



New Albany Architectural Review Board  
November 8, 2021 Minutes

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

Those answering roll call:

Mr. Alan Hinson, Chair	Present
Mr. Francis Strahler	Present
Mr. Jonathan Iten	Present
Mr. Jim Brown	Present
Mr. E.J. Thomas	Present
Mr. Andrew Maletz	Present
Ms. Sarah Briggs	Absent
Mr. Michael Durik	Present

Staff members present: Steven Mayer, Development Services Coordinator; Mr. Chris Christian, Planner; Ms. Jennifer Huber, for Mitch Banchefsky, City Attorney; and Josie Taylor, Clerk.

Moved by Mr. Brown to approve the October 11, 2021 meeting minutes, seconded by Mr. Iten. Upon roll call: Mr. Brown, yea; Mr. Iten, yea; Mr. Strahler, yea; Mr. Hinson, yea; Mr. Thomas, yea; Mr. Maletz, yea. Yea, 6; Nay, 0; Abstain, 0. Motion passed by a 6-0 vote.

Mr. Hinson asked if there were any additions or corrections to the Agenda.

Mr. Christian stated none from staff.

Mr. Hinson swore in those wishing to speak before the Architectural Review Board (hereafter, "ARB") this evening to tell the truth and nothing but the truth.

Mr. Hinson asked if anyone wanted to discuss items not on tonight's Agenda. (No response).

**ARB-110-2021 Certificate of Appropriateness**  
**Certificate of Appropriateness for the development for a residential home addition at 6588 New Albany Condit Road (PID: 222-000544-00).**  
**Applicant: Hake Building Company c/o Philip Hake**

Mr. Christian presented the staff report.

Mr. Hinson asked the applicant to provide comments.

Mr. Hake discussed the project and noted it would not be seen from the street.

Mr. Brown asked if there was a plan to repaint the existing structure.

Mr. Hake stated at this time he would match what was there but the owners had discussed repainting it in the coming year.

Mr. Brown stated it was often easier to repaint then match colors.

Mr. Hake stated yes and noted the owners did not like the green color and wanted to change it.

Mr. Iten stated he was happy with this.

Moved by Mr. Iten to approve the certificate of appropriateness for ARB-110-2021, seconded by Mr. Maletz. Upon roll call vote: Mr. Iten, yea; Mr. Maletz, yea; Mr. Thomas, yea; Mr. Brown, yea; Mr. Strahler, yea; Mr. Hinson, yea. Yea, 6; Nay, 0; Abstain, 0. Motion carried by a 6-0 vote.

**ARB-99-2021 Certificate of Appropriateness and Waivers  
Certificate of Appropriateness for the development of a new church located at 5526 Dublin Granville Road and 5321 Harlem Road. Waivers have been requested to the landscaping requirements for the site and to New Albany Design Guidelines and Requirements Section 8 (Civic & Institutional Buildings) III(3) to not require a building entrance along the Dublin Granville Road building elevation (PID: 222-003431 and 222-002058).**

**Applicant: M+A Architects c/o Jeff Heffner**

Mr. Christian presented the staff report. Mr. Christian noted the applicant had modified the application since the prior ARB meeting and discussed the changes made.

Mr. Iten asked staff at what time the 75% screening at full foliage requirement would be measured. Mr. Iten asked if an occupancy permit were requested in February, how would that be reviewed, would it be deferred until full foliage.

Mr. Mayer stated the City required that an amount be held in escrow so the City could determine if the 75% requirement had been met at the time of full foliage.

Mr. Iten stated thank you.

Mr. Hinson asked the applicant to provide comments.

Ms. Lisa Rathburn, Chair of Capital Campaign and Building Committee for the New Albany Presbyterian Church, stated they had met with community members since the last meeting in order to help balance the needs of all parties. Ms. Rathburn stated they had to forgo items they would have liked to have to help balance interests and noted they did not intend to have a daycare and services would be primarily on Sundays.

Ms. Ronda Hobart, Chair of the Building Committee for New Albany Presbyterian Church, discussed the history of the project and the work conducted on the project, including traffic studies. Ms. Hobart noted the church's consideration of the City's Strategic Plan in this project.

Ms. Lori Bongiorno, Managing Principal, M+A Architects, discussed the company's experience with New Albany projects and the design of this site.

Mr. David Milroy, pastor New Albany Presbyterian Church, stated they were eager to break ground on this project. Mr. Milroy said this would be a timeless gateway into the New Albany community and would fit in with the surrounding homes. Mr. Milroy stated they had met with nearby residents and worked to meet their requests. Mr. Milroy stated they wanted to be good neighbors.

Mr. Hinson asked if members of the community wished to speak.

Mr. Dean Haldeman, 5187 Harlem Road, stated he commended and appreciated the changes made by the applicant and the understanding achieved through their discussions. Mr. Haldeman noted the applicant had forgone things due to costs involved in balancing needs and noted not all wishes could be met. Mr. Haldeman asked the applicant to continue to work with lighting, buffering, and opacity. Mr. Haldeman asked if opacity needed to be maintained year round.

Mr. Iten stated City Council had determined that opacity should be determined at the time of full foliage on the trees.

Mr. Haldeman stated there may be a plan for the applicant to cut and remove dead trees. Mr. Haldeman said the applicant may not want to remove the existing dead or downed trees. Mr. Haldeman said removal could be costly and the trees might provide a buffer for the playground if the area was kept in its natural state. Mr. Haldeman said he appreciated all of the changes that had been made.

Ms. Caryn Morgan, 5215 Harlem Road, stated the applicant should meet all Code requirements and asked that the residents' requests for privacy and buffering be considered.

Mr. Hinson stated Mr. Iten had proposed an order for the review of this application.

Mr. Iten asked to make opening remarks concerning this application. Mr. Iten noted he had read each and every written submission that had been received and had taken into consideration the comments received from the community and from the applicant at the prior, and in the current, meetings. Mr. Iten indicated that his further comments and views stated during this meeting would reflect his responses to the various requests and comments, and a failure to specifically mention a request or comment did not mean that he had not taken it into consideration in his deliberations regarding this application. Mr. Iten noted that if his votes or comments did not accept a request it meant that it was his determination that the request was something that the ARB either should not and, in some cases, could not do. Mr. Iten further stated that he believed that many of the comments received from the community will have helped improve the quality of the architecture of the structure to be built. Mr. Iten further noted the ARB was a board concerned with visual matters, not conduct. Mr. Iten stated that the ARB could consider conduct, but it was a visual, not a noise board, for example. Mr. Iten stated the ARB

would decide what was before it, not look into intentions or what might be done. Mr. Iten stated the ARB appreciated the quality of the comments.

Mr. Hinson stated he agreed with Mr. Iten. Mr. Hinson noted he appreciated the civility of the parties, the comments, and information they provided.

Mr. Durik thanked the residents. Mr. Durik said that as things change over time City Council tried to preserve the interests of all parties involved. Mr. Durik stated he believed this would be an excellent entryway into New Albany and hoped all would be resolved.

Mr. Hinson stated he agreed and thanked Mr. Durik. Mr. Hinson stated the ARB's review would consider items in the following order: architecture; lighting; and screening. Mr. Hinson asked Mr. Maletz if he had comments regarding the architecture.

Mr. Maletz stated he agreed a lot of the prior comments had been addressed by the applicant and he appreciated it. Mr. Maletz stated there was still a potential to include a wing and said that in the absence of that wing the architecture remained unresolved. Mr. Maletz asked Mr. Christian to display the image of the building and stated that in the absence of the wing the current design would cause the architecture to be out of step with the rest of the design, both onsite and within the community. Mr. Maletz stated he appreciated the movement away from a cupola and noted the illustrations currently shown did not illustrate the change. Mr. Maletz stated that the first elevation shown this evening showed the water table had been changed to a stone water table. Mr. Maletz stated that in the absence of the entry doors facing north, he had suggested breaking the water table at that point and extending glazing to grade level. Mr. Maletz said he did not think it was appropriate to break the water table in the rear wing (and indicated where on the screen). Mr. Maletz stated the industry had established standards and dimensions for columns that should not be altered. Mr. Maletz asked that if those standards did not work for doric columns, the applicant should consider perhaps using corinthian or ionic columns instead. Mr. Maletz noted that the dimensions and spacing of the columns was not correct and should be normalized and reconsidered.

Mr. Hinson stated thank you.

Mr. Brown stated he agreed with Mr. Maletz. Mr. Brown stated he thought the view on the screen might be an older view.

Mr. Dan Pease, M+A Architects, stated he agreed and noted the elevation being displayed was an older one, not the current one.

Ms. Hobart stated yes.

Mr. Christian stated the correct image was now on display.

Mr. Maletz stated that, to be clear, he was speaking about the spacing from columns A to B, then from B to C, and then from C to D being of concern.

Mr. Iten asked if they should be evenly spaced without a large entry in the middle.

Mr. Maletz stated yes, it would be more appropriate to have them in thirds or in fourths. Mr. Maletz said it was something that was out of step on aesthetics.

Mr. Iten asked how that would be dealt with.

Mr. Maletz stated they could break the fenestration and align the columns to the breaks for the aesthetics.

Mr. Iten stated the other comment had been to change from doric to ionic or corinthian columns.

Mr. Maletz stated only if the applicants wanted a true aesthetic. Mr. Maletz stated they should be honored and the most appropriate should be used rather than bending one to one's will.

Mr. Iten stated he agreed with Mr. Maletz.

Mr. Maletz stated he believed these comments could be managed administratively.

Mr. Iten stated he agreed the ARB could ask staff to discuss this with the applicant.

Mr. Thomas stated he thought a gable would be more in keeping with the rest of the building. Mr. Thomas stated he did not believe the water table needed to be broken under windows.

Mr. Iten stated he agreed.

Mr. Hinson stated he agreed with all comments.

Mr. Brown asked if the width of the structure changed, could it be made a gable.

Mr. Iten asked Mr. Christian to show the elevation.

Mr. Brown stated it could be a problem if the gable were taller than the planned administration building.

Mr. Pease stated there was a parapet wall in that area and they would need to study whether a gable could be used.

Mr. Hinson asked where the wall was located and stated he was not sure there was a solution for that.

Mr. Iten stated Mr. Maletz's comments were well taken and he agreed with the City architect's comments.

Mr. Iten asked if the ARB should move on to screening.

Mr. Hinson stated yes.

Mr. Iten stated that he agreed with the conclusions of the acting City legal counsel and the screening requirements of Section 1171.05(c) did not apply to properties across a street from a property on which a commercial, industrial, office, or institutional use occurred. Mr. Iten noted that, in addition to the reasons stated by the acting City legal counsel, he (Mr. Iten) also believed that the screening requirements of Section 1171.05(c) did not apply in this instance because Council could not have intended an instance where a structure regulated by the ARB would be required to be screened at 75% at full foliage on all sides of the property - effectively hiding the structure (on which the ARB would have spent efforts to make sure such structure complied with the Design Review Guidelines and other applicable provisions of the City Code. Mr. Iten said that using the argument advanced by the homeowners would mean, for this property, that the entire property be screened. Mr. Iten noted that such a result made no sense to him. Mr. Iten also noted that, similarly, using the homeowners' argument, both the Rose Run Presbyterian Church and Temple Beth Shalom/All Episcopal Church properties would similarly have to be at 75% screened from the street. Mr. Iten stated that such a result just could not obtain - it made no sense.

Ms. Susie Banchefsky, 5300 Harlem Road, stated her home was directly across the street from the church and she could see their building from her porch. Ms. Banchefsky stated she was adding additional landscaping to her property and asked the applicant to consider adding some more landscaping to their property at this location. Ms. Banchefsky stated the applicant had been very helpful and nice to work with and hoped they could still work to resolve this fifty (50) foot gap.

Mr. Hinson stated thank you.

Mr. Iten asked that if additional screening were found to be necessary, could the ARB require that what was added to meet the 75% opacity be evergreen.

Mr. Strahler stated that was a good idea.

Mr. Brown stated that was a good suggestion.

Mr. Durik asked if the suggestion was that all evergreens be used.

Mr. Iten stated no, but if it were found to have less than 75% opacity then maybe evergreens could be added to supplement.

Mr. Durik stated okay.

Mr. Hinson stated it would depend on conditions such as light and soil.

Mr. Strahler asked if the trees would be random or planted in a line.

Mr. Iten stated the City forester has said they should be in random groupings and Mr. Hinson had said they should be regimented.

Mr. Hinson stated he preferred they be more regimented and noted that they were now on the same side of the fence.

Ms. Hobart stated they would do the planting as the ARB wanted.

Mr. Iten stated he did not have a strong view.

Mr. Brown stated nothing else in that area was regimented.

Mr. Hinson stated it was now more regimented in that it was all on the same side of the fence line and sidewalk. Mr. Hinson stated some randomness added to this would be okay.

Mr. Durik asked what should be done.

Mr. Strahler stated all should be on the same side of the sidewalk.

Mr. Hinson stated he agreed, they should all be on the same side of the sidewalk.

Mr. Iten asked if Mr. Hinson was okay with the City's forester's comment.

Mr. Hinson stated yes.

Mr. Iten asked Mr. Maletz if he had a drawing of the building to share.

Mr. Maletz passed around an idea where the end of the building was a hip roof.

Mr. Brown stated he thought it was a great condition, but they would have to deal with that when the administration building was built.

Mr. Maletz stated to some extent.

Mr. Brown stated he was on board with that.

Mr. Maletz provided his drawing to staff.

Mr. Iten stated he was okay with that

Mr. Hinson stated he was as well. Mr. Hinson asked about the lighting in the parking lot. Mr. Hinson stated he was comfortable with the lighting as proposed because it did not bleed onto surrounding properties and the applicant was working with the neighbors on lighting during lower use hours..

Mr. Maletz stated a concern from the prior meeting was that a fixture elevated twenty (20) to 25 feet above the ground could allow the lit fixture to be seen by those from 200

feet away at ground level. Mr. Maletz stated lowering the height of the fixture would not have a bearing on spillover because it had to still conform to those requirements. Mr. Maletz stated he was sensitive to the concern that in a rural setting the lights would be seen but the requirements permitted this. Mr. Maletz stated this may need to be looked into further in the future.

Mr. Iten asked if that was a policy issue Council should decide..

Mr. Maletz stated it was zoning code related, so City Council should review.

Mr. Thomas stated the ARB did not have this responsibility.

Mr. Maletz stated correct.

Mr. Iten stated he agreed with Mr. Hinson and recognized Mr. Maletz's comments.

Mr. Brown stated he agreed and a lot of time and effort had gone into creating a photometric plan and changing that might create issues.

Mr. Thomas asked if the lights had been lowered from their original height.

Mr. Milroy stated it had been that height previously.

Ms. Hobart stated Code permitted thirty (30) feet and, if lowered, they may need more lights.

Mr. Thomas stated thank you.

Mr. Hinson asked about the halo lighting of the cross. Mr. Hinson stated he did not dislike it, but it needed to fit into the community and only a few establishments in New Albany used this style of lighting. Mr. Hinson stated he did not know if it should be lit all day, every day.

Mr. Iten asked if it was permitted by Code.

Mr. Mayer stated yes.

Mr. Iten stated he was less inclined to say no if City Council had made that policy choice and was also dimmer than Christmas lights.

Mr. Milroy stated it was aptly named a halo light.

Mr. Strahler stated the signs that had been proposed should be subject to staff approval. Mr. Strahler stated that any newly proposed signs should return to the ARB for consideration.

Mr. Hinson stated he agreed.



Mr. Iten stated he believed the waiver request met all requirements.

Moved by Mr. Iten to approve the certificate of appropriateness for ARB-99-2021, as revised by the comments of the ARB in this meeting (including specifically the architectural revisions and considerations by Mr. Maletz), subject to the following conditions:

1. Right-of-way along both Dublin Granville Road and Harlem Road must be dedicated to the city as part of the engineering permitting process. The final amount is subject to the review and approval of the city engineer.
  2. The future playground and patio improvements are subject to staff approval and must be screened from adjacent properties, subject to staff approval.
  3. Additional landscaping must be planted on the southern and western sides of the site if the minimum 75% opacity screening required by statute is not achieved with existing landscaping at any location on the site, with a preference for it to be evergreen, subject to the city forester's opinion and subject to staff approval.
  4. The city landscape architect's comments:
    - A. Street trees along Dublin Granville Rd should be planted in random massings of native deciduous shade trees. Include more variety of species and provide the required quantity of trees.
    - B. Street trees along Harlem Rd should be planted in random massings of native deciduous shade trees.
    - C. Consider naturalizing the evergreen screen with more species of trees and a randomized spacing must be addressed, subject to staff approval.
  5. The drive aisle that extends from Harlem Road must be reduced from 24 feet to 22 feet.
  6. Any signage requests should return to the Architectural Review Board.
  7. Any exterior repairs to the Taylor house are subject to staff approval.
- seconded by Mr. Thomas. Upon roll call vote: Mr. Iten, yea; Mr. Thomas, yea; Mr. Brown, yea; Mr. Strahler, yea; Mr. Maletz, yea; Mr. Hinson, yea. Yea, 6; Nay, 0; Abstain, 0. Motion carried by a 6-0 vote.

Moved by Mr. Iten to approve the waiver to New Albany DGR Section VIII (III)(3) to eliminate the requirement that there be a building entrance along the Dublin Granville Road, seconded by Mr. Hinson. Upon roll call vote: Mr. Iten, yea; Mr. Hinson, yea; Mr. Strahler, yea; Mr. Brown, yea; Mr. Thomas, yea; Mr. Maletz, yea. Yea, 6; Nay, 0; Abstain, 0. Motion carried by a 6-0 vote.

Mr. Hinson asked if there was any other business.

Mr. Christian stated none from staff.

Moved by Mr. Hinson to adjourn, seconded by Mr. Strahler. Upon roll call vote: Mr. Hinson, yea; Mr. Strahler, yea; Mr. Maletz, yea; Mr. Thomas, yea; Mr. Brown, yea; Mr. Iten, yea. Yea, 6; Nay, 0; Abstain, 0. Motion carried by a 6-0 vote.

Meeting adjourned at 8:40 p.m.

Submitted by Josie Taylor.

# APPENDIX



## Architectural Review Board Staff Report November 8, 2021 Meeting

---

### CERTIFICATE OF APPROPRIATENESS & WAIVERS NEW ALBANY PRESBYTERIAN CHURCH

---

LOCATION: 5526 Dublin Granville Road and 5321 Harlem Road (PIDs: 222-003431 and 222-002058)  
APPLICANT: M+A Architects c/o Jeff Heffner  
REQUEST: Certificate of Appropriateness & Waivers  
ZONING: Agricultural (AG)  
STRATEGIC PLAN: Residential  
APPLICATION: ARB-99-2021

Review based on: Application materials received on October 15, 2021.

*Staff report prepared by Chris Christian, Planner.*

---

#### I. REQUEST AND BACKGROUND

This certificate of appropriateness application is for the development of a new, 26,457 sq. ft. church and parking lot (196 spaces) at 5526 Dublin Granville Road and 5321 Harlem Road.

The ARB reviewed and tabled this application at their October 11<sup>th</sup> meeting to allow the applicant to address comments from the board and residents. The applicant has made numerous modifications to the application in response to these comments. These updates are underlined in the body of the staff report and summarized below.

#### Landscaping

- All waivers related to the landscape requirements for the site have been withdrawn.
- Additional landscape screening/plantings have been added in select locations along Harlem Road in order to provide additional screening.
- Additional plantings have been added along the western and southeastern property line to achieve 75% opacity screening.
- Street trees have been added along Harlem Road and Dublin Granville Road that meets code requirements.
- A parking lot hedgerow that meets code requirements has been added around the entire parking lot area.

#### Site

- Realigned the Dublin Granville Road entry to align with the centerline of the proposed administration wing of the building.

#### Architecture

- Increased the column width along the southern elevation of the building.

- Enlarged pilasters were added behind each column on the southern elevation of the building.
- A stone plinth/water table was added to the entire building replacing hardi plank which was previously proposed on certain building sections.
- The cupola on the northern elevation was shifted and centered with the west/east gable.
- The board-and-batten pattern was eliminated in the pediment and revised to be a smooth panel.
- Panels were added below the large windows on the northern elevation, breaking the stone water table, to enhance the look of a front door.
- The administration wing shifted north to be on center with the narthex massing and to align with the smaller cupola in the narthex centerline.
- The same window trim detail used on the northern elevation is now also used on the side of the sanctuary to achieve 4-sided architecture.

### **Lighting**

- The applicant states that the parking lot lighting will have a control feature as requested by the neighbors. The applicant states that the control feature will likely be timers or motion detectors, photocell or another control device that has yet to be determined.

Per Section 8 of the New Albany Design Guidelines and Requirements, civic and institutional facilities must submit a development plan for review by the Architectural Review Board (ARB). The purview of the ARB review includes the evaluation of site design, building locations, form and massing information and a palette of design elements that includes exterior materials, window and door design, colors and ornamentation.

The applicant requests the following waiver as part of the application.

- (A) Waiver to New Albany DGR Section VIII (III)(3) to eliminate the requirement that there be a building entrance along the Dublin Granville Road.

Per Codified Ordinance Chapter 1157.09(b) the Architectural Review Board is to review the visual and functional components of the building and its site. Public streets are considered outside the site's boundaries and fall under the purview of the City Engineer.

### **LAW DIRECTOR COMMENTS**

#### Screening Requirements Legal Opinion

During the New Albany Architectural Review Board hearing held October 11, 2021 the ARB requested further legal consideration regarding comments were made by residents. The city's legal consultant has reviewed the applicable Code provisions and related materials and provided an exhibit summarizing their analysis of

- 1) the applicability of the referenced case, *Wilkins v. Village of Harrisburg*, 10th Dist. Franklin No. 14AP-1028 (Dec. 29, 2015), and
- 2) Staff's interpretation and application of buffering and screening requirements where properties may presently abut, but will be separated in the near future by designated right-of-way.

This legal opinion is attached to this staff report as "Exhibit A"

#### Architectural Review Board Review Purview of Off-site Traffic Issues

It is the law director's opinion that given the specific provisions set forth in Codified Ordinance Section 1157.09, entitled "Criteria for Evaluation of Application for Certification of Design Appropriateness", the Architectural Review Board does not have jurisdiction to consider or condition approval on off-site traffic issues.

This is due to the fact that Codified Ordinance Section 1157.09 (b) specifically states that staff, as well as the Board, consider “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.” Accordingly, it is clear that all of these criteria relate to on-site conditions. Additional support for this proposition is found in the remaining subsections of this Code section which sets forth various other review criteria, all of which address on-site conditions. These review criteria include:

- Distinguishing qualities of the building, structure, site, historic material, distinctive architectural or environmental features;
- Historical architecture;
- Distinctive stylistic features and craftsmanship;
- Minimizing damage to historical elements by surface cleaning;
- Ensuring new structural additions/alterations can be removed without damage to the original structure;
- Documentation and use of the same architectural features;

Lastly, Codified Ordinance Section 1157.02 entitled “Purpose” clearly establishes the purpose of the Architectural Review District as being “...to protect and preserve these assets, by regulating the architectural characteristic of structures and their surroundings...” and to “...recognize, preserve and enhance the architectural and historical character of the community and to prevent intrusions and alterations within the established zoning districts which would be incompatible with their established character.”

Based on the foregoing, it is the law director’s opinion that pursuant to the Codified Ordinances, off-site traffic issues are not within the purview of the Architectural Review Board’s evaluation and decision regarding this Application. As noted above, a review of off-site traffic issues is conducted by the City Engineer and staff.

## **II. SITE DESCRIPTION & USE**

The 12.3 +/- acre development site is located in Franklin County at the southwest corner of the Dublin Granville Road and Harlem Road intersection. The site is zoned Agricultural (AG), contains two existing homes and is surrounded by residentially zoned and used properties.

## **III. EVALUATION**

The ARB’s review is pursuant to C.O. Section 1157.06 (Architectural Review Overlay District). No environmental change shall be made to any property within the city 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 building and site should be evaluated on these criteria:

1. *The compliance of the application with the Design Guidelines and Requirements and Codified Ordinances.*
  - C.O. 1129.03(d) states that religious exercise facilities and related uses are permitted to be developed in the Agricultural (AG) zoning district, provided that these uses do not occupy a lot of less than 5 acres in size. The proposed development includes a new, 26,457 sq. ft. church and parking lot (196 spaces) on a 12.3+/- acre site, meeting the requirements of this code section.
  - The development site is made up of two properties, each containing a single-family home. The application indicates that one of the homes will be preserved and the other will be demolished.
  - C.O. 1129.06 provides the following development standards for Agricultural (AG) zoned properties. The Agricultural District contains the following minimum building setbacks.

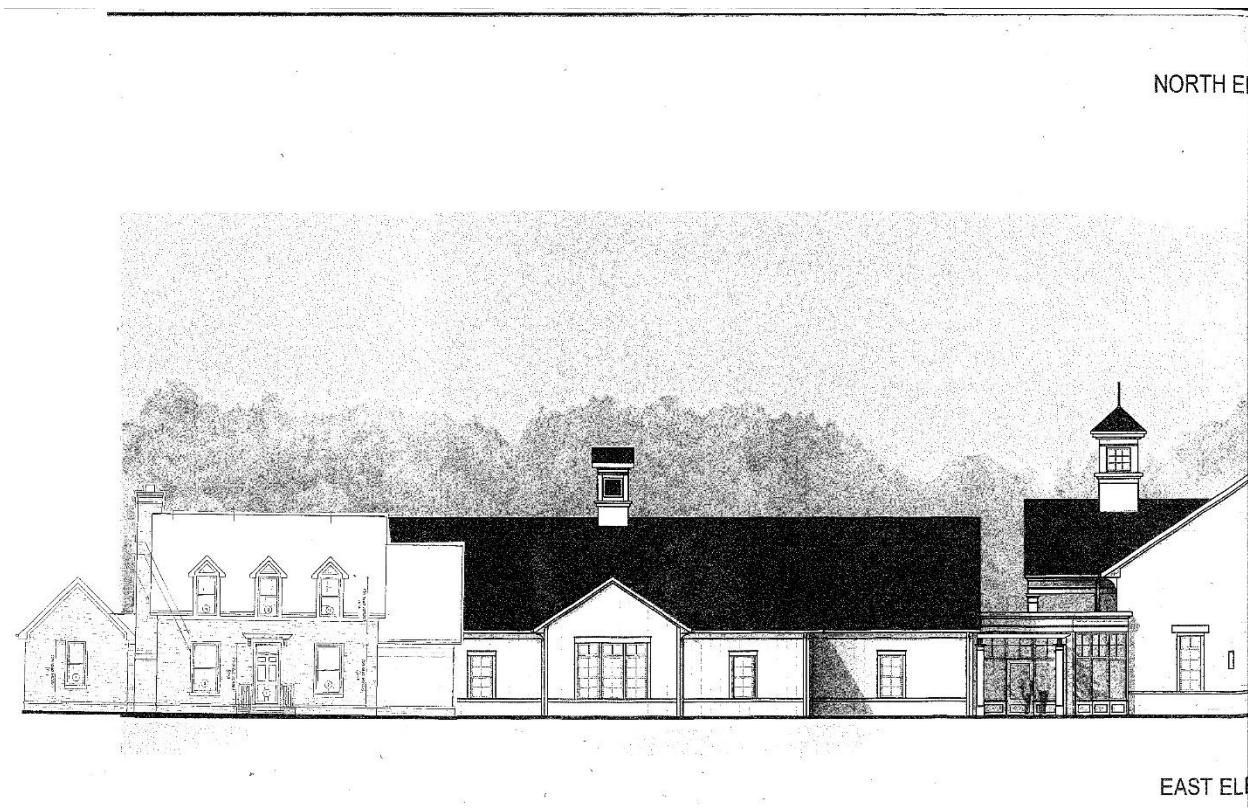
<b>Building Setback Requirement</b>	<b>Proposed</b>	<b>Requirement Met?</b>
Minimum 5 acre lot area	12.3+/- acres	Yes
200 foot minimum lot frontage	Dublin Granville Road: 590 ft Harlem Road: 690 ft	Yes
50 foot minimum front yard setback	Dublin Granville Road: 103 ft Harlem Road: 180 ft	Yes
20 foot minimum side yard	Southeast side yard: 315 ft West side yard: 141 ft	Yes
50 foot minimum rear yard	526 ft	Yes
45 foot maximum building height *Cupolas and steeples are permitted to exceed the maximum building height	34.4 ft maximum roof height 48.9 ft steeple height	Yes

- The applicant has made the following modifications to the building architecture since the October 11<sup>th</sup> ARB hearing date based on comments made by residents and ARB members:

  - The applicant increased the column width along the southern elevation of the building.
  - Enlarged pilasters were added behind each column on the southern elevation of the building.
  - A stone plinth/water table was added on the entire building replacing hardi plank which was previously proposed on certain building sections.
  - The cupola on the northern elevation was shifted back to be on center with the west/east gable.
  - The board-and-batten pattern was eliminated in the pediment and revised to be a smooth panel.
  - Panels were added below the large windows on the northern elevation, breaking the stone water table, to enhance the look of a front door.
  - The administration wing shifted north to be on center with the narthex massing and to align with the smaller cupola in the narthex centerline.
  - The same window trim detail used on the northern elevation is now also used on the side of the sanctuary to achieve 4-sided architecture.
- The city architect has reviewed and approved all of the proposed architectural modifications to the building. These additions further enhance the quality and design of the building which accomplishes the goals and objectives of the New Albany Design Guidelines and Requirements for these types of structures.
- DGR Section 8(III)(2) states that the selection of architectural style shall be appropriate to the context, location and function of the building. The style should be based on traditional practice in American architecture. In general, high-style designs with grander scale are appropriate for major structures, including churches. The city architect has reviewed the application and states that the building is designed in an American Rural Vernacular style with a human scale despite possessing a large footprint. The city architect comments that the size, massing and style are appropriate given the location in which the development is proposed. Section 1 of the DGRs provide a review and discussion of each recommended architectural style. For the vernacular architecture style the DGRs say that “while buildings can be simple and straightforward, they can also be quite elegant if the scale, proportions and individual features are compatible and well executed. They frequently had one or just a few elements of a specific architectural style but lacked the whole composition that would place them in a particular stylistic category.” The city architect comments the style and massing of the proposed building is appropriate and takes into account the height, style, and

massing of neighboring residential structures along this section of Harlem Road, which contains many residences with vernacular architecture.

- DGR Section 8(III)(3) states that entrances to civic and institutional buildings shall be oriented toward primary street and roads and shall be of a distinctive character that makes them easy to locate. The proposed church is designed with the main entrance facing the parking lot however it does include an entrance on the Harlem Road elevation. There is not an entrance on the Dublin Granville Road elevation and a waiver is requested to this requirement and is evaluated under the waiver section of the staff report.
- DGR Section 8(III)(4) states that civic and institutional designs shall follow the precedents of traditional American architectural design, with particular care paid to the proportions of wall height to width; roof shape; and proportions of windows and doors. The details and design characteristics of the traditional style selected for a new building shall be carefully studied and faithfully rendered in the proposed building design. The city architect comments that the American Rural Vernacular style building is faithfully designed and detailed in the chosen style that allows it to “fit in” with the surrounding context much better than a more grandiose design would have in this case.
- The city architect comments that while the proposal will have a large footprint, the applicant has successfully kept the overall height of the proposed structure low while still maintaining an expected presence and importance. Evidence of this can be found the image below which shows the existing home on the site which will be preserved, in front of the proposed Harlem Road elevation. The proposed structure maintains similar roof heights and eave lines which will further ensure that the proposal is sensitive to the surrounding area architecturally.



- The applicant provided the proposed building materials on the plans as well as provided a material sample board for review as follows:
  - Board and batten, hardi plank siding as the primary building material.
  - Manufactured stone used on the primary, narthex and sanctuary building massing.

- Aluminum primary building entrances.
  - Dimensioned, asphalt roof shingles.
  - All of the proposed building materials are high quality. Additionally, hardi plank and stone have been used as building materials for residential homes along Harlem Road.
  - The application indicates that there will be a future playground and patio spaces installed on the eastern side of the property. Staff recommends a condition of approval that these future improvements be subject to staff approval and be appropriately screened from adjacent properties.
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.*

### **Landscape**

- The applicant has made the following modifications to the landscape plan since the October 11<sup>th</sup> ARB hearing date:
  - All waivers related to the landscape requirements for the site have been withdrawn.
  - Additional evergreen plantings have been added in select locations along Harlem Road in order to provide additional screening. These plantings range between 6 and 10 feet tall which meets the minimum planting size requirements of C.O. 1171.07 which requires evergreens to be a minimum of 5 feet tall at installation.
  - Additional plantings have been added along the western and southeastern property line to achieve 75% opacity screening.
  - Street trees have been added along Harlem Road and Dublin-Granville Road that meets code requirements.
  - A parking lot hedgerow that meets code requirements has been added around the entire parking lot area.
- Per C.O. 1171.06(b), parking lots must be screened from primary streets, residential areas and open space by a 3.5-foot minimum evergreen hedge, masonry wall or a combination of wall and plantings. The applicant has revised the application to include a parking lot hedgerow around the entire parking lot area which meets this code requirement.
- C.O. 1171.06(a)(2) states that a minimum of 5% of the overall parking lot area must be landscaped. The applicant is exceeding this requirement by providing grassed, landscape islands that make up 7.22% of the total parking area.
- C.O. 1171.05(c) states that for commercial, industrial, office and institutional uses which abut districts where residences are a permitted use, a buffer zone with a minimum width of 25 feet should be created. Such screening within the buffer zone shall consist of natural vegetation planted no closer than 3 feet to any property line. Natural vegetation shall have an opaqueness of 75% during full foliage and shall be a variety which will attain 10 feet in height within 5 years of planting. This requirement applies to the residentially zoned properties to the west and south since those share a common lot line/boundary.
  - The applicant is providing the minimum 25-foot recommended buffer zone from the abutting residential properties.
  - It appears the existing trees and vegetation remaining on the site will be utilized to meet the requirements of this code section. Staff recommends a condition of approval that additional landscape must be planted on the site if the minimum 75% opacity screening is not achieved with existing landscaping. The city forester and/or city landscape architect will inspect the site to determine if this requirement is met prior to issuing final occupancy for the building once construction is complete.

- The applicant has added landscape screening along the western property line to meet this requirement and enhanced it along the southeastern property line with predominately evergreen trees that range between 6-10 feet in height which meets the planting size requirements of C.O. 1171.07 which requires evergreens to be a minimum of 5 feet tall at installation.
- Per C.O. 1171.04(a), street trees along Harlem and Dublin Granville are required to be planted at an average rate of one tree for every 30 feet of linear lot frontage.
  - Dublin Granville Road: 590 feet of frontage/30= 20 required street trees. The applicant has revised the plan to meet this requirement with 15 trees planted along the Dublin Granville Road frontage and 5 trees will be planted along the western property line to enhance the screening. The applicant proposes a variety of tree species that will be randomly planted to maintain the rural character of the area.
  - Harlem Road: 690 feet of frontage/30= 23 required street trees. The applicant has revised the plan to meet this requirement with 19 trees planted along the Harlem Road frontage and 4 trees will be planted along the western property line to enhance the screening. The applicant proposes a variety of tree species that will be randomly planted to maintain the rural character of the area.
- C.O. 1171.05(b) states that for institutional uses, all trash and garbage container systems shall be screened or enclosed by walls, fences or natural vegetation to screen them from view. The code further states that the container systems shall not be located in front yards and shall conform to the side and rear yard pavement setbacks and this requirement is being met.
  - The applicant has added 3 additional 6-foot evergreen trees around the dumpster area to enhance the screening for it.
- The city landscape architect reviewed the application and provided the following comments. Staff recommends a condition of approval that the city landscape architect comments be addressed, subject to staff approval.
  1. Street trees along Dublin Granville Rd should be planted in random massings of native deciduous shade trees. Include more variety of species and provide the required quantity of trees.
  2. Street trees along Harlem Rd should be planted in random massings of native deciduous shade trees.
  3. Consider naturalizing the evergreen screen with more species of trees and a randomized spacing.

**Parking and Circulation**

- The site will be accessed by two curb cuts, one primary entrance along Dublin Granville Road at the existing (upper) Harlem Road intersection and one secondary entrance along (middle) Harlem Road. The city engineer has reviewed the application during preliminary meetings with the applicant and approved the site layout and general locations of curb cuts along public roads. During preliminary meetings, an importance was placed on ensuring that the curb cuts were designed in a way so that the primary entrance into the site was off of Dublin Granville Road and that Harlem Road was designed to be used as a secondary access point to the site. In order to ensure that the intent of treating the Harlem Road entrance as secondary is achieved, staff recommends a condition of approval that the drive aisle be reduced from 24 feet to 22 feet.
- C.O. 1165.06 requires and 8-foot-wide leisure trail to be installed along Dublin Granville Road and Harlem Road. The city recently completed construction of a leisure trail along Harlem Road, including the frontage of this site. The applicant proposes to install leisure trail along the entire Dublin Granville Road frontage of the site, therefore this requirement is met.



- C.O. 1167.05(c)(1) requires 1 parking space for every 3 seats in the main auditorium to be provided on site. There are 460 seats in the auditorium therefore, 154 parking spaces are required and the applicant is exceeding this requirement by providing 196.
- The following table compares on-site parking spaces to other institutional uses outside of the Village Center. Based on this research, the number of parking spaces provided at this site does not appear to be excessive when compared to similar uses. and the fact that. Additionally, the city parking code is established to set minimums and does not prohibit additional parking spaces. The applicant has taken into consideration the additional classroom space and religious holidays needs to ensure all of the parking can be accommodated on-site.

<b>Institutional Use</b>	<b>Parking Required</b>	<b>Parking Provided</b>
Church of the Brethren	178 parking spaces (1 space for every 3 seats in the sanctuary)	210 spaces (32 spaces more than what is required)
All Saints Episcopal Church/Temple Beth Shalom	Temple Beth: 185 spaces All Saints: 85 spaces (1 space for every 3 seats in the sanctuary)	186 spaces The two intuitional uses share parking spaces
Rose Run Presbyterian Church	96 parking spaces (1 space for every 3 seats in the sanctuary)	123 spaces (27 more than what is required). Additional parking spaces were provided to support classrooms in the church

**Lighting and Signage**

- The site plan indicates that there will be two signs installed on the site, one at each entrance however the details of these signs are not provided. Staff recommends a condition of approval that these signs be subject to staff approval and must meet all city sign code requirements.
- The applicant submitted a detailed photometric plan as part of the application showing zero candle-foot light intensity along adjacent residential properties. The applicant states that the parking lot lighting will have a control feature as requested by the neighbors. The applicant states that the control feature will likely be timers or motion detectors, photocell or another control device that has yet to be determined. Staff recommends that the ARB confirm with the applicant the specific control feature for light control on the site.
- During the last meeting, nearby neighbors expressed concern about the lighting height and intensity for the site. Per the ARB's request, the table below provides a comparison between this site and other institutional uses for the parking lot lighting height and intensity. The proposed site lighting is appropriate as it is consistent with other, similar institutional uses.

<b>Institutional Use</b>	<b>Parking lot light height</b>
Proposed New Albany Presbyterian Church	23 feet (11 lights)
Temple Beth Shalom	22 feet (11 lights)
Rose Run Presbyterian Church	21 feet (3 lights)

- City codified ordinances do not contain standards or requirements for light intensity on a site. Codified Ordinance 1157.09 (b) specifically states that staff, as well as the Board, can consider the visual and functional components of the building and its site, including but not limited to lighting among other items. While not required by city code, it is staff's policy to recommend that 0 candle foot light intensity be maintained along all property lines, especially in areas where non-residential abuts a residential use. The applicant has submitted a detailed photometric plan which is summarized in the table above.
  - The applicant indicates that there will be a cross installed on the Dublin Granville Road building elevation and that it will be halo illuminated.
- 3 *The distinguishing original qualities or character of a building, structure, site and/or its environment shall not be destroyed.*
    - The applicant indicates that one of the existing homes on the property will be demolished. The other home will remain on the site and there are no improvements proposed at this time. Staff recommends a condition of approval that any future, exterior repairs to the home be subject to staff approval.
  - 4 *All buildings, structures and sites shall be recognized as products of their own time.*
    - The proposed building material selection are in kind with the proposed architecture of the structure which is sensitive to the established architectural character of the immediate area.
  - 5 *Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be created with sensitivity.*
    - The proposed building improvements are sensitive to the rural residential character of the area.
  - 6 *The surface cleaning of masonry structures shall be undertaken with methods designed to minimize damage to historic building materials.*
    - Not Applicable as there are no proposed modifications to the existing structure that will remain on the site.
  - 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.*
    - Not applicable.

### **Waiver Requests**

C.O. 11130.10 states an applicant who wishes to have a requirement of the Zoning Ordinance waived must apply to the ARB through city staff for said waiver in conjunction with a certificate of appropriateness application that will be reviewed by the Architectural Review Board. The ARB's review is pursuant to C.O. Section **1113.11 Action by the Architectural Review Board for Waivers**, within thirty (30) days after the public meeting, the ARB shall either approve, approve with supplementary conditions, or disapprove the request for a waiver. The ARB shall only approve a waiver or approve a waiver with supplementary conditions if the ARB finds that the waiver, if granted, would:

1. *Provide an appropriate design or pattern of development considering the context in which the development is proposed and the purpose of the particular standard. In evaluating the context as it is used in the criteria, the ARB may consider the relationship of the proposed development*

- with adjacent structures, the immediate neighborhood setting, or a broader vicinity to determine if the waiver is warranted;*
2. *Substantially meet the intent of the standard that the applicant is attempting to seek a waiver from, and fit within the goals of the Village Center Strategic Plan, Land Use Strategic Plan and the Design Guidelines and Requirements;*
  3. *Be necessary for reasons of fairness due to unusual site specific constraints; and*
  4. *Not detrimentally affect the public health, safety or general welfare.*

The applicant requests the following waiver as part of the application.

**(A) Waiver to New Albany DGR Section VIII (III)(3) to eliminate the requirement that there be a building entrance along the Dublin Granville Road.**

The following should be considered in the board's decision:

1. DGR Section 8(III)(3) states that entrances to civic and institutional buildings shall be oriented toward primary street and roads and shall be of a distinctive character that makes them easy to locate. The proposed church is designed with the main entrance facing the parking lot however it does include an entrance on the Harlem Road elevation. There is not an entrance on the Dublin Granville Road elevation therefore, a waiver is required.
2. The intent of requirement is to ensure that institutional buildings maintain a strong presence on the street. While the applicant does not propose to have an entrance along Dublin Granville Road, this building elevation is the most prominent to properly address the major public road to which it faces and provides a distinctive design element, much like a building entrance does which substantially meets the intent of the standard that they are seeking a waiver from, and the goals of the Village Center Strategic Plan, the New Albany Strategic Plan and the Design Guidelines and Requirements.
3. The request appears to provide an appropriate design or pattern of development considering the context in which the development is proposed. The building is situated in a way to properly address the major public road that it fronts onto so that while it does not contain a door, the presence of the building is most prominent along this street, making the building easily identifiable. Additionally, while the elevation does not contain a door, other architectural elements are provided such as the steeple, appropriately spaced windows and panels have been added below the windows that complete the elevation while the door is absent.
4. It appears that granting the waiver is necessary for reasons of fairness due to unusual site-specific constraints and characteristics. The New Albany Design Guidelines and Requirements do not take the surrounding development context into consideration as it relates to the placement of institutional structure on a site. The site is surrounded by residentially zoned and used properties. Based on information submitted with the application, the applicant has met with surrounding neighbors which influenced the location and orientation of the building on the site in order to be considerate to neighbors. If the building was flipped 180 degrees so that entrances were provided along Dublin Granville Road, the tallest and most prominent portions of the building would be located closer to adjacent residential properties which is undesirable.
5. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.

**IV. RECOMMENDATION**

The Architectural Review Board should evaluate the overall proposal based on the requirements in the Design Guidelines and Requirements and the city's codified ordinances. The site is located in a unique location in the community with a large amount of protected, preserved open space to the west and established residentially zoned and used properties along all other boundaries. The New Albany Design Guidelines and Requirements state that the architectural style of a new institutional building shall be appropriate to the context, location and function of the building. As noted by the city architect, the

applicant has gone to great length to ensure that the proposed structure is “in kind” with the immediate area by using appropriate, high quality building materials that have been used on residential homes in the immediate area. Additionally, the applicant has appropriately located the building to properly address the public streets, placing the parking area predominately behind the building and away from adjacent residential properties.

While the proposed building location, elevations and building materials are appropriate from a planning and design perspective, another important component of the site is being sensitive to the residential character of the immediate area. The applicant proposes to preserve a substantial number of trees on the site in order to be sensitive to neighbors in the surrounding area and will meet all landscape code requirements for the site.

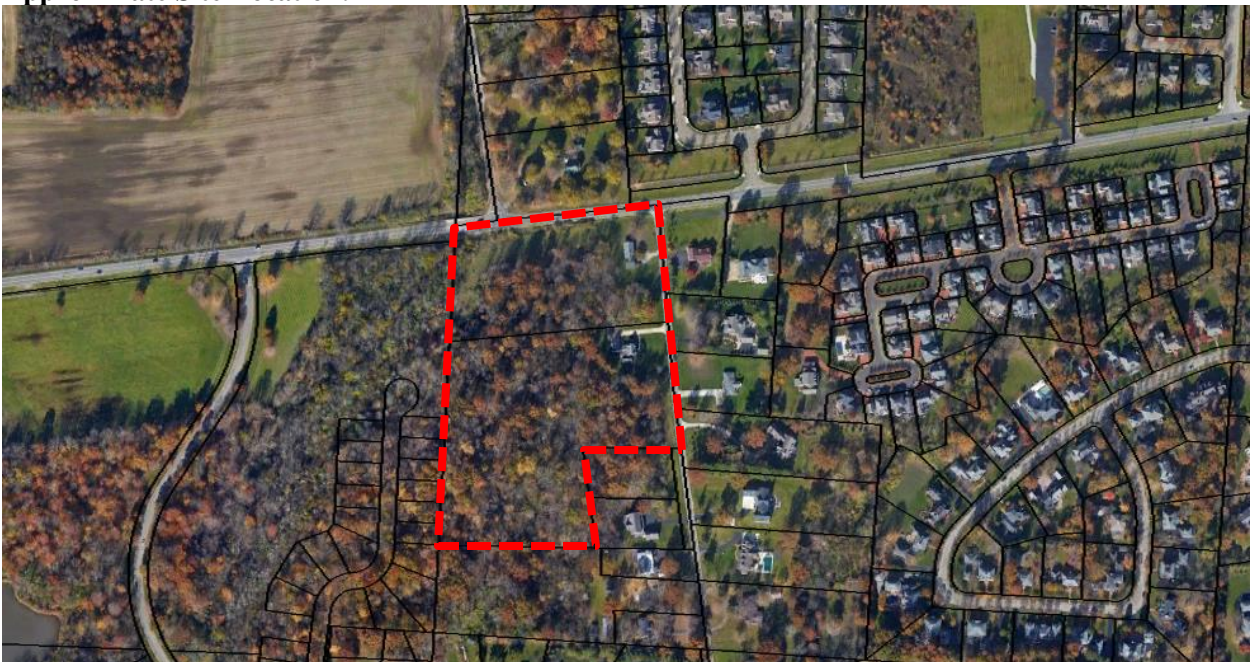
## V. ACTION

Should ARB find that the application has sufficient basis for approval, the following motion would be appropriate (conditions of approval may be added):

### **Move to approve application ARB-99-2021 with waivers, subject to the following conditions of approval:**

1. Right-of-way along both Dublin Granville Road and Harlem Road must be dedicated to the city as part of the engineering permitting process. The final amount is subject to the review and approval of the city engineer.
2. The future playground and patio improvements are subject to staff approval and must be screened from adjacent properties, subject to staff approval.
3. Additional landscaping must be planted on the southern and western sides of the site if the minimum 75% opacity screening is not achieved with existing landscaping at any location on the site, subject to staff approval.
4. The city landscape architect comments must be addressed, subject to staff approval.
5. The drive aisle that extends from Harlem Road must be reduced from 24 feet to 22 feet.

### **Approximate Site Location:**



Source: Google Earth