



New Albany Planning Commission
Monday, March 6, 2023 Meeting Minutes

I. Call to order

The New Albany Planning Commission held an informal meeting on March 6, 2023 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:11 p.m.

II. Roll call

Those answering roll call:

Mr. Kirby	present
Mr. Wallace	present
Ms. Briggs	present
Mr. Larsen	present
Mr. Schell	present
Council Member Brisk	present

Having all members present, the commission had a quorum.

Staff members present: Law Director Ben Albrecht; Planner Chris Christian; Planning Manager Steve Mayer; Planner Chelsea Nichols; Engineer Will Walther; Planner Anna van der Zwaag; Deputy Clerk Christina Madriguera.

III. Action on minutes:

Chair Kirby asked whether there were any changes to the February 22, 2023 minutes.

Vice-Chair Wallace asked that the page numbers be included on the minutes. He further noted that at the end of the first case, ZC-08-2023, Commission Member Schell's second of the motion to accept the staff reports and related documents was missing.

Vice-Chair Wallace moved to approve the February 22, 2023 minutes as corrected. Commission Member Larsen seconded the motion.

Upon roll call: Mr. Wallace, yes; Mr. Larsen, yes; Mr. Schell, yes; Ms. Briggs, yes; Mr. Kirby, abstain. Having 4 yes votes; 1 abstention; the motion to approve the minutes as corrected passed.

IV. Additions or corrections to agenda

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

Planner Nichols responded that proposed changes would be discussed as the cases were called.

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

Chair Kirby asked whether there were any visitors present who wished to be heard on items not tonight's agenda.

There was no response.

VI. Cases:

ZC-17-2023 Rezoning

Request to rezone 26.2+/- acres located on a portion of 13312 Jug Street Road from Limited General Employment (L-GE) of an area known as Jug Street North Zoning District to Limited General Employment (L-GE) for an area to be known as the Harrison Road Triangle Zoning District (PID: a portion of 095-111756-00.000).

Applicant: MBJ Holdings LLC, c/o Aaron Underhill, Esq.

Planner Nichols stated that she would not be delivering a staff report because the applicant requested that the first two agenda items be tabled and the third agenda item be withdrawn.

Applicant Tom Rubey, of New Albany Company, explained that the three applications, ZC-17-2023, CU-18-2023, and CU-19-2023 were related. They involved rezoning and conditional use permits for the operation of 2 concrete batch plants in separate locations. He stated would like to table the first two applications, the rezoning request and the conditional use request for the operation of a concrete batch plant on Jug Street Road until the April 3, 2023 meeting. The third application, the conditional use request for the operation of a concrete batch plant on Beech Rd, would be withdrawn because, for numerous reasons, he planned to work with city staff to combine it with the request for conditional use on Jug Street Road.

Chair Kirby stated that his first question was about the control of the Bermuda residential subdivision.

Mr. Rubey stated that Bermuda is a factor and his commitments to that neighborhood are not null and void, and that he would return to the commission with a proposal that maintains appropriateness with Bermuda. He further stated that he has concerns about the natural environment and the headwaters of the Blacklick Creek and the fact that this is a request for a conditional use for a span of time rather than a permanent change.

Chair Kirby asked if the commission had questions for the applicant.

Vice-Chair Wallace referenced current staff report and the fact that it called for a 695 ft setback of the concrete operations from adjacent residential properties.

Mr. Rubey stated that he thought the setback in the new application would be closer because the two properties would be combined. He further stated that the city wants it to be within 500 ft as required by code.

Planning Manager Mayer stated that was correct, a 500ft setback is consistent with the TMD zoning requirements and is consistent with surrounding uses.

Mr. Rubey indicated that his analysis was ongoing and he had not yet mapped out the entire site and that he had not yet factored in the road construction project.

Commission Member Larsen asked whether the setback was based on building height as well, 45 ft. versus 65ft.

Planning Manager Mayer stated that within this zone it is a maximum of 45 ft. Newer L-GEs were 85 ft. and there are buildings with a 65ft height. He further stated that the TMD zoning code has no height restrictions.

Mr. Rubey stated that it may be worth taking a ride to view the new Savko batch plant before the next meeting. He further stated that in his opinion, building height is not as significant as hours of operation, cleanliness of materials, wheel washing stations, and environmental preservation easements.

Commission Member Larsen stated that, based upon comments from the last meeting, the environmental impact was one of the major concerns.

Commission Member Schell asked whether the combined plant would be similar in size to the current plant.

Mr. Rubey explained that yes it would be similar.

Chair Kirby pointed out that the property to the north was a great spot for growing trees.

Chair Kirby asked for additional comments.

Mr. Rubey asked for tabling of ZC-17-2023, tabling of CU-18-2023, and withdrawal of CU-19-2023.

Chair Kirby moved to table ZC-17-2023 until the April 3, 2023 meeting. Commission Member Schell seconded the motion.

Chair Kirby asked for discussion on the motion.

There was no response.

Upon roll call: Mr. Kirby, yes; Mr. Schell, yes; Mr. Larsen, yes; Ms. Briggs, yes; Mr. Wallace, yes. Having 5 yes votes; 0 abstentions; and 0 no votes, the motion to table ZC-17-2023 passed.

CU-18-2023 Conditional Use

Request for a conditional use permit to operate an industrial manufacturing and assembly conditional use to allow the operation of a concrete batch plant located on a portion of 13312 Jug Street Road (PID: a portion of 095-111756-00.000).

Applicant: MBJ Holdings LLC, c/o Aaron Underhill, Esq.

Chair Kirby asked whether there was any discussion on CU-18-2023.

There was no response.

Chair Kirby moved to table the application until the April 3, 2023 meeting. Commission Member Briggs seconded the motion.

Chair Kirby asked if there was any discussion on the motion.

There was no response.

Upon roll call: Mr. Kirby, yes; Ms. Briggs, yes; Mr. Wallace, yes; Mr. Larsen, yes; Mr. Schell, yes. Having 5 yes votes; 0 abstentions, and 0 no votes, the motion to table CU-18-2023 passed.

CU-19-2023 Conditional Use

Request for a conditional use permit to operate an industrial manufacturing and assembly conditional use to allow the operation of a concrete batch plant located on a portion of 2520 Beech Road SW (PID: a portion of 094-107502-00.000).

Applicant: MBJ Holdings LLC, c/o Aaron Underhill, Esq.

Chair Kirby stated that no further action was required on this application as the applicant has requested that it be withdrawn. It is now considered withdrawn.

FPL-20-2023 Preliminary and Final Plat

Preliminary and final plat for Alden Woods which will be located at 6700, 6770, 6800 Central College Road in Franklin County (PID: 222-001997, 222-001998 and 222-00199).

Applicant: Andrew Maletz

Planner Nichols delivered the staff report. She noted that the Parks and Trails Advisory Board approved the playground plan at its meeting at 6:00 p.m. on March 6th.

Chair Kirby asked for comments from Engineering.

Engineer Walther recommended the comments and conditions of approval as described in the engineering staff report.

Chair Kirby asked for comments from the applicant.

Andrew Maletz, applicant, stated he had no conflicts with the staff reports or conditions of approval.

Chair Kirby raised the issue of sidewalks. He stated that he believed this was an r4 district, which would require sidewalks.

Planning Manager Mayer answered yes, sidewalks are required in the frontages where the house faces the road.

Chair Kirby confirmed that the driveways would be blacktop.

Chair Kirby noted that lack of a sidewalk and could be confusing for visitors to the house because there is no pathway to the entry.

Mr. Maletz responded that he would not be opposed to installing sidewalks to each of the homes; that he was still finalizing the design. He stated that a sidewalk, if installed, would be adjacent to the driveway. He further stated that he was not opposed to that as a condition.

Chair Kirby stated that it could be additional blacktop, as opposed to concrete that led to the front door. He further acknowledged that installation along the side of the driveway would also mean that the surface was a shared walkway and driveway.

Planning Manager Mayer stated that code requires that sidewalks be concrete, thus usage of blacktop would be a variance.

Chair Kirby asked whether a variance would be required for the width of the driveway

Planning Manager responded the code establishes a maximum driveway width of 12ft.

Chair Kirby followed and asked whether there was a minimum.

Planning Manager Mayer responded no.

Chair Kirby continued, because there is no minimum, a few feet of the driveway could be used for the concrete sidewalk. He further acknowledged that the sidewalk would likely be driven upon but it would assist with access to the front door.

Mr. Maletz responded that he would not be opposed to placing a sidewalk parallel to the driveway, or offsetting it by 3 ft., and even including a hedge. He reiterated that he was willing to include it as a condition of approval.

Chair Kirby opened discussion of the issue to the commission.

Commission Member Larsen stated that sidewalks are preferable, but noted that there are other places in New Albany with driveway access, instead of sidewalk access.

Commission Member Wallace stated that adding sidewalks where there are none may improve continuity inside the development but noted that even without a sidewalk, the front door would not be difficult to find.

Commission Member Briggs asked where the sidewalks were for lots 7,8, and 9.

Mr. Maletz stated that those are traditional motor court designs, where you can see the front door comfortably from the drive; but had no objection to installing sidewalks there.

Commission Member Wallace stated that the commission could encourage rather than require the installation of sidewalks.

Chair Kirby asked for other comments.

Commission Member Larsen asked how the 30 ft setback along the perimeter was established.

Planner Nichols answered that 30 ft is the minimum rear yard setback requirement for the R-4 zoning district. The buffer zone also follows that same standard.

Commission Member Larsen stated that his concern was that the houses are fairly close to the 30' rear yard setback line and he could see variance requests for play sets.

Planner Nichols answered the zoning text does not permit any construction within the buffer zone but homeowners could in fact request variances.

Planning Manager Mayer stated these are conceptual renderings, variances and rear yard layouts are considerations for the future homeowner and developer.

Chair Kirby asked Commission Member Larsen whether his concern would be ameliorated if the existence of the buffer zone were made clear in the sale documents.

Commission Member Larsen stated that the commission had recently considered variance applications involving homeowners who asserted they had no knowledge of easements on their property. He wanted to make the existence of buffer zones clear to homeowners.

Planning Manager Mayer added that, yes, disclosure of the buffer zone and easements are noted in the recorded plat and in the chain of title of the property.

Mr. Maletz responded that, as the developer, he was supportive of maintaining the buffer zones.

Chair Kirby stated he was worried about managing the expectations of homeowners and contractors down the road and his request was that the sales documents note those restrictions

Vice-Chair Wallace agreed and stated that the complexity is with subsequent owners.

Planning Manager Mayer agreed but reiterated that the chain of title will include all easements and buffer zones.

Chair Kirby moved for acceptance of staff report and related documents into the record for FPL-20-2023. Vice-Chair Wallace seconded the motion.

Chair Kirby asked if there was discussion on the documents motion.

There was no response.

Upon roll call: Mr. Kirby, yes; Mr. Wallace, yes; Mr. Schell, yes; Mr. Larsen, yes; Ms. Briggs, yes. Having 5 yes votes; 0 abstentions; and 0 no votes, the motion to accept the documents passed.

Chair Kirby moved for approval of FPL-20-2023 based on the findings in the staff reports with the conditions listed in the staff report and 2 additional conditions listed below, subject to staff approval. Vice-Chair Wallace seconded the motion.

3. Sidewalks from the public 5-foot-wide concrete sidewalk to the houses are encouraged, subject to staff approval; and
4. That the sales documents prominently note the restrictions of the buffer zones.

Chair Kirby asked if there was discussion on the motion.

There was no response.

Upon roll call: Mr. Kirby, yes; Mr. Wallace, yes; Mr. Schell, yes; Mr. Larsen, yes; Ms. Briggs, yes. Having 5 yes votes; 0 abstentions; and 0 no votes, the motion to approve FPL-20-2023 subject to the conditions in the staff reports and the 2 additional conditions, passed.

VAR-27-2023 Variance

Variance to Chapter 1155 associated with development in a floodplain located on at the future site of Taylor Farm park (PID: 222-005165).

Applicant: The City of New Albany

Chair Kirby noted that staff had requested this item be tabled.

Planner Christian stated that the city is still working with the contractor on the applications and expected it to be ready on March 20th. He further explained that the variance requests related to construction and maintenance of existing structures that are located within the floodplain.

Vice-Chair Wallace moved to table VAR-27-2023 until the March 20, 2023 meeting. Commission Member Schell seconded the motion.

Chair Kirby asked whether there was any discussion on the motion to table.

There was no response.

Upon roll call: Mr. Wallace, yes; Mr. Schell, yes; Mr. Kirby, yes; Ms. Briggs, yes; Mr. Larsen, yes. Having 5 yes votes; 0 votes to abstain; and 0 no votes, the application was tabled until the March 20, 2023 meeting.

VII. Other business

New Albany Solar Energy Initiative Best Practices Report

Planning Manager Mayer welcomed Planner van der Zwaag back. He explained that currently New Albany does not have any regulations involving the use of solar panels or technology and Planner van der Zwaag has taken the lead on developing recommendations to present to the city council.

Planner van der Zwaag delivered the New Albany Solar Energy Initiative Best Practices Report. She explained that the impetus of the report was from the New Albany Strategic Plan and the objective is to balance use of solar with aesthetics. She discussed recent Federal and Ohio legislative changes promoting the use of solar applications.

Commission Member Schell asked for a definition of SolSmart.

Planner van der Zwaag explained that it is a review and rating program for communities. It signifies that a community is open and welcoming to the usage of solar.

Commission Member Schell asked whether gold is the highest level.

Planner van der Zwaag said yes.

Vice-Chair Wallace asked whether it was like a certification.

Planner van der Zwaag responded that it was.

Planning Manager Mayer said yes, like Tree City USA.

Commission Member Schell asked whether it was our intent to pursue a SolSmart rating in New Albany.

Planning Manager Mayer responded that staff was trying to find the right amount of solar regulation and usage for New Albany. The goal is not to pursue a rating but found the examples of usages by SolSmart communities helpful.

Commission Member Larsen asked how long SolSmart had been in business.

Planner van der Zwaag said that was a great question and she would look it up.

Planner van der Zwaag stated that solar panels could be used on flat and pitched roofs, and, that she would like the commission's view on whether solar panels on residences should be restricted, prohibited completely, or encouraged, from view from the right of way.

Chair Kirby responded that such a restriction would create a real hardship for homeowners whose homes are not southward facing. The panels are not effective on the north side of the house and only partially effective on the east and west sides of the house. It would create winners and losers depending on the orientation of the house. This was a matter best addressed by homeowners' associations. He further noted that he could see that ground mounting in the front yard would not be favored because they are not aesthetically pleasing, unless the front yard was very long.

Planner van der Zwaag agreed and stated that it seemed unlikely that a homeowner would want that (ground mounted solar panels in the front yard).

Chair Kirby asked Planner van der Zwaag to review the Solar Use Applications categories.

Planner van der Zwaag reviewed the use categories and design criteria,

☰ DRAFT PERMITTED USES & DESIGN CRITERIA

SOLAR USE APPLICATIONS (DRAFT) Recommended Installations and Design Guidelines						
	Residential	Commercial	Institutional	Village Center	Community Solar	Accessory Structures
Recommended Allowed Solar Installations						
Roof-mounted panels - pitched roof	X	X	X			X
Roof-mounted panels - flat roof	X	X	X	X		X
Ground-mounted panels	X*	X	X		X	
Building integrated PV materials	X	X	X	X		X
Design Criteria						
Roof-mounted allowed on front faces of buildings		X*	X			X
Ground-mounted allowed in front yard			X*			
Require regular quadrangular shape on pitched roof	X	X				X
Screening for ground-mounted panels	X	X			X	

* = conditional use

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Chair Kirby stated that he would put the x on facing the right of way and let the homeowners associations take care of it.

Planning Manager Mayer stated that seemed reasonable; in terms of winners and losers there was probably no way for solar usage to be completely prohibited. The question was whether these uses should be permitted, or permitted as variances within the Village Center.

Chair Kirby asked about the third category, institutional.

Planner van der Zwaag responded that institutional, such as usage on schools could serve an educational purpose as well as the energy and environmental purpose.

Planning Manager Mayer stated that these categories correspond to how the code is organized. A carve-out for usage on schools in the Village Center could be envisioned because schools serve a civic institutional purpose.

Planner Kirby asked whether small utility buildings were accessory structures.

Planning Manager Mayer responded that our code had been loosened to permit greater usage of accessory structures by residents, but our code does not apply to utility pump houses or utility structures.

Chair Kirby confirmed that silence on an issue constituted permissiveness.

Planning Manager Mayer responded yes and encouraged any additional thoughts or comments on the draft permitted uses and design slide.

Commission Member Briggs stated that, as a matter of style, usage of an x was confusing; a green check mark would be helpful.

Commission Member Larsen stated that he was unsure about the driving factors, it was unclear the level of involvement of city council and homeowners associations, and whether council wanted to make a statement about the usage of solar.

Planning Manager Mayer responded that there were 3 driving forces here: resident interest in solar as expressed in the Strategic Plan; recent legislative changes that may remove restrictions on usage of solar; and greater solar panel usage applications for commercial and residential. To be clear the applications are filed under the guise of electrical permits, to make sure that it is plugged in properly. He also stated that New Albany uses solar panels at the public service complex.

Chair Kirby asked which category would include solar canopies over parking lots.

Planner van der Zwaag stated there was not an explicit slide for that.

Planning Manager Mayer stated that is the exact input we are looking for from the commission.

Chair Kirby continued that unlike residences there are no architectural concerns for parking lots. Thus, if solar panels are good for the community, it is all a benefit. He continued that Shawnee State uses parking canopies and it provides the benefit of keeping cars cooler in the summer and it minimizes the creation of a heat island. And further that as the owner of solar panels, he could feel the difference in his house. For industrial and commercial use should not be restricted, it should be left up to the owners.

Commission Member Larsen stated that in general flat roofs are not intrusive to the communities, regardless of residential or commercial.

Chair Kirby commented that we cannot legislate what the homeowner associations do.

Planner van der Zwaag then discussed the slide containing the draft application recommendations for residential.

☰ DRAFT APPLICATION RECOMMENDATIONS

RESIDENTIAL

R.1	Encourage roof installations to be located in an inconspicuous location, such as the back of the house.
R.2	Regulate the manner of installation of rooftop solar panels to have a regular shape and uniform appearance.
R.3	Utilize the permitting and review process to determine appropriateness of installation.
R.4	Make ground-mounted solar a conditional use, and require setbacks and screening as criteria for approval.
R.5	Review building-integrated solar products as building materials.
R.6	Require that new buildings be “solar-ready.”

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Chair Kirby stated that there will be a real problem with prohibiting them facing the right of way because the panels work best when south facing, are of limited value when facing east or west, and do not work at all when north facing.

Vice-Chair Wallace observed that is the issue, balancing the economics with the aesthetics. He further remarked that homeowners could sell and relocate.

Commission Member Larsen observed that he thought aesthetics will become a big part of this.

Vice-Chair Wallace remarked that some communities require slate roofs and it was unclear how will this impact those or other aesthetic choices.

Commission Member Schell stated that he was concerned about passing this responsibility to the homeowners associations.

Chair Kirby stated that 2/3 of the homeowners associations are under control of New Albany Company and it seems that those associations have it under control. Presently there are only 2 homes that use solar panels. Many of the small homeowners associations restrict it if it is visible from the right of way. And it seemed like the only homes that could use it without restriction would be older homes.

Chair Kirby sought to clarify the meaning of the language of SB 61.

There was discussion of the language of SB 61 and the vagueness regarding complete prohibition and reasonable regulation.

Vice-Chair Wallace observed that in light of the vagueness of the legislative language the time is right to consider regulation.

Chair Kirby raised the issue of geothermal energy and shared geothermal usage. He stated that there are buildings and neighborhood that use and store geothermal energy.

Planning Manager Mayer agreed that geothermal energy usage was a great issue. He further stated that some buildings currently use geothermal energy and indicated that staff would encourage that use and can certainly put that on the list of things to consider.

Chair Kirby also stated that retention ponds are freebies and could be used, he further remarked that during the energy crisis he was given permission to turn his air conditioning up because the consumption was so low.

Planning Manager Mayer stated that we do have an ECOS program for commercial uses to encourage developers; we can add it to the list.

Chair Kirby asked whether the presentation could be sent to him. He stated that he missed the last meeting and would reply with his comments rather than spending committee time making his comments.

Vice-Chair Wallace stated that the committee tabled it last time so Chair Kirby could hear and respond to the presentation.

Commission Member Larsen stated that another way to think about this is to limit usage to commercial and then residential could purchase the stored energy from the commercial usages. He wanted to be sure all options were being considered.

Chair Kirby asked whether community solar for the Village Center was being considered.

Planning Manager Mayer stated that community solar is something being considered but it is unclear whether there are existing restrictions by AEP and other utilities. Aesthetics and how best to regulate, and then how to best use the existing large flat roofs.

Chair Kirby pointed out that Wal-Mart had figured out how to reap economic benefit by placing panels on their roofs.

Commission Member Larsen reiterated that it would be great to use the large flat roofs in the business park to gather and store the energy for use in the rest of the city.

Planner van der Zwaag said that the commission comments were very helpful. She thanked the commission and stated that she will be collating all of the comments and would be happy to send comments from all the boards and commissions visited.

Planning Manager Mayer thanked the commission and stated that staff review the comments for overlap and then condensing those for recommendations. He further stated that he welcomed any ideas or comments on the recommendations that arose following this meeting.

Chair Kirby confirmed that staff was looking for feedback rather than an approval.

Planning Manager Mayer responded yes, we are seeking feedback on the recommendations.

VIII. Poll members for comment

Chair Kirby polled the members for comment.

There was no response.

IX. Adjournment

Without objection, Chair Kirby adjourned the meeting at 8:45 p.m.
Submitted by Christina Madriguera, Esq., Deputy Clerk.

Appendix

**FPL-20-2023
Staff Report
Record of Action**



**Planning Commission Staff Report
March 6, 2023 Meeting**

**ALDEN WOODS
PRELIMINARY & FINAL PLAT**

LOCATION: 6700, 6770, 6800 Central College Road (PID: 222-001997, 222-001998 and 222-001999).
APPLICANT: Andrew Maletz
REQUEST: Preliminary & Final Plat
ZONING: Alden Woods: Limited Suburban Single-Family Residential District (L-R-4)
STRATEGIC PLAN: Residential District
APPLICATION: FPL-20-2023

Review based on: Application materials received on February 3, 2023 and February 21, 2023.

Staff report completed by Chelsea Nichols, Planner.

I. REQUEST AND BACKGROUND

The application is for a final plat for a new subdivision to be known as “Alden Woods”. The proposed subdivision consists of 9 traditional single-family lots, as well as three reserves (A-C), and one new public street. The subdivision is zoned Limited Suburban Single-Family Residential District (L-R-4).

City Council reviewed and approved the rezoning application for this subdivision during their meeting on October 18, 2022 (O-30-2022). The approved zoning text contains requirements for open space and parkland within the subdivision.

II. SITE DESCRIPTION & USE

The 8.83+/- acre zoning area is located in Franklin County and is made up of three properties. Each lot contains a single-family home. The site is located on the north side of Central College Road. The site is located generally east of New Albany Condit Road, generally west of the Wentworth Crossing subdivision, and generally south of the Courtyards at New Albany subdivision.

III. PLAN REVIEW

Planning Commission’s review authority of the final plat is found under C.O. Section 1187. Upon review of the final plat, the Commission is to make recommendation to City Council. 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.

- The final plat is consistent with the approved Alden Woods zoning text. The plat shows 9 new residential lots. The proposed lot layout and dimensions match what was shown on the zoning exhibit and meet the requirements of the zoning text.
- New Albany’s Codified Ordinance requires that 2,400 square feet per home be dedicated as park land and 20% of the total acreage in the subdivision shall be dedicated as open space. For this development the total required park land and open space is 2.26 acres. The applicant is providing three reserve areas that will consist of either open space or parkland, totaling 2.39

acres. Per C.O. 1187.16 wet and dry stormwater basins shall not be considered open space. The proposed amounts meet the Codified Ordinance requirements and the applicant is exceeding the required amount of open space dedication.

- The three (3) reserve areas are shown as Reserves “A”, “B”, and “C”, on the plat According to the text, Reserves “A”, “B”, and “C” shall be owned by the City of New Albany and maintained by the homeowner’s association in perpetuity for the purpose of open space and/or stormwater retention. Reserve C will serve as the parkland and contain playground amenities.
- The plat creates one (1) new publicly dedicated street. The new street meets requirements as described in the zoning text:
 - The final plat for the subdivision dedicates to the city of 50 feet of right-of-way to provide for a curbed public street going northward into the development from Central College Road with a loop configuration.
 - The final plat for the subdivision dedicates to the city of 50 feet of right-of-way to provide for the future extension of the new public street westward from the loop street to the western boundary line of this proposed subdivision.
 - Per the zoning text, the developer of this zoning district shall be required to construct the extension for a distance of 10 feet from the western edge of pavement of the loop street. A sign shall be installed at the end of this 10-foot stub which indicates that it may be extended in the future as a through street. The design of such signage shall be subject to staff approval. This shall be reviewed by city staff during the engineering plan review.
 - The text requires the developer to dedicate 40 feet of right-of-way from the centerline of Central College Road.
- Per the city’s subdivision regulations, C.O. 1187.04, all new streets shall be named and shall be subject to the approval of the Planning Commission. The applicant’s proposed name for the new street is “Woodview Drive”.
- The final plat appropriately shows the proposed lot width to be at least 80 feet and at least 45 feet on a curving street, as required by the R-4 zoning district.
- The final plat appropriately shows the lots to be at least 10,400 square feet, as required by the R-4 zoning district.
- The final plat appropriately shows 30’ front and rear yard setbacks, as required by the R-4 zoning district.
- The text states that a buffer zone shall be provided for a distance of 30 feet from all perimeter boundaries of the site which are not adjacent to Central College Road. Within the buffer zones, existing trees of one caliper inch or more in diameter as measured three feet above grade shall be maintained. No structures, pavement, patios, decks, pools, playsets, or other permanent improvements shall be permitted in the buffer zone, except a fence along rear lot lines may be permitted in accordance with the Codified Ordinances. Understory may be removed within the tree preservation and such area may be grassed or remain in its natural condition.
 - While the buffer zone is indicated on the plat, there is no note on the plat that described these requirements. Staff recommends that it be a condition of approval that a note is added to the plat to reflect the language from the zoning text stating, “A buffer zone shall be provided for a distance of 30 feet from all perimeter boundaries of the site which are not adjacent to Central College Road. Within the buffer zones, existing trees of one caliper inch or more in diameter as measured three feet above grade shall be preserved and maintained. No structures, pavement, patios, decks, pools, playsets, or other permanent improvements shall be permitted in the buffer zone, except a fence along rear lot lines may be permitted in accordance with the Codified Ordinances. Understory may be removed within the buffer zone and such area may be grassed or remain in its natural condition Trees within the buffer zone may be trimmed, cut, or removed if they are diseased, dead, or of a noxious species or if they present a threat of danger to persons or property. The installation, operation and maintenance of utility and drainage facilities for the development shall be permitted. Utility maintenance within said buffer areas shall occur only in easement areas designated on the plat unless otherwise approved by the city

engineer. The owner of each lot shall maintain the portion of the buffer area that falls within the limits of their lots.”

- In addition, there are two trees identified on the plat as a 36” tree and a 48” tree that are to remain and shall not be removed by the developer and/or property owner without permission by city staff. These restrictions are included as a note on the plat.

IV. ENGINEER’S COMMENTS

The City Engineer has reviewed the referenced plan in accordance with the engineering related requirements of Code Section 1159.07(b)(3) and provided the following comments. Staff recommends a condition of approval that these comments be addressed, subject to staff approval.

1. Refer to Exhibit A. Revise sheet 1 of the referenced plat to match all signature and note blocks, including the Drainage Easement note block, as shown on sheet 1 of Exhibit A.
2. Show all of Reserve A as lying within a drainage easement.
3. Refer to sheet 2 of Exhibit A. Consistent with the previously platted subdivision located across the street from the referenced subdivision, provide a minimum right-of-way dedication of 40’ as measured from road centerline along the referenced subdivision’s frontage.
4. Refer to Exhibit B. Add the Buffer Zone note block and other applicable note blocks to the referenced plat.
5. Label the Instrument No. for the existing sanitary sewer easement shown on the plat.
6. Remove the note “As It Now Exists” beneath the Future Street label.
7. Change the label of the 20’ Storm Easement (Lot 1,2, 3 and 4) shown on the referenced plat to 20’ Drainage Easement.
8. Note that the Drainage Easement shown on the referenced plat within Reserve B doesn’t match sheet C-200 provided with the construction plans. Please advise.
9. In accordance with Code Sections 1187.06 Sections (c)(1) and (c)(2), we recommend that the applicant provide evidence that OEPA and ACOE permits are not required to allow construction.
10. We recommend that the applicant have the area to be re-platted reviewed by the Franklin County Engineer’s office and a summary of County Engineer review comments and the applicant’s comment responses be provided for our records.

V. SUMMARY

The final plat is generally consistent with the zoning exhibit plan and meets code requirements.

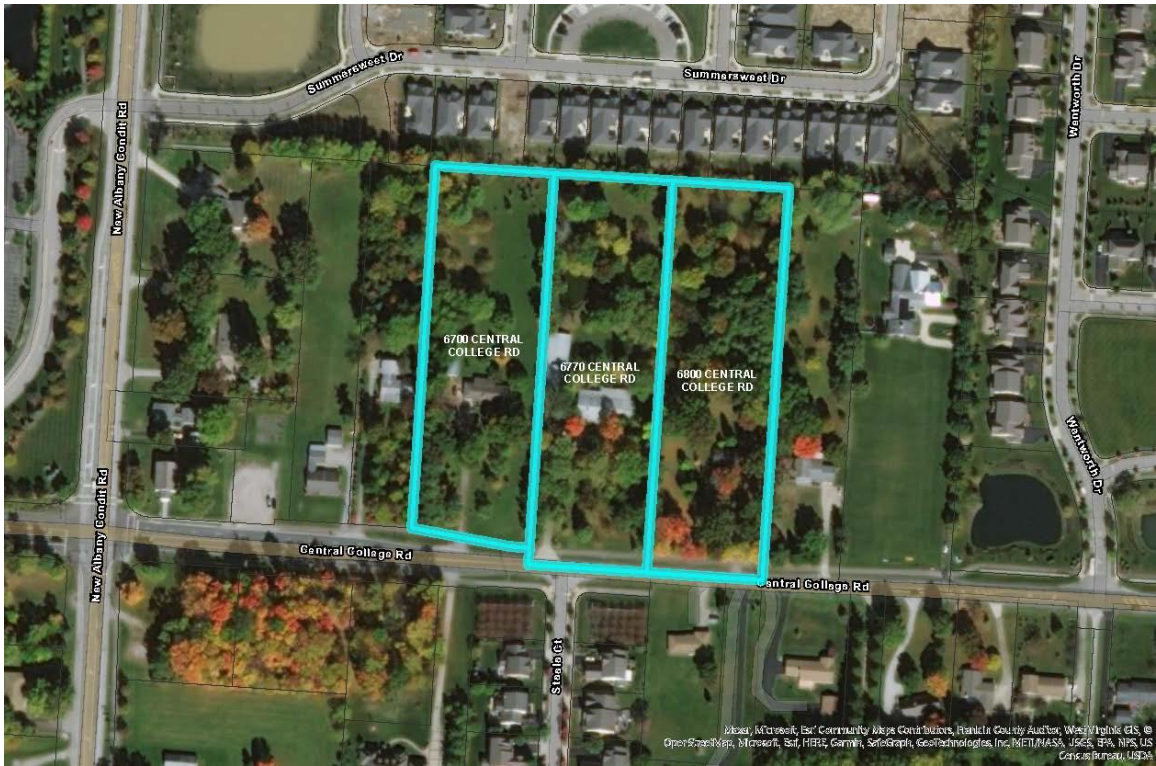
VI. ACTION

Suggested Motion for FPL-20-2023:

Move to approve the preliminary plat and final plat application FPL-20-2023 with the following condition.

1. The city engineer comments must be addressed, subject to staff approval;
2. The plat shall be amended to include a note regarding the buffer zone that matches city staff’s suggested language in this staff report, subject to staff approval.

Approximate Site Location:



Source: Google Earth



Community Development Department

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

Dear Andrew Maletz,

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, March 07, 2023

The New Albany Planning Commission took the following action on 03/06/2023 .

Final Plat

Location: 6770 CENTRAL COLLEGE RD, 6800 CENTRAL COLLEGE RD, 6700 CENTRAL COLLEGE RD

Applicant: Andrew Maletz,

Application: PLFPL20230020

Request: Review and approval of the preliminary and final plat for Alden Woods.

Motion: To approve PLFPL20230020 with conditions.

Commission Vote: Motion Approved with Conditions, 5-0

Result: PLFPL20230020 was Approved with Conditions, by a vote of 5-0.

Recorded in the Official Journal this March 07, 2023

Condition(s) of Approval:

1. The city engineer comments regarding the final plat must be addressed, subject to staff approval;
2. The plat shall be amended to include a note regarding the buffer zone that matches city staff's suggested language in this staff report, subject to staff approval;
3. Sidewalks from the public 5-foot-wide sidewalk to the houses is encouraged; and
4. The sales documents shall prominently note the 30' buffer zone requirements.

Staff Certification:

Chelsea Nichols

Chelsea Nichols
Planner