



New Albany Planning Commission

Monday, April 15, 2024 Meeting Minutes - APPROVED

I. Call to order

The New Albany Planning Commission held a regular meeting on April 15, 2024 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:02 p.m. and asked to hear the roll.

II. Roll call

Those answering roll call:

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

Having all voting members present, the commission had a quorum to transact business.

Staff members present: Law Director Albrecht, Planner II Christian, Planner Cratic-Smith, Clerk of Council Mason.

III. Action on minutes: March 18, 2024

Chair Kirby asked if there were any corrections to the minutes from the March 18, 2024 meeting.

Hearing none, Commissioner Schell moved to approve the March 18, 2024 meeting minutes. Commissioner Briggs seconded the motion.

Chair Kirby asked if there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Schell yes, Ms. Briggs yes, Mr. Larsen yes, Mr. Wallace yes, Mr. Kirby abstained. Having four votes in favor the motion passed and the March 18, 2024 meeting minutes were adopted as submitted.

IV. Additions or corrections to agenda

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

Planner II Christian answered none from staff.

Chair Kirby noted that no one other than staff was present in council chambers, thus there was no need to administer the oath and there were no visitors to be heard.

VI. Cases:

FDM-008-2024 Final Development Plan Modification

Modification to the approved final development plan for the New Albany Links subdivision driving range (PID: 222-002263).

Applicant: New Albany Driving Range c/o Christopher Ingram, VORYS Law Firm.

Chair Kirby moved to accept the staff reports and related documents into the record for FDM-008-2024. Commissioner Wallace seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes, Mr. Wallace yes, Mr. Schell yes, Mr. Larsen yes, Ms. Briggs yes. Having five yes votes, the motion passed and the staff reports and related documents were accepted into the record.

Commissioner Larsen moved to table FDM-008-2024 until the next regularly scheduled meeting based on the request of the applicant. Commissioner Briggs seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Larsen yes, Ms. Briggs yes, Mr. Schell yes, Mr. Wallace yes, Mr. Kirby yes. Having five yes votes, the motion passed and FDM-008-2024 was laid upon the table until the next regularly scheduled meeting.

VII. Other business

Urban Center Code Amendment: Village Center Parkland and Open Space Requirements

Planner II Christian delivered the staff report. Using a slide presentation, Planner II Christian explained that the Parks and Preservation (PP) zoning district serves the same purpose as C.O. 1165.10. However, the Urban Center Code (UCC) does not expressly exempt the Village Center from the parkland and open space development standards found in C.O. 1165. Strict interpretation of city code results in requiring two parkland and open space regulations within the Village Center (the existing PP zoning district and C.O. 1165). Application of both regulations compromises the ability to create the desired urban form in the Village Center. Therefore, staff is recommending an update to the urban center code so that a single regulation applies in the Village Center; the provision would expressly state that properties in the urban center code are not required to meet the dedication requirements of C.O. 1165 and would provide an additional standard to evaluate parkland and open space in the Village Center. Following the staff report, Planner II Christian stated he was happy to answer questions from the commission.

Chair Kirby asked how the lines got drawn, what was the rationale for placing the dashed lines where they were located.

Planner II Christian explained that they had been in place since 2008/2009 and the city was not proposing changes to that area, the changes applied to the colored area on the map.

Chair Kirby asked whether the Maplewood Cemetery was considered part of the Village Center.

Planner II Christian answered yes.

Chair Kirby continued that the rural residential part of Ganton is currently zoned as R-1 under the 1998 PUD and he found it hard to exempt an R-1 district from the parkland requirement, noting that it was done for R-2 – R-4 densities elsewhere.

Planner II Christian answered that there were a lot of areas of the under the 1998 NACO PUD that were part of the Urban Center Code, however there is a provision to permit development under either the PUD or the code, but once a choice was made the property was forever locked into the requirements of that choice.

Chair Kirby stated that he had a problem with exempting many acres of R-1 property from the parkland requirement.

Planner II Christian responded that staff examined that issue as well and then indicated that the area in green represented parkland and preservation and further explained that it was not a complete exemption, proposed development would still require evaluation and there were existing standards in the existing Ganton text that discussed parkland and open space required provision within 1200 linear feet which is an intense standard.

Chair Kirby agreed and continued that the issue was the use, and stated that considering the cost of housing in this area, the parkland requirement should remain.

Planner II Christian clarified that the proposed exemption did not exempt the provision of all parkland as a whole, it applied to the 1200 linear foot minimum requirement in the urban code. It was likely that future development would require provision of 1200 linear feet.

Chair Kirby noted that much of Ganton already included 1200 linear feet. The difference here is that under proposed 2.4.8, the developer would not have to provide that space.

Planner II Christian responded that under 1.1.5, developers were not exempt as a whole from providing parkland and open space.

Commissioner Wallace asked how this was determined, and whether the commission could impose the old parkland provision although it was no longer required under code. Did the commission have the discretion under 1.1.5 to impose a requirement not specifically stated in code.

Planner II Christian answered that staff felt comfortable with the 1200 linear foot requirement with amenitization, and continued that landowners would also have the remedy of seeking to rezone their property in the event they wanted to develop higher density housing.

Commissioner Larsen stated that he thought the language, to the extent that it eliminated stated minimums, was too vague.

Planner II Christian responded that the vagueness was intentional in order to give property owners and staff the ability to come to an agreement on the appropriate amount of space for a particular parcel in the Village Center.

Council Member Wiltout asked who would be responsible for making the decision regarding whether a park bench or another structure would be appropriate.

Planner II Christian responded that primarily the Architectural Review Board would decide.

Chair Kirby continued that if someone placed a gazebo on the open space in Ganton, that would probably meet the letter of the new provision.

Planner II Christian responded that more than likely, such action would be subject to further review and board consideration.

Chair Kirby stated that he hesitated to lose a number or stated formula. He asked whether the Rose Run area was currently a park or aspirational.

Planner II Christian agreed and stated that part of the staff review process would be to determine whether sufficient space was provided. He answered that Rose Run was not aspirational but it had not yet been improved.

Commissioner Wallace asked whether retention of the existing language was preferential. He explained that the proposed provisions worked well if the commission agreed that the proposed use did not require provision of parkland, however if the developer was seeking to construct McMansions or another less favorable use, requiring parkland without code language would be more difficult. The commission will have lost the tool to require parkland, this proposal may solve one problem but create another more difficult problem.

Council Member Wiltout asked whether the point was development of higher density housing than provided in the original code, then the developer could opt into the new requirements but if it was lower density then 1165 would apply.

Planner II Christian stated it sounded as if the commission would be more comfortable exempting properties that were already developed versus exempting properties within the boundaries that choose to use the 1998 zoning text.

Chair Kirby agreed and continued that his concern could be replicated under existing code, he hesitated to release landowners from the parkland requirement. The developers could bear the cost of the parkland requirement. He was concerned about permitting existing adjacent parkland to suffice. He acknowledged that the Village Center needs housing that is affordable but if the land is not being developed that way, then no relief should be granted. He asked whether Windsor was not exempt from the parkland requirement.

Planner II Christian responded that Windsor predated the existing language.

Commissioner Schell asked who owned the Ganton and surrounding land now.

Planner II Christian answered NACO.

Commissioner Wallace stated that he was unfamiliar with the word "amenitized." Although it was present in the OED, it was not included in Webster's Dictionary. As such, he was concerned about using a term that is not readily definable in American English.

Planner II Christian responded that the word "programmable" could be used instead.

Chair Kirby asked whether any of the dark red area, was there any thought that that region should be larger. And further whether the back half of Ganton would be suitable for higher density.

Planner II Christian responded that, enlarging the dark red area would occur through the rezoning process. And further that there were no density limitations in the Village Center under existing code.

Chair Kirby agreed and asked whether the city wanted more density in the Village Center and if so, relief from the parkland requirement would be appropriate.

Planner II Christian responded yes, but the 1200 feet was still needed.

Commissioner Briggs asked whether formal action was needed at the meeting.

Planner II Christian responded that ideally it was, but the commission could wordsmith the language at this meeting and make a recommendation to city council.

Chair Kirby responded that he personally was not comfortable modifying the words and he wanted to make sure that more than his view was represented. He continued that he would like to see the proposal again.

Commissioner Wallace added that the proposal needed to be revised to more clearly encourage the desired result. It sounded as though the city is seeking to encourage higher density but the proposal language does not do that.

Planner II Christian agreed and requested that the commission review the proposal and state their concerns.

Chair Kirby responded that for him it was 2.4.8, “does not universally apply to all of the urban center code.” should not apply to village residential or rural residential. His preference would be that if the developer wanted relief, they must switch to higher density. No relief is required for single family homes. This is an area where the city could permit higher density housing with modest pricing. If there was a small chunk of lot in the darker red area, relief really was needed.

Commissioner Wallace remarked that the code should encourage higher density housing if that was desired by the city.

Planner II Christian clarified that the requirements under 1165 are only triggered when land is subdivided. Construction of homes on existing lots do not trigger this requirement. The apartments would not be subject to these requirements, and likely there are a lot of instances where 1165 would not apply.

Commissioner Schell asked why the city would try to make it easier for a developer of single-family homes to not meet parkland requirements.

Planner II Christian responded that the city was not trying to make it easier. These modifications were attempting to return to evaluation as a whole; rather, staff was realigning and evaluating existing parkland space under both standards to ensure that at least one was met.

Council Member Wiltout added that if there was an existing park around the proposed development, it made little sense to require more land to be dedicated.

Commissioner Wallace responded that some of the land included in the green area was right of way, setback, or green unbuildable space. It was not parkland.

Council Member Wiltout acknowledged the concerns and reminded everyone that the areas beyond the 1200 feet would still have to have access to green space. The proposal could use more teeth, but it was not establishing a desert wasteland. Perhaps there should be a separate code to address this.

Chair Kirby responded that development adjacent to a park that they did not install did not count toward the parkland requirement in any other district.

Commissioner Schell noted there was a fee in lieu, and asked whether it was being surrendered.

Commissioner Larsen noted that the other problem with green space is that it can go away over time, noting that government buildings allowed construction in the green space.

Planner II Christian noted that staff was thinking amphitheater or other public spaces.

Council Member Wiltout reiterated her understanding of the concerns and that perhaps a separate code was needed.

Commissioner Wallace recommended that the language be revised to incentivize the desired result and that it the proposal use recognizable words.

Chair Kirby asked Planner II Christian what staff had captured from the discussion.

Planner II Christian responded that he heard that the commission was comfortable with an exemption for most of the Village Center but for use with higher residential densities. If property was within the urban center code boundary but developed with underlying zoning, it may be worth parsing off. This would solve many of the commission's concerns. The proposal could be brought back if additional information is needed.

Commissioner Larsen added that in 1.1.5, the use of "some form of open space" was vague and needed additional parameters.

Chair Kirby asked what the standards were for pocket parks, and recommended that minimum space standards be used here.

Planner II Christian responded that there were no universal standards. It was very subjective. He continued that staff could measure what the city currently had, as well as other pocket parks in Columbus and surrounding suburbs, and return to the commission with that information.

Chair Kirby thanked staff and stated that the commission would get back to Council with a recommendation on this.

VIII. Poll members for comment

Chair Kirby polled the members for comment.

Hearing no comment, Chair Kirby adjourned the April 15, 2024 Planning Commission meeting at 7:53 p.m.

Submitted by Deputy Clerk Madriguera, Esq.

Appendix

FDM-008-2024

Staff Report

Record of Action

**Urban Center Code Amendment: Village Center Parkland and Open Space
Requirements Memo**

**Planning Commission Staff Report
April 15, 2024 Meeting**

**NEW ALBANY LINKS DRIVING RANGE
FINAL DEVELOPMENT PLAN MODIFICATION**

LOCATION: 7100 New Albany Links Drive (PID: 222-002263)
REQUEST: Final Development Plan Modification
ZONING: Infilled Planned Unit Development (I-PUD)
STRATEGIC PLAN: Parks & Green Space
APPLICATION: FDM-008-2024
APPLICANT: Christopher Ingram c/o The New Albany Links Driving Range

Staff report completed by Sierra Cratic-Smith, Planner.

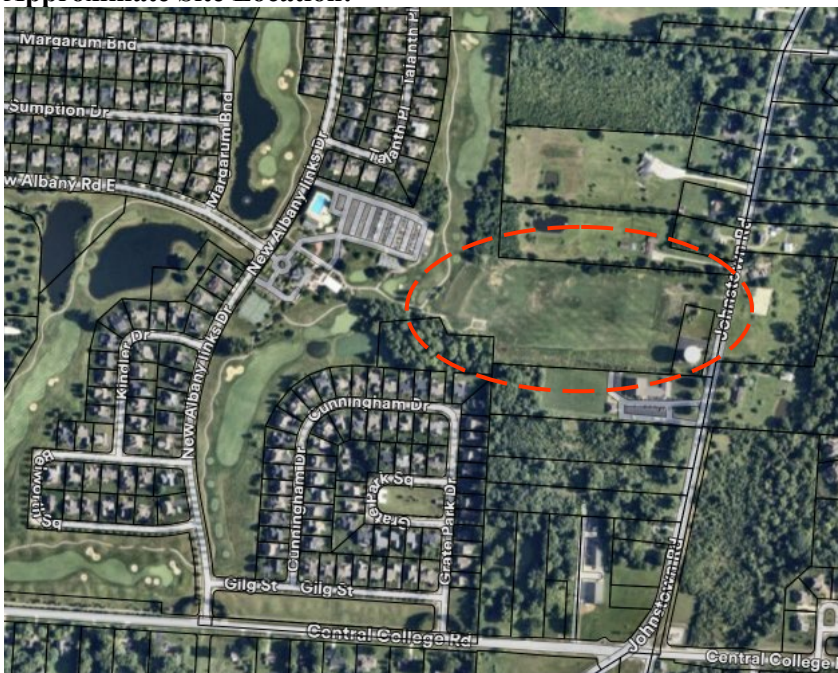
I. REQUEST

The applicant requests that the New Albany Links Driving Range final development plan modification application be tabled to the May 20, 2024 Planning Commission meeting. The applicant requests the tabling in order to provide the parties with additional time to meet and confer on a solution.

II. ACTION

Move to table final development plan application FDM-008-2024, to the Monday, May 20, 2024 regular planning commission meeting.

Approximate Site Location:



Source: NearMap

Christopher L. Ingram
Direct Dial (614) 464-5480
Direct Fax (614) 464-5480
Email clingram@vorys.com

March 27, 2024

VIA E-MAIL

New Albany Planning Commission
C/O: Sierra Cratic-Smith, Planner
scratics@newalbanyohio.org

Re: FDM-008-2024 Final Development Plan Modification
New Albany Links Driving Range Final Development Plan Modification

Dear Planning Commission Members:

The applicant is working to develop an amicable resolution to this matter. The applicant respectfully requests that the Planning Commission table this matter to its next meeting in order to provide the parties with additional time to meet-and-confer on a solution.

Very truly yours,



Christopher L. Ingram



Community Development Department

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

Dear Luke Bowersock, Kemper Sports,

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

Wednesday, May 01, 2024

The New Albany Planning Commission took the following action on 03/20/2024 .

Final Development Plan Modification

Location: 7100 NEW ALBANY LINKS DR

Applicant: Luke Bowersock, Kemper Sports,

Application: PLFDM20240008

Request: To table until the next scheduled Planning Commission Meeting.

Motion: To table

Commission Vote: Motion Tabled, 4-0

Result: Final Development Plan Modification, PLFDM20240008 was Tabled, by a vote of 4-0.

Recorded in the Official Journal this May 1, 2024

Condition(s) of Approval: N/A

Staff Certification:

Sierra Cratic-Smith

Sierra Cratic-Smith
Planner



TO: Planning Commission

FROM: Community Development Department

DATE: April 8, 2024

RE: Urban Center Code Amendment: Village Center Parkland and Open Space Requirements

Introduction

Attached are the proposed Urban Center Code amendments to expressly exempt properties in the Village Center from meeting the parkland and open space development standards (as described in C.O. 1165.10(1)).

It has been widely recognized that the Village Center should be developed in a style that promotes a traditional town center form. The success of the Village Center is directly linked to the success of the urban design decisions for future development projects. The goal and intent of the Urban Center Code (UCC) is to remove suburban design elements in the Village Center to accomplish the desired traditional urban form.

There is a discrepancy between the zoning sub-districts found in the UCC and the city code parkland and open space development standards for new residential development. Adherence to both the UCC zoning designations and the city code development standards for parkland and open space dedication compromises the ability to create the desired urban form in the Village Center.

This memo provides an overview of existing parkland and open space regulations and how they should be modified to achieve the future development pattern as envisioned in the Engage New Albany strategic plan for properties in the Village Center.

Parkland and Open Space Regulations

Types of Regulations

Construction within the city is controlled through two types of regulations: zoning districts and development standards. A zoning district is an area delineated on a zoning map for which uniform use rules are specified. A development standard is a regulation pertaining to the modification of land. Development standards examples include setbacks, lot coverage, building heights, landscaping, and parking regulations.

Traditional Zoning Outside Village Center

There are two types of zoning districts in the city of New Albany. The first is a traditional, Euclidian (use-based) type of zoning for land outside of the Village Center. Parkland and open space is not an established zoning district. For these Euclidian zoning districts, parkland and open space are provided through separate development standards found in chapter 1165 of the city

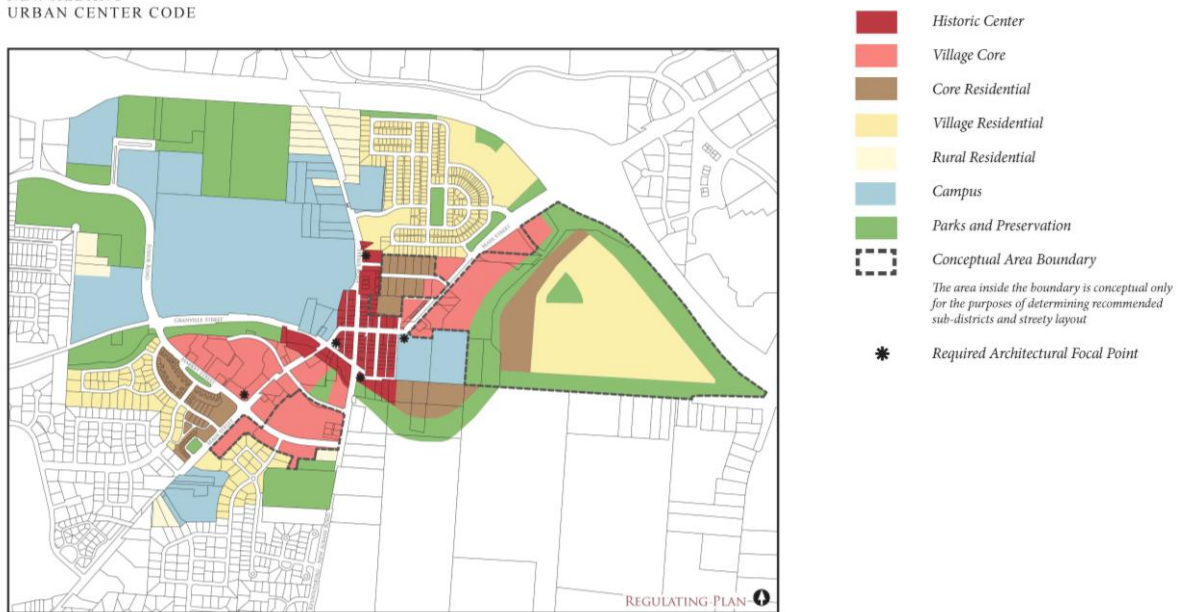
codified ordinances (C.O.). These standards are included in the table below and apply to all new residential developments in the city.

Development Type/Zoning	Parkland Dedication	Open Space Requirement
Residential “subdivisions” as defined in C.O. 1187.01(g)	2,400 sq. ft. per dwelling unit	In residential developments of two (2) acres or more, a minimum of twenty percent (20%) of the gross developed land area shall be common open space.

Urban Center Code Zoning Within the Village Center

The second type of zoning district in the city of New Albany is a form-based code, named the Urban Center Code (UCC), that is established only for land within the Village Center. The entire Village Center is zoned with different zoning districts from the UCC as shown in the graphic below. One of the UCC zoning districts is the Parks and Preservation (PP) District. The UCC only permits the development of government and recreational facilities, parks, and playgrounds within this district. The Parks and Preservation (PP) zoning district designates parkland and open space for the entire Village Center rather than relying on the development standards found in C.O. 1165.

NEW ALBANY
URBAN CENTER CODE



The Parks and Preservation (PP) zoning district serves the same purpose as C.O. 1165. However, the UCC does not expressly exempt the Village Center from the parkland and open space development standards found in C.O. 1165. Strict interpretation of city code results in requiring two parkland and open space regulations being applied within the Village Center (the first is the existing PP zoning district and the second is the development standard found in C.O. 1165). Adherence to both sets of regulations compromises the ability to create the desired urban form in the Village Center. The code needs to be updated so that a single parkland and open space regulation applies in the Village Center.

The city staff researched and determined that this code change is consistent with best practices.

Parkland and Open Space Best Practices

New Albany city code section 1165.10(a) states that the land required to be dedicated as part of new development shall be suitable for municipally owned and operated parks, recreation facilities, and open space. Every year, the city includes a breakdown of existing municipal land use categories as percentages in the city's annual report. Today, there are 1,132 acres of open space, parkland, and preserved areas in the city which is 9.54% of the total city area. Within the Village Center, there are 94 acres which is 13.4% of the total Village Center area. Private parks and open spaces, such as golf courses, are included in this calculation.

As noted in the Engage New Albany Strategic Plan, parks and open space are intrinsic to the character of New Albany and these spaces take many different forms, serving different purposes throughout the community. These spaces consist of formal greens, city parks, rural corridor setbacks, environmentally sensitive lands, and others. Existing green spaces in the city complement the development pattern in which they are located, including the Village Center. In a 2023 report, the National Recreation and Park Association (NRPA) states that the organization does not provide standards as every community is unique with its own set of desires and needs.

In a memo published by the American Planning Association, David Barth states that there are no national standards for the optimal number of parks and other recreational facilities provided in a community (Barth, 2016). The article identifies and describes the most common park and recreation Level of Service (LOS) metrics, including acres per capita. Barth recommends that communities only include lands that could have otherwise been developed, are publicly accessible, and are able to be used for recreation in their acreage LOS metric. However, the author recognizes that there is no standard answer for what lands should and should not be included in this metric (Barth, 2016).

If the existing land use numbers are applied to an acreage LOS metric, there are approximately 96 acres of parkland, open space, and preserved areas per 1,000 residents in the entire city. Within the Village Center, there are approximately 85 acres of the same type of space per 1,000 residents. Surveying 1,000 park and recreation agencies, the NRPA reports that the median parkland acreage provided in cities with a population of less than 20,000 people is 13 with an upper quartile of 21.1 acres (National Recreation and Park Association, 2023).

Conclusion

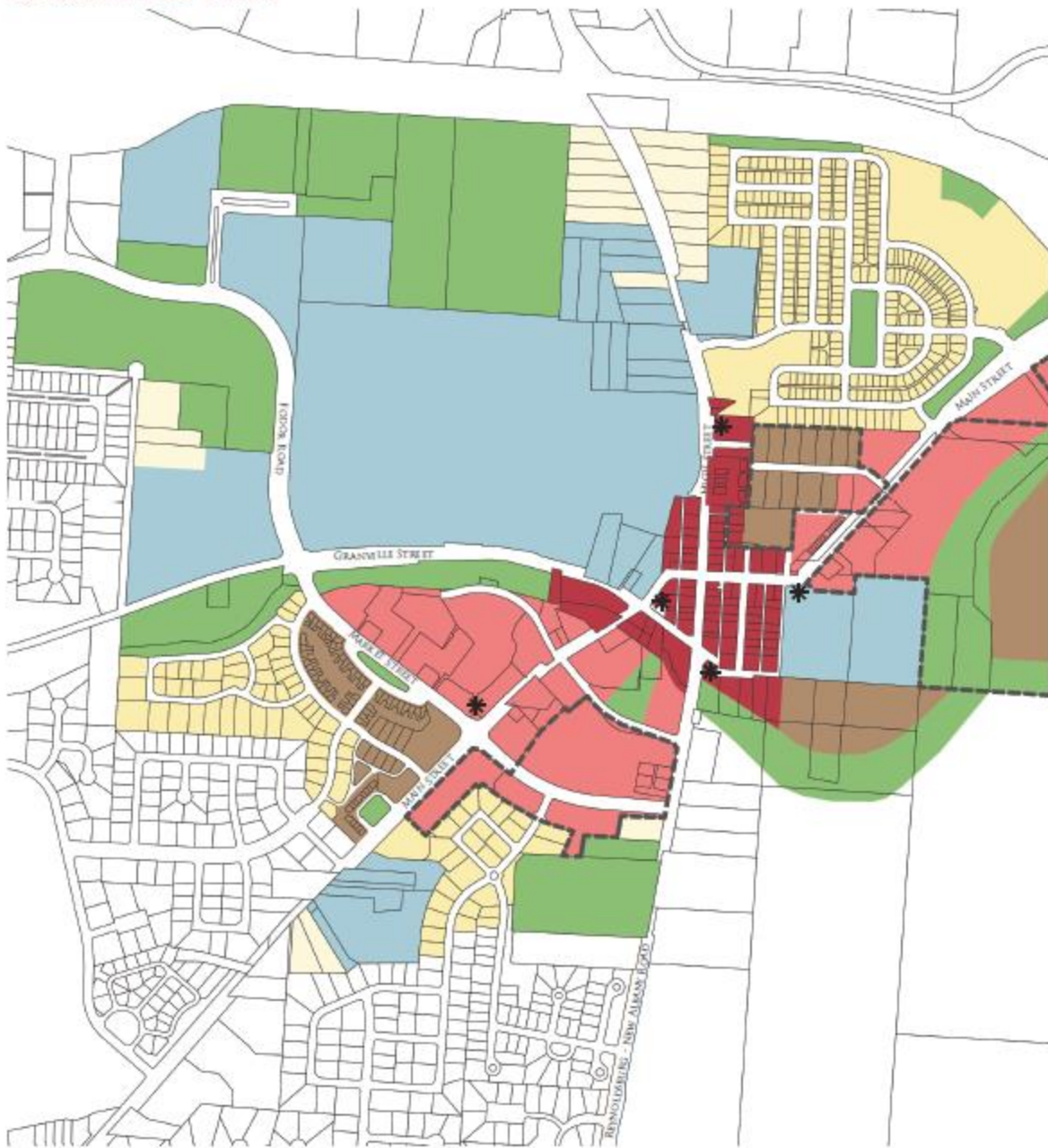
Parkland, open space, and preserved areas within the Village Center have historically been provided in a manner generally consistent with the regulating plan of the UCC. The intent of the UCC is to provide an appropriate arrangement of development that creates a vibrant, mixed-use district including a certain balance of greenspace and developed ground. This has resulted in an abundance of green spaces in the Village Center including key amenities such as Swickward Woods, Rose Run Park and the New Albany Wetland and Nature Preserve. Development in the Village Center is complimented by these greenspaces and when considered together, accomplishes the vision of the UCC.

To preserve the intent of the UCC and continue to promote cohesive development in the Village Center, the UCC should be modified so that properties in the Village Center are not required to meet the parkland and open space development standards (as described in C.O. 1165.10(1)).

Recommended Code Changes

The UCC should be updated to expressly exempt properties in the Village Center from meeting the parkland and open space development standards (as described in C.O. 1165.10(1)). The proposed modifications to the Urban Center Code are attached to this memo.

REGULATING PLAN





Street Standards Plan
 Refer to the Street Standards Plan for required and recommended street, alley, and building envelope standards.

1.1 Regulating Plan

- 1.1.1 The Regulating Plan divides the Urban Center District into sub-districts. These sub-districts identify areas of common building form based upon existing conditions and recommended future conditions from the Village Center Strategic Plan.
- 1.1.2 The sub-districts allocate the location of building forms, building frontages, and other development considerations to create the desired urban design standards for each.
- 1.1.3 The conceptual area boundary indicates a required arrangement of sub-districts and conceptual street layout for areas where the existing condition does not match the desired future building form or street layout. Modifications to sub-district boundaries can be made through the amendment process (Chapter 1111). Acceptable circumstances for modifications to the Regulating Plan would include the following:
 - a. modifications to the street standards plan
 - b. protection of natural features not previously identified
 - c. revisions to the Village Center Strategic Plan
- 1.1.4 Multiple locations within the Urban Center District have been identified as important visual termini. The locations should be seen as opportunities to highlight architectural interest through building orientation, unique massing, or frontage treatments. Refer to Section 3.3 for additional guidelines for required architectural focal points.
- 1.1.5 Some form of open space or parkland shall be provided within 1,200 linear feet of all new residential buildings. These spaces shall be amenitized to meet the needs of residents in the surrounding area.

- Historic Center*
- Village Core*
- Core Residential*
- Village Residential*
- Rural Residential*
- Campus*
- Parks and Preservation*
- Conceptual Area Boundary*
- Required Architectural Focal Point*

the desired placement in a sub-district.

- 2.2.3 New building typologies shall be project specific and cannot be used for other development applications.

2.3 Wide Buildings

- 2.3.1 Buildings with lot widths that are longer than 300 feet should be sensitive to adjacent building patterns.
- 2.3.2 If a wide building is across from an existing set of buildings with significantly narrow lot widths, the wide building must mitigate the facade length by creating the appearance of smaller lot widths.
- 2.3.3 Wide buildings may implement vertical architectural elements to the building facade, changes in material, color, breaks in plane to the facade, or a varied roof line.

2.4 Reference Regulations

- 2.4.1 Unless otherwise specified in this document, the development standards of Part Eleven of the Codified Ordinances of New Albany shall apply.
- 2.4.2 Decks are permitted and shall be regulated by Codified Ordinance Chapter 1165.
- 2.4.3 Open-sided structures are permitted and shall be regulated by Codified Ordinance Chapter 1165.
- 2.4.4 Swimming pools shall be regulated by Codified Ordinance Chapter 1173.
- 2.4.5 Fencing and hedges shall be regulated by Codified Ordinance Chapter 1175.
- 2.4.6 Satellite antennas shall be regulated by Codified Ordinance Chapter 1177.
- 2.4.7 Wireless Telecommunication Facilities shall be regulated by Codified Ordinance Chapter 1179.
- 2.4.8 Properties located within the Regulating Plan boundary are not required to meet the Parkland and Open Space Dedication Requirements in Codified Ordinance Chapter 1165.