



New Albany Architectural Review Board
Monday, September 9, 2024 Meeting Minutes - Approved

I. Call to order

The New Albany Architectural Review Board held a regular meeting on September 9, 2024 in the New Albany Village Hall. Chair Hinson called the meeting to order at 7:01 p.m. and asked to hear the roll.

II. Roll call

Those answering roll call:

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| Mr. Hinson | present |
| Mr. Iten | present |
| Mr. Davie | present |
| Ms. Moore | present |
| Mr. Maletz | present |
| Mr. Brown | present |
| Mr. Strahler | present |
| Council Member Brisk | present |

Having all voting members present, the board had a quorum to transact business.

Staff members present: Law Director Albrecht, Development Engineer Albright, Planner II Christian, Planning Manager Mayer, Planner Saumenig, Deputy Clerk Madriguera.

III. Action on minutes: August 12, 2024

Chair Hinson asked if there were any corrections to the minutes from the August 12, 2024 meeting.

Board Member Iten requested the following revision to the minutes on page 2 in comments attributed to him:

He continued that as he has stayed on the board longer, However, as a board member, he must use the four criteria, established by council that must be met in order to grant a waiver.

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.

Board Member Iten noted that in 2006-2007 council knew concrete was an option and did not include it in the dgr, on the other hand there is a concrete driveway next door.

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 (DGR).

For Board Member Iten the concern here is that it [concrete] is contrary to the list and it is a notable omission. For that reason, it is a struggle to find that it substantially meets the intent. Council knew all about concrete and did not specify it.

3. Be necessary for reasons of fairness due to unusual building or site-specific condition. Perhaps asphalt is a hazard to the ground water, but other options on the list of approved materials such as brick, gravel are not.
4. Not detrimentally affect the public health, safety, or general welfare. It seems clear the application meets this criteria.

Therefore, Board Member Iten felt the grounds were not present to grant a waiver.

The following correction was made by Mr. Iten on page 3:

Mr. Bailey said pavers are a challenge regardless of whether there is a foundation under them, he also noted that there are homes on Greensward and in the Farms that have stamped concrete.

Chair Hinson asked if there were any other corrections to the minutes.

Hearing none, Board Member Iten moved for approval of the August 12, 2024 meeting minutes as revised. Board Member Strahler seconded the motion.

Upon roll call: Mr. Iten yes, Mr. Strahler yes, Mr. Brown yes, Ms. Moore abstained, Mr. Maletz abstained, Mr. Davie abstained. Having four yes votes, the motion passed and the August 12, 2024 meeting minutes were approved as revised.

IV. Additions or corrections to the agenda

Chair Hinson asked if there were any additions or corrections to the agenda.

Planning Manager Mayer answered none from staff.

Chair Hinson administered the oath to all present who would be addressing the board.

V. Hearing of visitors for items not on tonight's agenda

Chair Hinson asked if there were any visitors present who wished to address the board for an item not on the agenda.

Hearing none, Chair Hinson introduced the first case and asked to hear from staff.

VI. Cases:

ARB-54-2024 Certificate of Appropriateness for a Waiver

Waiver to allow a concrete driveway at 4986 Johnstown Road (PID: 222-000513).

Applicant: Amy & David Bailey

Planning Manager Mayer delivered the staff report and then noted that the applicant was not present and explained that typically in fairness to the applicant an application will be continued to the next meeting to give the applicant another opportunity to be present.

Board Member Iten stated that he looked at the four requirements for a waiver. Given that in 2006 and 2007 when the Design Guideline Requirements (DGR) were passed, the city council was aware that concrete was an option and did not include it in the DGR. As to the first requirement, he was on the fence. Regarding the second requirement, the concern is that concrete is not on the list and it is a notable omission – further there are

things other than asphalt that are on the list. For that reason, factor two was not met. Because he was on the fence regarding the first factor and because he could not find that the second factor was met, analysis of the two remaining factors was not needed.

Chair Hinson did not disagree with Board Member Iten. He was on the fence as well, and, unfortunately similar applications had been denied. If the applicant owned both properties he might view it differently.

Board Member Iten noted the applicant's arrival.

Board Member Strahler remarked that because the subject driveway connects to an existing concrete driveway, he could find the waiver appropriate.

Board Member Brown agreed and could find this waiver appropriate because it is site-specific.

Board Member Maletz was interested in the reasoning behind the selection of asphalt versus concrete in 2006. It could have been for the sake of consistency and from his view, consistency carries merit in this discussion. An argument cannot be made about durability and maintenance, those issues should be handled separately. He stated that he was very cautious about setting a precedent in the lack of the unique site condition and, given the standard, he is reluctant to grant his approval.

Board Member Davie remarked that viewing this from the outside looking in, he considered the merits, the precedential value, and the stand-alone condition and not a neighborhood condition. Considering those factors he could find the waiver appropriate.

Board Member Moore recused herself from consideration of this application.

Chair Hinson invited the applicant to speak.

Board Member Iten moved for approval of ARB-54-2024. Board Member Brown seconded the motion.

Upon roll call: Mr. Iten no, Mr. Brown yes, Mr. Hinson yes, Mr. Strahler yes; Mr. Maletz no; Mr. Davie yes, Ms. Moore recused. Having four yes votes and two no votes*, the motion passed and ARB-54-2024 was approved. *[Clerk's note. The clerk notes here that during the meeting she mis-stated the number of no votes. She incorrectly stated that there were three no votes, when in fact there were two. This misstatement had no effect on the favorable disposition of the motion and the minutes correctly reflect the vote at the meeting.]

Board Member Iten stated that he voted no for the reasons stated in the minutes.

Board Member Maletz stated that he voted no for the same for his remarks.

FDP-53-2024 Hamlet Final Development Plan and Waivers

Review and recommendation to the Planning Commission of the Hamlet final development plan application, and associated waivers, generally located at the southwest and southwest corners of New Albany Condit Road and Central College Road (PIDs: 222-000675, 222-000685, 222-000686, 222-000670, 222-000676, 222-000678, 222-000313, 222-000664, 222-000671, 222-000672, 222-000654, 222-000669, 222-000549, 222-000668, 222-001167, 222-000688, 222-000375, 222-000314, 222-000673, and 222-000376).

Applicant: NONA Master Development LLC, c/o Aaron Underhill, Esq.

Planner II Christian delivered the staff report.

Board Member Maletz asked whether there is a profile for the public alley. He did not see it in the staff materials.

Planner II Christian responded that the profile is in the applicant's materials and that it is a fairly standard public alley.

Board Member Moore asked whether there will be parking for the playground in Subarea 4.

Planner II Christian responded that the parking lot on the far west side of the site will be a public parking lot. He also explained that there will be parking on street C as well as on SR 605. He continued his presentation and explained staff's view of the architecture, the subareas, the waivers and recommended conditions.

Regarding waiver (A) to the Hamlet zoning text, the request to use sidewalks of a reduced width on some interior pathways.

Board Member Strahler noted that there was no sidewalk shown in the cross section for public street E on the south side but it shows on the waiver, and asked whether there will be a sidewalk.

Planner II Christian thanked him for catching the omission and said yes.

Chair Hinson asked what the setback of the homes from the street would be.

Planner II Christian responded that he would check the zoning text, but the setback would be very small, similar to Ealy crossing.

Regarding waiver (B) to the Hamlet zoning text, the request to allow two single-family homes to front SR 605 in Subarea 3. He explained that the applicant wants the two single-family homes to be the center piece of the development. Staff feels this is appropriate as long as the applicant complies with green space and architectural standards, staff supports this request.

Regarding waiver (C) to the Hamlet zoning text and to the DGRs, the request to increase the building height to 3.5 stories or 44-feet in portions of Subarea 2. He explained that granting the waiver will promote consistency between the roof lines because the site grades downward. The profile of the buildings will not change.

Board Member Iten asked whether the DGRs treat half stories or only whole stories, and further whether the architectural expression of a dormer creates a half story.

Planner II Christian responded that Board Member Iten was correct about the architectural expression and further that, the DGRs contemplate whole stories. He continued that under existing zoning the applicants could have flat roofs, but the developer thought the pitched roof would be more attractive and most appropriate here. Thus, it is the expression of the roof and not the number of stories of the building that is causing the issue.

Regarding waiver (D) to the DGRs, to request to eliminate the requirement that residential entrances must be two feet above grade. He explained that the applicant has committed to providing at least two steps and risers at the entrance of each home and will ensure that homes are accessible to residents of all ages and abilities.

Board Member Iten asked whether similar waivers have been granted.

Planner II Christian answered yes, similar waivers have been granted in age-restricted communities such as Nottingham Trace, Woodhaven, and Courtyards at New Albany. This requirement has also been waived for the Market and Main apartments in the Village Center.

Board Member Strahler asked whether this would apply to single family homes as well.

Planner II Christian responded that he would let the applicant speak to that issue.

Regarding waiver (E) to the Hamlet zoning text, to allow non-retail tenant spaces to be larger than 10,000 square feet in size within Subarea 1.

Council Member Brisk clarified that the waiver only applied to the second floor.

Planner II Christian responded that she was correct. Staff was recommending a condition of approval that at least 80% of uses on ground floor must be retail. Retail tenants are subject to the 10,000 square foot limits.

Board Member Moore asked about waiver (B). The reason multi-family units/townhomes on SR 605 were planned for that corner was the look of the town homes. Thus she was struggling with replacing the town homes with single family homes at the entrance of the park and she asked whether it would be better to leave that space as green space.

Chair Hinson invited the applicant to the lectern.

Applicant and Architect for the project Justin Leyda came to the lectern. He introduced Architect Brian O'Looney and Attorney Aaron Underhill. He explained the site plans and the bordering properties. He explained that this plan has been two plus years in the making. The development team has been meeting with city staff every other week. The strategic vision for the landscape of the project has been Keith Myers. Mr. O'Looney wrote the text book on incremental neighborhoods and walkable communities. He explained the subareas and stated that there is a desire for this not to be cookie-cutter development. There are a variety of architects working with a single pattern book, which is a private set of guidelines and expectations. He then explained the art program and the request for proposal process.

Mr. O'Looney discussed the architecture for the project. He explained that he represented five separate teams of architects working on the Hamlet. The headings on his slide presentation are the headings in the strategic plan. This project is intended to provide housing choice and the ability to remain in New Albany. It will include retail. He stated that there are a lot of neighborhoods in the Hamlet. Accordingly there are a lot of architects working on this project, but they are all working from the same pattern book. The pattern book is based on what they have learned working with Ben on Easton for over 20 years. The Hamlet will include a network of memorable destinations and it is designed to be softer and quieter than the Village Center. The buildings are carefully scaled to be sympathetic with smaller buildings. This will be a space to walk the dog and will offer many different routes to enjoy.

Mr. Underhill recounted the history of the project and offered comments about the waivers. He distinguished waivers from variances. The waiver process is not as rigid as the variance process – which is a legal determination. The waiver process is more flexible than a variance.

Board Member Maletz asked staff what the approval process would be for the individual homes in the Hamlet and whether this would be akin to a pud style of approval.

Planner II Christian responded yes, what Board Member Maletz was describing was correct. The individual houses will be built pursuant to the permitting process and be subject to approval by the city architect. The Architectural Review Board will review waiver requests.

Board Member Maletz thanked Planner II Christian and asked, regarding the two-foot height above grade waiver, whether staff would consider the positive slope from the adjacent street.

Mr. Leyda agreed and explained that in this case it was the last eight inches that really made the difference. He expects that there will still be a minimum of two steps above grade.

Board Member Iten suggested the board review the architectural elevations of the subareas first then review the waivers.

Chair Hinson and the board agreed.

Subarea 1

Board Member Moore remarked that she counted four of five roof colors and that this amount of roof colors was not typical New Albany. She asked whether the applicant could achieve the same look with one color.

Mr. O'Looney agreed to reduce the number of colors but did not have examples so the board could indicate their preference.

Board Member Moore recommended that the colors be limited to two and that the two colors should not include red.

Board Member Maletz thought two would be fine.

Mr. O'Looney agreed that two colors would be sufficient.

Board Member Maletz asked whether the board would review signage.

Planner II Christian responded that they would not, unless the proposed signage deviated from city code.

Board Member Iten recapped the comments on the roof color. He stated that it sounded like the board was okay with the usage of metal, that two colors was okay, but no use of red.

Board Member Brown agreed and remarked that he was fine with the usage of three colors.

Chair Hinson agreed and remarked that he was fine with the usage of three colors.

Board Member Davie agreed.

Board Member Strahler asked for the board's thoughts on the shakes and their long-term maintenance.

Council Member Brisk asked Planning Manager Mayer whether the same simulated shake roofing was the same that was required for use along the golf course, along the boulevard street.

Planning Manager Mayer responded that there were requirements for those types of roofs along the golf course and boulevard streets.

Mr. Leyda indicated which would be real shakes and which would be simulated shakes.

Chair Hinson stated that he would like to see samples of the synthetic materials.

Mr. Leyda stated that they could use traditional siding if the board preferred.

Board Member Strahler commented that he would like the appearance to fit with the more traditional tone of that around it.

Mr. O'Looney showed an example of the simulated shake on his phone to the board.

Chair Hinson asked whether it would be painted.

Mr. O'Looney responded that it would.

Board Member Strahler asked whether the fiber cement shake would also be on the lower level west elevation of buildings 32 and 33.

Mr. O'Looney responded that it would.

Board Member Iten asked whether the board was objecting to it or noting it and accepting.

Board Member Moore remarked that the board was approving its use above, but not below.

Mr. O'Looney confirmed that there was no area where it met the ground.

Board Member Maletz stated that he does not object to the usage of simulated shakes. There is merit to a simulated material. He noted that actual shakes curl when they weather.

Board Member Iten added that he does not object to the usage of simulated shakes.

Chair Hinson added that he does not object and asked whether there were further comments.

Board Member Strahler added that he does not object either, and further he wondered about consistency and the weathering of natural shakes.

Board Member Brown also agreed.

Mr. O'Looney remarked that they would be happy to use all simulated shakes.

Board Member Iten recapped and stated that the board would remove any requirement to use all authentic shakes in Subarea 1.

Chair Hinson remarked that he would approve of that decision.

Board Member Moore observed that buildings 29-37 have a lot of bright details which make them look lighter, but the transition to building 26 has a more somber feel. She asked whether that was the result of the rendering or whether the contrast was planned.

Mr. O’Looney explained that the contrast was planned. The Jeffersonian vision is red brick and white paint. At that time white paint was very expensive. For this reason, only the most visible features would be painted white. In conformity with that, only the center building has white paint. The rest of the buildings have muted colors.

Board Member Moore clarified that she was not suggesting that it should be stark white but it is very dark. It should conform to the precedent in New Albany, which is lighter.

Board Member Maletz cautioned against the contrast, noting that it could work against the design.

Mr. O’Looney presented a Litchfield Grey swatch for the window surrounds and cornices on building 26.

Board Member Moore agreed that this color conformed to the precedent in New Albany.

The board agreed and concluded that for purposes of the condition, the language should specify Litchfield Grey or an equivalent color.

Board Member Maletz questioned the entry and the flankings on the entry. He noted that this was an issue focused upon by this board in the past. This is an important building in the development. He remarked that he would ask the applicant to maintain the appropriate proportions on the entry on building 26, subject to staff approval.

Planner II Christian responded that the city architect reviewed them, specifically.

Board Member Iten recapped that Litchfield Grey or a color in the nature should be used for the window surrounds and cornices. He asked if there were any further questions for Subarea 1. Hearing none, the board moved on to Subarea 2.

Subarea 2

Board Member Iten remarked that there was a lot of blank wall space, not unlike college dormitories, on the street scape.

Board Member Moore agreed and added that it is repetitive and has an institutional feeling.

Board Member Iten referenced the rendering on page 24 and remarked that to the extent they are seen from the street, they bother him.

Maletz – seems that the exposed third story base requires a base, the lack of hierarchy undermines the intent of the elevation. He acknowledged the restrained nature of the architectural style and suggested that a more articulated water table could mediate that concern.

Mr. Leyda responded that this was tricky, and, candidly, the city architect recommended subtlety and simplicity. The three areas where it pops up most is the main entry and the two elevations facing the 605-Central College intersection.

Board Member Brown asked what the separation is between the buildings.

Mr. Leyda responded that it is a minimum of 10-feet.

Board Member Iten asked Board Member Maletz for his opinion.

Board Member Maletz responded that the institutional appearance is fair. These buildings lack a residential feel due to their scale. The chimneys are noticeably absent, the pitch of the roof is pulling and stretching the elevation. He understands the density, massing, and scale. However, he is not convinced that the dormers communicate residency and was unsure whether they contributed to the success of the design.

Mr. O’Looney responded that they worked with the city architect on this issue. He showed larger renderings of the elevations and explained the residential features.

Board Member Iten remarked that he would like to see other details on buildings 24 and 23.

Board Member Maletz asked Mr. O’Looney to elaborate on the roof to wall eave, the overhang of the roof eave.

Mr. O’Looney explained that they were trying to create a subtler cornice, trying to be more vernacular.

Board Member Iten observed that the upper portion of the north elevation on building 15 was an area that appeared more dorm-like, as opposed to the buildings with more framing.

Board Member Moore agreed and remarked that there should be more contrast and detail because it lacked a residential feel.

Board Member Davie agreed and added that even adding more contrast in the window would be helpful.

Mr. Leyda responded that the applicants were actually instructed not to do that and were asked to remain consistent.

Board Member Davie acknowledged Mr. Leyda’s response and added remarked that the board was responding to the final product without being involved in the design process, that is the problem with not being involved in the process.

Mr. Leyda and Mr. O’Looney responded that a taller window could be added to the first floor.

Board Member Iten agreed, a taller window could be added to the first floor - that another change could be added in order to change the vertical hierarchy.

Board Member Davie referenced page 19. He noticed the two-story version has a taller window, he also noted the building with only three windows.

Board Member Maletz stated that four-sided architecture is a hallmark of New Albany architecture. There are many ways to resolve this, adding an extra window, adding a herringbone faux window.

Mr. Leyda noted there are three conditions like that in buildings 14, 15, 17.

Board Member Iten recapped that the condition could be to add more architectural detail to buildings 14, 15, and 17 subject to staff approval. He further stated that the garage

doors, that individual bay doors must be provided in Subareas 2 and 3, in accordance with the text.

Board Member Maletz remarked that the eight-foot door would place the head of the windows at 10-feet. The head heights of the windows seemed high and he questioned whether consistency was lost there.

Mr. O’Looney responded that he thought it was the height of the kitchen counters that was causing the windows to be high, and that the team will look at that issue to see if the heights can be adjusted.

Board Member Moore noted the gate on the elevated patio. She asked what height it was and asked what material it was.

Mr. O’Looney responded that it was a railing and was seven or eight feet and constructed of metal.

Board Member Maletz requested that staff review the rear elevation for consistency with DGRs.

Board Member Davie referenced page 19, related to the waiver and the final development plan. Regarding the buildings with the standard height along Central College on the north elevation view, he appreciated the treatment of the building but saw a reason to keep the frontage consistent with other buildings that front the street.

Mr. O’Looney understood the observation and that the elevation rendering was compressed, he and stated that the entrances have primacy.

Mr. Leyda added that the design struggle here was with determining where it would stop. This was a very challenging condition and transition. The goal was to have consistency considering the change in grade, and he indicated which units are 36-feet and which are 44-feet. He added that they would be foregoing the 50-foot maximum height there.

Board Member Iten confirmed his understanding.

Board Member Davie agreed there would be no condition for this.

Board Member Iten asked for further questions on Subarea 2. Hearing none, the board moved to Subarea 3.

Subarea 3

Chair Hinson referenced page 39, the two-single family homes. He noted a lack of the landscaping on page 42 in the rendering depicting the same homes. He further noted that a wall is included on this rendering, between two of the single-family homes, but not on other renderings.

Board Member Davie remarked that the difference could be attributed to the change in perspective.

Mr. O’Looney responded that he would defer to the landscaping plan.

Chair Hinson confirmed that each of the duplexes in Subarea 3 had consistent roof and brick color.

Mr. Leyda responded that each subarea has its own roof color. He continued that the appearance of the homes on the exterior of the development are more formal but the appearance of the homes on the interior of the development are more flexible.

Board Member Moore acknowledged that each area is different but noted that in this area the New Albany feel was missing. She liked the feel of this Subarea but noted that there were certain buildings in Subarea 3 lacked the New Albany.

Mr. O’Looney acknowledged the comment and explained that it was challenging to strike the balance between Hamlet appropriate architecture and New Albany feeling architecture. He continued that they worked closely with the city architect. He circulated a sample of the brick.

Chair Hinson asked what the purpose of the bracketing at the roofline was.

Mr. O’Looney responded to create a slightly informal gesture, in accordance with Hamlet architecture. The architecture would become more informal as the development progressed east.

Planner II Christian noted that the zoning text encouraged different types of architecture from the Village Center.

Board Member Moore agreed but noted that the interior portion of Subarea 3.

Board Member Maletz did not disagree with the differentiation of forms. The board has to be comfortable with the variety of forms. The juxtaposition would be more evident in a development of this size. They should be evaluated on the differentiation rather than the variety. He remarked that he would politely discourage the overlapping roofline forms, the nesting roof line. Further, he would discourage overlapping forms.

Chair Hinson agreed.

Board Member Iten agreed.

Board Member Brown confirmed that the alley and driveways, not visible on the renderings, would be shared.

Board Member Moore remarked that the duplexes are beautiful but they don’t feel like New Albany architecture.

Board Member Iten recapped that overlapping forms would be discouraged in Subarea 3. He asked if there were any further questions on Subarea 3. Hearing none, the board examined Subareas 4 and 5.

Subareas 4 and 5.

Regarding Subarea 4, Board Member Strahler confirmed that there was a clause that the parkland would revert to the city and confirmed that the small periwinkle area on the rendering was an area for mailboxes.

Board Member Moore asked whether Subarea 5 will be a living area.

Chair Hinson asked indicated the location of a road stem and asked whether the applicants were required to have it.

Mr. Leyda responded yes the city of Columbus required it.

Board Member Iten noted that he had 10 conditions for the final development plan and suggested, for that reason, that it made sense to act first on the final development plan and the waivers separately.

The board agreed.

Board Member Iten moved for approval of FDP-53-2024 subject to the findings in the staff report with the conditions in the staff report and the following additional conditions, all subject to staff approval:

1. In Subarea 1, no more than three roof colors may be used and red is not a permitted color. Metal is a permitted roof material.
2. In Subarea 1, synthetic shake siding must be used instead of natural shake siding material.
3. The siding color must be Litchfield Gray, or in the nature of, for Building 26, and the trim color shall be darker.
4. The proportions and scale of the columns, frieze, and fascia must be architecturally appropriate for Building 26, subject to staff review.
5. Building 11 (Subarea 2), and similar buildings must employ more vertical variety in the hierarchy.
6. More detail for architectural interest should be added to the north elevation of Building 15, south elevation of Building 17, east elevation of Building 14.
7. The garage doors in Subareas 2 and 3 must conform with the requirements of the PUD text.
8. The building trim colors in Subareas 2 and 3 must be lightened across the board.
9. In Subarea 3, overlapping architectural roof forms are discouraged.
10. The rear elevations in Subarea 2 shall have a common/consistent head height for windows and doors.

Chair Hinson seconded the motion.

Upon roll call: Mr. Iten yes, Mr. Hinson yes, Ms. Moore yes, Mr. Maletz yes, Mr. Brown yes, Mr. Strahler yes, Mr. Davie yes. Having seven yes votes, the motion passed and FDP-53-2024 was favorably recommended to the Planning Commission subject to the conditions in the staff report and the additional conditions as stated above.

The board discussed the requested waivers.

Waiver A

Board Member Strahler stated that he had no objection to the four-foot sidewalk, but noted an area where a variety of widths would come together and asked for clarification.

Planner II Christian and Mr. Leyda explained the intersection of the public and private overlapping and layout. Only the circular part of the sidewalk would be four-feet and it was located in the privately owned area, not the publicly owned area.

Board Member Iten noted typo in the staff report, the word “constraint” is incorrectly included. He continued that he was satisfied that it meets the intent, but struggled with the third criteria. Nonetheless he feels a site-specific condition exists in this context and that a four-foot sidewalk is appropriate for fairness.

Board Member Moore stated that she performed a study and found that it is completely appropriate.

Board Member Iten moved to recommend to the Planning Commission to approve Waiver A as presented in the staff report. Board Member Maletz seconded the motion.

Upon roll call: Mr. Iten yes, Mr. Maletz yes, Ms. Moore yes, Mr. Hinson yes, Mr. Brown yes, Mr. Strahler yes, Mr. Davie yes. Having seven yes votes the motion passed and Waiver A was favorably recommended to the Planning Commission.

Waiver B

Board Member Moore remarked that she still struggled with it and thought it would be better without the house.

Mr. Leyda responded that they were receiving interest in the property and the price of that unit is actually going up.

Board Member Strahler remarked that there was a similar house in Oxford.

Board Member Maletz stated that understood the struggle of the board but feels like it is necessary for balance. He further suggested that landscaping could provide some needed balance.

Mr. Leyda agreed and shared that there are ongoing discussions regarding the residence adjacent to the park and the appropriate delineation between what is public property and what is private property.

Board Member Maletz remarked that if the board can assure that this is given attention it would give comfort.

Board Member Davie understood the portal entry argument but supported Board Member Moore's assertion that this home is getting prime park access. He understood creating a portal entry and thought that something public should be put in that spot.

Mr. Leyda acknowledged the discomfort and stated that the alternative is construction of a duplex in that spot.

Board Member Iten agreed and added that the applicants have the right under the pud zoning text to build a residential structure there. He noted that here are at least two members who have reservation about whether it meets the text.

Board Member Brown stated that he was good with it, but would agree with a condition requiring additional landscaping.

Board Member Iten remarked that all told, given the condition of the narrow lot, it provides an appropriate design, it substantially meets the criteria for a waiver, and because of the site-specific condition of the entry way it would be necessary for reasons of fairness.

Board Member Maletz agreed with Board Member Iten.

Board Member Maletz moved to recommend approval of Waiver B to the Planning Commission as presented in the staff report with the following additional condition:

1. Additional landscaping must be added to the south and east property lines of the parcel south of the street to be named.

Board Member Iten seconded the motion.

Upon roll call: Mr. Maletz yes, Mr. Iten yes, Ms. Moore no, Mr. Hinson yes, Mr. Brown yes, Mr. Strahler yes, Mr. Davie no. Having five yes votes and two no votes, the motion passed and Waiver B was favorably recommended to the Planning Commission.

Board Member Moore explained that it feels odd and it does not feel substantial enough for an entry, that she did not like one house alone on that corner.

Board Member Davie stated that it did not feel appropriate for one house on the south side neighboring the park.

Waiver C

Board Member Iten stated that he would bifurcate this into two elements, 44 feet tall and the 3.5 stories. He explained that he has no issue with 44 feet tall. The slope presents a site-specific condition and he supports staff's condition. However he struggles with the 3.5 stories.

Board Member Maletz asked whether the 3.5 stories is necessary to approve the 44-foot building height.

Mr. Leyda answered no.

Board Member Maletz continued that the board can remain silent on it.

Planner II Christian remarked that the dormers introduce the 3.5 stories and the city architect recommended it.

Board Member Iten remarked that the board may like and it approve it but the slope does not require approval of the 3.5 stories.

Mr. Leyda asked whether it is a dormer or it is a decorative vent.

Board Member Iten observed that the board could seek a different interpretation from staff. In this case in the context of this PUD, because of the interpretation of staff it makes sense to find that the unfairness requirement is met.

Board Member Iten moved to recommend approval of Waiver C to the Planning Commission as presented in the staff report with the following additional condition:

1. All buildings in Subarea 2 are limited to 44-feet in height and the applicant forgoes their right to develop 50-foot tall buildings in this subarea.

Board Member Davie seconded the motion.

Upon roll call: Mr. Iten yes, Mr. Davie yes, Ms. Moore yes, Mr. Hinson yes, Mr. Maletz yes, Mr. Brown yes, Mr. Strahler yes. Having seven yes votes the motion passed and Waiver C was favorably recommended to the Planning Commission.

Waiver D.

Board Member Maletz requested to incorporate negative slope and grade away from the building. That, in lieu of the two-foot requirement, the grade at the perimeter or entrance of the building slope away from the building and toward the right of way.

Board Member Iten stated that in the other cases where the board permitted this the board knew it was an age restricted development, here the board does not have that issue. He felt very comfortable with this request and could find that it substantially meets the standard, nonetheless he worried about the precedential value.

Board Member Maletz observed that it appears there is enough room as long as it is properly graded.

Board Member Iten moved to recommend to the Planning Commission approval of Waiver D as presented in the staff report with the following additional condition:

1. There must be at least two steps at each residential entrance to the grade and the perimeter building grade must slope away from the building to the nearest public right-of-way.

Board Member Strahler seconded the motion.

Upon roll call: Mr. Iten yes, Mr. Strahler yes, Ms. Moore yes, Mr. Hinson yes, Mr. Maletz yes, Mr. Brown yes, Mr. Davie yes. Having seven yes votes, the motion passed and Waiver D was favorably recommended to the Planning Commission.

Waiver E.

Board Member Iten asked what the unusual building structure or site-specific condition was.

Mr. Underhill remarked that this has garnered a lot of discussion, and the fundamental issue is the market and whether office will be permitted. The unusual condition is the regulatory constraint, this is the first time the applicant has done this. This is the first Hamlet. The applicant chose a number and it turned out to be incorrect. This is not a physical constraint but a regulatory constraint.

Board Member Iten remarked that this seems to be an issue that should be resolved by council. It is a problem with council's policy choice, it is not a site-specific constraint.

Board Member Maletz asked whether the was required to act on it or comment on it at all if it is a policy question. This is about a proposed use and to that end, he was unsure whether the board was required to act on it.

Law Director Albrecht advised the board that their job is to evaluate what is presented based on the four criteria on the statute. Staff has determined the four criteria are met here. Hamlets by their very nature are unusual in New Albany. This board has the discretion to evaluate this question based upon the evidence presented here.

Board Member Maletz remarked that based on the proposed use, this is unusual.

Board Member Iten returned that such a conclusion was reached by reading this out of the statute. He could not find the unusual building structure or site-specific conditions, and, as such he recommended that council deal with this and not the Architectural Review Board. He clarified that he was not worried about the first two criteria, it was the third criteria. He further suggested that the board could take no position because it is out of the board's purview.

Board Member Maletz remarked that he considered that option as well, but has since concluded that the board has a fiduciary responsibility to ensure the best possible outcome for what is being proposed.

Board Member Iten questioned whether, in so doing, the board was supplanting council's judgment. Council established this standard which required a unusual building or site-specific condition, and he was reluctant to stretch this provision to things external to what council established.

Board Member Maletz asked whether [in the prior waiver] the site-specific condition was the fact that it is an above grade space.

Mr. Leyda responded that this is not proposed for the ground floor.

Board Member Moore stated that she was fine with it because if there is a vacancy it is above eye-level, so from an aesthetic standpoint it makes sense.

Board Member Davie remarked that the 10,000 square foot number is arbitrary.

Board Member Maletz asked for the gross square footage of the second floor.

Mr. Leyda answered that it is, ball-park, 20,000 square feet. The total commercial area is 52,000 square feet.

Board Member Iten acknowledged he would not get there and he understood that the board would be approving the waiver over his objection.

Board Member Iten asked if there were any further questions.

Board Member Strahler moved for approval of Waiver E to the Planning Commission as presented in the staff report and with the following additional condition:

1. 80% of ground floor uses in commercial buildings must be active and open to the public for sale or offering of goods and services.

Board Member Moore seconded the motion.

Upon roll call: Mr. Strahler yes, Ms. Moore yes, Mr. Iten no, Mr. Hinson yes, Mr. Maletz yes, Mr. Brown no, Mr. Davie yes. Having five yes votes and two no votes, the motion passed and Waiver E was favorably recommended to the Planning Commission.

Board Member Iten explained that he voted no because he could find no unusual building structure or site-specific condition to grant the waiver.

Board Member Brown concurred with Board Member Iten.

Board Member Strahler remarked that the board missed imposing a condition in the staff report on one of the waivers and asked whether the board should revisit the issue.

Planner II Christian responded that all of the conditions in the staff report would be subject to approval by the Planning Commission, so there was no need for the board to revisit any issue at this meeting.

The board thanked staff and the applicant. They expressed appreciation for all of the work involved with developing this application, and they wished the applicant good luck.

VII. Other business and poll members for comment.

Chair Hinson asked if there was any other business before the board.

Hearing none, he polled the members for comment.


The members wished everyone a good evening.

VIII. Adjourn

Having no further business, Board Member Iten moved to adjourn the September 9, 2024 meeting of the New Albany Architectural Review Board. Board Member Strahler seconded the motion. Without objection the meeting was adjourned at 10:34 p.m.

Appendix
ARB-54-2024
Staff Report
Record of Action

FDP-53-2024
Staff Report
Record of Action


**NEW
ALBANY**
COMMUNITY CONNECTS US
Architectural Review Board Staff Report
September 9, 2024

DRIVEWAY MATERIAL WAIVER
4986 JOHNSTOWN ROAD

LOCATION: 4986 Johnstown Road (PID: 222-000513)
APPLICANT: Amy & David Bailey c/o Rex Wright
REQUEST: Waiver to allow a driveway material to be concrete instead of asphalt.
ZONING: Low Density Single Family Residential (R-2)
STRATEGIC PLAN: Residential
APPLICATION: ARB-54-2024

Review based on: Application materials received July 19, 2024.

Staff report prepared by Sierra Cratic-Smith, Planner I.

I. REQUEST AND BACKGROUND

The application was reviewed and tabled on August 12, 2024 by the ARB since there were only four voting members in attendance. There are no changes to the application.

The applicant requests a waiver from New Albany Design Guidelines and Requirements Section 5 (I)(1) to allow a gravel driveway where the code requires asphalt, brick, stone cobbles, or simulated stone driveway pavers for driveways.

Per Section 1157.12 any person or entity having an interest in property that seeks to obtain a waiver from the requirements of the New Albany Design Guidelines and Requirements shall follow the procedures set forth in C.O. Chapter 1113. C.O. Chapter 1113.09 defines that a waiver to standards may be approved by the Architectural Review Board as part of a Certificate of Appropriateness application. In considering this request for a waiver, the Architectural Review Board is directed to evaluate the application based on the criteria in Chapter 1113.11.

II. SITE DESCRIPTION & USE

The property is located along State Route US 62/Johnstown Road and is 1.02 acres. The property is across the street from the Oxford residential neighborhood. The property contains a single-family residential home.

III. EVALUATION

A. Waiver Request

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:

- a) *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;*
- b) 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;*
 - c) Be necessary for reasons of fairness due to unusual building, structure, or site-specific conditions; and*
 - d) Not detrimentally affect the public health, safety or general welfare.*

The applicant is requesting waivers to the following code requirements:

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

1. The New Albany Design Guidelines and Requirements Section 5 (I)(A)(1) states that asphalt, brick, stone, or simulated stone driveway pavers are appropriate surfaces for driveways and parking areas. The applicant is seeking a waiver to allow the driveway to be concrete instead of the permitted materials listed above.
2. The existing driveway is currently gravel and over 120 feet long, abutting Johnstown Road. The driveway is connected to the adjacent neighbor's driveway which, combined, are shaped like a "U." The applicant's neighbor's driveway is currently concrete. The proposed concrete matches the existing neighbor's driveway material.
3. According to the Franklin County Auditor this home was constructed in 1956. The Design Guidelines and Requirements were adopted by City Council via Ordinance O-26-2007 and became effective on August 21, 2007. This DGR requirement intends to ensure consistency within subdivisions and throughout the community.
4. The ARB has reviewed several similar cases:
 - a. On February 11, 2013, the ARB denied a waiver request to install a concrete driveway at 6883 Jersey Drive located within the Wentworth subdivision (ARB-10-2012).
 - b. On June 10, 2013, the ARB approved a similar waiver, due to ADA accessibility concerns, at 7601 Pine Ridge Court located within the Plainview subdivision (ARB-141-2013).
 - c. On July 13, 2020, the ARB denied a waiver to allow a concrete driveway at 5840 Kitzmiller Road (ARB-46-2020).
5. The applicant states that they wish to use concrete rather than another material due to the maintenance needs of the other recommended driveway materials of the DGRs, concerns about chemical leaching, and to deter the pooling of rainwater.
6. It does not appear that the proposed waiver would negatively affect public health, safety, or general welfare.
7. There are a total of six residential driveways along this immediate section of Johnstown Road. The existing driveway materials include one concrete driveway, three asphalt driveways, and two gravel driveways. Figure 1 below illustrates the location of these driveways.

Figure 1



- Gravel
- Concrete
- Asphalt
- Applicant Property

IV. RECOMMENDATION

The ARB should evaluate the appropriateness of the waiver request. This section of Johnstown Road contains a mixture of older single-family residences fronting the street with a combination of different driveway materials. The DGRs outline appropriate materials for driveways to achieve consistency within subdivisions and throughout the community. However, this is a standalone site that is not part of a subdivision and the driveway connects to and is proposed to act as an extension of the neighboring concrete driveway.

V. ACTION

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

Move to approve the waiver for application ARB-54-2024.

Approximate Site Location:



Source: Nearmap



Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear BAILEY DAVID M BAILEY AMY M,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.



Community Development Department

Decision and Record of Action

Tuesday, September 10, 2024

The New Albany Architectural Review Board took the following action on 09/09/2024 .

Certificate of Appropriateness

Location: 4986 JOHNSTOWN RD

Applicant: Amy & David Bailey,

Application: PLARB20240054

Request: A request to allow the driveway material to be concrete instead of asphalt under Section 5(I)(A)(1).

Motion: To approve

Commission Vote: Motion Approved, 4-3

Result: Certificate of Appropriateness, PLARB20240054 was Approved, by a vote of 4-3.

Recorded in the Official Journal this

Condition(s) of Approval: N/A.

Staff Certification:

Sierra Cratic-Smith

Sierra Cratic-Smith
Planner



Architectural Review Board Staff Report
September 9, 2024 Meeting

**HAMLET AT SUGAR RUN
FINAL DEVELOPMENT PLAN & WAIVERS**

LOCATION: Generally located at the southwest and southeast corners of New Albany Condit Road and Central College Road (PIDs: 222-000675, 222-000685, 222-000686, 222-000670, 222-000676, 222-000678, 222-000313, 222-000664, 222-000671, 222-000672, 222-000654, 222-000669, 222-000549, 222-000668, 222-001167, 222-000688, 222-000375, 222-000314, 222-000673, and 222-000376).

APPLICANT: NoNA Master Development LLC c/o Aaron Underhill, Esq.

REQUEST: Final Development Plan with Waivers

ZONING: Infill-Planned Unit Development (I-PUD)

STRATEGIC PLAN: Hamlet Focus Area

APPLICATION: FDP-53-2024

Review based on: Application materials received on August 30, 2024.

Staff report completed by Sierra Saumenig and Chris Christian, City Planners.

I. OVERVIEW

Due to the scale of the proposed development, this staff report provides a high-level analysis of the requirements listed below. This analysis is provided for the development as a whole, rather than on a subarea by subarea basis. The city staff fully evaluated every individual requirement (i.e. lot coverage, setbacks, lot dimensions, lighting, etc.) within each subarea. During the review process, several waivers were identified and are evaluated in Section VI of the report. All other requirements for this site are met.

- Use and Density Standards
- Site Layout, Access and Parking
- Parkland and Open Space Requirements
- Architecture
- Landscaping

In order to summarize the material and staff’s analysis, several city exhibits are referenced throughout the staff report. The city exhibits were created using the applicant’s submittal material, where more detailed information may be found.

Exhibit A: Final Development Plan Submittal Requirements

Exhibit B: Engage New Albany Strategic Plan Hamlet Focus Area Standards

Exhibit C: Subarea Maps

Exhibit D: Road Network and Streetscape Treatments

Exhibit E: City Engineer Comments

Exhibit F: Parkland and Open Space

Exhibit G: City Landscape Architect Comments

Exhibit H: Waiver Map

II. REQUEST AND BACKGROUND

The application is for the Hamlet final development plan on 32.6+/- acres generally located at the southwest and southeast corners of the New Albany-Condit Road and Central College Road intersection.

Per C.O. 1157.07 and the Hamlet I-PUD zoning text, a Hamlet final development plan application is required to be reviewed by the Architectural Review Board (ARB) and the board shall make a recommendation to the Planning Commission (PC) which takes final action. The Parks and Trails Advisory Board (PTAB) reviewed the application during their August 5th meeting and recommended approval regarding the proposed open space and parkland dedication within the development, by a vote of 5-0. The PTAB included a condition of approval that trash, recycling and dog waste stations must be installed within the parkland and open space, subject to the approval of the city landscape architect. This condition of approval has been addressed. The Planning Commission is scheduled to review the application during their meeting on September 16, 2024.

On December 6, 2022, City Council approved the Hamlet I-PUD rezoning application (O-40-2022). The Hamlet concept is envisioned in the Engage New Albany Strategic Plan to be a development containing a mixture of residential, commercial, retail, parkland and open space land uses. The zoning includes a zoning text and preliminary development plan that is specific to this Hamlet site.

Hamlet zoning text section II(D) states that the preliminary development plan may be modified as part of the final development plan application due to the unique nature of the proposed mixed-use development. This final development plan modifies a small portion of the preliminary development plan boundary between subarea 1 and 2 to the, as permitted in the zoning text.

As part of the final development plan application, the applicant requests the following waivers which are evaluated in Section VI of this staff report.

- (A) Waiver to Hamlet zoning text sections IV(C)(4), V(C)(3) and VII(E)(2) to allow public sidewalks to be 4 feet wide in Subareas 2, 3 and 5 where the text requires a 5-foot width.
- (B) Waiver to Hamlet zoning text section V(B) to allow two single family, detached homes to front on New Albany-Condit Road, in Subarea 3, where the text only allows townhomes to front onto this roadway.
- (C) Waiver to Hamlet zoning text section IV(E)(3) and New Albany DGR Section 5(II)(D)(1) to allow townhomes in Subarea 2 to be 44 feet tall and 3 ½ stories where there is a maximum height limitation of 40 feet tall and 3 stories.
- (D) Waiver to New Albany DGR Section 5(II)(D)(2) to eliminate the requirement that residential building entrances must be 2 feet above grade.
- (E) Waiver to Hamlet zoning text section III(B)(2) to allow non-retail tenant spaces to be larger than 10,000 square feet in size, within Subarea 1.

III. SITE DESCRIPTION & USE

The 32.6+/- acre zoning area is located in Franklin County and is made up of 20 currently vacant properties. All of the properties were rezoned to allow for the proposed development.

IV. PLAN REVIEW CRITERIA AND ENGAGE NEW ALBANY STRATEGIC PLAN

The Architectural Review Board (ARB) and Planning Commission (PC) review authority is found under C.O. Chapters 1159.0, 1157.07, and the requirements of the Hamlet I-PUD zoning text.

C.O. 1159.10(e) states that the Planning Commission shall approve a final development plan application if it complies with the regulations of city code, the previously approved preliminary ARB 24 0909 Hamlet at Sugar Run FDP-53-2024

development plan, and associated zoning text. To facilitate this review, C.O. 1159.07(b)(3) requires several items to be included in the final development plan application which are included in **Exhibit A**.

The site is located in the Hamlet future land use district and focus area of the strategic plan. The Engage New Albany Strategic Plan includes focus areas to demonstrate how the recommendations outlined in the other sections of the strategic plan can be applied in the built environment. The Hamlet Focus Area identifies this exact site as the ideal location for a hamlet-style mixed-use development in the city. The strategic plan is a guiding policy document that contains recommendations for future development, including recommended development standards for a hamlet development. The essential Hamlet Focus Area components and associated development standards are included in **Exhibit B**.

V. FINAL DEVELOPMENT PLAN REVIEW

Use and Density Standards

1. The site is zoned Infill-Planned Unit Development (I-PUD) that permits the construction of a hamlet style development as envisioned in the city strategic plan. The zoning text permits a variety of commercial, retail, and residential (flats, townhomes and a single family) uses. These permitted uses are broken up into 5 different subareas illustrated in **Exhibit C**.
2. The table below provides a summary of the uses permitted in each subarea along with proposed uses.

| Subarea | Acreage | Permitted Uses | Proposed Uses |
|---------|---------------|--|---|
| 1 | 8+/- acres | C-3 Uses Multi-family residential units configured as “flats”, | 52,500 sq. ft. of commercial space 40 flats <u>Waiver Request E applies to this subarea. Please see Section VI of the staff report.</u> |
| 2 | 7.2+/- acres | Single family attached or detached townhomes and single family detached homes. Limited number of multi-family units | 108 townhomes |
| 3 | 4.44+/- acres | Single attached townhomes and single family detached homes. | 8 single family homes 20 townhomes <u>Waiver Request B applies to this subarea. Please see Section VI of the staff report.</u> |
| 4 | 8+/- acres | Parkland/Open space, recreation facilities, outdoor markets, food trucks and outdoor performance areas. | Parkland and Open Space |
| 5 | 5+/- acres | Senior Living Facility Uses and supportive uses Maximum of 55 single family, attached townhomes if no senior | 19 single family homes |

| | | | |
|--|--|--|--|
| | | living uses are developed | |
| | | Maximum of 25 detached, single family homes if no senior living facilities are developed | |

3. The zoning text permits a maximum density of 6 residential units per gross acre. This requirement is met as 195 residential units are proposed to be developed on 32.6 acres (gross acreage) resulting in a density of 5.98 units per acre.

Site Layout, Access and Parking

Site Layout and Access

1. The proposed development is accessed via five curb cuts including two along Central College Road and three along New Albany-Conduit Road. The text requires all new major roads and alleys within the zoning district to be dedicated as public streets. There are provisions in the text which would allow for some drives to be privately owned where there are parking lots and associated drive aisles. The locations of these roadways are illustrated in **Exhibit D** along with their respective streetscape treatments. There are multiple requirements in city code and the zoning text related to roadway dimensions and streetscape treatments, all of which are being met on this site.
2. The city engineer reviewed the application and provided comments which can be found in **Exhibit E**. All of the previous comments related to the traffic impact study, submitted with the rezoning, have been addressed. Right-of-way dedications are shown on the final development and will be evaluated at the time of a final plat. The proposed intersections include crosswalks and the city will continue reviewing the designs as part of the permitting process to ensure safe pedestrian access is provided throughout the development.
3. The overall site is well designed from a site layout and planning perspective. The street network is lined with buildings and shared parking is consolidated behind them. The buildings front onto public streets as well as provide an architectural presence along green spaces. The mixed-use, commercial plaza is well integrated with surrounding green space and appropriately located near the shared parking lot.

Leisure Trail and Sidewalk

1. The zoning text requires the applicant to install a public sidewalk within the right-of-way on each internal subdivision street (with the exception of alleys). The applicant meets this requirement and proposes additional sidewalks to connect parkland and open space through select public alleys. In total, 2.08 miles of new sidewalk is included throughout the development.
 - The applicant requests a waiver (Waiver Request A) for subareas 2, 3, and 5 to allow portions of the public sidewalk to be 4 feet in width when the text requires a minimum of 5 feet in width. This waiver is evaluated in Section VI of the staff report.
2. The zoning text requires the applicant to install an 8-foot-wide, asphalt leisure trail along the southern side of Central College Road, and the east and west sides of New Albany-Condit Road and this requirement is met. In total, 1.37 miles of new leisure trail is included throughout the development.
3. City code requires the applicant to install an 8-foot-wide, asphalt leisure trail within Sugar Run Park and this requirement is met. This new trail is designed as a 2/3-mile loop (.73 miles) within this area.

Parking

1. Given the integrated development program for this site, the zoning text requires the applicant to submit a comprehensive shared parking model. The applicant submitted a

shared parking model which concludes that the proposed parking supply of 344 spaces — comprising of surface spaces and parallel spaces—will adequately serve the site. The parking will serve the commercial spaces, guest parking, and parkland.

2. As required in the zoning text, all residential unit will independently park themselves with off-street garage spaces and private driveways, where present.
3. Per C.O. 1167.03(a), the proposed parking spaces in the west and east parking lots are required to be 9 feet wide and 19 feet long. Additionally, the drive aisles are required to be 22 feet wide. These requirements are met.

Parkland and Open Space Requirements

1. Per the zoning text and city code, 25% of the total gross area within the hamlet development must be common open space and parkland. This requirement is evaluated for the development as a whole, rather than each subarea. The site is 32.6+/- acres in size therefore a minimum of 8.15 acres of parkland and open space is required. The applicant exceeds this requirement by providing 10.61 acres (33% of the total development area). The proposed parkland and open space areas are shown on **Exhibit F**.
2. The development is bisected by the Sugar Run Creek. The applicant activates the parkland/open space around Sugar Run Creek and utilizes it as a organizational element for the development, known as the Sugar Run Park. This park space has several amenities including neighborhood playground equipment, natural play elements, benches, sculptures/artwork, and birdhouses.
 - The creation of this park space allows the Sugar Run Creek stream corridor to be preserved and protected, meeting a recommendation of the Engage New Albany Strategic Plan. Additionally, bioswales are utilized for stormwater management. Bioswales are a form of green infrastructure and an aesthetically- pleasing alternative to traditional stormwater basins. Habitats for birds, butterflies or other wildlife are created in these spaces through the use of native plants. Where there are natural play elements and playground equipment, the applicant proposes to install a bonded rubber mulch material to ensure these areas are accessible to people of all abilities.
 - Trash, recycling, and dog waste stations have been added throughout the parkland and open space as recommended by the Parks and Trails Advisory Board.
 - The applicant proposes to use Earthscapes playground equipment, the same equipment line that the city has installed in recent pocket park upgrades. Two character images were included in the application showing the intended types of equipment.



Neighborhood Playground - Moku Yama 7.1



Neighborhood Playground - M7 Log Jam

- The city engineer reviewed and approved the playground equipment, leisure trail, and other amenities that are located within the floodplain and stream corridor protection zone and confirmed they are permissible activities/uses described in C.O. 1155.04(a)(1) and 1171.03. A floodplain permit is required to be reviewed and approved prior to installation by city staff. As part of the review, the equipment and amenities may need to be slightly shifted within the

same general area.

3. There are 12 other parkland and open spaces areas throughout the development site. These spaces are used as an organizational element in a way that development may front onto them which contributes to pedestrian activity and a high-quality built environment.
4. The applicant proposes to install sculptures/artwork in different parkland and open spaces throughout the development and birdhouses in the Sugar Run Park area. Some character images were included in the application, shown below.



Sculpture in the Woods Along the Path



Sculpture in Commercial Setting



Artistic Bird Boxes in the Meadow



Sculpture in Neighborhood Setting

5. The proposed parkland and open spaces areas are listed in the table below, along with the ownership and maintenance obligations. The entire development is within 1,200 linear feet of parkland/open space areas.

| Parkland and Open Space Area | Size | Ownership and Maintenance |
|------------------------------|-----------|---|
| Reserve A | .50 acres | City ownership and maintenance |
| Reserves B1 & B2 | .24 acres | City ownership and maintenance |
| Reserve C1 & Open Space C2 | .19 acres | City ownership and maintenance (C1) HOA ownership and maintenance (C2) |
| Open Space D1 & D2 | .19 acres | HOA ownership and maintenance |
| Open Space E | .24 acres | HOA ownership and maintenance |
| Open Space F | .43 acres | HOA ownership and maintenance |
| Reserve G | .15 acres | City ownership and maintenance |
| Reserves H1 and H2 | .21 acres | HOA ownership and maintenance |

| | | |
|----------------|------------|--------------------------------|
| Sugar Run Park | 8.46 acres | City ownership and maintenance |
|----------------|------------|--------------------------------|

Architecture

1. For all subareas, the Hamlet zoning text states that the design of buildings shall be derived from examples of traditional American architecture, vernacular architecture, or any complementary style. Additionally, four-sided architecture is required throughout the development and the New Albany Design Guidelines and Requirements (DGRs) apply to the site, unless deviations are approved as part of a final development plan application.
2. The zoning text requires detailed building elevations to be submitted as part of the final development plan application for all subareas, except Subarea 5.
 - Detailed building elevations were provided for Subareas 1, 2, and 3 as required.
 - The applicant submitted images and the general design intent for homes in Subarea 5 as required by C.O. 1159.07(3)(P). Homes within this subarea will be custom, with designs similar to the homes in the Ealy Crossing and Ashton Grove neighborhoods.
 - All of the proposed buildings will continue to be evaluated as part of the building permit process to ensure compliance with the architectural standards presented as part of the final development plan, the zoning text, and the DGRs. The city architect will continue to review the building elevations as part of this process.
3. A detailed architectural narrative was also submitted for Subareas 1, 2, and 3. The applicant states that the buildings in these subareas will utilize a more informal version of Neo-Federal/Neo-Georgian architecture in order to achieve the Hamlet style of development, as envisioned in the Engage New Albany Strategic Plan. The applicant met with the city architect on several occasions during their design process to ensure that the architecture is derived from a traditional American architectural precedent. The city architect has reviewed the narrative statement and all of the proposed building elevations, and is supportive of the commercial and residential building designs.
4. The zoning text states that there is a maximum building height of 40 feet for buildings that are generally within 250 feet of New Albany-Condit Road and Central College Road, except Subarea 1. In addition, DGR Section 5(II)(D)(1) states that townhomes are permitted to be a maximum of 3 stories.
 - The applicant requests a waiver to these requirements to allow townhomes to be 44 feet tall and 3 ½ stories, within Subarea 2. This waiver is evaluated in Section VI of the staff report (Waiver C). All other buildings meet the maximum height requirements of the zoning text and the DGRs.
5. New Albany DGR Section 5(II)(D)(2) requires all residential building entrances to be 2 feet above grade and the applicant requests a waiver to eliminate this requirement. This waiver is evaluated in Section VI of the staff report (Waiver D).
6. The text permits the use of the following building materials and prohibits exposed concrete foundations and the use of vinyl as a building material. The proposed building elevations match these permitted materials:
 - Brick and brick veneer
 - Wood
 - Cementitious or composite siding
 - Metal panels, EIFS, wood and aluminum are permitted as trim or accent elements
7. The zoning text requires full screening of all rooftop and ground mounted equipment. The text states that solar panels are exempt from this requirement to the extent that screening would impact functionality. Mechanical equipment details were not provided and will be evaluated during the building permitting process to ensure these requirements are met.

Landscaping

1. There are many zoning text and city code requirements, related to landscaping, that are applicable to the site. City staff reviewed the proposed landscape plan and the applicant

meets, and in some cases, exceeds all of the landscape requirements for the site. Several of these requirements are outlined in this section of the staff report.

2. The zoning text requires a master landscape plan to be provided for the entire site as part of the final development plan application. The city landscape architect, MKSK, reviewed the application and provided comments which can be found in **Exhibit G. City staff recommends a condition of approval that the city landscape architect comments are addressed, subject to staff approval (Condition #1).**
3. Hamlet zoning text section II(C)(5) states that street trees are required to be planted on both sides of all major public streets at a rate of 1 tree for every 30 feet and shall be a minimum size of 3 caliper inches. The text permits deviations from these spacing requirements in order to achieve the desired streetscape. The applicant exceeds these requirements as demonstrated in the table below.

| Street | Frontage (feet) | Required Trees | Proposed Trees | Met? |
|------------------------|-----------------|----------------|----------------|------|
| Central College Road | 1,390 | 46 | 47 | ✓ |
| New Albany Condit Road | 1,134 | 38 | 45 | ✓ |
| Public Street A | 1,023 | 34 | 56 | ✓ |
| Public Street B | 419 | 14 | 25 | ✓ |
| Public Street C | 582 | 19 | 37 | ✓ |
| Public Street D | 1,048 | 35 | 47 | ✓ |
| Public Street E | 671 | 22 | 43 | ✓ |

4. C.O. 1171.06(a)(2) states that parking lots shall contain a minimum 5% of landscaped area, in the form of parking lot islands. The applicant exceeds this requirement by providing 7% landscaped area in the west parking lot and 11% in the east parking lot.
5. C.O. 1170.06(a)(3) requires one tree to be installed in parking lot areas for every 10 parking spaces. The applicant meets this requirement with 26 trees planted in the west parking lot and 4 in the east parking lot.
6. C.O. 1171.06(b) requires parking lots to be screened from primary streets, residential areas, and open space with a minimum 3.5-foot-tall evergreen hedge, masonry wall or combination of wall and plantings and this requirement is met.

VI. WAIVER REQUESTS

Hamlet zoning text section VIII(N)(3)(a) states that the applicant must apply for a waiver if they desire to have a zoning requirement waived. The applicant submitted a request for 5 waivers as part of the final development plan application. The locations of these waivers are identified in **Exhibit H. Waiver requests are to be reviewed by the ARB who shall make a recommendation to the PC. The PC shall make the final decision regarding the waiver request.** The PC shall either approve, approve with conditions, or disapprove the waiver. The applicant is required to demonstrate the nature of the waiver and provide a statement explaining why the waiver should be granted. The PC shall only approve a waiver (with or without supplementary conditions) if they find 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 reviewing body may consider the relationship of the proposed development with adjacent structures, the immediate neighborhood setting, and 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 City's Strategic Plan;*
3. *Be necessary for reasons of fairness due to unusual building, structure, or site-specific constraints; and*
4. *Not detrimentally affect the public health, safety or general welfare.*

(A) Waiver to Hamlet zoning text sections IV(C)(4), V(C)(3) and VII(E)(2) to allow public sidewalks to be 4 feet wide in Subareas 2, 3 and 5 where the text requires a 5-foot width.

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

1. The Hamlet zoning text requires 5-foot wide sidewalks to be constructed on both sides of all public streets within the development. The applicant proposes 4-foot wide sidewalks within certain locations in Subarea 2, 3, and 5 therefore a waiver is required. The sidewalk locations related to this waiver are identified in **Exhibit H**.
2. The intent of the requirement is to ensure that sidewalks are provided throughout the development in order to foster the creation of a walkable, pedestrian-oriented environment. While the applicant proposes a smaller sidewalk in certain locations, the intent of the requirement is still met as sidewalks are provided on both sides of all public streets.
3. The request appears to provide an appropriate design or pattern of development considering the context in which the development is proposed. The typical sidewalk width requirements are more easily achieved in a typical suburban neighborhood where there are larger lots, increased setbacks and space to provide a 5-foot wide sidewalk within the streetscape. The Hamlet concept, as envisioned in the Engage New Albany Strategic Plan, is a departure from a typical suburban subdivision design with smaller lots, reduced setbacks and therefore less space to provide larger streetscape sections which include sidewalks. There are other, similar neighborhoods in New Albany where 4-foot sidewalks have been approved and constructed given the pattern of development including Ealy Crossing, Ashton Grove, and other sections of the New Albany Country Club. A reduced sidewalk width is appropriate in this development pattern.
4. It appears that granting the waiver is necessary for reasons of fairness due to unusual site-specific constraints and characteristics. The 5-foot width requirement is a one-size fits all approach to pedestrian connectivity in the city. As stated, there is precedent for allowing a reduced sidewalk width in dense neighborhoods with reduced lot sizes and setbacks. The applicant intends to achieve a similar development pattern on this site. Additionally, the waiver only applies to a limited number of sidewalks in the development, are not located along primary streets, and a majority of the sidewalks meet the width requirement.
5. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare. While the sidewalks may be smaller in width, the applicant is still required to meet any applicable ADA requirements.

(B) Waiver to Hamlet zoning text section V(B) to allow 2 single family, detached homes to front on New Albany Condit Road, in Subarea 3, where the text only allows townhomes to front onto this roadway.

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

1. The Hamlet zoning text states that single family, detached homes are not permitted to front onto New Albany Condit Road and only allows townhomes to front onto it. The applicant proposes to develop two single family homes that front onto this road in Subarea 3 therefore a waiver is required. The location of this waiver is identified in **Exhibit H**.
2. The intent of code requirement is to ensure a strong, consistent building presence is provided along New Albany-Condit Road. It is typically easier to achieve this intent with townhomes where a wider, unbroken stretch of building elevation is common. While the applicant proposes to allow two single family homes onto this road, they maintain a consistent setback along the road compared to the townhomes. Additionally, there are minimal side yard setbacks between structures on this road which allows a strong building presence to be achieved, regardless of the housing type.
3. The request appears to provide an appropriate design or pattern of development considering the context in which the development is proposed. As envisioned in the

Engage New Albany Strategic Plan, the Hamlet development is designed to be a dense, walkable, pedestrian oriented environment. To achieve this design, the strategic plan states that public streets should be lined by buildings and placed in locations that encourage pedestrian activity. With careful planning and design, this goal can be achieved regardless of the building type and the applicant demonstrates this successfully while allowing the two single family homes to be placed along New Albany Condit Road. The homes provide a prominent, architectural presence at the entrance of this subarea.

4. It appears that granting the waiver is necessary for reasons of fairness due to unusual site-specific constraints and characteristics. The two single family homes are located on both sides of a new public street that is required to be constructed in Subarea 3. Due to the location of the road and the remaining developable space, it would be difficult to place a stretch of townhomes on these lots without disrupting the remaining buildings that front onto New Albany Condit Road and the park space. The road cannot be shifted south into Sugar Run Park and if it were to be shifted north, it could create the same issue for other buildings in the subarea. The absence of a building presence in these locations may detract from the desired aesthetic of the subarea.
5. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.

(C) Waiver to Hamlet zoning text section IV(E)(3) and New Albany DGR Section 5(II)(D)(1) to allow townhomes in Subarea 2 to be 44 feet tall and 3 ½ stories where there is a maximum height limitation of 40 feet tall and 3 stories.

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

1. The Hamlet zoning text states that townhomes in Subarea 2 are permitted to be a maximum of 40 feet tall and the DGRs limit the number of stories to 3. The applicant proposes to develop 44-foot-tall, 3 ½ story townhomes in certain locations of Subarea 2 therefore a waiver is required. The location of these townhomes is identified in **Exhibit H**.
2. The intent of these code requirements is to ensure that a human scaled built environment is achieved throughout the Hamlet development. While the applicant proposes taller townhomes, a consistent building height is achieved throughout this subarea. While the applicant proposes 3 ½ story townhomes, the city architect states that the building design is appropriate with pitched roofs and dormers which is a desired form of architecture in the city.
3. The zoning text allows the applicant to develop townhomes that are 50 feet tall in certain areas of Subarea 2. In order to achieve consistent, human scaled architecture throughout the subarea, the applicant proposes to only develop 44 tall buildings. It appears that the intent of the requirement is met however, staff recommends a condition of approval that no buildings are to be no taller than 44 feet in Subarea 2 and the applicant must forgo the right to develop 50-foot-tall buildings in this subarea where otherwise permitted, if the waiver is approved (Condition #2).
4. The request appears to provide an appropriate design or pattern of development considering the context in which the development is proposed. The Central College Road corridor serves as a transitional area between denser residential and commercial development to the west and north to less dense, smaller scale residential development east of New Albany Condit Road. As stated, the zoning text allows 50-foot-tall buildings to be developed in Subarea 1 and the western portion of Subarea 2. As you move east on the site, the zoning text requires a transition down to a 40-foot building height close to the Central College Road and New Albany Condit Road intersection and further east into Subarea 3 as well. While the applicant proposes taller townhomes in certain portions of Subarea 2, an appropriate pattern of development is still achieved considering the surrounding context. If the waiver is approved, an appropriate building height transition will be achieved from 50 feet in Subarea 1, 44 feet in certain portions of Subarea 2, and

40 feet in the remaining portion of Subareas 2 and 3 as you travel west to east on Central College Road.

5. It appears that granting the waiver is necessary for reasons of fairness due to unusual site-specific constraints and characteristics. The site slopes down from Central College Road and New Albany Condit Road as you move inward within Subarea 2.
 - The townhomes that front directly onto these roadways meet the maximum height and number of stories requirements because the bottom level of those units is able to be partially buried. Per city code, height calculations are measured based on average grade of all four corners of the building and the number of stories is calculated from the front door. Due to this, those townhomes are able to meet the requirements.
 - The applicant proposes to develop the exact same townhome building throughout the portions of the subarea where the waiver is requested. Due to the grade change, the bottom levels of the remaining townhomes are not able to be buried which results in the need for a waiver. Visually, all townhomes in Subarea 2 will have the same height as viewed along New Albany Condit Road and Central College Road.
6. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.

(D) Waiver to New Albany DGR Section 5(II)(D)(2) to eliminate the requirement that residential building entrances must be 2 feet above grade.

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

1. The New Albany DGRs require all residential building entrances to be 2 feet above grade and the applicant requests a waiver to eliminate this requirement through the entire zoning district. The intent of this requirement is to provide a prominent front door on home elevations, contributing to a strong architectural design. While the applicant requests a waiver from this requirement, they commit to providing at least two steps at the entrance to each home. The intent of the requirement is still met if the waiver is granted.
2. The request appears to provide an appropriate design or pattern of development considering the context in which the development is proposed. The applicant states that the proposed compact development pattern will be attractive to an older demographic, making accessibility a key design factor for the homes. This requirement is challenging to meet while they ensure that the homes are still accessible to residents of all ages and abilities.
3. It appears that granting the waiver is necessary for reasons of fairness due to unusual building, structure, or site-specific constraints and characteristics. There is a precedent in other New Albany neighborhoods where this requirement has been waived including Nottingham Trace, Woodhaven, and Courtyards at New Albany, all of which are 55 and older communities. Additionally, there are several examples in the Village Center including the Market and Main apartment building where this requirement is not met. In all of these examples, accessibility was key factor in the building designs similar to what the applicant proposes.
4. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.

(E) Waiver to Hamlet zoning text section III(B)(2) to allow non-retail tenant spaces to be larger than 10,000 square feet in size, within Subarea 1.

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

1. The Hamlet zoning text states that each commercial tenant space in Subarea 1 is limited to a maximum size of 10,000 square feet. The applicant requests a waiver to this requirement for all non-retail tenant spaces (i.e. office, administrative and professional services).

2. The intent of the code requirement is to ensure an appropriate scale of development with active first floor uses is provided in the commercial area, contributing to a vibrant mixed-use environment with activity throughout the day. To meet this goal, the requirement was included in the zoning text to prohibit large scale retailers and other large users from taking up all the available commercially zoned space on site. The applicant states that they desire to meet the intent of the requirement while allowing non-retail users to have a larger tenant space as long as 80% of the ground floor uses must be active and open to the public for the sale or offering of goods and services. If the waiver is approved, staff recommends this as a condition of approval (Condition #3).
3. The request appears to provide an appropriate design or pattern of development considering the context in which the development is proposed. The goal of the Hamlet development is to create a vibrant community with a mixture of uses, including commercial office space. Office space is a strong source of income tax revenue for the city however, this market is challenging in Central Ohio and throughout the country as hybrid work models have become the new norm. The demand for new office space is low however, this arbitrary restriction may dissuade new office users from locating on the site which was never the intent. The applicant states that they have received concerns about the tenant space restriction from potential office users. Waiving this requirement for commercial office users will help ensure there is the critical mass of day time population necessary to support the retail development on site.
4. It appears that granting the waiver is necessary for reasons of fairness due to unusual site-specific constraints and characteristics. The city's Economic Development division contacted One Columbus and Colliers for additional insight on this waiver request as it relates to office space. These groups state that the demand for new office space is still low in Central Ohio but this zoning restriction will only limit potential office opportunities that may arise. Development Strategies, the city's market analysis consultant, states that office tenants desire to locate in mixed use environments rather than typical, suburban style development patterns. Granting the waiver request will allow the city to remain competitive by providing attractive options at the Hamlet in this challenging office environment. This limitation does not exist for any other office space in the city.
5. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.

VII. SUMMARY

The Engage New Albany Strategic Plan states that the goal and objective for a Hamlet is to create a walkable, mixed-use master planned environment that is connected into surrounding neighborhoods, achieves high quality architectural design, and is integrated into open space networks. The proposal accomplishes this goal, meeting all the essential components of a Hamlet development as listed in the Engage New Albany Strategic Plan.

Essential Components of a Hamlet

- **Compact, walkable neighborhood pattern** – A key feature of hamlets is walkability, which is achieved through more compact development patterns, connected streets and pathways, and pedestrian-oriented design of blocks and buildings.
- **Central, organizing public space framed by streets and buildings** – Public space is at the heart of a New Albany hamlet. This can take the form of an activated open space, plaza, or square. This space should be bordered by streets and buildings on at least two sides to frame the public and create a center of activity for the hamlet.
- **Active ground floor uses** – A vibrant pedestrian experience in a hamlet is achieved through various means, including by the creation of an active first floor. In mixed-use buildings, the ground floor should be occupied by restaurants, shops, service businesses, and other similar uses that promote pedestrian activity throughout the day.

- **Prioritization of streets, sidewalks, and pedestrian/bike connections** – A connected mobility network of streets, sidewalks, and leisure trails is an essential component to move people to, from, and within a hamlet.
- **Contains a mix of two or more uses** – By incorporating more than one land use, a hamlet can become a community destination rather than simply a development. A mix of uses creates a multi-functional place where people can live, work, shop, explore, relax, and more.
- **Memorable architecture, public spaces, and placemaking elements** – Components of the public realm, such as architecture, signage, public spaces, site furnishings, and public art should be utilized in a New Albany hamlet to create a strong sense of place.
- **Emphasizes a discipline of materiality** – New Albany is known for its high-quality development and a hamlet should be no exception. A hamlet should utilize materials that are of a uniquely New Albany vernacular.
- **Integrated parking on-street and behind buildings** – Parking should be intermixed with the rest of the built environment in a hamlet. Streetscape design can include on-street parking spaces, which provide a buffer between vehicular traffic and the pedestrian realm. Larger surface parking areas that are adequately screened and located behind buildings can blend seamlessly with the rest of a development.
- **Context sensitive design that leverages surroundings** – A New Albany hamlet is not a cookie cutter development, but rather is a bespoke place with a character that is distinctly New Albany. By utilizing the surrounding context and natural features in the site design, a hamlet can become seamlessly embedded into the community.

The Engage New Albany strategic plan emphasizes the importance of providing greenspace and promoting sustainability by protecting, preserving and enhancing natural features in these mixed-use areas. The development is bisected by the Sugar Run Creek which is used as an organizational element for the entire site. Sugar Run Park creates a new park destination for the entire New Albany community and satisfies the needs of a variety of user groups with both active and passive recreation options. Users of this space have access from other areas of the community via new leisure trail additions along Central College Road and New Albany Condit Road as well as new sidewalk connections within the development.

The final development plan application meets nearly all of the zoning text and city code requirements for the site. Each waiver request appears to meet the intent of the requirements, provide an appropriate pattern of development, are necessary for reasons of fairness and will not detrimentally affect the public health, safety or general welfare. Additionally, these requests do not compromise any of the essential components of a Hamlet and contribute to good design.

VIII. ACTION

Should the ARB find that the application has sufficient basis for approval, the following motion would be appropriate:

Move to recommend approval to Planning Commission of final development plan application FDP-53-2024 based on the findings in the staff report with the following conditions (additional conditions of approval may be added). The waiver requests can be included in the motion to approve the final development plan application or separate motions can be made for each waiver.

1. The city landscape architect's comments must be addressed, during the permit review process, subject to staff approval.
2. If Waiver C is approved, all buildings in Subarea 2 are limited to 44 feet in height and the applicant forgoes their right to develop 50-foot-tall buildings in this subarea.
3. If Waiver E is approved, 80% of ground floor uses in commercial buildings must be active and open to the public for the sale or offering of goods and services.

Approximate Site Location:



Source: NearMap



Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear NONA Master Development LLC, c/o Aaron Underhill, Esq.

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.



Community Development Department

Decision and Record of Action

Monday, September 23, 2024

The New Albany Architectural Review Board took the following action on 09/09/2024 .

Final Development Plan

Location: Generally located at the southwest and southwest corners of New Albany Condit Road and Central College Road (PIDs: 222-000675, 222-000685, 222-000686, 222-000670, 222-000676, 222-000678, 222-000313, 222-000664, 222-000671, 222-000672, 222-000654, 222-000669, 222-000549, 222-000668, 222-001167, 222-000688, 222-000375, 222-000314, 222-000673, and 222-000376).

Applicant: NONA Master Development LLC, c/o Aaron Underhill, Esq.

Application: PLFDP20240053

Request: Review and recommendation to the Planning Commission of the Hamlet final development plan application, and associated waivers.

Motion: See individual motions below

Commission Vote: Motion Approval with Conditions, See individual motions below

Result: See individual motions and results below

Recorded in the Official Journal this September 23, 2024

Motions and Results:

Final Development Plan Motion

Move to recommend approval to the Planning Commission of FDP -53-2024 with the following conditions

1. In Subarea 1, no more than 3 roof colors may be used and red is not a permitted color. Metal is a permitted roofing material.
2. In Subarea 1, synthetic shake siding must be used instead of the natural shake siding material.
3. The siding color must be Litchfield gray, or similar, for Building 26 and the trim color shall be darker.
4. The proportions and scale of the columns, frieze and fascia must be architecturally appropriate for Building 26.
5. Building 11 (Subarea 2), and similar buildings, must have employ more vertically variety in the architecture.
6. The north elevation of Building 15, south elevation of Building 17, east elevation of Building 14, more architectural details shall be added.
7. The garage doors in Subareas 2 and 3 must conform with the regulations in the zoning text.
8. The building trim colors in Subareas 2 and 3 must be lightened to provide more contrast.
9. In Subarea 3, overlapping architectural roof forms are discouraged.

10. The rear building elevations in Subarea 2 shall have a common/consistent head height for windows and doors.

Motion approved by a vote of 7-0

Waiver (A)

Motion to recommend approval, no conditions, motioned approved by a vote of 7-0.

Waiver (B)

Motion to recommend approval with the following condition.

1. Additional landscaping must be added to the south and east property lines of the parcel.

Motioned approved by a vote of 5-2.

Waiver (C)

Motion to recommend approval with the following condition.

1. All buildings in Subarea 2 are limited to 44 feet in height and the applicant forgoes their right to develop 50-foot-tall buildings in this subarea.

Motioned approved by a vote of 7-0.

Waiver (D)

Motion to recommend approval with the following condition.

1. There must be at least two steps at each residential entrance and the perimeter building grade must slope away from the building to the nearest public right-of-way.

Motioned approved by a vote of 7-0.

Waiver (E)

Motion to recommend approval with the following condition.

1. 80% of ground floor uses in commercial buildings must be active and open to the public for the sale or offering of goods and services.

Motioned approved by a vote of 5-2.

Staff Certification:

Chris Christian

Chris Christian
Planner II