

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY, INDIANA,  
HELD A WORK SESSION AT NEW ALBANY CITY HALL IN ROOM 100 ON  
MONDAY, NOVEMBER 24, 2023 AT 12:30 P.M.**

**MEMBERS PRESENT:** Council Members: Mr. Phipps, Mr. FitzGerald, Mrs. Gohmann, Mr. Blair, Mrs. Griffith, Mrs. Murphy, Mr. Unruh and President Dickey (Remote). Mrs. Collier was not present.

**ALSO PRESENT:** Mrs. Manning, Mr. Wood, Mrs. Miller, Ms. Johnson and Mrs. Glotzbach

**CALL TO ORDER:** Vice President Murphy called the meeting to order at 12:30 p.m.

**Mr. Wood** stated that today the staff of the Planning Commission and the Redevelopment Commission would like to introduce you to key elements of the City of New Albany and Unincorporated Two-mile Fringe Area Comprehensive Plan for Year 2045, which describes a vision for the future development of New Albany over the next 20 years. He said today's meeting is provided to City Council with a brief overview of the significant components in the 2025 comprehensive plan. He also said the draft plan was made publicly available online on Monday, September the 29<sup>th</sup> and copies were distributed to the City Clerk on Thursday, November 13th. He stated the Planning Commission held a special meeting on Monday, October 29th, during which it made a favorable recommendation to the City Council and the next City Council meeting for consideration is December 1<sup>st</sup> at 7:00 p.m. He said if adopted, the staff will shift its focus to the zoning ordinance with the goal of the Planning Commission and City Council consideration of that ordinance in early 2026. He added for background, in 1981, Indiana began requiring adoption of comprehensive plans as a prerequisite to implementing local zoning and established three mandatory elements for a comprehensive plan. He stated the first was a statement of objectives for future development, the second was a statement of policy for land use development, and the third was a statement of policy for development of public ways, public lands, and public utilities. He said the enabling laws also allowed for other optional elements as well, including parks and recreation, elimination of blight, preservation of natural resources, flood control, and numerous other community development issues such as education, health, community character, environment, and more. He stated additionally, the plans were to be suitably long-range, specific to the community, general in nature and integrated with community zoning ordinance. He added lastly plans are to be regularly updated and New Albany adopted its first required comprehensive plan in 1983 with subsequent versions in 1999 and 2017, which is the current plan. He said both the original and 1999 plans focused on industrial development in areas outside 265, on downtown revitalization and on transportation infrastructure among other familiar topics. He stated the current draft plan was formed out of the work of numerous interested parties in the city, including more than 250 survey respondents. He said we'll touch briefly tonight on seven chapters of the plan and two focus areas. He stated these are housing and neighborhoods, economic development and quality of place, land use, natural resources, transportation, utilities and infrastructure, resiliency and adaptation, and downtown west and Charlestown Road focus areas. He said up first to present housing and neighborhoods is Ms. Claire Johnson.

**Mr. Blair** asked if they want them to ask questions during the discussion or just wait until the very end?

**Mr. Wood** said if we can wait until the end, he thinks it will flow better. Okay.

**Ms. Johnson** started the presentation to the council. Mr. Wood and Mrs. Miller also participated in the presentation. Said presentation is on file in the City Clerk's Office.

**Mr. FitzGerald joined the meeting at 12:36 p.m.**

**Mr. Phipps joined the meeting at 1:04 p.m.**

**Mrs. Murphy** stated at our last council meeting, Mr. Phipps made a comment about what this plan is and is not. He asked Mr. Phipps if he would mind to repeat that?

**Mr. Phipps** stated it's a template and not a roadmap. He said in other words, it's a guide for future development. He also said if a plan commission or other entities will determine whether this fits with the comprehensive plan, it doesn't mean that everything in here is going to get accomplished. He stated there's no way we could do that, but it's the guide.

**Mrs. Griffith** said that was very helpful to her at the last meeting.

**Mr. Blair** stated he has just two overall types of questions, and he wants to see the mindset of maybe the community input and of the steering committee. He said the first one is, as we know, Origin Park is being developed on the Ohio River, and we have areas over there such as Loop Island Wetlands and Silver Creek that could be collaborated with Origin Park as far as development. He asked if there were any thoughts or statements as far as working with Origin Park and developing that side and sort of make a seamless pathway going into Origin Park from New Albany and coordinating our efforts with them?

**Mr. Wood** stated we looked at Silver Creek, we looked at our shoreline, and looked at particularly Loop Island Wetlands, and we're proposing that the zoning ordinance acknowledge that those areas are floodplain floodway as well, and that they should be passive recreation areas that are protected. He also stated that we have to recognize flooding and what kind of effort the street department goes through every time the Ohio River comes up and there's a mess to clean up afterwards and those types of issues. He said to the extent that we can coordinate with Origin Park, we're not opposed to that by any stretch. He added our vision of our riverfront is more of a passive recreational area for like quiet reflection, a place to walk, a place to enjoy yourself and he thinks Origin Park is looking at more of an active recreation area, and to the extent we can make those two work, he thinks they will do that. He stated one of the concerns we have right now is what the traffic impacts are going to be if they meet their expected visitation goals, because a certain percentage of that, probably a large percentage of it, is going to come through New Albany, and there's only one way to get there, and that's Spring Street. He said that could have a pretty serious impact, so we're looking at that and how to mitigate any kind of impacts from that.

**Mr. Blair** stated because we've mentioned some other entities and so forth, he thinks it would be proper to mention the fact that it's Origin Park and know that it's being developed. He added it's going to impact us whether we work with them or not, so we might as well accept that and prepare and develop for that. He also added there are some active areas in Origin Park, but he understands there are some very passive areas they are building with it such as floodways and so forth in mind. His concern is that we don't transition smoothly between it and all of a sudden there's a distinct difference between the New Albany piece of it and the Origin Park piece of it. He thinks it's going to be very confusing to individuals using it for recreational activities, and there are things that would benefit us from working with Origin Park and there are probably things they can benefit from us. He said it just makes sense to him to coordinate some efforts with them and he would like to see that in the plan.

**Mr. Wood** said we vision our riverfront, our Silver Creek frontage as a public asset versus a private asset in Clark County, so there's a different expectation on our side in terms of what we develop for the community benefit there, but working with Origin Park is certainly something we can achieve.

**Mr. Blair** asked if the steering committee brought up Origin Park? He said this was developed as a community aspect, community of mind and he would have been the first person to say this needs to be on the plan. He stated there are people here that were on the steering committee and asked if that was not brought up or discussed?

**Ms. Johnson** stated there were concerns brought up about the impacts of visitor ship and the traffic, and Mr. Wood mentioned the impacts that would have in New Albany, but as far as the entities that are listed within this plan, she believes they're all entities that are located within New Albany so the focus really was on New Albany.

**Mrs. Griffith** asked on page 71, under natural areas and parks, could we just make an amendment to have it listed in there? She added that lists Charlestown, Clark State Park, Deams Lake, Falls of the Ohio, etc.

**Mr. Blair** asked if we can't just acknowledge it?

**Ms. Johnson** said those are in the section of regional natural areas, preserves and parks but there is no mention of coordination with these different entities.

**Mr. Blair** stated that he would like to see it acknowledged, at least because that would get us a little bit further than we are today that it's happening.

**Mr. Unruh** asked Mrs. Miller as far as the Charlestown Road corridor, you mentioned fewer curb cuts, and how do fewer curb cuts help with increased residential areas, multi-use developments and commercial development?

**Mrs. Miller** said she thinks the curb cuts are pertaining to the walkability of the area. She stated the pedestrian pathway right now, with the number of curb cuts, has significant interruptions where pedestrians have a sidewalk, but then they have to walk across traffic. She said the idea of trying to minimize curb cuts as much as possible, while still encouraging commercial development, is really to focus on that pedestrian pathway

**Mr. Unruh** stated so it's not one over the other, it's just trying to get a good in-between?

**Mrs. Miller** stated that she thinks the focus area calls for an access management and control ordinance so a more detail-focused plan to really look at movement throughout that corridor.

**Mr. Phipps** stated while we're on the Charlestown Road corridor, he has a question as well. He can kind of see how there's logic in keeping that portion of Vincennes Street part of the corridor, but now look at areas like DePauw and some of the residential areas like behind Hazelwood and so forth. He asked why that was chosen to be linked to the Charlestown Road corridor? He asked if it is just because it didn't fit well somewhere else or are the needs similar?

**Mr. Wood** stated from the high school south, the uptown neighborhood really has a commercial feel to it and has almost an urban environment as well. He said buildings are closer to the street and after you get past the high school, everything starts to spread out and become a little bit less urban in nature, and we thought that that kind of fit well with the rest of Charlestown Road as well from Klerner Lane, so that's why we included it there. He stated we also saw some vacancies that we thought we could fill in with some new housing in that area and kind of strengthen that as well.

**Mr. Phipps** said you're talking about Charlestown Road?

**Mr. Wood** said both.

**Mr. Phipps** stated he was talking more about the part that's not connected to Charlestown Road, that's deeper in the neighborhood.

**Mr. Wood** said so you're talking about Vincennes Street?

**Mr. Phipps** replied no, he's talking about the areas that aren't on Vincennes or on Charlestown Road. He said like DePauw Avenue or Lindberg Court and those areas behind Hazelwood that are pretty much exclusively residential except maybe a couple of places on Silver Street or something like that?

**Mr. Wood** said probably 10 years ago when there was a public meeting about redevelopment of the Colonial Manor Plaza, we did some research there and found within a mile walking distance, which is a pretty good distance but it's a doable distance, something like 45%-55% of the population would live within a mile of that shopping center. He stated we're trying to encourage that redevelopment and part of the curb cut issue is making it more pedestrian-friendly, bicycle-

friendly, and really build on that kind of momentum by trying to get it to have a renaissance by making it linked to those neighborhoods.

**Mr. Fitzgerald** said he thinks that area is very New Albany High School centric and permeates throughout that neighborhood. He added especially if they continue to buy a plan for parking lots across the street with incense and in your backyard, that expands into the DePauw and to the Lindberg area.

**Mr. Phipps** said he would agree it's centric, but he doesn't know that it's a good thing that it is. He stated that in the area he's looking at, you've got it all designated as residential. He just thought it was kind of odd that that residential was connected to a much more commercial corridor. He thought maybe there was a reason for it, like a census tract or a TIF district or something like that.

**Ms. Johnson** said he thinks it's really about connecting neighborhood services, something really at a neighborhood scale for those rooftops there.

**Mr. Blair** asked wouldn't that apply to other neighborhoods along Charlestown Road in that area? He stated, to Greg's point, you could bring in a lot of residential areas into that if you're bringing those neighborhoods.

**Mr. Fitzgerald** asked if it is just because it's sort of the postage stamp between Charlestown Road and Vincennes, the geography of it all? He asked if there are not any other additional areas and neighborhood areas within this map, is it just because of the geography of having it being the intersection of Vincennes and Charlestown Road?

**Mr. Wood** said the corridor is missing sections of sidewalk so you've got that to deal with, you've got remnant industrial still there, and you've got places where there's no curb cut at all and it's just one continuous opening between the roadway and the street. He stated right now, motor traffic is what defines what happens in that neighborhood, so we want to take a look at how we can create a more pedestrian-friendly environment, a safer environment for pedestrians and bicyclists, and enhance the commercial opportunities that are there. He added there are lots of buildings that have been vacant for a long time and when the license branch went into Colonial Manor, what a difference that made, so you'd think there's opportunities to reinvigorate some of these commercial uses through the corridor as well, and we're trying everything. He added we have tools to try to get that done and the zoning ordinance will be a pretty helpful element in that as well.

**Mrs. Griffith** thanked them for the plan and said that was a lot of work. She then asked when the zoning ordinance is going to be updated? She knows their working on that now, but do we have a target date of when the new one will come out?

**Mr. Wood** stated our hope is for February or March to have it to the council. He said his staff and he have gone through the definitions section of current zoning ordinance, which we've found to be pretty lacking and have added quite a bit of definitions to that section. He stated we've also rearranged the development section, which the previous consultant had done in an alphabetical manner, which he guesses works, but we also thought it would be better to keep related topics near each other so we've been working on that as well. He said we're pretty far along and he's pretty hopeful that schedule will get it to the council probably for first reading at your second meeting in February.

**Mrs. Griffith** stated that's good to hear because she knows a lot of this goes hand in hand. She then asked when you say granny pods, are you encouraging people to have smaller like rental homes? She was kind of confused on that. She likes the granny pods, but then she was reading somewhere and she didn't know if that was something that you're kind of encouraging with larger lots to put a rental home on.

**Ms. Johnson** said no, it doesn't need to be a larger lot. She said the beauty of an ADU is that it can be built in the backyard of someone that owns the front home, and it allows for more

attainable home ownership, and that if it's someone that they're renting to in the ADU, it can supplement their monthly mortgage payment. She asked if that is what she is referring to?

**Mrs. Griffith** said yes, she was wondering if that's what you were encouraging more for like mother-in-law suites or if we were really encouraging having rental homes, because she feels like we really need to have our ordinance and our code enforcement up and going for that. She thinks that's going to open a can of worms for some.

**Mrs. Murphy** asked what ADU stands for just for clarification?

**Mr. Wood** said ADU stands for accessory dwelling unit. He stated we're looking to try to provide a broad range of housing to meet a whole community worth of needs. He then stated that he is 65 and spent four hours Saturday and four hours Sunday reglazing windows and repainting windows. He discovered that his feet don't like being on the ladder for four hours at a time, so at some point he is going to be ready for a smaller home that has less maintenance. He said at the same time, he has two kids who are in the workforce and trying to save up enough money for that first home, and we're trying to make sure we've got all of those elements covered in the community. He also said we just want to make sure we're trying to provide a wide range of housing for everybody in the spectrum in the housing community, whether it's rental, whether it's owner-occupied.

**Mr. Blair** asked are you thinking all zoning districts or just certain zoning districts for that?

**Mr. Wood** replied no, we can't regulate occupancy by zoning.

**Mr. Blair** said he is talking about building a detached unit.

**Mr. Wood** said yes, you can do that.

**Mr. Blair** said first of all, there are going to be deed restrictions to that in a lot of neighborhoods and so forth, so he can see a lot of pushback in neighborhoods. He thinks at the least if we do it, it should be an exception and they have to go for a special exception, and go to Board of Zoning Appeals in order to get that approval.

**Mr. Wood** stated currently, they are a special exception. He said he thinks there are neighborhoods where they could be by right or a conditional use, something like that, but that's for the zoning ordinance, and we're going to get to that. He stated right now we're looking at the comp plan and suggesting that all of those elements should be on the city's plate.

**Mr. Blair** said he can see attorneys now standing up in front of the Board of Zoning Appeals saying, well, the comprehensive plan supports this, so we should be allowed to do that. He also said they're going to be guided by this.

**Mr. Wood** said the zoning ordinance will handle those on a case-by-case basis, and we can make a case that this lot is much larger than any other lot in the neighborhood so it could accommodate another dwelling unit on it. He added we can work through that.

**Mrs. Gohmann** stated we use the term affordable housing, affordability, affordable, etc., and asked if there is a definition of what is considered an affordable and if it is a percentage of the average income or something? She added affordable housing to the average person who makes maybe \$20.00 an hour is not going to be a \$250,000.00 or \$300,000.00 home, and she doesn't know how you could build a new construction, even a small one, for less than that.

**Mr. Wood** explained that HUD creates an income eligibility guideline based on the metropolitan statistical area, Louisville, and all of the counties in Indiana and the Louisville side. He doesn't have that handy right now, but you can find it on HUD's website and it'll have one family, two family, one-person, two-person family, three-person, four-person, and so forth and it'll have those eligibility limits for HUD programs, and that's generally what we consider to be affordable.

**Mrs. Gohmann** asked if they take the average of all the counties in Indiana and figure it that way?

**Mr. Wood** said it's Louisville and Louisville's metropolitan counties. He said in Indiana, it's Clark, Floyd, Harrison, Scott, and Washington Counties, so those five counties are part of the Louisville MSA, and they average out those numbers and that's how they come up their table, which they publish annually.

**Mr. Fitzgerald** stated also in addition to that, if there are like inclusionary zoning units, depending on the number of people in each unit, it can be an income level. He said it can be like 40%, 60%, 80% of AMI, which is the area medium income and that's the thing that gets everything because the average medium income is higher than what is affordable to a family.

**Mrs. Gohmann** said it would be very difficult for the average, even couple, to be able to afford \$1,500.00 a month for rent and try to save to buy their first home.

**Mr. Fitzgerald** thinks that's one of the factors in why we started with the down payment assistance and trying to come up with other ways as well. He thinks that as we continue to have more tools and ideas presented that hopefully will increase that.

**Mrs. Murphy** stated we talk about the Louisville metro area, and in her past life, she came across a lot of families that have come from Oldham County and see New Albany as more affordable because of the East End Bridge now. She added that's impacted affordability as well.

**Mrs. Griffith** asked if anyone else read that we're going to try to do away with vouchers in housing? She asked if she read that correctly? She also asked if New Albany isn't one of the larger housing areas?

**Mr. Fitzgerald** asked if we are talking about public housing units or vouchers for other affordable units that are not in public housing?

**Mrs. Griffith** replied both.

**Mr. Blair** stated it's on page 39, and it says, that based on the recommendations of the city of New Albany and New Albany Housing Authority, do deconcentrate and slowly phase out low-income subsidized housing.

**Mr. Wood** stated historically, New Albany's Housing Authority saw easy money at HUD to build numerous housing units, and we got way out of alignment with the rest of the Indiana Counties MSA, so we're hosting about 65% of the public housing rooftops in New Albany. He said David Duggins has been reducing that number through the voucher programs formerly known as Section 8 and through reconstruction of units. He stated our goal is to right-size the public housing portfolio in New Albany.

**Mrs. Murphy** asked when you say 65%, are you saying 65% of the state of Indiana?

**Mr. Wood** said 65% of the counties of the Louisville metro in Indiana which include Clark, Floyd, Harrison, Scott and Washington. He said so two-thirds of the public housing in all of those five counties are based in the city of New Albany.

**Mr. Blair** said he gets that but this says phase out which to him means eliminate. He asked if the word should be reduced?

**Mr. Wood** stated that they get vouchers and they can take those vouchers anywhere. He said for the most part, they stay in New Albany.

**Mr. Blair** asked if they stay in those same housing units that are available?

**Mr. Wood** said housing units don't need vouchers. He stated the vouchers are for market-rate housing that you can rent as long as the landlord will accept the federal government paycheck, a

rent check, and it meets the housing quality standard. He added anybody can rent a Section 8 unit and anybody can own and operate them essentially.

**Mr. Blair** asked what happens to the new homes that we built at Beechwood Terrace?

**Mr. Wood** said those are still qualified units if they're a HUD unit, and as long as you meet the income requirements that HUD established for the MSA, then you're qualified for those units.

**Mr. Blair** said so people would stay in those units but they're just using vouchers, right?

**Mr. Wood** said no, those are publicly owned and they're income qualified. He added one of the slides we had today is limit on our housing repair program, so if you're a family of four and you're earning less than \$77,000.00, you qualify for that program. He stated it's the same type of thing. He said the Housing Authority operates Beachwood apartments and Beachwood homes, so if you're qualified to live in a public housing project, you can live in one of those units; they're not using vouchers for that.

**Mr. Blair** said but that's what it's saying, phase out those units.

**Mr. Unruh** said no, the vouchers.

**Mr. Wood** stated the population that has been reduced by the lowering of the number of units have gotten vouchers, and those people can go anywhere in the United States that a voucher is accepted to live.

**Mr. Blair** said he guesses maybe it's the wording that he is struggling with more than the concept because when he reads slowly phase out, to him, that means no more. He stated he would have used the word reduce but maybe that's not the right word either.

**Mr. Wood** said we'll take a look at that language and see if it needs to be changed.

**Mr. Blair** asked if that is acceptable to HUD for us to continue along that path? He thought there were some restrictions of how many we could reduce and so forth.

**Mr. Wood** stated that Mr. Duggins would be better at explaining what the HUD rules are with it, but there's two things. He said first of all, deconcentrate public housing because it's just never a good idea to concentrate a large group of low-income people in one place.

**Mr. Blair** said he agrees because we've been warehousing, and that's the term we've been using.

**Mr. Wood** stated that the idea is to phase these units out in terms of the excess number, not all of them, with the idea that if you're in a phased-out unit, you get a you get a voucher and you can go anywhere you want with that voucher. He said when we tore down the high rise, everybody got vouchers that was in there so they could go somewhere else if they're if they didn't want to stay in a public housing unit. He added we're trying to right size that.

**Mr. Blair** said he is not disagreeing; he just thinks the word right size or something in there instead of phase out or something to that effect would be better. He then stated that he didn't see in the plan anything about dangerous driving. He said that's a comment he hears all the time, such as speeding, avoiding traffic signs and driving just in general. He stated the only place he really saw anything about traffic calming was in the Charlestown Road specific area. He would like to see something that covers the whole city regarding reducing the amount of speed, etc.

**Mrs. Miller** stated complete streets implementation as well as the traffic safety enhancement zones are in the transportation section.

**Mr. Blair** stated he may have missed it and asked what page it is on?

**Mrs. Miller** stated that it is in chapter nine.

**Mrs. Griffith** said along those lines, when we're talking about the traffic trucks, we do have issues with larger trucks going on some of the main roads. She stated she didn't remember reading that in there, and she assumes that it's going to be in there. She then asked if that is something we need to put in, making sure that our industrial places give their trucks the proper route to get to them through one of the main roads versus the side roads?

**Mr. Dickey** stated he thinks on that subject, Mr. Blair needs to have a conversation with Chief Bailey because there are some legality issues to that idea.

**Mrs. Griffith** said he just knows with some of the neighborhoods being added and other industrial spots around it, we're going to run into it, so let's put something in there.

**Mr. Wood** said Mrs. Jonson had the slide about complete streets on the concept of making a street a resource for everybody, including bikes, including pedestrians, and slowing traffic down. He stated all of that is a very important element that we have included in the comprehensive plan. He added one of his pet peeves is the striped areas where there's a turn lane and then there's the approach and there's nothing but asphalt there. He said take that out and put in an island, get some trees growing in it and handle some drainage that way. He thinks those are important things that we're getting better at, but we still have a long way to go. He stated another personal grievance is Charlestown Road from Klerner Lane out to 265. He said being a five-lane section, it's an invitation to go really, really fast, and it shouldn't be that way. He also said INDOT decided that's what it was going to be, and we're left with correcting that and getting that taken care of. He stated the plan addresses those ideas, and hopefully we'll be in a position to get funding to do that and take care of that. He thinks they've addressed the traffic calming concepts throughout, and certainly, his friend John Rosenberger absolutely drilled that into us as an important element for the community.

**Mrs. Murphy** stated going out Charlestown Road right before you get to 265, where the Purdue Extension is, now we have the Pain and Spine Center, Optum Health and the dental office there. She has been told that INDOT owns that section of the road and asked what the chances are of a crosswalk at that area to connect the Kohl's side of the road with that side of the road?

**Mr. Wood** stated it's a possibility. He said it's always been a matter of working with INDOT, and for the past decade or longer, INDOT has been relinquishing urban highways. He stated they don't want to have them and they don't want to be responsible for maintaining them. He said in that particular instance, it's part of the limited access right-of-way of Interstate 265 and they're not going to relinquish that; they're always going to hold on to it. He stated it means working with that bureaucracy and getting them to come on board.

**Mrs. Murphy** asked if there has been no further discussion with Industrial Road or whatever the road is that goes in between the Optum and the Paine Center that goes back to Payne Kohler Road. She said at one time there was discussion of joining Payne Kohler into Charlestown Road, and that has gone away as well?

**Mr. Wood** said there's still the hope to connect Payne Kohler up through the Purdue campus to the traffic signal at the Kohls entrance there and avoid making that signal on the old Sam's site the de facto way to get to Charlestown Road.

**Mr. Blair** stated back on major roads, we have State Street as a secondary arterial road and not a primary road like Grant Line, Charlestown Road and Spring Street. He would think State Street would be a primary arterial road and it's classification is probably through INDOT, but he doesn't understand why it's classified as a secondary arterial road.

**Mr. Phipps** said he thinks it's its own category, a nightmare.

**Mr. Blair** stated he'd like to go back through some of the subsections and on page 36, at the very last dot point, it says, encourage tenants to create a union to educate renters about their rights and responsibilities. He asked what that means?

**Ms. Johnson** stated in other cities, there are tenant unions, and they can advocate for their rights together as a group. She said rather than that being an entity of the government, we just thought it would make sense to have something in your statement that those folks get together and create an organization such as a tenant's union.

**Mr. Fitzgerald** said sometimes it's not called a union per se, but it's an organizing unit of tenants and it helps definitely when you have a big slum lord.

**Mr. Blair** then said on page 59, it says, mandate that group homes and transitional housing be distributed evenly throughout the planning area with minimum separation requirements. He asked how you try to get them evenly disperse throughout the community?

**Mr. Wood** stated you can use zoning to create separation requirements. He also stated you can say you can't have two group homes within 1,000 feet of each other, and 1,000 feet might sound like a lot, but it's basically three blocks, three urban blocks, about 300 feet each. He added so you could say 2,500 lineal feet. He said you can use zoning that way. He added you can't prohibit them, but you can prohibit clustering them all together in a neighborhood. He stated part of the issue was that downtown had, over the years, a lot of nonprofits that were buying up deflated property value and locating in downtown. He added that the Midtown District has a lot of service providers like that, which if they're run well, they're great, but if they're not run well, they can destabilize the neighborhood.

**Mr. Blair** said he is familiar with several in the 6th District, and they seem to be run well. He said there was one that wasn't, but we took action and got it to clean up its act so he gets that.

**Mr. Dickey** stated that he would be leaving the meeting for an appointment, but said it would be helpful if individuals that have comments or questions about things make sure they follow up with the staff prior to the meeting on Monday, December 1<sup>st</sup>.

**Mr. Dickey left the meeting at 2:00 p.m.**

**Mr. Blair** said that on page 49, the last stop point, it talks about connecting to the Louisville loop. He asked if we are still trying to think about using the railroad bridge off of Vincennes Street and doing a connection?

**Mr. Wood** said that's one alternative and certainly the bridge in Jeffersonville would provide a link as well. He stated in the entirety of his career, K&I has not been available because Norfolk Southern has said don't get on our bridge.

**Mrs. Griffith**

**Mrs. Griffith** said don't give up, keep going. She then stated there were a lot of great goals that she saw listed that he was happy to hear, like out by Samtec extending Reese Lane to Obama Way. She saw that in there, and thanked them for putting that there, because she thinks that'll be huge, too.

**Mr. Blair** stated he is back into land use, and the one concept that was introduced was form-based ordinance, form-based code. He asked if they could give them a little more detail on what that means?

**Mr. Phipps** stated he has concerns about that as well and expressed that at the Plan Commission meeting.

**Mr. Wood** stated form-based code is a zoning regime that is more focused on the aesthetics of the built environment rather than land use. He doesn't think that's necessarily appropriate in New Albany, at least not now. He said maybe in the future but right now he thinks more control over land use is important. He thinks what they're trying to get at here is a blend of the aesthetics of a form-based code and creating an urban form reinforcing that urban form. He stated when the YMCA was first proposed, the YMCA people wanted it back next to the railroad and all the parking out front, and we said, no, no, no, turn it around, get the building out front and the parking behind. He said they said but everybody needs to know there's plenty of parking.

He stated there are runners, bicyclists and exercise people who are not going to mind walking from the parking behind to the YMCA. He stated that's the kind of form-based that we're talking about here, not a true form-based code in the planning regime; things where land uses are less important than aesthetics.

**Mr. Blair** asked if we are leaving ourselves open to a legal challenge if we don't define it a little more definite in how we're using it? He said again, he really gets concerned with what an attorney's going to do.

**Mr. Wood** stated as Mr. Phipps said, this is a template, not a roadmap so we're not forcing ourselves into any one particular position with adoption of the comprehensive plan. He said we're setting a vision for it and the policy document is the zoning ordinance. He added the zoning ordinance is not going to be form-based, it will have a very strong urban design component to it, but it will not be a form-based zoning ordinance.

**Mr. Blair** said so we can still put restrictions and different requirements and so forth in our zoning ordinances?

**Mr. Wood** replied yes.

**Mr. Phipps** stated he supports what you're talking about in that regard, like the parking in the back of the Y instead of in the front, so he thinks the more we can encourage that in the zoning code to keep with the urban aesthetic or the residential aesthetic or whatever, so please put that in there. He said he guesses in a strict true form-base, and he's just using this hypothetically, somebody can put a tattoo shop in a Victorian home irrespective of what neighborhood it would be in.

**Mr. Blair** stated that's his concern because he gets a lot of calls about businesses and neighborhoods and so forth, and he just doesn't want to open that can of worms. He said if we're going to strengthen our residential neighborhoods, we can't just have that everything goes in a neighborhood.

**Mr. Fitzgerald** said with the context of we're landlocked, our development is more infill. He stated again, hypothetically, say someone wants to develop a plot of land behind an established neighborhood, and it's not cohesive at all with the established neighborhood, would the form base that you're thinking of help make it more streamlined and more compatible with the existing neighborhoods?

**Mr. Wood** replied yes and stated the intent with the zoning ordinance will be to be so far back from the right away. He said now we're going to say things like this is the line we want you to build to the line. He also said so there's a house here and there's a house here and they're lined up, so build up and get right in line with those guys. He stated we don't want them to be way back and don't want them to be way forward. He said it's going to be very context-sensitive, and he thinks people will appreciate it.

**Mr. Blair** stated shouldn't we say it's more like aesthetically compatible with the existing, instead of using the word form-based?

**Mr. Wood** stated form-based has a definition that's recognized by planners and he doesn't think it locks us into any particular position if we say form-based. He said we'll take a look at it and see, but again, the comprehensive plan is not a policy document; it's a guidance document. He added the zoning ordinance is where you'll see the rubber hit the road.

**Mr. Blair** stated he understands that piece of it, but he just thinks that there'll be people who pick this document up that haven't gone through these meetings and these discussions, and they're going to read it based on the wording that they see on the page.

**Mr. Wood** said he gets that.

**Mr. Phipps** said but be more so if you had ambiguity in your zoning code. He stated if the zoning code is really firm and strict, he thinks you'd have less of a concern about it.

**Mr. Blair** said he agrees that it's going to be in the zoning code.

**Mr. Phipps** said so that's what we need to scrutinize.

**Mr. Blair** stated that the other thing on that page talked about annexation. He asked if we are going to look at like we have done in the last year or so, we just annexed neighborhoods that have been newly built or developed or are we are looking at annexing existing neighborhoods that we think could benefit from the services of the city?

**Mr. Wood** said in Indiana annexation it is a four-letter word.

**Mr. Blair** said he has read through it because he was pointed that way, and he's disappointed in the effort it takes to annex something.

**Mr. Wood** said he thinks the intent there is what we have seen most recently, and that is voluntary annexations. He stated when you're already contiguous to the city, and you're upgrading from a couple of homes to an assisted living facility type of thing, then a voluntary annexation makes sense and goes forward from there. He said hostile annexation, he doesn't think, is what we're endorsing with the comprehensive plan.

**Mr. Blair** asked if we should use the word voluntary annexation?

**Mr. Wood** stated there could be some instances where an involuntary annexation makes sense, but that would be the exception rather than the rule.

**Mr. Phipps** stated he doesn't think you would want to limit it to say simply voluntary in case there was one of those exceptions.

**Mr. Blair** said yeah, you're probably right. He stated we probably need to leave it vaguer. He is just reacting to what our intent is more than that but you're right about that. He then said on page 61, second to the last stop point, it says contain hospital expansion with coordinated land use policies.

**Mr. Phipps** said he thinks that means hypothetically because you wouldn't want an institution continually wiping out neighborhoods for parking, airplane landing strips or something like that.

**Mr. Blair** said but what happens if they want to add a new state-of-the-art facility and we've said no?

**Mr. Phipps** said they can always build parking garages and then build on the land that they would have if we were hypothetically talking about a landlocked situation as opposed to continuing to take blocks and blocks of a neighborhood and wiping out housing.

**Mr. Blair** asked if that should be broader than just hospital? He stated it sounds like we're picking on the hospital.

**Mr. Phipps** replied yes, it probably should be broader.

**Mr. Blair** said on page 63, the second to last stop point says nominate new sites and districts for inclusion to the National Register to protect properties from inappropriate federally supported undertakings. He asked what that means?

**Mr. Wood** stated that means that property that is listed in the National Register of Historic Preservation as it currently exists is protected from federally funded projects. He said so if the feds were to come in and say we want to build a new bridge next to the Sherman Minton to handle additional traffic, we would want to make sure we had national registered districts in place where we have the historic resources so that the federal government would be required to

ameliorate any adverse effects from a new bridge over the Ohio River, for example. He added National Register does not impact local ownership, so if you own a National Register home and you're not in a local historic district, you can put vinyl siding on it, paint it any color you like, tear it down, etc. He said but with federally funded activities, the project is required to minimize any adverse impacts. He added we have a lot of neighborhoods in New Albany that are now eligible for the National Register. He said Post-World War II neighborhoods, 1960s, 1970s, 1980s, are now eligible for the National Register, so that means pretty much everything inside 265.

**Mr. Blair** stated on page 94, under Utilities and Infrastructure, the very last dot point, it says acquire residents constructed in the floodway and restore the site to pre-construction configuration where appropriate. He said then it turns around and says prioritize homes in the floodway

**Mr. Wood** stated there were a lot of homes that were built before the flood studies were published in New Albany around 1980-81, so there are a few homes that are in the floodway and we would encourage prioritizing those for acquisition.

**Mr. Blair** said maybe it just needs another word in there.

**Mr. Wood** said right now Indiana does not permit residential construction in a floodway with the exception of a boundary river. He stated we all can think of what a boundary river might be, but you've got to be at least two feet higher than the Ohio River's flood elevation, which would mean on stilts.

**Mr. Blair** stated he just didn't read it that way and he would just like to have another word or two in there just to clarify it.

**Mrs. Griffith** stated at the beginning of the plan it was listed out who's responsible for each goal and to hold them accountable, and we are, as city council people, listed under quite a few of those. She asked if they are supposed to be proactive and help with that?

**Mr. Fitzgerald** said he thinks a lot of it's like, it's under our purview to vote for, whether it's the zone code or that sort of stuff.

**Mrs. Giffith** stated that's what she figured because she knew the vote would come to us. She then said as you all know, she does like to be more active and involved in that process. She didn't know how that would look or if you all thought about that process going forward. She then stated that she really like that you put in there on page 45 how you're working with a lot of the businesses and partnering with a few like the Purdue, IUS, but she didn't notice the Small Business Development Center, who's now located IUS, in there. She said that's just a personal thing for her. She thinks local businesses don't realize the resources that we have with having that office located here at IUS, and just putting it in there for the purpose of putting it in there is all she was thinking on that part. She knows whenever a new small business opens and she goes and visits them, she always makes sure that they know about them for resources, because as a city, she doesn't feel that our business services are up there. She just wanted to see if we could possibly add that. She then stated that she knows you talked about the flood areas, so along that line, is the city's goal to purchase the flood areas and the city maintains it as land comes available or what does that look like?

**Mr. Wood** stated part of the reason we included returning it to its natural habitat is to try to reduce any kind of maintenance issues with it, but certainly, there would probably be something for flood control or storm water to be involved with in terms of maintenance of those types of properties.

**Ms. Johnson** said she just thinks it's important to understand that flood control is a separate taxing entity.

**Mrs. Griffith** stated that the other one was on the storm water, again. She likes how you all were doing the rainwater because when she was walking, there are a lot of places, a lot of people,

residents, that do not like that ditch in their front yards. She said rental homes don't maintain the ditch because it's not homeowner based, so addressing that is great. She then said the zoning ordinance is going to be a lot and asked if they will have a work session with the zoning ordinance?

**Mrs. Murphy** said not at this point but that may be something that we want to request.

**Mr. Blair** asked if there is a committee for that? He said the last time we did this, we had a committee.

**Mr. Phipps** stated he was on the committee last time.

**Mr. Blair** said it was Mr. Phipps, himself and Dr. Knable.

**Mr. Wood** stated that they will definitely have a work session with the council with the zoning ordinance. He said it's a pretty complicated document, so he wanted to make sure you guys are on board with that.

**Mrs. Murphy** said you said it would be ready probably in February, so maybe in January have some kind of work session?

**Mr. Wood** said late January.

**Mr. Blair** asked what about a committee?

**Mr. Fitzgerald** asked if it would just go through the planning annexation committee?

**Mr. Phipps** stated it's probably too late at this point to bring a committee in because you pretty much have it probably three quarters done or finished, don't you?

**Mr. Wood** stated we're not replacing the existing ordinance just doing like heavy reconstruction, so a lot of it you're going to be already familiar with. He also stated he wants to get it to them in a full form as early as possible so that you guys have plenty of time to read it, and we can answer questions about what our intent is with that. He said at this point, he just can't give a firm date on when that will be. He said certainly, if it's going to be a committee, if it's going to be groups, however, he is open to whatever is necessary to make sure everybody is comfortable with it.

**Mr. Blair** said he just thinks a committee would help. He stated some of what we had was just help with clarifying things, and another set of eyes is always good on any document. He knows that the last time we did that, he thinks he had 100 changes or something. He asked Mr. Phipps if he remembered that?

**Mr. Phipps** stated he didn't remember specifically but he remembers they spent a whole lot of time working on it.

**Mr. Blair** said yes, we did and a lot of it was just clarification but he thinks it saved a lot of time once it got to the approval process by having the committee and sort of going through some of these issues that we're talking about today. He then asked as far as making several of these changes, what should we do?

**Mr. Phipps** asked if those would be amendments, or can we make amendments before we vote on it?

**Mr. Fitzgerald** asked if it needs to go back to the Plan Commission at that point?

**Mr. Blair** stated it would have to go back to the Plan Commission.

**Mr. Wood** stated that would be a question for Mrs. Manning.

**Mr. Fitzgerald** said we definitely can't make amendments right now because this is just a work session so we can't make any changes.

**Mr. Blair** said he is just trying to figure out the process because there are several things in here that need attention.

**Mrs. Murphy** said she is sure Ms. Johnson and Mr. Wood have made notes of all that, and they can discuss it with Mrs. Manning and let us know the legal standings on that.

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 2:25 p.m.

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Elaine Murphy, Vice President

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Vicki Glotzbach, City Clerk