



**New Albany Architectural Review Board
January 10, 2022 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 Vice Chair Mr. Jonathan Iten at 7:01 p.m.

Those answering roll call:

Mr. Alan Hinson, Chair	Absent
Mr. Francis Strahler	Present
Mr. Jonathan Iten	Present
Mr. Jim Brown	Present
Mr. E.J. Thomas	Present
Mr. Andrew Maletz	Present
Ms. Traci Moore	Present
Mr. Chip Fellows	Present

Staff members present: Steven Mayer, Development Services Coordinator; Mr. Chris Christian, Planner; and Josie Taylor, Clerk.

Moved by Mr. Thomas to approve the December 13, 2021 meeting minutes, seconded by Mr. Strahler. Upon roll call: Mr. Thomas, yea; Mr. Strahler, yea; Mr. Iten, yea; Mr. Brown, yea; Mr. Maletz, yea; Ms. Moore, yea. Yea, 6; Nay, 0; Abstain, 0. Motion passed by a 6-0 vote.

Mr. Iten swore all who would be speaking before the Architectural Review Board (hereafter, "ARB") to tell the truth and nothing but the truth.

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

Mr. Christian stated none from staff.

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

Mr. Maletz stated he would move to the public seating area as he was involved with items being presented this evening,

**ARB-134-2021 Certificate of Appropriateness
Certificate of Appropriateness to add new windows at 3 North High Street (PID: 222-000010-00).
Applicant: Maletz Architects, Inc.**

Mr. Christian presented the staff report.

Mr. Iten asked if the applicant wanted to provide additional comments.

Mr. Andrew Maletz, applicant, stated no.

Moved by Mr. Strahler to approve the certificate of appropriateness for ARB-134-2021, seconded by Mr. Thomas. Upon roll call vote: Mr. Strahler, yea; Mr. Thomas, yea; Mr. Brown, yea; Ms. Moore, yea; Mr. Iten, yea; Mr. Maletz, abstain. Yea, 5; Nay, 0; Abstain, 1. Motion carried by a 5-0-1 vote.

ARB-135-2021 Certificate of Appropriateness

Certificate of Appropriateness to extend and enlarge the front porch, reconstruct a portion of the building and the removal and relocation of window and doors at 24 E Main Street (PID: 222-000043-00).

Applicant: Maletz Architects, Inc.

Mr. Christian presented the staff report and noted that prior conditions of approval on this location also applied to this application.

Mr. Iten asked if the applicant wanted to provide additional comments.

Mr. McCarter, applicant, stated he would be happy to answer any questions.

Mr. Iten asked what had changed or been proposed for the back or east elevation roof.

Mr. McCarter stated the existing condition on the foundation could not be re-aligned and the roof lines conflicted. Mr. McCarter stated they wanted to change to a plain structure and clear the roofline to be flat and get windows out of the kitchen area.

Mr. Iten stated thank you.

Mr. Strahler asked what kind of door was on the west elevation

Mr. McCarter stated the existing door was perhaps an eight (8) foot door and they proposed moving it to make it more accessible. Mr. McCarter stated a more traditional glass door would be used.

Mr. Iten stated they might not want people able to see into the kitchen

Mr. McCarter stated that was a rear entrance.

Mr. Iten stated something such as was done at Hudson 29, with an obscured glass door, might work.

Mr. Strahler said yes.

Mr. Iten stated the door could be consistent with other doors.

Mr. Iten asked if any members of the public had any questions or comments. (No response.)

Mr. Fellows asked where the trash and dumpsters would be located and whether they would be screened.

Mr. McCarter stated they would be placed next to the parking lot and would be enclosed with a high wall and landscaped so they were concealed.

Mr. Fellows asked if ten (10) parking spaces were enough.

Mr. Christian stated that amount had been approved back in 2018 and later a waiver for additional parking on the site had been obtained.

Moved by Mr. Brown to approve the certificate of appropriateness for ARB-135-2021, with the prior conditions of approval from ARB-73-2018 and the following additional conditions:

1. The English and herb garden details must be provided as part of the landscape plan and are subject to staff approval;
 2. The two lots must be combined; and
 3. The north entry door is designed to reflect existing door, per staff approval.
- seconded by Mr. Thomas. Upon roll call vote: Mr. Brown, yea; Mr. Thomas, yea; Ms. Moore, yea; Mr. Strahler, yea; Mr. Iten, yea; Mr. Maletz, abstain. Yea, 5; Nay, 0; Abstain, 1. Motion carried by a 5-0-1 vote.

ARB-136-2021 Certificate of Appropriateness & Waivers

Certificate of Appropriateness for the construction of a new multi-unit building generally located north of Main Street and south of Keswick Drive and McDonald Lane (PID: 222-000043-00).

Waivers have been requested to the following Urban Center Code development standards:

- **Waiver to UCC Section 2.69 to allow the Main Street lot width to be 220+/- feet where code allows a maximum of 200 feet.**
- **Waiver to UCC Section 2.69(c) to allow the rear yard setback to be 7.5+/- feet where code requires a minimum 15-foot setback.**
- **Waiver to UCC Section 2.71.2 to allow 17 parking spaces to be provided on site where code allows a maximum of 12.**

Applicant: Richmond Main Investments, LLC

Mr. Christian presented the staff report.

Mr. Iten asked if the applicant wanted to provide additional comments.

Mr. Dwayne Furukawa applicant, discussed the project and stated he would be happy to respond to any questions.

Mr. Iten stated colors for the project did not appear to have been provided with the application and asked staff when they were expected.

Mr. Christian stated the City Architect had noticed some details were missing. Mr. Christian stated the City Architect had said he trusted they were moving in the right direction with those details and some conditions regarding this issue were in the staff report.

Mr. Iten stated he had seen condition number 2, but it had not included language about color.

Mr. Christian stated they could add that.

Mr. Iten asked if the colors would be reviewed by staff or the ARB.

Mr. Thomas stated staff had done well before.

Mr. Mayer stated the City Design Guide Regulations (hereafter, "DGR") required historical colors and a waiver was required if the colors were not found to be historical.

Mr. Tom Rubey, New Albany Company, LLC, stated their reviews indicated that they expected the colors, brick, and mortar would match that used in the Richmond Square project. Mr. Rubey also stated the window design was also expected to be like that in Richmond Square.

Mr. Iten asked if any members of the public wished to speak on this. (No response.)

Mr. Fellows asked if the design was to be flats or townhomes.

Mr. Furukawa stated they would be individual flats.

Mr. Iten stated they would be some good size units.

Mr. Furukawa stated the largest would be about 3,000 square feet.

Mr. Iten stated they were very attractive.

Mr. Brown stated it was not a boring building and a good job had been done here.

Mr. Thomas stated he was impressed and a lot of thought had gone into this.

Mr. Brown stated he liked that it would be reflective of Richmond Square.

Mr. Iten stated he believed the waivers requested here met the four necessary requirements. Mr. Iten stated he believed the DGR or Urban Center Code parking space limits only made sense with an above ground garage.

Ms. Moore stated the south elevation had optional terraces and asked if the railing there would be partial.

Mr. Michael Talmon, architect, stated it would be specific to that unit and only if they wanted it.

Mr. Moore asked if the terrace at the front would be public or not.

Mr. Talmon stated it would be public.

Ms Moore indicated a dark area on the plans and asked Mr. Tomely to indicate what it was.

Mr. Talmon stated it was a transition to grade and the rectangular box there was a planter that would be eighteen (18) inches.

Ms. Moore asked how the rear, north elevation would be addressed.

Mr. Talmon stated it would have siding.

Ms. Moore stated okay.

Mr. Iten stated there would be a lot of blank wall there and asked if there would be any treatment there.

Mr. Thomas stated he believed it provided a relief that enhanced its look but he could be persuaded on that.

Mr. Talmon stated the visibility of the elevation was minimal.

Mr. Iten stated okay, it could be seen in theory but not in reality. Mr. Iten stated that in the drawing it appeared that the height of this project would be lower than the existing apartments and asked if that was correct.

Mr. Talmon stated it would align with the lower level at Richmond Square.

Mr. Iten stated that it appeared to be higher visually and asked if that was true.

Mr. Talmon stated it would be about the same.

Mr. Iten asked if the flats here would be the same height as the flats on Richmond Square.

Mr. Talmon stated it would actually be lower.

Mr. Iten stated they were not then talking of that flat roof being taller than the peak.

Mr. Rubey stated it would feel and act like a part of Richmond Square and the building down from that would look like that while going north on US-62 it would be identical to Market and Main and provide the sense of a gateway.

Mr. Strahler asked whether, with the optional terraces, if one were not selected, would they still have a railing.

Mr. Talmon stated it would still have the railing.

Mr. Strahler stated okay, perfect, it was important to have.

Ms. Moore stated she agreed.

Mr. Iten stated they appeared to be approving the footprint of the other building, but stated he did not see anything showing the footprint.

Mr. Christian stated it was just the footprint shown on the screen.

Mr. Mayer stated the waiver request was part of that.

Mr. Iten asked if the seven (7) foot setback applied there too.

Mr. Mayer stated that was correct.

Mr. Iten asked if the fact that it was straight-lined did not mean it would be one large wall.

Mr. Mayer stated correct.

Mr. Iten asked if they were not approving anything like a garage entrance.

Mr. Mayer stated no.

Mr. Strahler asked if there would be screening for the units and landscaping due to the lower level.

Mr. Iten asked if staff would be approving landscaping.

Mr. Mayer stated that was right but they did not anticipate any screening would be needed.

Mr. Iten asked whether the approval should be separate for each of the waivers or if one approval was possible for all.

Mr. Mayer stated the ARB could vote separately or individually, as it preferred.

Moved by Mr. Iten to approve the certificate of appropriateness ARB-136-2021 and the following waivers:

- (A) Waiver to UCC Section 2.69 to allow the Main Street lot width to be 220+/- feet where code allows a maximum of 200 feet.
- (B) Waiver to UCC Section 2.69(c) to allow the rear yard setback (McDonald Lane) to be 7.5+/- feet where code requires a minimum 15-foot setback.
- (C) Waiver to UCC Section 2.71.2 to allow 17 parking spaces to be provided on site where code allows a maximum of 12.

with the following conditions:

1. If a composite material is to be used for trim and/or screening elements, the use and type of material is subject to staff approval;
 2. Brick jack arches or headers as well as cornice, belt courses and parapet caps' detailing are subject to the city architect's approval;
 3. The coloring of the materials used in the building are to build off of Richmond Square colors, subject to staff approval;
 4. The rooftop screening must be provided to the top of the mechanical units, subject to staff approval;
 5. The existing utility boxes along Main Street must either be vaulted or relocated to behind the existing sidewalk, subject to the city engineer's approval;
 6. A landscape plan must be submitted and meet all city landscape code requirements, subject to staff approval;
 7. The proposed urn must be relocated outside of the right-of-way and the applicant must enter into an agreement with the city that the proposed courtyard landscaping be maintained by the property owner, and not the city, in perpetuity;
 8. A lighting plan must be submitted and is subject to staff approval;
 9. A 6-foot sidewalk be added along Richmond Square and connected into the existing sidewalk sections along both Richmond Square and Main Street, subject to staff approval;
 10. The bicycle parking spaces must be relocated outside of the right-of-way, subject to staff approval;
- seconded by Ms. Moore. Upon roll call vote: Mr. Iten, yea; Ms. Moore, yea; Ms. Briggs, yea; Mr. Maletz, abstain; Mr. Thomas, yea; Mr. Brown, yea; Mr. Strahler, yea. Yea, 5; Nay, 0; Abstain, 1.
Motion carried by a 5-0-1 vote.

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

Meeting adjourned at 7:51 p.m. Submitted by Josie Taylor.

APPENDIX



Architectural Review Board Staff Report January 10, 2022 Meeting

CERTIFICATE OF APPROPRIATENESS 3 NORTH HIGH

LOCATION: 3 North High Street (PID: 222-000010-00)
APPLICANT: Maletz Architects, Inc
REQUEST: Certificate of Appropriateness
ZONING: Urban Center District within the Historic Core Sub-District
STRATEGIC PLAN: Village Center
APPLICATION: ARB-134-2021

Review based on: Application materials received on December 10, 2021.

Staff report prepared by Chris Christian, Planner.

I. REQUEST AND BACKGROUND

This certificate of appropriateness application is for the addition of four new windows on the building located at 3 North High Street. There are no proposed changes to the site, landscaping, signage or lighting.

C.O. 1157.06 states that 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. C.O. 1157.07 states that exterior building changes that modify or reconstruct any exterior features of an existing structure, that are not considered minor changes, must be reviewed and approved by the ARB prior to the work being completed. New windows are classified as reconstruction of exterior features therefore they are subject to the review and approval of the ARB.

II. SITE DESCRIPTION & USE

The property is .11 acres in size and contains a 4,320 square foot office building that was constructed in 1920 according to the Franklin County Auditor's Office. The building is currently being remodeled to accommodate new tenants.

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:

Certificate of Appropriateness

1. *The compliance of the application with the Design Guidelines and Requirements and Codified Ordinances.*

- Section 3 of the New Albany Design Guidelines and Requirements provides the requirements for commercial buildings inside the Village Center. Section III (II.E.7) states that when a window design has been selected for a building, the same design must be used on all elevations.
 - The applicant proposes to add 4 new windows to an existing building. Two of the windows will be located on the north, parking lot elevation of the building and two on the rear elevation that sides on to Main Street.
 - In order to meet the regulations in the Design Guideline and Requirements and match the windows used on the rest of the building, the applicant proposes to install vinyl clad, double hung windows with the same trim and finishes used on other windows. The DGRs permits the use of vinyl clad windows.
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.*
 - There are no proposed changes to the existing landscape design, lighting, vehicular or pedestrian circulation or signage as part of this project.
 3. *The distinguishing original qualities or character of a building, structure, site and/or its environment shall not be destroyed.*
 - The proposed windows are appropriately located on the building and will not destroy any distinguishing original qualities or character of the building.
 4. *All buildings, structures and sites shall be recognized as products of their own time.*
 - The proposed windows are of new construction and appear to be appropriately located on the building.
 5. *Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be created with sensitivity.*
 - It appears that the applicant has chosen the location for the windows while being sensitive to the historic architecture of the building.
 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.*
 - It does not appear that the essential form and integrity of the original structure would be destroyed if the windows were removed from the building at a later date.

IV. RECOMMENDATION

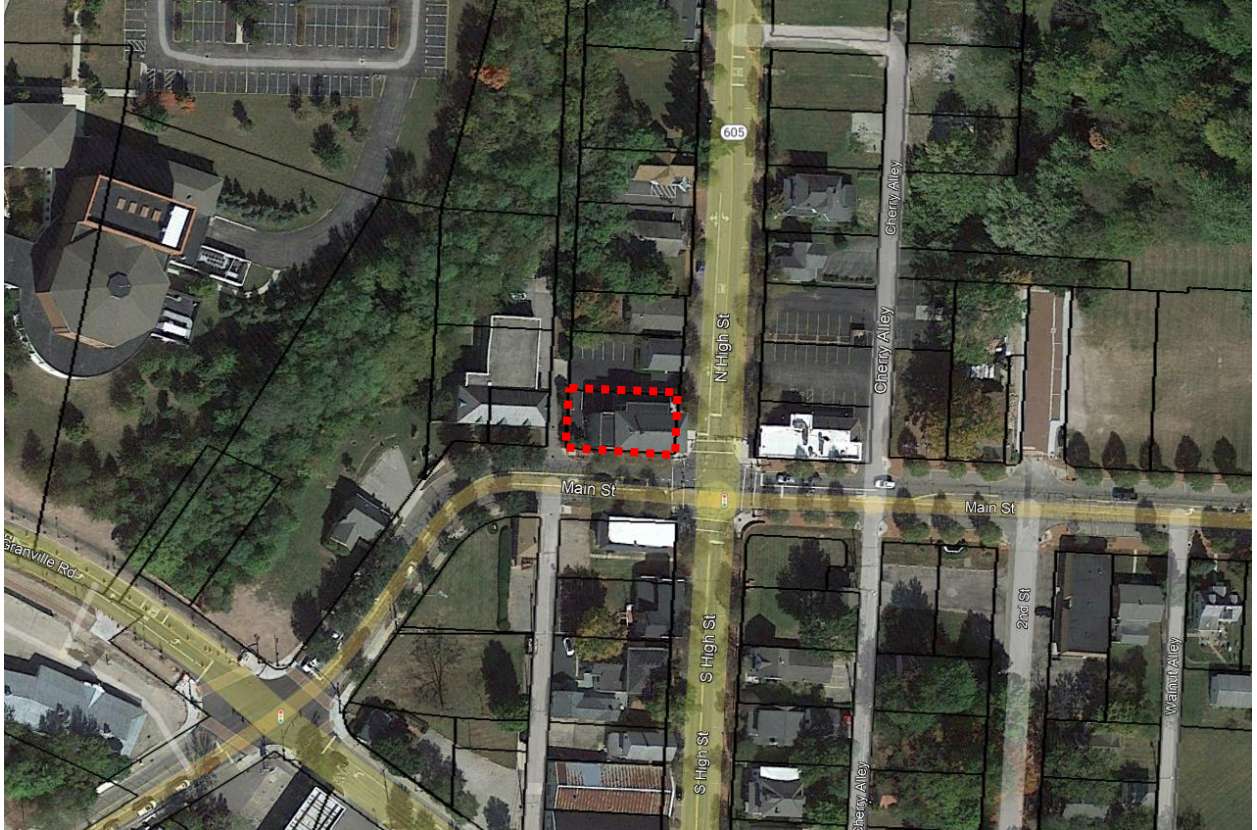
The Architectural Review Board should evaluate the overall proposal based on the requirements in the Design Guidelines and Requirements. The proposed windows match the existing windows on the building, are appropriately located and will not destroy any existing architectural features of the building which meets all of the applicable DGR requirements for commercial buildings in the Village Center.

V. ACTION

Should the 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-134-2021 (conditions of approval may be added).

Approximate Site Location:



Source: Google Earth



**Architectural Review Board Staff Report
January 10, 2022 Meeting**

**CERTIFICATE OF APPROPRIATENESS
24 E MAIN STREET**

LOCATION: 24 E Main Street (PID: 222-000043)
APPLICANT: Maletz Architects, Inc
REQUEST: Certificate of Appropriateness
ZONING: Urban Center District within the Historic Core Sub-District
STRATEGIC PLAN: Village Center
APPLICATION: ARB-135-2021

Review based on: Application materials received on December 10, 2021 and January 3, 2022.

Staff report prepared by Chris Christian, Planner.

VI. REQUEST AND BACKGROUND

On November 14, 2018, the ARB approved the following exterior modifications to the building located at 24 E. Main Street (ARB-73-2018). Waivers were also approved to allow 10 parking spaces to be installed and for the parking lot to be located 0 feet from the western property line. The building is under active construction and some of these improvements have been made to the site/building. All of the original conditions of approval still apply and are listed in the motion section of this staff report.

- Enlarging and modifying the front porch;
- Removing shutters;
- Removal of stone façade;
- The addition of hardie board siding;
- Replacement of existing windows;
- The addition of a cupola;
- The addition of a chimney; and
- A new parking lot with a dumpster

According to the applicant, the entire building will be used as a bar and restaurant and the following exterior modifications are being requested as part of this application in addition to those previously approved via application ARB-73-2018.

- Extend and enlarge the front porch;
- Reconstruct a portion of the rear of the building; and
- The removal and relocation of windows and doors

C.O. 1157.06 states that 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. C.O. 1157.07 states that exterior building changes that modify or reconstruct any exterior features of an existing structure, that are not considered minor changes, must be reviewed and approved

by the ARB prior to the work being completed. The proposed changes are considered Major Environmental Changes and therefore must be reviewed and approved by the ARB.

VII. SITE DESCRIPTION & USE

The site is zoned UCD Urban Center District, within the Historic Core Sub-district. According to the Franklin County Auditor the building was originally constructed in 1910 and renovated in 1978 and is .20+/- acres in size. The previous tenants of this property were Wayside Floral and Griffin's Floral.

VIII. 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:

Certificate of Appropriateness

8. *The compliance of the application with the Design Guidelines and Requirements and Codified Ordinances.*
 - Section 3 of the New Albany Design Guidelines and Requirements provides the requirements for commercial buildings inside the Village Center.
 - DGR Section III (II.A.1.) states that buildings shall follow the stylistic practice of traditional American commercial architectural and the design and detail characteristics shall be carefully studied and faithfully rendered in the new building design. The ARB previously approved several exterior building modifications for this site (ARB-73-2018).
 - The applicant proposes the following exterior changes to the building:
 - Extend and enlarge the front porch;
 - Reconstruct a portion of the rear of the building; and
 - The removal and relocation of windows and doors
 - The applicant proposes to extend the previously approved front porch and wrap it around to the west elevation on both the first and second floors. All of the proposed column, trim and railing details appear to be consistent with the previously approved front porch elevation. These areas will provide outdoor seating for restaurant guests.
 - The existing double French doors on the east elevation will be replaced by a single door that matches the details provided on the original ARB application.
 - The existing wing at the rear of the building is proposed to become a kitchen which will result in the following modifications:
 - The existing door and windows to be removed on the eastern elevation;
 - The windows on the rear elevation to be removed;
 - A new door on the rear elevation; and
 - The roof shape of the existing wing of the building will be squared off and trim details added.
 - It appears that all of the proposed exterior building modifications appropriately relate to the original ARB approval through the use of same hardi board siding material, roof and porch trim and details. While the applicant proposes to replace the double French doors on the east elevation, there are still two building entrances along this elevation.
 - All of the original conditions of approval related to the building architecture still apply and are listed in the motion section of the staff report.
 - Staff recommends an additional condition of approval that the two lots that make up the development site be combined.
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.*

- A site plan was submitted as part of the application however it appears that the location of the parking lot is inconsistent with the Second Street improvement plans that were completed by the city. Staff recommends a condition of approval that the site plan be updated as part of the building permit submittal.
- A detailed landscape plan was not submitted as part of this application and per the original conditional of approval—one will be required to be submitted as part of the building permit.
 - A new English garden and herb garden are identified on the site plan that were not previously shown however, the details for these areas was not provided as part of the application. Staff recommends a condition of approval that these details be provided with the landscape plan as part of the building permit and be subject to staff approval.

10. *The distinguishing original qualities or character of a building, structure, site and/or its environment shall not be destroyed.*

- The proposed modifications and additions appear to preserve the original quality and character of the building that were previously approved by the ARB through the use of the same building materials, trim and railing details.

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

- The proposed improvements are of new construction and appear to be appropriate based on the previous approved design of the building.

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

- It appears that the applicant has made the proposed modifications while being sensitive to the original improvements approved for the building.

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.*

- It does not appear that the essential form and integrity of the original structure would be destroyed if any of the improvements were removed from the building at a later date.

IX. RECOMMENDATION

The Architectural Review Board should evaluate the overall proposal based on the requirements in the Design Guidelines and Requirements. All of the proposed exterior building modifications appear to be consistent with the design previously approved design through the use of the same building materials, trim elements and railing details. All previous conditions of approval placed on the original application will carry over to this application and reviewed as part of the building permit. The proposed modifications will allow this historic building to be reused as a new restaurant and bar in the Village Center.

X. ACTION

Should the 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-135-2021 with the following conditions of approval (conditions of approval may be added).

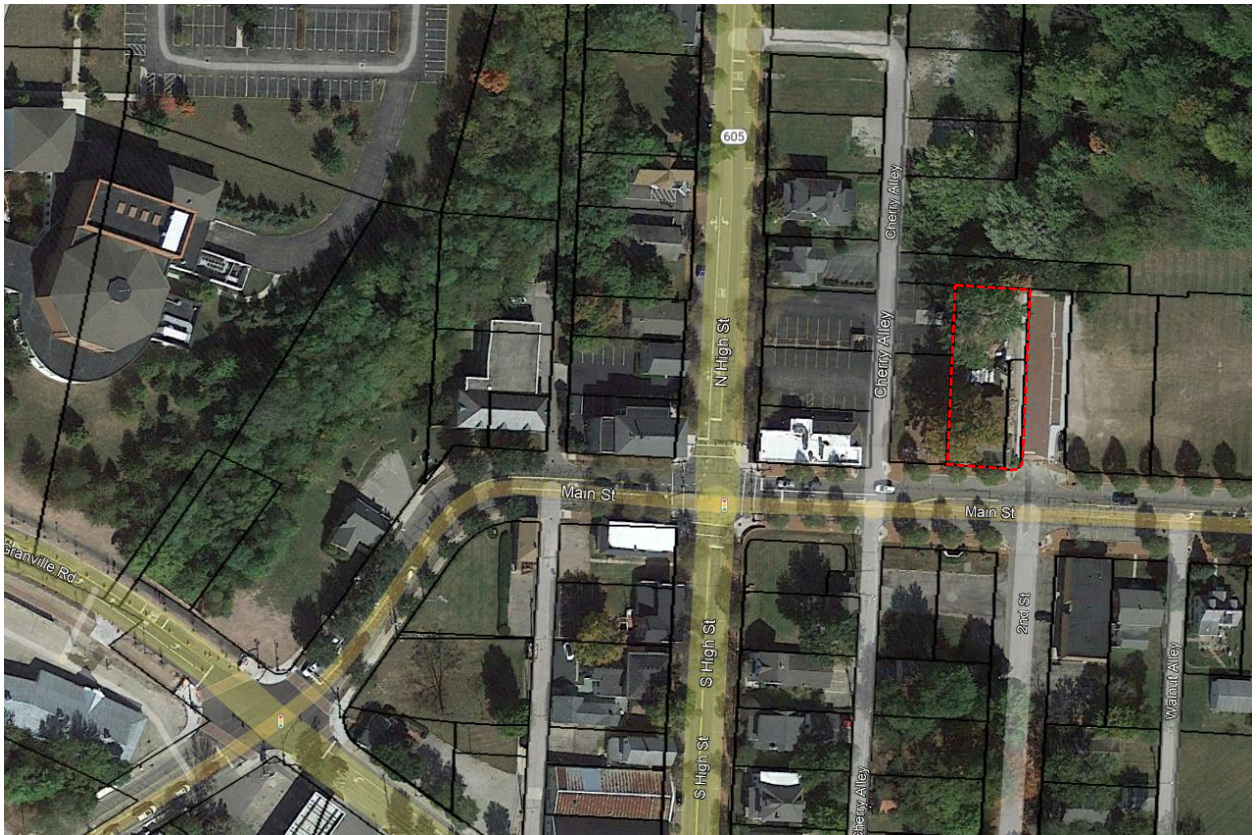
Previous Conditions of Approval from ARB-73-2018:

1. The solarium must be white.
2. The final column and entablature detailing be subject to staff approval.
3. The proposed future parking lot be installed at such time that the City builds the Second Street extension.
4. Final design and location of the parking lot is subject to staff approval.
5. Final alignment and design of the streetscape along the proposed road is subject to staff approval.
6. A landscape plan must be submitted for staff's review and approval.
7. The dumpster enclosure must be submitted for staff's review and approval and it must meet the required setbacks, and height requirements.
8. One canopy tree must be installed near the parking lot to meet code requirements.
9. One tree with a tree planting total of 2.5" must be installed to meet code requirements.
10. Any rooftop units must screen on all four sides for sight and sound, final screening will be subject to staff approval.
11. A photometric plan must be submitted to show that there is zero or near zero-foot candle intensity along all parcel boundaries, if any parking lot lighting were to be installed.
12. Parking spaces must be sized to 9' x 19', with a 22-foot-wide drive aisle to match the standards found in the city's parking code.
13. All ground mechanical devices and utility structures should be located in the side or rear yard and shall be fully screened from streets and neighboring
14. The proposed parking lot be aligned with the existing parking lots to create a continuously connect circulation aisle, and a cross access easement be provided.

New Conditions of Approval:

15. The English and herb garden details must be provided as part of the landscape plan and are subject to staff approval.
16. The two lots must be combined.

Approximate Site Location:



Source: Google Earth



**Architectural Review Board Staff Report
January 10, 2022 Meeting**

**CERTIFICATE OF APPROPRIATENESS & WAIVERS
RICHMOND SQUARE MULTI-UNIT BUILDING**

LOCATION: Generally located north of Main Street and south of Keswick Drive and McDonald Lane (PID: 222-000043-00)
APPLICANT: Richmond Main Investments LLC
REQUEST: Certificate of Appropriateness & Waivers
ZONING: Urban Center District within the Core Residential Sub-District
STRATEGIC PLAN: Village Center
APPLICATION: ARB-136-2021

Review based on: Application materials received on December 10th and 28th, 2021.

Staff report prepared by Chris Christian, Planner.

XI. REQUEST AND BACKGROUND

This certificate of appropriateness application is for a new multi-unit building located generally north of Main Street and south of Keswick Drive and McDonald Lane. The project will be broken up into two phases. This application requests complete approval for phase one and just the building footprint for phase two of the development. The applicant will return to the ARB at a later date for approval of the architecture, landscape and other exterior improvements for phase two of the development project. The first phase of the project includes 8 condominium units within a multi-unit building and an underground parking garage with 17 parking spaces within the footprint of the building.

The site is located within the Urban Center Code Core Residential sub-district and the New Albany Country Club, Section 21: subarea 2 I-PUD zoning district. Per Codified Ordinance 1158.03(c), properties within the Architectural Review Overlay District that are zoned PUD before Chapter 1158 of the city code was adopted in 2011, are permitted to either develop under the requirements of the underlying PUD zoning or the Urban Center Code. The applicant has elected to develop under the Urban Center Code, therefore the requirements of the Urban Center Code, the New Albany Design Guidelines and Requirements and city code apply to this site.

On March 11, 2013 the ARB approved a waiver to allow the multi-unit building typology to be developed on this site which is located within the Core Residential sub-district where this building typology is not permitted by right (ARB-02-2013).

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

- (A) Waiver to UCC Section 2.69 to allow the Main Street lot width to be 220+/- feet where code allows a maximum of 200 feet.
- (B) Waiver to UCC Section 2.69(c) to allow the rear yard setback (McDonald Lane) to be 7.5+/- feet where code requires a minimum 15-foot setback.

- (C) Waiver to UCC Section 2.71.2 to allow 17 parking spaces to be provided on site where code allows a maximum of 12.

XII. SITE DESCRIPTION & USE

The property is 0.75 acres in size, is currently vacant and is generally located north of Main Street and south of Keswick Drive and McDonald Lane. In 2005, the ARB and Planning Commission approved a final development plan for Richmond Square or Section 21 of the New Albany Country Club. This development included traditional Georgian rowhouses to be developed fronting onto Richmond Square and Keswick Drive. Some of these rowhouses were developed on Richmond Square however the plans for this specific piece of property were withdrawn by the developer. The site is surrounded by residentially zoned and used properties.

XIII. 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:

A. Certificate of Appropriateness

15. The compliance of the application with the Design Guidelines and Requirements and Codified Ordinances.

- Section 2 of the New Albany Design Guidelines and Requirements provides the requirements for multi-unit residential buildings inside the Village Center. Section II (IV.B.1) requires multi-unit buildings to be based on an American architectural precedent described in section 1 of the DGRs. The city architect and applicant have identified the Georgian architectural style for the proposed building which meets this requirement.
- This infill site is unique in the Village Center as it is located in between two different architectural form contexts. One is Richmond Square where traditional, Georgian rowhouse architecture is employed and the other being the existing Market and Main multi-unit buildings. The applicant states that it is their goal to pull architectural cues from the Richmond Square context while constructing a multi-unit building like Market and Main. The city architect has reviewed the proposal and is supportive of the design stating that the shape, proportion, scale and breakdown of individual elements are appropriate and relate to both the Richmond Square as well as the Market and Main architecture.
- DGR Section II (IV.F.1) states that the materials used for multi-unit buildings shall be appropriate and typical of materials traditionally used in the Georgian architectural style. In general, the DGRs recommend wood siding and brick as preferred exterior materials but allows other materials to be used if approved by the ARB. The applicant identifies the following exterior materials on the plans:
 - Brick as the primary façade material;
 - Wood;
 - Asphalt roof shingles;
 - Limestone; and
 - Aluminum clad, double hung windows

There are several building elements where the proposed material is not identified on the plans. Staff recommends that the ARB confirm the proposed material for the 3rd story trim, columns and mechanical screen wall. If a composite material is used, staff recommends that it be subject to staff approval.

- The city architect states that the submitted drawings appear to be schematic at this point and will need to be further developed. Some of his observations include that there are doors and windows missing brick jack arches or headers as well as cornice, belt courses and

parapet caps all need detailing. Staff recommends a condition of approval that these final architectural elements be subject to the city architect's approval.

- DGR Section II (IV.C.2) states that the massing of building forms shall be consistent with traditional practice and the use of “U”, “E” and “H” shaped building are encouraged in order to allow the admission of natural light into the building. The proposed building is designed as more in a half “H” shape which meets this DGR recommendation.
- DGR Section II (IV.C.3) states that the orientation of main building facades with primary entrances shall be oriented towards the primary street that the building is located on. Further, the DGRs require multi-unit buildings to have distinctive, central entrances that address the primary street in a way that creates an active and appropriate Village Center streetscape.
 - This site is unique in that it has three frontages: Main Street, Richmond Square and Keswick Drive. The applicant has located the building entrance along the Main Street elevation which is appropriate as it is the primary road corridor.
 - The entrance is setback approximately 53+/- feet from the front elevation along Main Street to create a courtyard type entrance. While the entrance into the building is setback from the front building façade, the applicant provides a private courtyard space in this area with steps, sidewalk ramps and private landscape elements. This procession from the public to private realms accomplishes the goals of the DGRs and makes the building entrance easily identifiable and activates the streetscape.
- DGR Section II (IV.B.4) states that garages shall be clearly secondary in nature by means of a simplified design that is compatible with the primary structure and no garage doors are permitted to be visible from the primary street (Main Street). The applicant has accomplished and far exceeded this requirement as they propose to provide parking underground, within the footprint of the building.
- DGR Section II (IV.B.8) states that elements such as meter boxes, utility conduits, roof and wall projections and trash containers shall be designed and located as to minimize their visibility and visual impact. The applicant has identified a roof screening wall for mechanical equipment and staff recommends a conditional of approval that any proposed rooftop mechanical units be screened to the height of the unit.

16. *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

- Urban Center Code Section 2.74.1 requires all street and side yards, where present, to be landscaped with trees, shrubs, grass, ground cover and other plant materials. A conceptual landscape plan was submitted as part of the application that shows the general location of proposed landscape improvements for the site but does not include any size or species details. Since a detailed landscape plan was not submitted, staff recommends a condition of approval that it be subject to staff approval and that all landscape code requires be met for the site.
 - The conceptual landscape plan shows several improvements near the courtyard area that are located within the right-of-way including an urn and private landscaping. Staff recommends a condition of approval that the urn be relocated outside of the right-of-way and that the applicant enter into an agreement with the city that the proposed courtyard landscaping be maintained by the property owner, and not the city, in perpetuity.

- The plan shows the conceptual rooftop terrace that is landscaped but is not subject to the review and approval of staff or the ARB.

Lighting

- A detailed lighting plan was not submitted for review and staff recommends a condition of approval that one be submitted and be subject to staff approval.

Parking and Circulation

- Urban Center Code Section 2.71.1 requires all lots to provide off street parking spaces in the rear yard. The applicant is meeting this requirement by providing an underground parking garage within the footprint of the building. The garage will be accessed behind the building, off of McDonald Lane.
- Multi-unit buildings are permitted to provide a maximum of one off-street parking space per unit plus an additional ½ space is permitted for each additional bedroom in the building. There are 8 units and 16 bedrooms in the building therefore the applicant is permitted to provide a maximum of 12 off street parking spaces. The applicant is exceeding this maximum by providing 17 spaces in the parking garage and a waiver has been requested which will be evaluated under a separate section of the staff report.
- In addition to the off-street parking provided, the building will front onto Richmond Square where there are 8 existing on street parking spaces immediately adjacent to the building. The applicant will also provide 5 additional on-street parking spaces along Main Street in order to match the established streetscape in the immediate area.
- Per Urban Center Code Section 5.30.3, one bicycle parking space is required to be provided on site based on the number of off-street parking spaces. The applicant proposes to install two bicycle parking spaces to meet this requirement however, they are shown to be located within the right-of-way. Staff recommends a condition of approval that they are relocated on private property, subject to staff approval.

Streetscape

- A modified version of the Signature Street typology is being used at this site to provide the same streetscape employed at the adjacent Market and Main multi-unit buildings along Main Street. This original streetscape was approved by the ARB and by staff in accordance with Urban Center Code Section 5.2.1 (ARB-31-2016).
- The city has always placed an importance of undergrounding utilities and their appurtenances whenever possible especially in the Village Center. There are 3 existing utility boxes that are installed within the Main Street streetscape. If these utilities are able to be relocated, it appears that there may be sufficient space to add an additional on-street parking space. Staff recommends a condition of approval that these existing utility boxes are either installed underground or relocated to behind the existing sidewalk on Main Street, subject to the city's engineer's approval.
- Urban Center Code Section 5.1 identifies Richmond Square as a Village Avenue. Per UCC section 5.15, a 6-foot sidewalk is required to be provided along this road frontage and connect into the existing sidewalk along the Main Street frontage. The engineering plans do not show this sidewalk being installed however it is being show on the architectural site plan. Staff recommends a condition of approval that the 6-foot sidewalk be added along Richmond Square and connected into the existing sidewalk sections along both Richmond Square and Main Street.

Signage

- No signage was submitted for review. All new signage will be subject to ARB review and approval at a later date.

17. *The distinguishing original qualities or character of a building, structure, site and/or its environment shall not be destroyed.*

- The site is currently vacant and is located in the immediate vicinity of the Richmond Square development and the Market and Main multi-unit buildings. The city architect has reviewed and approved the submittal stating this design picks up on adjacent architecture and does a nice job continuing the theme, and it will feel very much at home in the surrounding context.

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

- The proposed building is new construction and is appropriately designed using the Georgian architectural style.

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

- The city architect states that the shape, proportion and breakdown of architectural elements are appropriate for the proposed architectural style and compliments existing buildings in the immediate area.

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

- Not Applicable

21. *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.

B. Urban Center Code Compliance

On March 11, 2013 the ARB approved a waiver to allow the multi-unit building typology to be developed on this site which is located within the Core Residential sub-district where this building typology is not permitted by right (ARB-02-2013). Since the Urban Center Code does not contain lot and building standards for the multi-unit building in the Core Residential sub-district, staff is evaluating the proposal under the Village Core sub-district’s standards.

Standard	Minimum	Maximum	Proposed
Lot Area	10,000 sq. ft.	No max	.75 acres (32,670 sq. ft)
Lot Width	90 ft	200 ft	220 +/- feet (Main St) [waiver requested] 165 +/- feet (Richmond) [Meets code] 105 +/- feet (Keswick) [meets code]
Lot Coverage	No min	75%	66% at full build out (21,534 sq. ft.) [meets code]
Street Yard	5 feet	15 feet	5 ft (Richmond) [meets code] 15 ft (Main St) [meets code] 13.5 ft (Keswick Drive)
Side Yard	5 feet	No max	5.3 ft. [meets code]
Rear Yard	15 feet	No max	7.5 feet at its shortest [waiver requested]

Building Width	70%	100%	90% (Main Street) [meets code] 90% (Richmond Square) [meets code] 81% (Keswick Drive) [meets code]
Stories	2	3	3 [meets code]
Height	No min	55 feet	53 feet (from level 0 to ridge of roof) [meets code]

- Per Urban Center Code Section 2.72.3, trash containers are required to be stored out of public view and screened from adjacent properties. This requirement is met as the trash container will be stored internal to the building, inside the garage.

C. Waiver Requests

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 waivers as part of the application.

- (A) Waiver to UCC Section 2.69 to allow the Main Street lot width to be 220+/- feet where code allows a maximum of 200 feet.
- (B) Waiver to UCC Section 2.69(c) to allow the rear yard setback (McDonald Lane) to be 7.5+/- feet where code requires a minimum 15-foot setback.
- (C) Waiver to UCC Section 2.71.2 to allow 17 parking spaces to be provided on site where code allows a maximum of 12.

(A) Waiver to UCC Section 2.69 to allow the Main Street lot width to be 220+/- feet where code allows a maximum of 200 feet.

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

1. Urban Center Code Section 2.69 states that the maximum lot width is 200 feet. The existing Main Street lot width for this property is 220+/- feet therefore a waiver is required.
2. The intent of requirement is to ensure that buildings with blank, unattractive facades are avoided so that a pedestrian scaled and oriented environment is achieved in the Village Center through development/redevelopment of historic, smaller lots and blocks that are typically found in the Historic Village Center. While the lot is wider than code allows, the applicant proposes to provide breaks in the elevation via recesses, projections and varying roof forms. These strategies ensure that a pedestrian scaled and oriented built environment is achieved in the Village Center which substantially meets the intent of the standard that the applicant is attempting to seek a waiver from, and fits within the goals of the Village Center Strategic Plan, Land Use Strategic Plan and Design Guidelines and Requirements.

3. The existing lot width provides and appropriate design and pattern of development considering the context in which the development is proposed and the purpose of the particular standard. The applicant is not exceeding the lot width of the existing Market and Main multi-unit building lots in the immediate area where the ARB approved this same waiver request. Constructing a multi-unit building on this site is appropriate due to the context in which it is located and that these buildings are typically located on larger, wider lots.
4. It appears that granting the waiver is necessary for reasons of fairness due to unusual site-specific constraints and characteristics. On March 11, 2013 the ARB approved a waiver to allow the multi-unit building typology to be developed on this site which is located within the Core Residential sub-district where this building typology is not permitted by right (ARB-02-2013). This building typology is typically developed on larger and wider lots, like the Market and Main multi-unit lots which are immediately adjacent to this site where the ARB granted the same waiver request (ARB-31-2016). This existing lot width condition is at no fault of the applicant as it is an existing, non-conforming condition that the Urban Center Code does not take into consideration.
5. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.

(B) Waiver to UCC Section 2.69(c) to allow the rear yard setback (McDonald Lane) to be 7.5+/- feet where code requires a minimum 15-foot setback.

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

1. Urban Center Code Section 2.69(c) states that the required rear yard setback for a multi-unit building is 15 feet. The applicant proposes a 7.5+/- foot setback along the rear property line (McDonald Lane), therefore a waiver is required. Due to the unique shape of the lot and curvature of McDonald Lane, the setback line varies along the rear yard lot line and only a portion of the building encroaches into this setback.
2. The intent of this requirement is to encourage private parking to be located there. The Urban Center Code's rear yard is a building setback but parking lot and detached structures are permitting to be setback between zero and five feet from the alley. The applicant is meeting this intent by providing underground parking within the footprint of the building, that is accessed in the rear yard off of McDonald Lane. Due to the fact that the applicant is providing underground parking, a larger rear yard is not necessary to be provided.
3. The Urban Center Code does not contemplate underground parking. The closest building typology that contemplates providing parking within the footprint of a structure is a coach house which is described as a detached structure, typically constructed as part of a covered parking structure. If one were to be constructed at this site as part of this development it would be permitted have a 0-foot setback from McDonald Lane which is an alley. While the applicant is not meeting the primary building setback requirement, they are providing the parking area at the rear of the building, adjacent to the alley as contemplated for other parking structures in the Urban Center Code. For this reason, the smaller setback at the rear yard provides an appropriate pattern of development considering the context in which it is located.
4. It appears that granting the waiver is necessary for reasons of fairness due to unusual site-specific constraints and characteristics. This is an existing lot that is uniquely shaped due to the curvature of McDonald Lane which runs along the rear property line. Due to this curve, the setback line varies along the rear lot line, placing unique constraints on the applicant to meet the requirement. While the applicant is encroaching into the setback area, it is not along the entire length of the lot line and the encroachments are greater at the bends in the road.
5. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.

(C) Waiver to UCC Section 2.71.2 to allow 17 parking spaces to be provided on site where code allows a maximum of 12.

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

1. Urban Center Code Section 2.69 states that multi-unit buildings are permitted to provide a maximum of one off-street parking space per unit plus an additional ½ space is permitted for each additional bedroom in the building. There are 8 units and 16 bedrooms in the building therefore the applicant is permitted to provide a maximum of 12 off street parking spaces. The applicant is exceeding this maximum by providing 17 spaces in the parking garage therefore a waiver is required.
2. The intent of code requirement is to discourage excessively large surface parking lots. The applicant is meeting this requirement as they are providing all of the parking underground, within the footprint of the building thereby substantially meeting the intent of the standard that the applicant is attempting to seek a waiver.
3. While the applicant is exceeding the maximum number of parking spaces allowed, they are providing one parking space per bedroom to ensure that there is sufficient parking on site to handle the maximum demand that can be generated from the development. This is the same number of parking spaces and ratio provided for the existing Market and Main multi-unit buildings where this same waiver was granted (ARB-31-2016). For these reasons, granting the waiver provides an appropriate pattern of development considering the context in which the development is located.
4. It appears that granting the waiver is necessary for reasons of fairness due to unusual site-specific constraints and characteristics. The Urban Center Code does not consider underground parking lot development within the footprint of a multi-unit building. The intent of this requirement is to discourage excessively large surface parking lots from being developed. Providing underground parking at this site eliminates all of these visual and physical concerns and because the Urban Center Code does not consider this unique site condition, the applicant is still required to seek a waiver.
5. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.

XIV. RECOMMENDATION

The Architectural Review Board should evaluate the overall proposal based on the requirements in the Design Guidelines and Requirements, Urban Center Code, and city Codified Ordinances. This site is unique in the Village Center as it is located in between two different architectural form contexts. One is Richmond Square where traditional, Georgian rowhouse architecture is employed and the other being the existing Market and Main multi-unit buildings. The applicant has successfully pulled cues from the existing Richmond Square architecture while building a multi-unit structure that also relates to the existing Market and Main multi-unit buildings. This is accomplished by the use of similar high-quality building materials, the building's shape and proportion, the use of parapet walls and side gabled roof forms employed on adjacent structures. Further, the applicant proposes to match the existing Main Street streetscape which ensures that a consistent, welcoming pedestrian environment will continue to be achieved along this road. All of these elements contribute to providing an appropriate gateway into the Village Center on Main Street.

While the existing lot width exceeds the maximum of 200 feet, the applicant is substantially meeting the intent of this requirement by providing an attractive building elevation along the Main Street road frontage by providing breaks and recesses in the architecture. The applicant is also providing underground parking within the footprint of the building, something that is not contemplated in the Urban Center Code but goes above and beyond the goal to minimize the size of surface parking lots. Due to this unique development strategy, it appears to appropriate to allow a greater number of parking spaces on the site and allow the building to be located closer to the rear property line as the spaces are screened and there is no longer a need to provide additional space in the rear yard for parking.

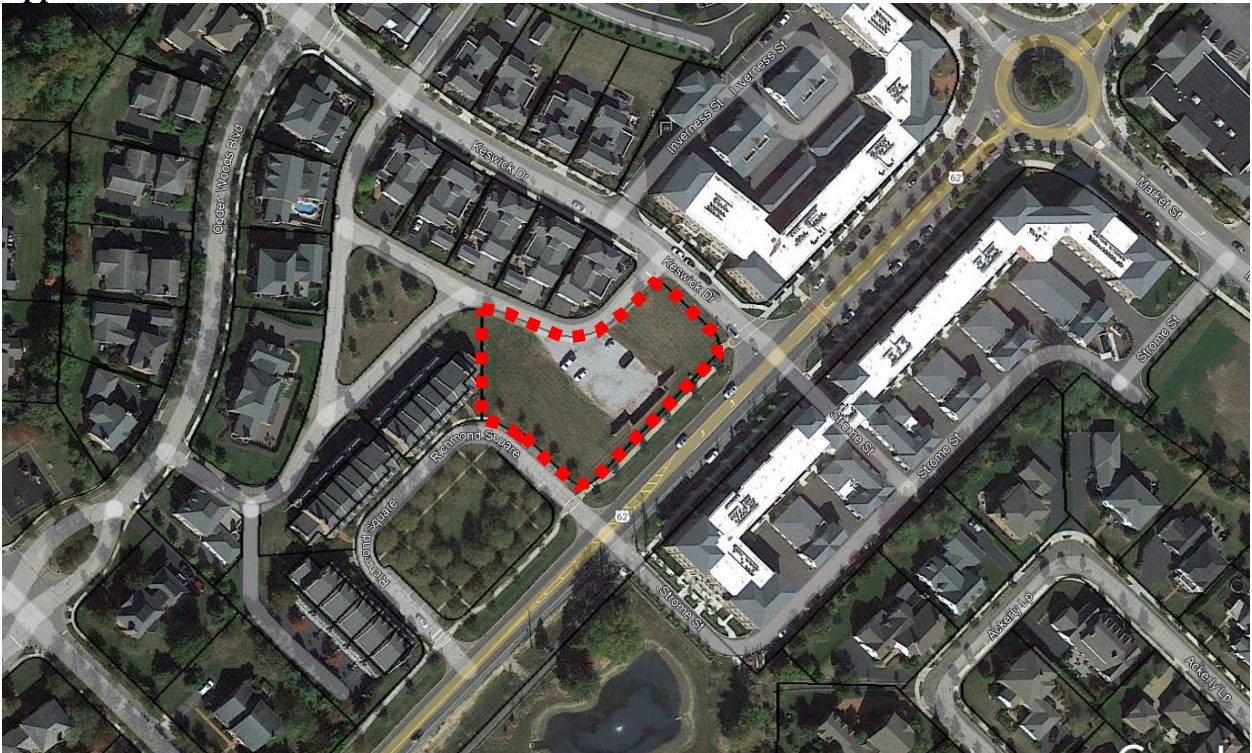
XV. ACTION

Should the 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-136-2021 subject to the following conditions of approval:

1. If a composite material is to be used for trim and/or screening elements, the use and type of material is subject to staff approval.
2. Brick jack arches or headers as well as cornice, belt courses and parapet caps' detailing are subject to the city architect's approval.
3. The rooftop screening must be provided to the top of the mechanical units, subject to staff approval.
4. The existing utility boxes along Main Street must either be vaulted or relocated to behind the existing sidewalk, subject to the city engineer's approval.
5. A landscape plan must be submitted and meet all city landscape code requirements, subject to staff approval.
6. The proposed urn must be relocated outside of the right-of-way and the applicant must enter into an agreement with the city that the proposed courtyard landscaping be maintained by the property owner, and not the city, in perpetuity.
7. A lighting plan must be submitted and is subject to staff approval.
8. A 6-foot sidewalk be added along Richmond Square and connected into the existing sidewalk sections along both Richmond Square and Main Street, subject to staff approval.
9. The bicycle parking spaces must be relocated outside of the right-of-way, subject to staff approval.

Approximate Site Location:



Source: Google Earth