



**Parks and Trails Advisory Board
October 2, 2023 Meeting Minutes - Approved**

I. Call to order

The New Albany Parks and Trails Advisory Board held a regular meeting on Monday, October 2, 2023 in the New Albany Village Hall. Chair Stribick welcomed everyone and called the meeting to order at 6:01p.m.

II. Roll call

Those answering roll call:

Mr. Stribick, Chair	present
Ms. Steelman, Vice-Chair	present
Ms. Bhat, Secretary	present
Mr. Heurman	absent
Ms. Schaper	present
Ms. Segnini	present
Ms. Stoughton	present
Council Member Fellows	present

Having six voting members present, the board had a quorum to transact business.

Staff members present: Law Director Albrecht; Planning Manager Mayer; Planner Nichols; Deputy Clerk Madriguera.

III. Action on minutes: March 6, 2023

Chair Stribick asked whether there were any additions or corrections to the agenda.

Board Member Steelman noted that they were lengthy and that she thought she had seen a typo and would send it to the clerk.

Deputy Clerk Madriguera noted two spelling corrections that she made on page 6, and one spelling correction on page 1.

Board Member Segnini moved for approval of the minutes from the March 6, 2023 meeting. Board Member Steelman seconded the motion.

Upon roll call: Ms. Segnini yes; Ms. Steelman yes; Ms. Bhat yes; Ms. Schaper yes; Ms. Stoughton yes; Mr. Stribick yes.

Having six yes votes and zero no votes, the March 6, 2023 minutes were approved.

IV. Additions or corrections to agenda

Chair Stribick asked if there were an additions or corrections to the agenda.

Planning Manager Mayer stated none from staff.

V. Hearing of visitors for items not on tonight's agenda

Although the room was full of visitors, none of the visitors were present for items not on the agenda.

VI. Cases:

FDP-87-2023 Final Development Plan - Parkland and Open Space Review

Review and recommendation regarding the suitability of parkland and open space proposed to be provided as part a 151 lot, age-restricted residential housing development on 63.5+/- acres for the subdivision known as The Courtyards at Haines Creek.

Applicant: EC New Vision Ohio LLC, c/o Aaron L. Underhill, Esq.

Planner Nichols delivered the staff report.

Board Member Steelman asked about the shortage of 3.35 acres of open space, she calculated that it was about 19% short of the requirement and asked whether there was any other place in the development where that can be found.

Planning Manager Mayer explained that as part of the rezoning council had agreed to allow the developer to find the land either offsite or to pay a fee payment in lieu of the parkland and open space dedication. In this case, the developer has proposed to pay a fee in lieu of the dedication. It appears based on the density and city approval that the land will have to be elsewhere.

Board Member Segnini noted that there was quite a lot of green space that was only accessible to the four relocated lots on the side. She asked if there was a reason why and whether a couple could be pulled out so that others could access the green space.

Planning Manager Mayer stated that he could not speak to the dimensions but explained that council approved moving the lots as part of the rezoning. He further explained that there was an adjacent water body and based on drainage and the neighboring stream, the area Board Member Segnini was referring to would be wet. He further stated that it would be more of a natural area with higher native grasses.

Board Member Bhat added that she had the same observation as Board Member Segnini. If lots 150 and 154 were there, it would be more accessible by other residents.

Applicant Linda Menerey spoke in favor of the application. She stated that there is a lot of history about that portion of the property. The pond has a bit of a breach and it has been leaking, as a result the developer needs to accommodate the drainage. In addition, the homes on the east and on the north, need to be protected from drainage. She explained Epcon communities – that they are constructed for 55+ living. It featured side-yard living, there were no swing sets or trash in the back. As such, anyone could walk behind the properties [because the properties featured sideyards].

Council Member Fellows asked if the leisure trail was removed from Central College, whether it could reposition behind the four relocated lots.

Ms. Menerey explained that if the leisure trail was removed from alongside Central College Road, there remained an internal trail to connect Central College and Jug Street.

Board Member Segnini asked whether the yellow on the site plan was the patio.

Ms. Menerey responded that the yellow signified additional landscaping and architecture that needed to take place. She also indicated the location of the leisure trail on Central College and explained there was a holding pattern due to planning for road improvements, but confirmed that none of the green space would be reduced.

Board Member Schaper asked if Jug Street Road or Central College Road were moved, whether that would affect the green space.

Planning Manager Mayer said it would not, any current or future roadway improvements would go in the existing right of way. He further explained that green space along the right of way is not calculated as part of the reserve or open space and parkland.

Board Segnini returned to her initial question and asked whether there was a way to make the area behind the four homes on the side more accessible to the entire community as green space or whether that was drainage area.

Ms. Menerey answered that the area was not a flood zone, there was a graded swale through there but they could examine the viability of that area as a possible green space.

Council Member Fellows added that it looked like a great place for a leisure trail.

Board Member Segnini added that perhaps a dog park could be added there.

Jason Coffee, applicant on behalf of Epcon, stated that he thought it was an engineering question. He continued that it was currently designed as an emergency spillway and that it will be a low-mow/no-spray area with natural grasses and native plantings as discussed and agreed to at the planning commission meeting. He was not sure it would be a place where people would want to be but agreed to have engineering examine the feasibility of installing a leisure trail.

Council Member Fellows asked whether it was possible to install a leisure trail in that area.

Mr. Coffee responded that they could take a look at that but it was unclear whether it could be done.

Council Member Fellows added that it would be a nice loop.

Board Member Steelman remarked that if that area was too wet, then if she owned the properties she would be worried.

Ms. Menerey explained that the homes were on slabs and reiterated that there would not be back yards there. She continued that there are two types of drainage happening there and that she did not think it would be saturated all the time.

Chair Stribick asked for the location of the 15 non-restricted lots.

Mr. Coffee explained that the 15 non-restricted units would not be static. The location would shift based on the market and occupancy. Tracking the non-restricted units would be the developer's responsibility initially, then the responsibility would shift to the home owner's association.

Board Member Segnini confirmed that they were not designated units, and asked for the location of the connection to McClellan and Tidewater.

Ms. Menerey indicated the two street stubs on the site map that would be the connections.

Board Member Segnini stated that Tidewater had 80-90 homes but no playground. She further noted that the residents of this proposed development were likely to be grandparents, and as such would likely have grandchildren visiting. To that end she stated that a playground with close proximity would be desirable. She asked where the connectivity to the eventual Kitzmiller playground would be.

Planning Manager Mayer responded that because of the age-restriction in this community, no playground was required. That has been reviewed and approved by the planning commission and city council.

Ms. Menerey explained that the active area for this development was the clubhouse area. It included an indoor exercise area, a living room, kitchen, bathrooms, fireplace, and screened in porch. The outdoor clubhouse area included a pool, bocce ball court, community garden with shed and water, two pickleball courts, and a pavilion. In addition, there were ample biking opportunities.

Board Member Segnini asked whether the properties on the west would like to connect with a leisure trail. She noted that she believed those residents were present at the meeting.

Planning Manager Mayer stated that he had not spoken with those residents, but also believed they were present at the meeting.

Board Member Schaper stated that it would be good to have leisure trail to Bevelhymer and to the metro park.

Council Member Fellows asked whether the pond was solely for drainage or whether it would be designed as a pond with water in it at all times.

Ms. Menerey responded that both of the ponds were designed to have a normal pool. Thus, they would be ponds with water at all times.

Council Member Fellows continued that perhaps there could be benches or a fountain.

Ms. Menerey stated that she would agree to a fountain, but there was prohibition on fountains in New Albany.

Board Member Segnini stated that the Links has a fountain and it looks very nice.

Board Member Bhat stated that the framework plan discusses meeting the needs of a variety of user groups and asked about the Americans with Disabilities Act (ADA) accessibility features for the picnic tables and or the gardens.

Ms. Menerey responded that all the sidewalks and buildings were ADA compliant, but the garden area was all gravel.

Mr. Coffee responded that there are zero steps to access the entrances of the units. He also stated that there were certain components, such as the garden that would likely not be conducive to wheelchairs.

Board Member Bhat stated that she would like to see that, and that the development would benefit from having an ADA compliant picnic table.

Board Member Segnini stated that benches that swivel could also be added. She asked the applicant about public parking.

Ms. Menerey responded that there was off-street parking for the amenity area and on-street parking for the rest of the development. She further explained that one area of this development has lane homes so there are no driveways [to interrupt on-street parking]. The lane homes have an alley to access the driveways and garages for each of the homes. There will be plenty of space to park two cars in each of the driveways, but there would be no parking in the alley.

Planning Manager Mayer added based on the parks-framework plan, that staff believes there is sufficient parking on-street.

Board Member Schaper asked whether there was a system, or what kind of accountability or tracking of usage for the fee in lieu.

Planning Manager Mayer explained the process for generating the fee in lieu, that staff conducts an appraisal of the land in order to calculate the fee. The latest appraisal, from 2022, for land north of Walnut is \$42,000.00 per acre. Because of the recency of the appraisal, the developer is requesting a waiver and that the \$42,000.00 be used. The city council will review the appraisal and establish the fee in lieu.

Board Member Bhat noted that the application number in the staff report was FPL-88, and on the agenda it FDP-87. She asked whether they referred to the same thing.

Planning Manager Mayer answered that was a great catch. Yes, both numbers referred to the same parcels and proposed development. This board was making a motion on the final development plan (FDP) for the leisure trail and amenities. The final plat (FPL) is a legal document that would be recorded and establishes the maintenance, ownership, and acreage and size. He continued that the lines were being blurred here in order to give the board a fuller picture of all that was involved, but the board's review at this meeting was of the final development plan.

Board Member Steelman referred back to the appraisal figure from the fall of 2022. She acknowledged the recent property valuations in Franklin County and stated that she did not expect that the numbers for vacant land would have changed very much since the fall of 2022.

Planning Manager Mayer agreed and stated that the property tax, since the land was owned by the city, would be paid by the city. He could not speak to the degree of increase, but reiterated that the fee in lieu would be for council to approve.

Board Member Segnini asked if there was a plan for some hardscape near the entrances.

Ms. Menerey responded that there was not a hardscape plan. In accordance with the Engage Plan and similar New Albany developments, there would be a sign and a horse fence with some ornamental trees.

Chair Stribick opened the public hearing.

Planner Nichols called the following speakers to offer public comment:

Tamara Davies, 8200 Central College Road. She stated that her first concern was the fee in lieu of open space. She believed that New Albany wanted to maintain its the rural character and to do that, the rules regarding open space needed to be kept. She stated that New Albany had recently purchased property at Walnut and Bevelhymmer for \$60,000.00 per acre. Selling it now for \$42,000.00 per acre was a disservice to the taxpayers. Second, she wanted to be sure that the clubhouse and the bocce ball courts would be available for kids to use because there was no indication that residents would agree to that.

Board Member Segnini asked whether there was a fee to use the clubhouse.

Mr. Coffee there is no additional fee, usage of the amenities was included in the association fee.

Ms. Davies continued that she was willing to consider a trail across her property. Her concern was responsibility for snow removal. She noted that residents are required to clear sidewalks in front of their property. She wanted to be sure the trail was cleared, noting that she had seen many trails in New Albany that are not cleared in the winter. She noted that the property to the north was wet, and the location of federal wetlands to the north. She further stated that when she was looking at the FDP, she saw a retaining wall on west side of the property.

Planning Manager Mayer indicated the location of the retaining wall and stated it is across some of the private parcels as part of the grading plan and will be reviewed by the planning commission.

Board Member Segnini asked what the purpose of the retaining wall was.

Mr. Coffee responded that the retaining wall will do a better job of saving the existing trees in that area.

Ms. Davies remarked that the sewer line to the Intel site has gone through Central College and Jug. She stated that the water well at 4811 was running dry and she suspected that the sewer line disturbed 4811's well.

Board Member Segnini remarked that she was not sure but added that she had recently received a call from the Links Golf Course requesting to tap into the Links HOA electric in order to drill a new well because theirs has gone dry.

Planning Manager Mayer stated that the city did not have any regulations regarding below water streams. All developers are required to maintain or improve existing water lines and runoff. He acknowledged that there were some ditch improvements that needed to be made in that area.

Chair Stribick confirmed with staff that the PUD was not within the Parks & Trails Advisory Board's purview.

Planning Manager Mayer confirmed that was correct.

Chair Stribick continued that if he recalled correctly the PUD text for the Links prohibited disturbing the water flow for the adjacent areas.

Planning Manager Mayer stated he was not aware of that, but added that the chairman of the planning commission routinely advised residents to get their water and drainage tested prior to the start of neighboring construction so that changes could be measured.

Board Member Segnini asked whether Epcon had performed testing to confirm there was enough water there.

Planning Manager Mayer explained that Epcon did not have to do testing, the recommendation was for neighbors to do testing themselves in order to establish baseline levels. He further stated that EMH&T would review the pond to be sure it was engineered correctly.

Ron Davies, 8200 Central College Road. Mr. Davies referred to his slide presentation and stated that this was his first time through this process from start to finish. He explained that prior commissions such as the Rocky Fork – Blacklick Accord Implementation Panel and the New Albany Planning Commission have drawn substantial disagreement, significant opposition, and close votes. This proposed development is in a corner of New Albany, it is cut off from everything and surrounded by Plain Township. He further stated that it was unclear what the purpose of this meeting was but the board was charged with making important recommendations regarding the parkland and open space. Although the zoning has been approved, there are details to be reviewed and approved by a number of committees. This application proposed a development for 151 homes which would establish an island. He pointed out that there are 10 federal wetlands. He further stated that the pond and the bank would not be permitted in the country club area of New Albany. He displayed a slide indicating that in August 2022, 27 acres on Bevelhymer was sold for \$7.3 million (\$269k/per acre), and in September 2021, 36.6 acres was sold for \$2.63million (\$72k/per acre). This level of density is only being permitted because it was a 55+ community. He stated that the applicant is offering minimal in lieu of payment for parkland, and, regarding the waiver, he stated that the board owes it to the New Albany taxpayers to get the retail value of the land. He stated that Central College Road was becoming more dangerous every day and he was happy that the trail was being moved off of that road. He stated that he had spent a lot of time studying the trees and noted that there are ancient trees on this property that are on the chopping block. He stated that he had two 160-year old trees and there may be two that are over 200 years old. He explained there are 11 acres of forest destruction that would occur with this development. He displayed a slide listing the changes desired including: recommend all required open space/park be on site; recommend no waivers and in-lieu of payments for open space; expand tree protection zone on west boundary to 100' enabling wooded trail to connect north and south open spaces; recommend protection for all trees 50 years and older; recommend no waiver of Section 1187.15(c)(6) – requirement for all residences to be within 1200 ft of playground.

Board Member Steelman asked whether he was suggesting eliminating the four relocated homes on the western boundary.

Mr. Davies responded yes, and that this proposal began with proposing to build 151 homes and was still at 151 homes and proposed some of the highest single-family density in New Albany. The wildlife that migrates through this area was some of the best in New Albany. He further noted that there was a wall of construction on the southern border. It had been broken up by the moving the four homes, which was the result of negotiation with the city council, but there were still a lot of homes. He continued that the city council has not yet weighed in on the positioning of the four homes and suggested that perhaps the board could make a recommendation.

Richard Otten, 8383 Clouse Road. Mr. Otten indicated the location of his property on the site map. He stated that he wanted to first comment on the trees. Unlike animals the bigger a tree gets, the faster it grows. For that reason, it will take 100 years to replace a 100-year-old tree. He indicated the tree line that Mr. Davies was referring to and stated that they were substantial. Regarding the valuation of the property for the fee in lieu, he noted that his property doubled in value in one year. He further stated that nearby Microsoft data center property was sold by the city to Microsoft for \$290,000.00 per acre. The \$42,000.00 per acre was a joke. He indicated the locations of federally protected wetlands and stated that the wetlands are full of migratory birds. He stated that this application has been controversial at each stage of review – RFBA, PC and at Council. He remarked that a curtain drain is being installed, to reroute the drainage and that the contractor responsible for installation left the trash rather than discarding it. He spoke in favor of the no-spray and native planting zone, but observed that this construction would interrupt animal crossings in this area. He liked the idea of making a path for walking behind the property so that people can enjoy the natural environment in that area.

Catherine Saveson, 8383 Clouse Road. She thanked the developer for embracing the no spray and natural and native plantings and stated was thrilled about that. She continued that she would like to see the full parkland dedication on this site, and that \$42,000.00 per acre was ridiculously low. She asked about the distance from the road to the property line, noting that in the original application it was 250-feet.

Ms. Menerey responded that it was 135-feet, down from 220-feet.

Ms. Saveson continued that she knew one of the neighbors was opposed to the installation of trail. As much as she liked connectivity, that would be a hard-sell for him. She stated that she has been concerned about her well and would get her well tested. She further stated that it seemed unreasonable that she had to hold the developers accountable for not messing up her water and well and would like the city to be sure it was not disturbed. She asked what agency she should report such disturbances to.

Chair Stribick confirmed that Ms. Saveson's property was located in Plain Township and let her know that she would contact Franklin County Soil and Water Conservation. He stated that they are part of the state agriculture department. They have a big office on Rt 40 and they are very helpful.

David Jones, 8332 Clouse Road. He stated that accountability is a huge issue here, the developer should have a park and open space on this property. He urged the board to visit the site, and stated that the trees are particularly beautiful in this area. He showed a photo of 11 bucks in his backyard and stated that he has seen over 30 turkeys walking through his yard. He remarked that the wetlands were incredible in this area. This development proposes too many houses and it is an island. He further stated that he paid \$45,000.00 per acre 20 years ago for his property. He remarked that this area of New Albany should not be any less important than the country club area and urged careful consideration. The park space should be located on the property. He stated that he was concerned that the animals would be adversely affected by this development. He also remarked that there was a substantial water flow behind the four relocated houses and those houses should be eliminated. He asked if the board had any questions from the board. Hearing none, he reiterated his encouragement to save the trees and to visit the site.

Becky Burgess, 8056 Clouse Road. She asked the board whether they had ever walked Clouse Road. She noted that her property was getting a lot of animals that had been driven from the Intel site. Provisions for those animals and the animals that would be

driven from this site, should be made. The Taylor property had trails around it and was part of a large wetland. Ms. Burgess continued that she was not sure why this could not be given the same consideration as the Taylor Farm property.

Chair Stribick asked if there was anyone else present from the public who wished to provide comment. Hearing none, he thanked everyone who had taken the time to appear and provide comments. He added that he was glad to hear such consideration for animals. He stated that he thinks a conversation needs to occur. As a community we are well-entrenched to save the environment.

Board Member Segnini asked how many acres the four homes in the swale covered.

Ms. Menerey answered that she the four lots covered about an acre.

Ms. Segnini asked if we were tied to 151 lots.

Mr. Coffee responded that the developer was, and that that was the amount approved by council. He continued that he had a meeting with the Davies the following week.

Council Member Fellows asked how many units per acre were in this development.

Mr. Coffee responded that it was 2.38 units per acre, which was not maximum density.

Planning Manager Mayer stated there were two separate things, planning documents and city code. The planning documents guide the planning commission and city council. The code are legal requirements for zoning. He explained the land use categories and that age-restricted housing caps maximum density at three units per acre.

Board Member Steelman asked staff about the fee in lieu, it seemed to be a concern of staff and it has been raised by every neighbor. She stated that she understood the fee in lieu and how that worked, however, she wondered whether space could be found to meet the open space requirement. She also raised the issue of the schedule for the construction of the open space.

Planning Manager Mayer explained that the property is zoned PUD which allows for flexibility in design standards which essentially allows a developer to write their own code which is then reviewed by the Planning Commission. The code here allows for off-site parks and open space and provides for a fee in lieu. As such the PUD provides the general framework – street connections, park and open space. The PUD has been set and now it is time to evaluate the details of the development – the open space, the clubhouse, the amenities, and the timeline for constructing those.

Board Member Segini asked whether the four relocated units be oriented a different way so there is more greenspace and/or to accommodate the installation of a dog park.

Mr. Coffee explained that those four homes were relocated at the request of council after significant discussion. He further stated that that area was likely too wet for a dog park.

Board Member Segnini remarked that there were two big issues, 19% was a lot to be short and that \$42,000.00 was not enough. She asked whether the gap could be closed.

Planning Manager Mayer responded that the payment is established by council. He stated that these were good comments, but council makes the final decision.

Planner Nichols added that this application is scheduled for consideration by the planning commission at their October 16th meeting. Following that, it will be considered by council, likely in November.

Board Member Bhat remarked that the western border was connected to the wetlands and the creek.

Staff clarified that it was actually the north, because of the orientation of the slide the four relocated houses on the northside of the property appeared on the left side of the site plan.

Board Member Bhat thanked them for the clarification and acknowledged that she was talking about the northern border. She further stated and that if this application is already 20% short she would prefer that the line back all the way up to the houses in order to preserve open space in another area of the site. If we can't have the 20% make it 40% and make a trail connecting to other parkland.

Ms. Menerey clarified that the shortage was not 20%, that it was 15.9% because $17.66 / 21$ is 15.9%.

Board Member Segnini asked how far would the Kitzmiller park would be and would it be walkable from this property. She also asked whether the applicant whether he would consider removing a corner lot and replacing the home with a gazebo and a bench.

Planning Manager Mayer answered that Kitzmiller Park was just south of the five points intersection and a portion of that area was in the township. He further stated that there was no trail there today but the parks plan calls for the installation of trails.

Board Member Steelman apologized on the math and thanked Ms. Menerey for the clarification.

Mr. Coffee explained that there had been a significant amount of dialogue on the organization of this development.

Board Member Segnini stated that she had been watching it along the way.

Mr. Coffee further stated that there is more than enough acreage and green space surrounding this property, it was just that all of it is not counted toward their parkland requirement. He further explained that there were a lot of recreational amenities on the property – the clubhouse, the pickleball courts that did not count toward our parkland and open space requirement. He stated that Epcon communities are unique and were built with an active amenity for their age 55+ residents. He further stated that the city council approved this site plan unanimously, and city council would consider the fee in lieu in November.

Board Member Segnini stated that if adding land is not possible could the board consider recommending fair market value.

Law Director Albrecht stated that the valuation was for council to establish. This board's role is advisory and their duty was to review and make a recommendation regarding the suitability of the parkland and open space.

Planning Manager Mayer stated that the stormwater retention basins will be maintained by the homeowners' association but city will review the landscape and the design of the pond.

Board Member Segnini asked for the total amount of non-buildable space.

Ms. Menerey responded that there are about five acres around the pond and another two acres on the east and the west of the property.

Mr. Coffee stated that they would commit to a path along the back if the engineering would work.

Board Member Schaper asked for clarification on what the board was acting on, was the in lieu of or not the in lieu of; the board was not acting on requiring more space and not recommending an amount.

Planning Manager Mayer responded that anything regarding the fee payment or the location of the space was outside of what the board was acting on; the board was evaluating and voting on the appropriateness and suitability of the proposed park amenity, the tall grasses, the drainage, and whether the clubhouse was an appropriate amenity.

Board Member Schaper thanked Planning Manager Mayer and continued that she just wanted to understand what the context was; there was a concern about not meeting the requirements. She understood the housing demand but was cognizant of the environment and wanted to maximize the northern corridor, and further regarding the fee in lieu she wanted to make sure it was fair market value.

Mr. Davies stated that suitability did not include short. He further stated that the board had the opportunity to send a message to city council, and the minutes and documents can recommend anything. He continued that there are numbers here that have not been here before and that this is a recommendation. The council can decide how to handle the recommendations.

Chair Stribick asked if there were any other comments. Hearing none, he stated he was concerned about the insufficient park space and thought that the \$42,000.00 was totally out of whack and the board can make that recommendation. He continued that he would like to see the planners get together with the developer because he did not think we have expended all of our talents here. The four plots were sticking in everybody's craw and his first reaction was to get rid of them but maybe they can be rearranged. He appreciated the formula with the pond, but noted that you cannot play baseball in a pond. He recommended approval with the constraints that council review the cost aspect and use the money to buy a larger parcel and set it off and the designers get their heads together so more open space can be provided. He further stated that he was concerned about the floodplains on the property and suspected that at least six inches of water were present at all times on the property.

Board Member Steelman stated that part of the recommendation approved and voted on would be the timing of the plantings, and the leisure path installation on the side of the pond.

Planner Nichols clarified that those were the two conditions in the staff report.

Board Member Steelman agreed.

Board Member Bhat asked about adding a condition regarding ADA accessible picnic tables and benches.

Chair Stribick responded that those would be handled under code and were not needed here.

Board Member Segnini asked whether the board would be able to see the actual amenities once the FDP comes through or would that be at city council.

Law Director Albrecht stated that the next step was review by the planning commission.

Board Member Bhat and board members discussed the number and the wording of the conditions.

Board Member Steelman stated the two conditions in the staff report.

Board Member Bhat stated that there were two additional conditions. They were: reviewing to increase the open space and that the purchase of property would be in close proximity, and consideration of the floodplain on the north side of the development [far left of the slide, with east being on the top of the slide].

Ms. Menerey requested to hear the conditions and stated that this format was new and the applicants were not given a staff report. She wanted to be sure they understood conditions three and four.

Board Member Bhat responded that addition to the conditions in the staff report, there were following two conditions:

3. Increase the open space with consideration to the wetlands abutting the north side of the development.
4. The in lieu would be a purchase of land within close proximity to the development.

Planning Manager Mayer added that the land has to be within plain local school district and within the park metro zone.

Board Member Stribick moved to accept the staff reports and related documents into the record for FDP-87-2023. Board Member Segnini seconded the motion.

Upon roll call: Mr. Stribick yes; Ms. Segnini yes; Ms. Schaper yes; Ms. Stoughton yes; Ms. Steelman yes; Ms. Bhat yes. Having six yes votes, the staff reports and related documents were admitted into the record.

Board Member Schaper acknowledged that establishing the fee in lieu was council's decision, and asked whether condition four could include a recommendation that they review the \$42,000.00 per acre appraised value.

Law Director Albrecht responded that council will decide what it would be but the board could make a recommendation.

Board Member Steelman recommended that the fee be current market value.

Board Member Segnini moved for approval of FDP-87-2023 based on the findings in the staff report with the conditions listed in the staff report and two additional conditions. Chair Stribick seconded the motion.

Upon roll call: Ms. Segnini yes; Mr. Stribick yes; Ms. Stoughton yes; Ms. Steelman yes; Ms. Bhat yes; Ms. Schaper yes. Having six yes votes, the application was approved with the conditions listed in the staff report and the following two additional conditions:

3. Increase the open space with consideration of the wetland on the north of the development.
4. Review the 42k fee in lieu or purchase land within close proximity of the development.

The board thanked the applicant and wished the applicant good luck.

Following the vote, a resident approached the board and stated that he did not understand why the board was working so hard to put a wrong development in the wrong place. He continued that it was the property owner's obligation to make a suitable development. And a development of this kind is more suited to downtown.

VII. Other business

Planning Manager Mayer reminded the board about the upcoming New Albany 101 event at Taylor Farm on Thursday, October 5th from 5:00 p.m. – 7:00 p.m.

- As one of the New Albany IDEA Implementation Panel's initiatives, the New Albany 101 series aims to make all residents feel welcomed and included in the community by encouraging them to actively participate in community activities and pursue community leadership opportunities (like boards and commissions).
- While Taylor Farm didn't fall under the PTAB's purview for development, staff hoped a few of you would be willing to come to the event and talk with residents about the PTAB, your experience being on a city board, and just generally engage residents and enjoy the new park.
- The city will provide tours of the house, as well as have staff at the playground and along the trails/wetlands to answer questions residents might ask.

Board Member Bhat noted that page 7 of the March minutes referenced a memo from Legal Counsel regarding the Open Meetings Act, and she asked whether she could have another copy of the memo.

Board Member Segnini asked for the memo to be sent to her as well.

Planning Manager Mayer responded that he would be sure it was circulated. [*Clerk's note: On October 3, 2023, Board Member Segnini forwarded the memo to the board.*]

VIII. Poll members for comment

IX. Adjournment

Having no further business, Chair Stribick asked for a motion to adjourn.

Board Member Bhat moved to adjourn the October 2, 2023 meeting of the Parks and Trails Advisory Board. Board Member Steelman seconded the motion.

Without objection, the October 2, 2023 meeting of the New Albany Parks and Trails Advisory Board was adjourned at 8:37 p.m.

Submitted by: Deputy Clerk Madriguera, Esq.

Appendix

FDP-87-2023

Staff Report

Record of Action



**Parks and Trails Advisory Board Staff Report
October 2, 2023 Meeting**

**COURTYARDS AT HAINES CREEK SUBDIVISION
PARKS AND OPEN SPACE REVIEW**

LOCATION:	Generally located at the northwest corner of the intersection at Central College Road and Jug Street Rd NW (PIDs: 222-005156, 222-005157, 222-005158, 222-005159).
APPLICANT:	EC New Vision Ohio LLC, c/o Aaron L. Underhill, Esq.
REQUEST:	Parkland and Open Space Review
ZONING:	Infill-Planned Unit Development (I-PUD)
STRATEGIC PLAN:	Residential District
APPLICATION:	FPL-88-2023

Review based on: Application materials received on September 1, 2023, September 15, 2023 and September 21, 2023.

Staff report completed by Chelsea Nichols, Planner.

I. REQUEST AND BACKGROUND

The applicant requests a review and recommendation to the Planning Commission regarding the suitability of parkland and open space proposed in a new subdivision located at the northwest corner of the Central College Road and Jug Street Rd NW intersection. The subdivision is known as “Courtyards at Haines Creek”.

The city council reviewed and approved the rezoning and preliminary development plan for this subdivision during their meeting on July 18, 2023 (O-84-2023). The approved zoning text contains requirements for open space and parkland within the subdivision.

II. SITE DESCRIPTION & USE

The 63.5+/- acre zoning area is located in Franklin County and is currently made up of four properties. There is one existing barn located on one of the properties. The properties are zoned to allow for the development of a 151-lot age-restricted residential subdivision.

III. PLAN REVIEW

The Parks and Trails Advisory Board review authority is found under C.O. Chapter 139.04 and 139.05. Upon review of a proposed final development plan, the board shall make a recommendation to the Planning Commission regarding the suitability of parkland, or fee-in-lieu therefore, being provided to the municipality.

Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text.

New Albany Parks Framework Plan

The New Albany Parks Framework plan lists the following overall recommendations:

- As most park maintenance responsibilities transfer from homeowner’s associations to the city of New Albany, remove exclusive signage from the parks and development communications to clarify that parks are open to everyone.
- Improve the quality and maintenance of existing parks.
- Create a park system in which each park satisfies the needs of a variety of user groups with a range of active and passive recreation options.

- Continue to connect parks, green spaces, and natural corridors with leisure trails.
- Expand programming, especially free and family-friendly programming, in parks and civic open spaces.
- Consider the addition of public art in New Albany’s park and public spaces.
- Incorporate amenities in the pocket playgrounds providing necessary comforts for all ages, such as shaded areas, seating, picnic tables and trash receptacles.
- Manage and maintain city-owned forests, street trees, and natural open spaces by maintaining a tree inventory, developing re-forestation plans, and controlling invasive species.
- Improve the quality of city-owned natural resources, especially streams, wetlands, and other ecologically sensitive areas.

The New Albany Parks Framework plan lists the following recommendations for neighborhood parks:

- Upgrade the pocket playgrounds with more engaging play equipment that is inclusive for a range of ages and abilities.
- Vary play equipment from site to site to provide residents variety.
- Incorporate amenities in the pocket playground providing necessary comforts for all ages, such as shaded areas, seating, and picnic tables.
- Use the development process to ensure adequate open space and parkland dedication for all new residential development.

Per Codified Ordinance Chapter 1165.10 in deciding on the change, the Parks and Trails Advisory Board shall consider, among other things, the following elements of the case:

- 1) The basic mandatory land dedication with each type of new development is listed below. These requirements shall not apply to existing residential lots and/or homes that are being improved or reconstructed.
- 2) The following suitability and quality criteria shall be used to provide an assessment and recommendation relative to the appropriateness of the proposed land dedication or area/facility, i.e., playground, park, recreational area/facility, and open space. The criteria to be used shall include, but not be limited to the following:
 - a) Minimum size for each service level:

Playgrounds	2 acres
Neighborhood Parks	5 acres
Playfields	10 acres
Community Parks	40 acres

- b) Suitability of the following for the proposed use:
 - i) Soils and geology.
 - ii) Topography and drainage.
 - iii) Location and impact of designated floodways and floodway fringe areas.
 - iv) Extent of natural vegetation and tree cover. Preservation of wooded areas is a top priority.
 - v) The degree of access of the proposed area to pedestrians and vehicles, where appropriate. Public accessibility is a top priority.
- c) The proposed recreational facilities and site improvement to be made.
- d) A schedule indicating how the actual construction of the proposed park/open space and improvements are to be phased in relationship with the overall project.
- e) How both ownership and maintenance of such areas are to be undertaken.

- f) Residential development as categorized in C.O. 1165.10(a)(1) must be within one thousand two hundred (1,200) feet of playground equipment and a Pocket Park or a larger size park for development categorized in C.O. 1165.

The following should be considered in the board decision:

1. This zoning district requires 90% of the units have occupants who are 55 years of age or older. The zoning further commits that the community shall not permit permanent residents within the 90% age-restricted units who are under the age of 21. With 151 units, that permits 136 age-restricted and 15 non-age-restricted lots within the subdivision on 63.5 gross acres.
2. The PUD text states “due to the nature of this subarea as an age-restricted community, it shall be exempt from the requirement of Section 1185.15(c)(6) that would otherwise require all residences to be located within 1,200 feet of playground equipment.”
3. During the rezoning hearing, the city council directed the applicant to perhaps relocate up to four units shown on the preliminary development plan near the adjacent neighbor along the western boundary line to provide additional tree preservation. Those four homes have since been relocated to the northern area of the site and back onto Reserve C.

Sidewalk and Leisure Trail

4. The text requires the applicant to install a 5-foot-wide public sidewalk within the right-of-way on each internal subdivision street (other than the North-South Street, the south side of Street 2, and the north side of Street 8), in the general locations shown in the final development plan. The total amount of sidewalk within the development is approximately 2 miles.
5. The text requires the applicant to install an 8-foot-wide, asphalt leisure trail along the north side of Central College Road, the west side of Jug Street rights-of-way, along the both sides of Haines Creek Drive to the intersection with Heidelberg Drive, and along both sides of Heidelberg Drive that goes westward towards. The total proposed leisure trails equal to about 1.3 miles.
6. A path with a minimum width of 8 feet is to be constructed along the south side of the pond in Reserve A, except the path may be reduced to a minimum width of 5 feet in areas restricted by site conditions (trees, grading, etc.). This trail is calculated as part of the 1.3 miles of trail.
 - a. The city is coordinating street improvements with the Franklin County engineer. The city staff intended to field locate the leisure path along Central College Road to minimize tree disturbance. However, the path running along the south side of the pond in Reserve A provides a meaningful alternate path to connect Central College Road to Jug Street, rather than running along the street frontage which may require more tree removal. The city recommends a condition of approval that the final alignment of the leisure path be subject to staff approval.

Parks & Open Spaces (Reserves)

7. New Albany’s Codified Ordinance requires that 2,400 square feet per home be dedicated as parkland and 20% of the total acreage in the subdivision shall be dedicated as open space.
 - a. For this development the total minimum, required parkland and open space is 21.01 acres.
 - b. The applicant is providing multiple reserve areas (A-K) that consists of either open space or parkland, totaling 17.66 acres. Per C.O. 1187.16 wet and dry stormwater basins shall not be considered open space.
 - c. The proposal does not meet the Codified Ordinance requirements since there is a 3.35-acre deficit in open space. The applicant commits to provide for an equivalent contribution toward the city’s parkland and open space amenities through the purchase and dedication to the city or Franklin County Metro Parks

of undeveloped land located elsewhere in the New Albany Plain Local School District, or alternatively by making an equivalent monetary contribution to the City for the purpose of funding other parkland development, leisure path, and/or other recreational programs or plans. This form and the amount of such contribution shall be approved by the city council as part of a final plat.

8. The zoning text states ownership and maintenance of the parkland and open space areas shown on the final development plan shall be defined and approved with the final development plan. The private community clubhouse shall be located as generally shown on the final development plan.
9. Reserve A:
 - a. This is located along Central College Road and is 7.3 acres of open space. This reserve consists of a large basin, preservation of trees, a stream, a pavilion and leisure trail.
 - b. The stream is not a FEMA mapped stream and not considered to have FEMA floodway or floodway fringe. It does have a local 100-year floodplain, which the applicant has studied and has shown on the master grading plan.
 - c. Within reserve A, the zoning text commits to providing a tree preservation zone located a minimum distance of 100 feet from the right-of-way of Central College Road and Jug Street.
 - d. This parcel shall be owned by the city and maintained by applicant (or its affiliated entities) or the HOA.
10. Reserve B:
 - a. This is 1.2 acres, also located along Central College Road and on the west side of the entry drive, Haines Creek Drive.
 - b. This parcel shall be owned by the city and maintained by applicant (or its affiliated entities) or the HOA.
11. Reserve C1:
 - a. This area is located in the northwest corner of the subdivision. It is 2.7 acres consisting of a basin, a stream, and tree preservation.
 - b. The stream is not a FEMA mapped stream and not considered to have FEMA floodway or floodway fringe. It does have a local 100-year floodplain, which the applicant has studied and has shown on the master grading plan.
 - c. This parcel shall be owned by the city and maintained by applicant (or its affiliated entities) or the HOA.
12. Reserve C2:
 - a. This area is located to the north and in northeast corner of the subdivision. It is 3.5 acres consisting of a drainage swale and tree preservation.
 - b. The developer is required to provide natural grasses in this area. No artificial pesticides and fertilizer are permitted in this area. The plan meets these requirements of the zoning text.
 - c. This parcel shall be owned by the city and maintained by applicant (or its affiliated entities) or the HOA.
13. Reserves D, E, F1, F2, and G:
 - a. These areas are located along the eastern side of Haines Creek Drive and along the sides of lots 1, 20, 21, 40, 41, 59, 129, and 146 for a total of 0.58 acres.
 - b. These parcels shall be owned by the city and maintained by applicant (or its affiliated entities) or the HOA.
14. Reserve H:
 - a. This is the community amenity area and is 1.5 acres in size. The amenities consist of a club house with pool, a community garden, a bocce court, and pickleball courts.
 - b. This parcel shall be owned and maintained by applicant (or its affiliated entities) or the HOA.

15. Reserve I:
 - a. This area is 0.14 acres and located north of reserve B, south of lot 102, and west of the stub for McClellan Drive East. This area serves as the future street extension of McClellan Drive East.
 - b. This parcel shall be owned by the city and maintained by applicant (or its affiliated entities) or the HOA. However, at such time the future street is extended, the city will be responsible for street maintenance within this reserve area.
16. Reserve J:
 - a. This area is 0.6 acres located on the west side of Wooster Drive between lots 108 and 113. The intent of this open space is to provide for tree preservation.
 - b. This parcel shall be owned by the city and maintained by applicant (or its affiliated entities) or the HOA.
17. Reserve K:
 - a. This area is 0.14 acres and located south of reserve K, north of lot 124, and west of the stub for Heidelberg Drive. This area serves as the future street extension of Heidelberg Drive.
 - b. This parcel shall be owned by the city and maintained by applicant (or its affiliated entities) or the HOA. However, at such time the future street is extended, the city will be responsible for street maintenance within this reserve area.
18. A schedule has not been provided indicating how construction of the open space improvements are to be phased in relation to the overall project. In accordance with city code requirements, the city staff recommends a condition of approval that the amenities be installed and included as part of the overall subdivision infrastructure improvements (e.g. streets, utilities, etc.).

IV. SUMMARY

The final development plan is generally consistent with the preliminary development plan and meets text requirements. The application includes many of the same development standards that have made more recent subdivisions successful including providing meaningful open space and pedestrian connectivity. The plan for the subdivision's parkland and open space adds to the creation of a park system in which it satisfies the needs of a variety of user groups with both active and passive recreation options. The plan positively attributes to the connection of parks, green spaces, and natural corridors with leisure trails.

V. ACTION

Suggested Motion for FDP-88-2023:

Move to recommend approval to Planning Commission of the suitability of the proposed parkland and open space, based on the findings in the staff report with the following conditions:

1. The open space amenities shall be installed and included as part of the overall subdivision infrastructure improvements (e.g. streets, utilities, etc.).
2. The final alignment of the leisure path shall be subject to staff approval.

Approximate Site Location:



Source: ArcGIS



Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear Aaron Underhill,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, October 3, 2023

The New Albany Parks and Trails Advisory Board took the following action on 10/02/2023 .

Final Development Plan

Location: 8390 & 8306 CENTRAL COLLEGE ROAD

Applicant: Aaron Underhill, Esp.

Application: FDP-87-2023

Request: Review and recommendation to the Planning Commission regarding the suitability of parkland and open space proposed to be provided in a new subdivision known as Central College Road

Motion: To approve FDP-87-2023 with conditions.

Commission Vote: Motion Approved with Conditions, 6-0

Result: FDP-87-2023 was Approved with Conditions, by a vote of 6-0.

Recorded in the Official Journal this October 3, 2023

Condition(s) of Approval:

1. The open space amenities shall be installed and included as part of the overall subdivision infrastructure improvements (e.g. streets, utilities, etc.);
2. The final alignment of the leisure path shall be subject to staff approval;
3. Increase the open space with consideration of the wetland on the north of the development; and
4. Review the 42k fee in-lieu or purchase land within close proximity to the development.

Staff Certification:

Chelsea Nichols

Chelsea Nichols
Planner