Pongonis stated the Keswick buildings peaked at about forty (40) feet and three (3) stories tall.

Ms. Lilly stated the recommendations were to have buildings of forty (40) feet within 250 feet of Central College Road and S.R. 605 as well as the commercial buildings fronting on Central College Road. Ms. Lilly stated the 55-foot buildings were more for the core of the development and for interest.

Mr. Wallace asked if the density would be less than that at the Village Center.

Mr. Pongonis stated yes.

Mr. Wallace stated thank you.

Mr. Schell asked how this kind of density would affect student numbers in the schools.

Mr. Mayer stated a school impact statement was required to be submitted as part of a rezoning process.

Mr. Kirby asked if there was a mathematical formula based on the number of units.

Mr. Kirk Smith, member of the public, stated 198 units.

Mr. Kirby asked if that would then be .8 times 198.

Mr. Mayer stated that was the number used for single family residences and noted it was lower in multi-family structures. Mr. Mayer noted it might not be a fair comparison.

Mr. Kirby stated it would provide an upper bound in that case if all those units were single family homes. Mr. Kirby stated the upper bound would be 150 to 160 [numbers originally stated "15 to 16" but were corrected to "150 to 160" per Mr. Kirby's notes] added children for the schools if the units were all single-family homes.

Mr. Mayer stated he could find additional details on these numbers and added that this was a one case scenario and could vary.

Mr. Kirby stated that as this checked all the boxes it could be used to run the numbers as if it were truly going to be built.

Mr. Mayer stated yes, but the number of single family and other uses would still need to be determined for those numbers.

Mr. Pongonis stated they could use this plan, with their unit types, to develop an example for the next presentation.

Mr. Kirby stated right, it could vary, but this was information the public wanted to know.

Mr. Wallace asked if more residential units would fit or could be added to this location or was this the maximum number expected.

Mr. Pongonis stated this was a forecast and could vary based on the types of units. Mr. Pongonis stated they were providing flexibility to the City based on its rules and regulations as well as offering something the market would want.

Mr. Schell asked if it would offer any age restricted units.

Mr. Pongonis stated there could be.

Mr. Schell stated that previous feedback about the hamlet included concerns about overloading schools and traffic and the communication about these issues needed to be strong.

Mr. Wallace stated prior feedback included concerns related to both traffic and schools even though the thought was there would not be large impacts to each. Mr. Wallace stated he agreed communication was important.

Mr. Pongonis stated they would keep that in mind. Mr. Pongonis stated that traffic was important and, based on this conceptual plan, there should not be traffic added at peak demand times.

Mr. Kirby asked how many feet from the intersection of S.R. 605 and Central College Road the two roads shown on the screen would be.

Mr. Pongonis stated one was about 350 feet and the other was about 600 feet, as best he could remember.

Mr. Kirby asked when the stacking lanes would start for the turn lanes.

Mr. Pongonis asked if that was in terms of the total car lengths.

Mr. Kirby asked to see an overlay with marks on it for reference points to see if a left turn could be made safely.

Mr. Pongonis said they could take a crack at that.

Mr. Wallace asked if the hamlet concept would take traffic circles into account.

Mr. Pongonis stated that would be part of the traffic planning to be completed on this.

Mr. Kirby asked if permission from the Ohio Department of Transportation (hereafter, "ODOT") would be needed on S.R. 605.

Mr. Mayer stated that would be reviewed as part of the re-zoning. Mr. Mayer stated there had been minimal traffic impact from the NoNA plan. Mr. Mayer stated that a lower speed limit had also been proposed for this development.

Mr. Kirby noted he wanted to have these types of questions answered for the public.

Mr. Mayer stated no widening had been needed for the NoNA plan.

Mr. Pongonis stated the assumption was that the current roads were suitable and only perhaps one or two turn lanes would be needed.

Mr. Kirby asked what Mr. Pongonis would be the top ten (10) types of uses in the hamlet.

Mr. Pongonis stated it would be the same as Market Square with offices, small cafes, office, restaurants, perhaps a dentist's office.

Mr. Kirby asked if there would be others.

Mr. Pongonis stated personal services, yoga studios, hair salons, nail boutiques, small retail, boutique offices, etc.

Mr. Kirby stated it would be good for all to have an idea of what could be there.

Mr. Pongonis stated those were the things they meant as well as smaller scale restaurants, ice cream, coffee, etc., things residents would find desirable.

Mr. Schell asked if underground parking would be available or if it was too expensive.

Mr. Pongonis stated that for a developer it would be more costly than surface or elevated parking but that would be for a developer to decide. Mr. Pongonis stated underground parking was mostly used in multi-family units. Mr. Pongonis stated this would be on-street parking.

Mr. Kirby asked how they would get the right mix of uses in the hamlet.

Mr. Mayer stated this had been discussed and they believed that the ratio of a minimum of 200 feet of mixed commercial development for each dwelling unit provided the right mix.

Mr. Kirby asked if this hamlet became the perfect location for small restaurants then how many of them would be too many.

Mr. Mayer stated he believed it would be the other development standards that would drive that, such as those for height maximums, parking requirements, density, traffic studies, etc.

Mr. Pongonis stated parking and other requirements would affect this issue per the New Albany standards.

Mr. Kirby stated that assumed the PC would review a potential use.

Mr. Wallace asked at what stage a use review would occur.

Mr. Kirby stated that any use already permitted would not go before the PC, so if both office or retail could be there then a retail space taken over by an office renter would not go before the PC.

Mr. Pongonis stated the market would evolve over time and the plan would need to inform what could be on the site.

Mr. Christian stated staff expected to have the text contain a review of the parking model as new uses occurred.

Mr. Kirby asked what would happen if it was not.

Mr. Christian stated it would become a Code enforcement issue.

Mr. Mayer stated he believed in those cases a variance would be needed.

Mr. Kirby stated parking was a shared resource and each renter, based on use, should have a number of parking spots available based on that use.

Mr. Mayer stated he believed the zoning text could contain a provision for City review of parking when tenants changed.

Mr. Kirby stated that in addition to floor space then the new tenant would need to also obtain parking for their new use.

Mr. Pongonis stated these developments would have a scorecard and tenants would need to meet or not exceed a set of expectations.

Mr. Wallace asked where that type of concept would need to be reflected.

Mr. Mayer stated he believed that would be in the PUD text.

Mr. Wallace stated the issue was that when the PC approved something like this it would not know what type of commercial use would go in.

Mr. Pongonis stated that as part of the users' parking model they could review parking needs.

Mr. Wallace stated that while there may be expectations at the start the market could eventually drive the preferred types of commercial uses.

Mr. Pongonis stated the scorecard model would help with that.

Mr. Mayer stated if potential users would not be meeting the model standards they would not be able to conduct that use on the location or they would need to request a variance.

Mr. Wallace asked how it would be controlled once approved by the PC.

Mr. Mayer stated staff would review each time a tenant change occurred.

Mr. Kirby asked if the DGRs could include a mention of this issue.

Mr. Mayer stated they could look into doing that.

Mr. Kirby stated it was being done with storm water and other shared resources.

Mr. Mayer stated they could look into the parking code or DGRs to see where it may be best.

Mr. Kirby asked if any members of the public wanted to provide any comments.

Mr. Kirk Smith, 6830 Central College Road, stated he lived very close to the proposed townhomes and asked if there was already a developer working on this location.

Mr. Mayer stated he was not sure if this had changed hands since the last proposal.

Mr. Smith asked if it was still Steiner.

Mr. Mayer stated he was not sure.

Mr. Smith stated that would be seen on public records, so it had not changed hands. Mr. Smith asked if MKSK had worked with Steiner.

Mr. Pongonis stated no, MKSK worked directly with the City.

A member of the audience made a comment.

Mr. Kirby requested the comment be stated for the record at the microphone.

Mr. Smith stated the question had been whether MKSK had worked with the developer and that had been answered as a 'no.'

Mr. Kirby asked if the question was whether any developer had hired MKSK and noted that he believed only the City had hired MKSK.

Mr. Pongonis stated only the City had hired MKSK.

Mr. Smith stated the concerns from the prior proposal were about density, schools, and a preference for no multi-family housing units. Mr. Smith stated the density in this plan of six (6) units per acre was too high and asked how many acres were in Keswick.

Mr. Mayer stated he did not know.

Mr. Smith asked if the six (6) units could be decreased to three (3) units and that would still be a lot of cars and people.

Mr. Pongonis stated the density was a question of comparisons. Mr. Pongonis stated that in the Windsor single-family community the density was six (6) units per acre and that could be used to look at apples to apples.

Mr. Smith asked what the ownership percentage would be in the flats and townhomes and would there be any rentals.

Mr. Mayer stated those types of assignments had not been made.

Mr. Smith asked if it would be up to the developer to do that.

Mr. Mayer stated yes.

Mr. Kirby stated Ohio law allowed any homeowner to rent his or her house.

Mr. Smith stated he wanted to know the intent and asked if there would be a homeowner's association here.

Mr. Kirby stated this was not a proposal, this was just a review of what a hamlet would look like.

Mr. Albrecht stated he wanted to affirm that any homeowner could rent his or her home and that could not be regulated.

Mr. Smith asked if a review would not occur until a proposal was made.

Mr. Mayer stated it was a two-step process with the PUD text first reviewed by the PC and City Council. Mr. Mayer stated if that was approved then the developer would need to return to the PC and the Architectural Review Board for approvals.

Mr. Smith asked if it would still need to go back to the PC.

Mr. Mayer stated that was correct.

Mr. Smith stated he felt that 198 units were a lot for such a small site.

Ms. Caroline Salt, 5430 Snyder Loop in the Enclave community, said she wanted more definition and to have more things set in stone, such as the 40-foot height limits, as time passed.

Mr. Kirby asked if others wished to speak.

Ms. Trisha Segnini, 7267 New Albany Links Drive, HOA president and real estate agent, stated the residents of New Albany Links needed to pass this one thirty (30) acre corner to get almost anywhere. Ms. Segnini stated they still did not know what the hamlet would be and wanted more details regarding density, school numbers, park space, what could be there, and what could not be put in the hamlet. Ms. Segnini stated they were not against development but wanted more details about it.

Mr. Kirby stated that paymen-in-lieu of for park space would need to be agreed to by the PC and City Council and was not automatic.

Ms. Segnini stated developers could trade then.

Mr. Kirby said they could ask, but it might not pass, developers did not have a right to it.

Mr. Mayer stated the Code already allowed payment-in-lieu of for all areas of the City, not just the hamlet.

Mr. Kirby noted that New Albany Links existed because the park land could be moved around.

Ms. Segnini stated open land next to her house had been traded and now there was a house there. Ms. Segnini said she was concerned there was not enough park land and, if it could be traded for residential units to achieve profitability for a developer, then she did not support that.

Mr. Kirby stated the public could return when there was a concrete proposal for this and also mentioned that the earlier they could work with the developer on any development the easier it would be to make any changes.

Mr. Smith asked if a hamlet had to be there.

Mr. Mayer stated it was part of the Engage New Albany plan and noted there was an underlying commercial use there.

Mr. Kirby asked if the by-right zoning was commercial.

Mr. Mayer stated it was residential by-right but the underlying recommended use was commercial. Mr. Mayer stated there was no requirement for a hamlet here, but based on resident feedback the hamlet provided many of the things residents wanted.

Mr. Smith asked if the impetus was from the Strategic New Albany then the top wish was for single-family homes.

Ms. Lilly stated the slide Mr. Smith was speaking about provided a summary of feedback received and there were also other reasons for the hamlet concept, including lack of retail north of S.R. 161.

Mr. Kirby stated the rule was usually that people would walk a distance of 900 feet and asked what the distance was for biking.

Mr. Pongonis stated people would normally walk or bike for about five (5) to ten (10) minutes.

Mr. Kirby stated he would like to know what this hamlet location was close to, which communities, which residents, etc. would be close to this location.

Mr. Pongonis stated that a ten (10) minute walk or bike ride would serve lots of residents.

Mr. Kirby stated the residential lots were mostly on an east/west location and asked if this was the best location.

Mr. Mayer stated they had looked at alternative hamlet locations originally but felt this location was the best opportunity for a hamlet.

Mr. Kirby asked if it this was more developable or if this was the best location.

Mr. Mayer stated it was the best location based on what was around it.

Mr. Kirby stated this needed to be defensible to other developers who might then also want to develop a hamlet elsewhere.

Mr. Mayer stated hamlets could not be moved and were for specific locations.

Ms. Segnini asked if the second hamlet had been replaced.

Mr. Mayer stated there was only one (1) hamlet.

Ms. Segnini asked if this was only for this location or for all hamlets.

Mr. Mayer stated the development standards presented today were for this geographic site.

Ms. Segnini stated this would demolish homes and asked if those residents would be helped with relocation.

Mr. Mayer stated sellers would need to work that out with developers.

Ms. Segnini asked if a new hamlet could be put in and what would the parameters for that be.

Mr. Mayer stated the Strategic Plan would need to support the development of a location for it to move forward.

Mr. Kirby stated there were few abilities to tell a developer 'no.'

Ms. Segnini stated traffic reviews and investigation should be conducted.

Mr. Schell stated traffic studies would be needed prior to approval.

Ms. Segnini stated traffic studies should be done during school hours.

Mr. Schell stated that would normally be a requirement for the PC.

Mr. Kirby stated ODOT controlled S.R. 605 so that was also part of the review.

Mr. Mayer stated those were good questions but they did not yet have those answers but they would.

Ms. Segnini stated okay, thank you.

Mr. Smith stated a hamlet was not required or needed here and the PC could stop it.

Mr. Kirby stated that a lot of text from 1187 had been moved and asked if any of the applicability of the chapter had changed.

Mr. Mayer stated they believed it should all still be applicable.

Mr. Kirby stated right.

Mr. Mayer stated park and open space requirements in subdivisions were also now part of the hamlet requirements.

Mr. Kirby asked if text in DGR section 5 had changed.

Mr. Christian stated it was only one (1) sentence on page 8, and was shown in red, and applied only to non-single family detached.

Mr. Kirby asked what the negation applied to.

Mr. Christian stated that if it was not single-family detached, residential development then those standards would apply.

Mr. Kirby stated the text as written might be misread.

Mr. Christian stated they could review the wording on that.

Mr. Mayer stated they were trying to say that if it was not the typical suburban detached residential neighborhood and was outside the Village Center, then it would apply, as in the case of townhomes and anything other than a single-family detached home.

Mr. Kirby stated so anything other than single-family detached was likely the intent.

Mr. Christian stated they would look at that.

Mr. Kirby asked if this applied outside the Village Center and to R1.

Mr. Mayer stated the DGRs were an overlay on top of any district and could apply depending on what was the proposed development type in that zoning district.

Mr. Kirby stated the document applied to any R1 outside of the Village Center.

Mr. Mayer stated it would not need to be an R1 and it applied to any ...

Mr. Kirby stated that would include things like the New Albany Farms and it read like it was meant for tighter suburban development. Mr. Kirby asked if the text that had not changed was up for review.

Mr. Mayer stated they reviewed and felt comfortable with the current DGR and development standards and wanted to focus only on the hamlet standards but could do other updates later.

Mr. Wallace stated that multi-family should be numeral III and not numeral II.

Mr. Mayer stated thank you.

Mr. Christian stated that for the next meeting the PC members would have more information on this and there would also be more public information available.

Mr. Albrecht stated that if members were to abstain in the future they should do so before they participated and noted that if they participated, then their only options would be to approve or disapprove in some form.

Mr. Mayer said anyone with feedback or questions could contact staff.

Poll Members for Comment

Mr. Kirby adjourned the meeting at 8:40 p.m.

Submitted by Josie Taylor.

APPENDIX