



**New Albany Architectural Review Board
June 13, 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 Chair Mr. Alan Hinson at 7:01 p.m.

Those answering roll call:

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

Staff members present: Chris Christian, Planner; and Josie Taylor, Clerk.

Moved by Mr. Thomas to approve the May 9, 2022 meeting minutes, seconded by Mr. Iten. Upon roll call: Mr. Thomas, yea; Mr. Iten, yea; Mr. Hinson, yea; Ms. Moore, yea. Yea, 4; Nay, 0; Abstain, 0. Motion passed by a 4-0 vote.

Mr. Hinson swore those wishing to speak to the Architectural Review Board (hereafter, "ARB") 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-55-2022 Certificate of Appropriateness

Certificate of Appropriateness to allow a new patio at 14 & 20 S High Street (PIDs: 222-000001 and 222-000027).

Applicant: Lorenz Lawn & Landscape

Mr. Christian presented the staff report.

Mr. Iten asked if there had not also been a condition requiring the submission of a landscape and lighting plan as part of the zoning permit.

Mr. Christian stated yes.

Mr. Iten asked if the first slide of the patio in the presentation could be put on the screen.

Mr. Christian put the slide up to view.

Mr. Iten asked if the circles on the slide were for lighting.

Mr. Brad Lorenz, applicant, stated it was for proposed lighting.

Mr. Iten stated okay, so whatever it will be will be later submitted if this is approved and staff will the review it.

Mr. Lorenz stated yes.

Mr. Thomas asked if there was a step down.

Mr. Lorenz stated it was an inlay.

Mr. Thomas asked if it was then not a step down.

Mr. Lorenz stated no, it was just an inlay.

Mr. Christian asked Mr. Lorenz to stay at the microphone.

Ms. Moore asked if the brick would be red brick.

Mr. Christian stated they had agreed that the brick at the edge of the patio, the piers, and any walls would all be red brick and the patio terrace would have a complimentary paver.

Ms. Moore stated got it, thank you.

Mr. Durik asked where the steps were going up to as this appeared to be above street level and why the wall was not being continued.

Mr. Lorenz stated the wall was not a retaining wall, it was a seat wall.

Mr. Durik stated, right, and asked if the steps were only to the front of the house and the seat wall only went part of the way.

Mr. Lorenz stated yes.

Ms. Moore stated it looked to be aligned with the house to the right.

Mr. Durik asked why not have the seat wall go all the way across and to the steps.

Mr. Iten asked that an aerial shot of the site be put on screen. Mr. Iten stated there were four (4) steps and asked if they were at the same level as the patio.

Mr. Lorenz stated the drawing was not final and was not sure of the elevations. Mr. Lorenz stated it would step down and the steps that went down to the sidewalk were lower than the actual house.

Mr. Iten stated this was not about building codes, but he was thinking about how it would look.

Mr. Hinson stated there were lots of other details that were not being considered. Mr. Hinson noted one was the existing railing which would be required on one side or the other.

Mr. Lorenz stated right.

Mr. Hinson noted where another railing would be.

Mr. Iten stated that was a building code thing.

Mr. Hinson stated there were a lot of other things going on and he was not sure if they could bring the seating wall all the way across. Mr. Hinson asked if the owners would mind having the seating wall go all the way across.

Mr. Lorenz stated he did not think they would care.

Ms. Moore stated it would be nice to block the view as it was right at the street.

Mr. Hinson stated yes, it would block.

Mr. Iten stated it would give the patio a little privacy too.

Mr. Hinson stated it was a bit higher than the street already

Ms. Moore asked if there were any details on the railing.

Mr. Hinson stated they might be able to terminate the railing into the wall and then continue it up.

Mr. Iten stated it would depend on what the building code said.

Mr. Lorenz asked if the question was about the style of the railing.

Ms. Moore stated yes.

Mr. Lorenz stated it would probably be either a black iron or aluminum railing at this time.

Mr. Hinson stated there was black iron on it now.

Mr. Thomas stated that if the patio were all the way it would join the houses and asked if it was kept separate on purpose.

Mr. Hinson stated there was already a retaining wall there.

Mr. Thomas stated that if it was run all the way across it might look as if they had joined the houses together. Mr. Thomas asked if the reason behind this was to provide visual clearance and some separation so it would not look like a bunker.

Mr. Iten asked the reason to stop the retaining wall.

Mr. Thomas stated exactly.

Mr. Hinson stated there was basically already a retaining wall that connected all of these buildings at the street level.

Mr. Lorenz stated the seat wall was just a design they threw in there.

Mr. Hinson asked if there could not be a seat wall at all.

Mr. Lorenz stated it was just a customer proposal.

Mr. Hinson asked if there would not be a seat wall would there be a landscaping buffer, a hedgerow, to screen.

Ms. Moore stated they would need some sort of visual to block, either the wall or some sort of landscaping.

Mr. Durik stated the houses there already had bushes to screen and if the seat wall was put in there could be bushes put in front of that to maintain the landscaping all along.

Mr. Lorenz stated it was not a bad idea.

Mr. Hinson stated he believed it would be site specific due to the grading, as he believed the house on the right was lower than the house on the left.

Mr. Lorenz stated it was.

Mr. Durik stated the leveling would be fun.

Mr. Hinson stated he believed the grading would mean they needed a wall and some landscaping.

Mr. Durik stated that if the patio was flat and the land sloped away he believed there should be something in front as that would be an awkward transition. Mr. Durik stated the wall would provide a buffer for that transition.

Mr. Hinson stated the wall, even if just a seating wall would be two (2) feet out of the ground on one side and three (3) or four (4) feet on the other side.

Mr. Lorenz stated he did not think it was that drastic.

Mr. Durik stated there was some difference though.

Mr. Hinson stated it might be easily a foot or maybe fifteen (15) inches.

Ms. Moore stated if the drawing was truly level with those stairs.

Mr. Iten stated he was comfortable requesting that the seat wall be all the way across.

Mr. Christian asked if it could be made subject to the approval of the City Architect.

Mr. Iten stated he was happy to do that.

Moved by Mr. Iten to approve the certificate of appropriateness for ARB-55-2022 with the following conditions:

1. Brick be used on the patio walls, piers and edge and a complimentary paver be used for the main patio terrace, subject to the review and approval of the city architect.
2. A detailed landscape and lighting plan must be submitted as part of the zoning permit for the project and be subject to the review and approval of the city landscape architect.
3. Seating wall in front, on the street side of the patio, shall run the entire length of the patio subject to the review and approval of the city architect.

seconded by Mr. Hinson. Upon roll call vote: Mr. Iten, yea; Mr. Hinson, yea; Mr. Thomas, yea; Ms. Moore, yea. Yea, 4; Nay, 0; Abstain, 0. Motion carried by a 4-0 vote.

Other Business

Mr. Christian stated the City had hired two (2) new planners.

Mr. Iten asked staff to provide a summary of where things the ARB had asked to have raised to City Council were at this time.

Mr. Christian stated he would provide an update at the next regular meeting.

Poll Members for Comment

Mr. Hinson asked if there were any comments. (No response.)

Moved by Mr. Hinson to adjourn, seconded by Mr. Thomas. Upon roll call vote: Mr. Hinson, yea; Mr. Thomas, yea; Mr. Iten, yea; Ms. Moore, yea. Yea, 4; Nay, 0; Abstain, 0. Motion carried by a 4-0 vote.

Meeting adjourned at 7:24 p.m.

Submitted by Josie Taylor.

APPENDIX



Architectural Review Board Staff Report June 13, 2022

14 & 20 SOUTH HIGH STREET PAVER PATIO CERTIFICATE OF APPROPRIATENESS

LOCATION: 14 & 20 South High Street (PIDs: 222-000001 and 222-000027)
APPLICANT: Lorenz Lawn & Landscape LLC
REQUEST: Certificate of Appropriateness
ZONING: Urban Center, Historic Center
STRATEGIC PLAN: Village Center
APPLICATION: ARB-55-2022

Review based on: Application materials received on April 26, 2022.

Staff report prepared by Chris Christian, Planner II.

I. REQUEST AND BACKGROUND

The applicant requests review and approval to install a new 937 sq. ft. patio between the shared property lines at 14 & 20 S. High Street.

Per Section 1157.07(b) any major environmental change to a property located within the Village Center requires a certificate of appropriateness issued by the Architectural Review Board. This section of city code states that patios, porches and other defined areas used for dining or other commercial activities constitutes as a major environmental change. Both properties are owned by Busch Tax Company, and at the patio itself will be located on 14 S. High Street where the company is located, therefore ARB review and approval is required.

II. SITE DESCRIPTION & USE

The properties are located in the Historic Village Center, are zoned Urban Center Code and the New Albany Design Guidelines and Requirements apply to the site. Busch Tax Company occupies the building at 14 S. High Street. The two properties are under common ownership.

III. EVALUATION

A. Certificate of Appropriateness

The ARB's review is pursuant to C.O. Section 1157.06. No environmental change shall be made to any property within the City of New Albany until a Certificate of Appropriateness has been properly applied for and issued by staff or the Board. Per Section **1157.07 Design Appropriateness**, the modifications to the building and site should be evaluated on these criteria:

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

- The applicant proposes to install a new, 937 sq. ft. patio in between the shared property lines at 14 & 20 S. High Street. The properties each contain one single family homes one of which has been converted to a commercial use, occupied by Busch Tax Company. The main paver terrace will be located in between the existing buildings and walkways will connect the patio to existing entrances into both buildings, an accessory structure and a private site parking lot.
 - C.O. 1157.07 states that patios, porches and other defined outdoor areas used for dining or other commercial areas are considered a major environmental changed and ARB review and approval is required. The applicant indicates that the proposed patio area will not be used for commercial dining purposes such as a restaurant however, given the requirements of city code the ARB must approve a patio at this site.
 - New Albany Design Guidelines Section 3: Village Center Commercial section I(A)(9) states that brick pavers are the most appropriate paving material in all commercial areas of the Village Center District.
 - As submitted, the applicant proposed to use a smooth, large paver. The city architect reviewed the proposal and recommends that brick be used for the patio as recommended in the DGRs. While the city architect recommends that the applicant use brick for the patio walls, he states that the piers and edge could be a complimentary paver for the main patio terrace area. Brick walls and an alternative paver for floor space is generally consistent with the existing built environment. The building at 14 S. High Street has brick walls and a concrete walkway leading from the public sidewalk to the front door. The applicant verbally agreed to this approach prior to the publishing of the staff report however, the submittal could not be updated to reflected this change. In order to meet the recommendation of the DGRs and the city architect, staff recommends a condition of approval that brick be used on the patio walls, piers and edge and a complimentary paver be used for the main patio terrace, subject to the review and approval of the city architect.
2. *The visual and functional components of the building and its site, including but not limited to landscape design and plant materials, lighting, vehicular and pedestrian circulation, and signage.*
 - The proposed patio appears to be appropriately located in between both sites. Based on the submittal, it appears that new landscaping and lighting may be added in the patio area as part of the project. Staff recommends a condition of approval that a detailed landscape and lighting plan must be submitted as part of the zoning permit for the project and be subject to the review and approval of the city landscape architect.
 3. *The distinguishing original qualities or character of a building, structure, site and/or its environment shall not be destroyed.*
 - It does not appear that the original quality or character of the building or site will be destroyed or compromised as part of the installation of this proposed patio.
 4. *All buildings, structures and sites shall be recognized as products of their own time.*
 - Not Applicable.
 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 designed and located the patio on the sites in a way that is sensitive the existing site and building conditions.
 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.*
 - Not Applicable.

B. Urban Center Code Compliance

The Urban Center Code and city code do not provide regulations for commercial patios in the Village Center. The city architect has reviewed the proposal and states that the proposed patio is appropriately located on the sites.

IV. RECOMMENDATION

Staff recommends approval of this application provided that the ARB finds that the proposal meets sufficient basis for approval with the conditions listed below. The city architect states that the proposed patio is appropriately located on the sites however, the vertical and visible elements of the patio must be brick as to be consistent with the established character of the Village Center.

V. ACTION

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

Suggested Motion for ARB-55-2022:

Move to approve Certificate of Appropriateness application ARB-55-2022 with the following conditions:

1. Brick be used on the patio walls, piers and edge and a complimentary paver be used for the main patio terrace, subject to the review and approval of the city architect.
2. A detailed landscape and lighting plan must be submitted as part of the zoning permit for the project and be subject to the review and approval of the city landscape architect.

Approximate Site Location:



Source: Google Earth