



## Architectural Review Board

### Meeting Minutes

December 11, 2017

7:00 p.m.

New Albany Architectural Review Board met in regular session in the Council Chambers at Village Hall, 99 West Main Street and was called to order by Architectural Review Board Chair Mr. Alan Hinson at 7:00 p.m.

Mr. Alan Hinson, Chair	Present
Mr. Jack Schmidt	Present
Mr. Jonathan Iten	Present
Mr. Lewis Smoot	Absent
Mr. Jim Brown	Present
Mr. E.J. Thomas	Present
Ms. Kim Comisar	Present
Mr. Matt Shull	Present

Staff members present: Jackie Russell, Clerk; Stephen Mayer, Development Services Manager and Pam Hickok, Clerk.

Mr. Thomas moved, seconded by Mr. Brown to approve with corrections the meeting minutes of November 13, 2017. Upon roll call vote: Mr. Hinson, yea; Mr. Schmidt, yea; Mr. Iten, yea; Mr. Brown, yea; Mr. Thomas, yea; Ms. Comisar, yea. Yea, 6; Nay, 0; Abstain, 0; Motion carried by a 6-0 vote.

Mr. Hinson asked for any change

Ms. Russell stated none

Mr. Hinson swore to truth those wishing to speak before the Board.

Mr. Hinson asked for any public comment for items not on the agenda.

Moved by Mr. Iten, seconded by Ms. Comisar to accept the staff reports and related documents into the record. Upon roll call vote: Mr. Hinson, yea; Mr. Schmidt, yea; Mr. Iten, yea; Mr. Brown, yea; Mr. Thomas, yea; Ms. Comisar, yea. Yea, 6; Nay, 0; Abstain, 0; Motion carried by a 6-0 vote.

### **ARB-85-2017 Certificate of Appropriateness**

**Certificate of Appropriateness to remove landscaping and add concrete to create outdoor seating at Freshii located at 160 W. Main St, Suite F (PID: 222-000067).**

**Applicant: Keystone Construction c/o Kasey Kist**

**ARB-86-2017 Certificate of Appropriateness**  
**Certificate of Appropriateness for new signage for Freshii located at 160 W Main St,**  
**Suite F. (PID: 222-000067)**  
**Applicant: Signcom Inc, c/o Bruce Sommerfelt**

Ms. Jackie Russel presented the staff report for both applications.

Mr. Iten stated the staff report for ARB-85-2017 references the US Bank zoning text. Is that the correct text?

Mr. Mayer stated no, I believe that is an error.

Mr. Iten stated that I also noted that they are changing to a double door and we don't have any information on the doors.

Mr. Mayer stated that staff can approve door and window changes but we did include it in your packet since there are other changes so that you were aware of the change.

Mr. Iten stated that in the existing rear door there are muntins but I don't see them continued in the drawing above the new door. Are the muntins being removed?

Mr. Kasey Kist, Keystone Construction, stated that the muntins are continued except over the double door where we have a single pane of glass.

Mr. Iten stated that there seems to be a muntin pattern.

Mr. Kist stated that we just did the same thing at PetPeople and removed a sidelight and added the double door.

Mr. Iten stated that he missed the muntins. That was a detailing that on that building. The departure of it detracts from what we approved. I assume that we don't approve furniture.

Mr. Mayer stated that the code states that outdoor eating areas are subject to ARB review and approval.

Mr. Iten stated that if they wanted to change the tables they may need to come back to us.

Mr. Mayer stated that minor changes can be approved by staff. I don't think we reviewed patio furniture.

Mr. Hinson asked if the doors or side windows have the divided lights.

Mr. Mayer stated that on the parking lot elevation most of the doors and storefronts don't have muntins.

Mr. Kist stated that the Main Street side has the internal muntins.

Mr. Thomas asked what kind of concrete; stamped or polished.

Mr. Kist stated that the plan was to use standard concrete to match the sidewalk.

Mr. Thomas stated that it is a lot of concrete. A color or something would make break up the expanse of concrete.

Mr. Kist stated that we considered a paver patio.

Mr. Schmidt stated that he is not in favor of this. He is concerned that it is congested along Main Street. Hudson 29 is on the side, Mellow Mushroom and Rusty Bucket are raised sitting areas. Concerned with all of the other businesses wanting to add sale racks outside.

Mr. Kist stated that there is a there is a significant sidewalk that will divide the patio from the parking spaces. If we want this to be an urban core with pedestrian traffic we want the activity.

Mr. Brown asked if any other landscaping or plantings will be on this property.

Mr. Kist stated no.

Mr. Brown asked if the signage on the umbrellas is a concern.

Mr. Mayer stated that our sign code does not address lettering on umbrellas.

Mr. Kist stated that in the packet are the proposed umbrella, table and chairs.

Mr. Hinson asked if the architect recommended brick instead of concrete.

Mr. Mayer stated that they believed that the brick outline defines the patio area and matches the pattern that is existing in the area. I don't know if it was considered but it was not a recommendation.

Mr. Hinson asked that there are any other concrete patios or sidewalks from the post office to Hudson 29.

Mr. Mayer stated that the area has concrete sidewalks.

Mr. Thomas stated that why I thought we should have color or something.

Ms. Comisar stated that she disagrees and thinks that it should stay simple with the brick outline.

Moved by Mr. Hinson, seconded by Ms. Comisar to approve ARB-85-2017 subject to the following conditions:

1. The city's landscape architect's design should be implemented subject to staff approval, including minor design modifications.
2. Final landscaping plan is subject to staff approval.. Upon roll call vote: Mr. Hinson, yea; Mr. Schmidt, yea; Mr. Iten, yea; Mr. Brown, yea; Mr. Thomas, yea; Ms. Comisar, yea. Yea, 6; Nay, 0; Abstain, 0; Motion carried by a 6-0 vote.

Moved by Mr. Iten, seconded by Mr. Hinson to approve ARB-86-17. Upon roll call vote: Mr. Hinson, yea; Mr. Schmidt, yea; Mr. Iten, yea; Mr. Brown, yea; Mr. Thomas, yea; Ms. Comisar, yea. Yea, 6; Nay, 0; Abstain, 0; Motion carried by a 6-0 vote.

Mr. Hinson asked staff for any other business.

Mr. Mayer stated none.

Mr. Thomas moved to adjourn the meeting, seconded by Mr. Brown. Upon roll call vote: Mr. Hinson, yea; Mr. Schmidt, yea; Mr. Iten, yea; Mr. Brown, yea; Mr. Thomas, yea; Ms. Comisar, yea. Yea, 6; Nay, 0; Abstain, 0; Motion carried by a 6-0 vote.

The meeting adjourned at 7:22 p.m.

**Submitted by Pam Hickok**

# APPENDIX



## Architectural Review Board Staff Report December 11, 2017 Meeting

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### CERTIFICATE OF APPROPRIATENESS FRESHII – PATIO

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LOCATION: 160 West Main Street, Suite B – Market and Main II  
APPLICANT: Keystone Construction  
REQUEST: Certificate of Appropriateness  
ZONING: C-PUD (Comprehensive Planned Unit Development) 1998  
NACO C-PUD: Subarea 4a Northwest Market Street  
STRATEGIC PLAN: Village Center  
APPLICATION: ARB-85-2017

Review based on: Application materials received November 9, 20, and December 1, 2017.

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*Staff report prepared by Jackie Russell, Community Development Clerk.*

#### I. REQUEST AND BACKGROUND

The applicant requests approval of a certificate of appropriateness for the addition of two new patio areas for the Freshii restaurant located at 160 Main Street, Suite F[SM1]. The proposed patio areas are approximately 175 square feet each, and will be used as an outdoor dining area for the restaurant. It will be located on either side of the Freshii door way along its storefront.

Per Section 1157.07(b) any major environmental change to a property located within the Village Center requires a certificate of appropriateness issued by the Architectural Review Board. In considering this request for a new patio addition within the Village Center, the Architectural Review Board is directed to evaluate the application based on criteria in Chapter 1157.

#### II. SITE DESCRIPTION & USE

The property is zoned C-PUD (Comprehensive Planned Unit Development) under the 1998 NACO C-PUD zoning text, but was developed under the Urban Center Code requirements. Therefore, the city's Urban Center Code regulations apply to the site. The tenant space is located at the east end of the new Market and Main building.

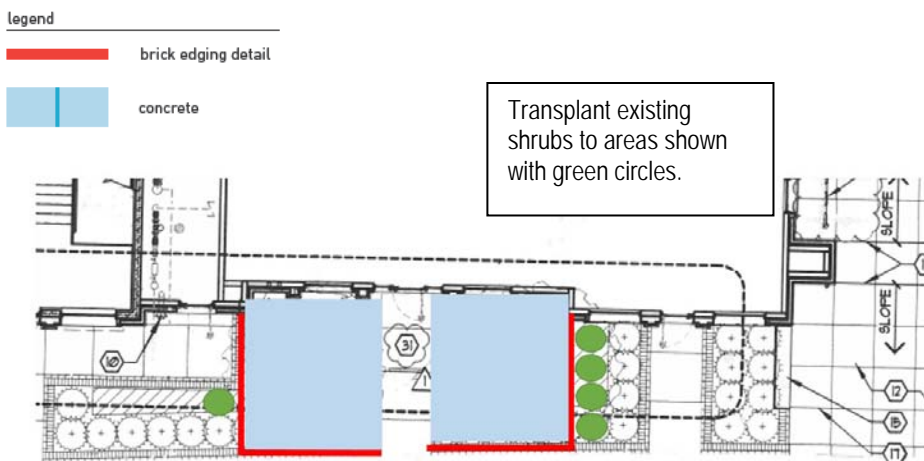
#### III. EVALUATION

##### **Certificate of Appropriateness**

The ARB's review is pursuant to the U.S. Bank Center Development Zoning Text and

C.O. Section 1157.06. No environmental change shall be made to any property within the Village of New Albany until a Certificate of Appropriateness has been properly applied for and issued by staff or the Board. Per Section **1157.09 Design Appropriateness**, the modifications to the building and site should be evaluated on these criteria:

1. *The compliance of the application with the Design Guidelines and Requirements and Codified Ordinances.*
  - The proposed patio additions will serve as an outdoor dining area for Freshii. The patio addition will be located within existing landscaped areas. The applicant is proposing to remove the existing landscaping and fill the beds with concrete and outlined with brick pavers to match the existing treatment of sidewalk areas and planter beds.
  - Market Square contains several outdoor eating areas. More recently the Architectural Review Board approved the Mellow Mushroom and Hudson 29 patios at the Market Street Retail building. The Market Street II building also consists of a previously approved, covered outdoor eating area that is adjacent to Hudson 29.
  - The building was developed under the standards found in the Urban Center Code, therefore, the city's Urban Center Code and associated codified ordinances apply to this application. However, there are no specific code requirements relating to the patio design.
  - The patio will be located on either side of the Freshii doorway on the Main Street elevation. When facing the door the patio portion on the left will be 15' x 11' 6" and the portion on the right of the door will be 15' x 11' 8". The plan proposes to outline the patio space with new and existing brick pavers to define the outdoor dining space and match the existing landscape beds.
  - The applicant has not submitted a landscape plan. The city's landscape architect has reviewed the plans and recommends the plantings be in the same vernacular as the original plantings as shown below. Staff recommends a condition of approval requiring the final brick edging detail and landscaping are subject to the city landscape architect's approval.



- The applicant is proposing to use green, metal dining sets with tables and chairs to fill the proposed patio area. The applicant is also proposing to use a

- black umbrella with green lettering, reading “Freshii” on the right patio addition.
- Additionally, the applicant is proposing a minor change of a double door will be added to the west elevation (parking lot side) to the restaurant to match other tenant storefronts. The door design is consistent with other existing doors installed at the building and appears to be appropriately designed.
2. *The visual and functional components of the building and its site, including but not limited to landscape design and plant materials, lighting, vehicular and pedestrian circulation, and signage.*
    - The proposed patio area matches the width of the storefront and appears to be an appropriate size. With staff’s landscaping recommendation, the patio will appear to be designed as part of the original site design.
  3. *The distinguishing original qualities or character of a building, structure, site and/or its environment shall not be destroyed.*
    - The patio is an addition that will serve to enhance the original character of the structure. The applicant proposes to continue the brick paver edging pattern/detail.
  4. *All buildings, structures and sites shall be recognized as products of their own time.*
    - The building is a product of its own time and as such should utilize design appropriate to its style and scale, while considering its surroundings.
  5. *Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be created with sensitivity.*
    - Not Applicable
  6. *The surface cleaning of masonry structures shall be undertaken with methods designed to minimize damage to historic building materials.*
    - Not Applicable
  7. *Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.*
    - The patio will not provide any structural elements to the building. The essential form and integrity of the primary structure will not be impaired or affected by the addition of the patio space.

#### **IV. RECOMMENDATION**

The patio space as proposed appears to be appropriately designed to match the storefront of Freshii. Overall, it appears that construction of this patio will enhance the environment of the business, building, and the surrounding area by “activating” the public space and contributing to the urban character that is desired in the Village Center. The Village Center Plan recommends along the pedestrian side of buildings (storefronts) it should include elements like outdoor patios and seating areas to make the area more engaging with pedestrians. Staff recommends approval of the additional

patio space for Freshii since it does appear to add interest to the building and promote a walkable atmosphere.

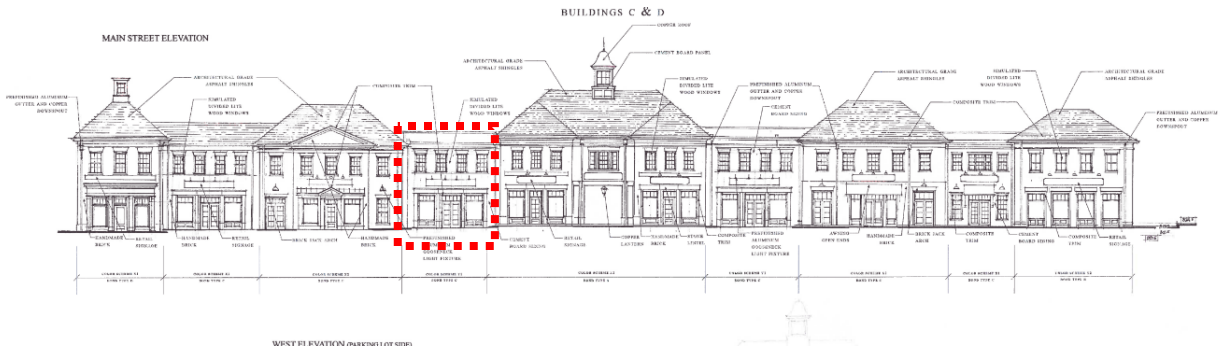
**V. ACTION**

Should the Architectural Review Board find sufficient basis for approval the following motions would be appropriate. Conditions of approval may be added.

**Suggested Motion for ARB-85-2017:**

Move to approve Certificate of Appropriateness application ARB-85-2017 with the following conditions, subject to staff approval:

- 1. The city’s landscape architect’s design should be implemented subject to staff approval, including minor design modifications.
- 2. Final landscaping plan is subject to staff approval.



Source: Front elevation along Main Street from submittal from Market Street Building Design





**Architectural Review Board Staff Report  
December 11, 2017 Meeting**

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**FRESHII – SIGNAGE  
CERTIFICATE OF APPROPRIATENESS**

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LOCATION: 160 West Main Street , Suite B – Market and Main II  
APPLICANT: Signcom Inc.  
REQUEST: Certificate of Appropriateness for new signage  
ZONING: C-PUD (Comprehensive Planned Unit Development) 1998  
NACO C-PUD: Subarea 4a Northwest Market Street  
STRATEGIC PLAN: Village Center  
APPLICATION: ARB-86-2017

Review based on: Application materials received November 9, 2017.

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*Staff report prepared by Jackie Russell, Community Development Clerk.*

**VI. REQUEST AND BACKGROUND**

The applicant requests a certificate of appropriateness to allow two wall board signs to be installed at the Main and Market II building. One wall sign is to be installed on the Main Street elevation. The second wall sign will be installed on the parking lot elevation on the back of the building.

Per Section 1157.07(b) any major environmental change to a property located within the Village Center requires a certificate of appropriateness issued by the Architectural Review Board. In considering this request for new signage in the Village Center, the Architectural Review Board is directed to evaluate the application based on criteria in Chapter 1157 and Chapter 1169.

**VII. SITE DESCRIPTION & USE**

The property is zoned C-PUD (Comprehensive Planned Unit Development) under the 1998 NACO C-PUD zoning text, but was developed under the Urban Center Code requirements. Therefore, the city's sign code regulations apply to the site. The tenant space is centrally located on the first floor of the new Market and Main II building. The tenant space can be accessed through two doors, one on the parking lot side of the building and one on the side of Main Street.

**VIII. EVALUATION**

**A. Certificate of Appropriateness**

The ARB's review is pursuant to C.O. Section 1157.06. No environmental change shall be made to any property within the Village of New Albany until a Certificate of

Appropriateness has been properly applied for and issued by staff or the Board. Per Section **1157.07 Design Appropriateness**, the modifications to the building and site should be evaluated on these criteria:

8. *The compliance of the application with the Design Guidelines and Requirements and Codified Ordinances.*
  - Per the city's sign code section 1169.14(a) each building or structure in the Village Core sub-district shall be allowed three (3) sign types. The current approved signage is a wall sign thereby establishing one of the sign types allowed on the building. The proposed wall sign type of signage is consistent with other signs

#### **Wall Sign Board**

- City sign code Chapter 1169.16(h) permits a maximum area of 33' 8" square feet based on the building's frontage and allows one wall sign per business entrance and requires a minimum sign relief of one inch. External illumination is allowed. The applicant proposes two wall signs with the same, following dimensions:
    - a. Size: 2' x 14' [meets code].
    - b. Area: 28 square feet [meets code].
    - c. Location: fastened flush to the storefront face above the primary entrance facing the parking lot and Main St. [meets code].
    - d. Lighting: external lighting [meets code].
    - e. Relief: 2 inches [meets code].
    - f. Colors: green with white lettering and border (total of 2) [meets code].
    - g. Lettering Height: 17 inches [meets code]
  - The sign will read "Freshii Eat. Energize."
  - The proposed sign has cove-cut edges with scalloped corners.
  - One sign is located above the primary entrance to the business on the Main street elevation of the building.
  - The second sign is located above the entrance to the business from the parking lot (west) elevation of the building.
9. *The visual and functional components of the building and its site, including but not limited to landscape design and plant materials, lighting, vehicular and pedestrian circulation, and signage.*
    - The wall sign is an appropriate sign-type for this tenant space.
  10. *The distinguishing original qualities or character of a building, structure, site and/or its environment shall not be destroyed.*
    - According to C.O. 1169.12(b)(1) signs are not allowed to block portions of architectural detailing, windows, entries, or doorways. The sign's mounting location does not appear to block architectural detailing on either elevation.

11. *All buildings, structures and sites shall be recognized as products of their own time.*

- The building is a product of its own time and as such should utilize signs appropriate to its scale and style, while considering its surroundings. The proposed sign appears to match the style of the building and other existing signs.

12. *Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be created with sensitivity.*

- Not Applicable

13. *The surface cleaning of masonry structures shall be undertaken with methods designed to minimize damage to historic building materials.*

- Not Applicable

14. *Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.*

- Not Applicable

**IX. RECOMMENDATION**

Staff recommends approval of this application because the proposed signs are consistent with the other signs' dimensions, design, and locations within the Market Square area. The wall signs are an appropriate sign type for this location.

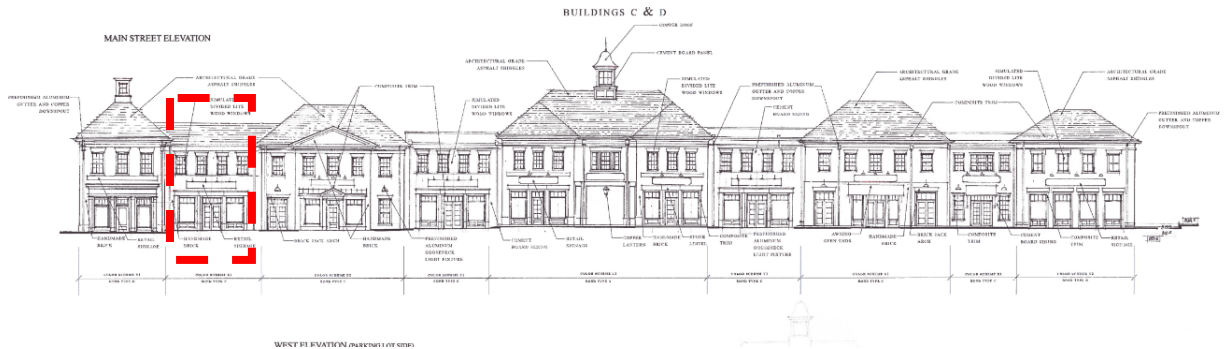
Staff recommends approval of this certificate of appropriateness provided that the ARB finds the proposal meets sufficient basis for approval.

**X. ACTION**

Should the Architectural Review Board find sufficient basis for approval the following motions would be appropriate. Conditions of approval may be added.

**Suggested Motion for ARB-86-2017:**

Move to approve Certificate of Appropriateness for application ARB-86-2017 for new wall signs for Freshii.



Source: Front elevation along Main Street from submittal from Market Street Building Design