

#### Architectural Review Board Staff Report February 10, 2025

### THIRD STREET MIXED-USE DEVELOPMENT CERTIFICATE OF APPROPRIATENESS & WAIVERS

LOCATION: Generally located north and west of E Main Street and east of 605.

(PIDs: 222-000013, 222-000060, 222-000052, 222-000085, 222-000112,

222-000060, 222-000051, 222-000058, 222-000086).

APPLICANT: New Albany Towne Center LLC c/o Kareem Amr

REQUEST: Certificate of Appropriateness & Waivers

ZONING: Urban Center District within the Core Residential and Historic Center

sub-districts

STRATEGIC PLAN: Village Center APPLICATION: ARB-98-2024

Review based on: Application materials received on January 27, 2025

Staff report prepared by Sierra Saumenig, Planner

#### I. REQUEST AND BACKGROUND

This certificate of appropriateness application is for a proposed mixed use development generally located north and west of E Main Street and east of 605 in the Village Center. The development consists of three sub parcels as described below. The development site is located within the Urban Center Code (UCC) zoning district therefore those requirements, the New Albany Design Guidelines and Requirements and city code regulations apply. On May 8, 2023, the applicant gave an informal presentation of the proposed development to the ARB.

SUBPARCEL	PROPOSED	ZONING
	DEVELOPMENT	
A	Mixed use commercial and residential building	UCC; within the Historic Core subdistrict
	(4,208 sq. ft. of ground floor commercial space with 17 residential units)	
В	14 townhomes	UCC; within the Historic
		Core and Core
		Residential subdistricts
C	Multi-family-unit building with	UCC; within the Core
	73 units	Residential subdistrict

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

- (A) Waiver to UCC section 2.87(a) to allow the street yard setback to be 2.8+/- feet where code requires a minimum 5-foot setback along High Street.
- (B) Waiver to UCC section 2.87(a) to allow the street yard setback to be 2.5+/- feet where code requires a minimum 5-foot setback along Founders Avenue

(C) Waiver to UCC section 2.87(c) to allow the rear yard setback to be 2.6+/- feet where code requires a minimum 15-foot setback.

Per Section 1157.07(b) any major environmental change to a property located within the Village Center requires a certificate of appropriateness issued by the Architectural Review Board. The proposed addition and new buildings qualify as such a change and thus requires review and approval by the board.

As part of a development agreement approved by the city council (R-55-2024), the applicant is dedicating the right-of-way to the city for the construction and funding of improvements to Founders Avenue, Second Street, Third Street, Cherry Alley, and Hawthorne Alley. These improvements include landscaping such as street trees and sidewalks which will be installed by the city. The design and layout for these new roads and associated improvements are not subject to the review and approval of the ARB per C.O. 1157.07 since this is a public improvement project.

There is a related certificate of appropriateness application for two new building typologies (ARB-97-2024) on the February 10, 2025, meeting agenda. This application is evaluated under separate staff reports.

#### **Update:**

The application was previously tabled at the January 13, 2025 ARB meeting. The applicant has updated the application based on redline comments from board member Maletz (see comments attached in application packet). The city's architect reviewed the changes, and any items that were not addressed are mentioned below. Additionally, the applicant revised the building height calculation for the buildings and those building heights have been updated in this staff report.

For a complete list of changes in response to the January 13, 2025 meeting, please see attachment "New Albany Town Center ARB v.20// Narrative" that includes a thorough list of items. Below are some important changes to note, though not an exhaustive list:

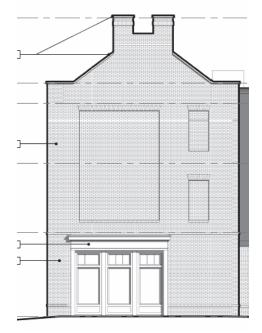
#### General

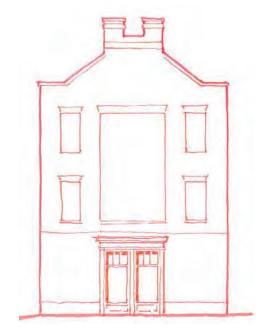
Please note these changes have been made in the staff report.

- 1. The applicant revised the building height calculations for the three buildings.
- 2. A slight decrease of commercial space in Sub Parcel A (4,276 sq. ft. to 4,208 sq. ft.)
- 3. Sub Parcel A is still proposed to have 17 units however the breakdown of bedrooms is now 14-one bedrooms and 3-two bedroom units.
- 4. Sub Parcel C is still proposed to have 73 units however the breakdown down of bedrooms is now 12 studios, 49-one bedroom units, and 12-two bedroom units.
- 5. Windows on all three buildings have been revised to provide Simulated Divided Lites (SDLs).

#### **Sub Parcel A (Traditional Commercial)**

- The covered at-grade patio for a future commercial tenant, previously facing the south property line, has been mirrored across the High Street façade and is now located at the Founder's Way and High Street intersection.
- The two-story balcony element that was previously featured above the commercial patio was converted into to an interior unit space.
  - a. The city architect has evaluated the redesign and states that the end wall parapet elevation needs additional study since it is highly visible. Below is a possible solution. Staff recommends a condition of approval that the applicant enhance the south façade to adhere to a strict centerline, subject to staff approval (condition #1).





Proposed redesign

City Architect's possible solution

- The balconies located centrally on the High Street façade have been eliminated.
- The applicant did not revise the second floor windows to be more centered per Board member Maletz comments however, the city architect supports the current design, as the chosen ordering system results in a balanced elevation.

#### **Sub Parcel B (Tuck-Under Townhomes)**

- Residential entries have been redesigned, following proportional and historical analysis. These changes align with Sub Parcel A to create consistency across the site.
- The interior court facades for the tuck-under townhomes have been revised including consistent window placement, removing Juliette balconies, and increasing the scale of supporting columns.
- A brick wall with an operable vehicular gate and man door have been added to the openend of the drive court.

#### Sub Parcel C (Hybrid Courtyard)

- The footprint has changed including increased usable square footage at the southeast corner which creates an architectural opportunity to address this portion of the building as a corner feature. The corner has been articulated to align with similar conditions at Building A and Building B, providing consistency and continuity across the overall site.
- Additional windows have been located on the south façade.

#### II. SITE DESCRIPTION & USE

The development site is generally located northeast of Eagles Pizza and north of E Main Street. The site is made up of 9 properties, containing a single-family home that is proposed to be demolished (ARB-96-2024 previously approved) and vacant land. Surrounding uses include commercial businesses to the west, south, and east as well as residential uses to the north.

#### III. EVALUATION

#### A. Certificate of Appropriateness

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

**Appropriateness**, the modifications to the building and site should be evaluated on these criteria:

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

#### (A) Sub Parcel A (Traditional Commercial)

- The applicant proposes to construct a building consisting of 4,208 square feet of commercial space on the ground floor and 17 residential units on the first, second and third floors.
- Section 3(I.A.1) Design Guidelines & Requirements (DGRs) states that new buildings shall be constructed in a continuous plane at the inside edge of the sidewalk.
  - The proposed building fronts up against the public sidewalks and the commercial spaces have a uniform setback along North High Street, meeting this requirement.
- Section 3(1.A.3) of the DGRs states that rear setbacks should provide for parking, delivery truck access, trash pickup, and similar commercial services, in cases where buildings have public alleys running behind them.
  - The proposed building includes a parking lot in the rear setback along Cherry Alley. Additionally, commercial services including delivery and trash pickup are also in the rear setback, away from public roads therefore, this requirement is met.
- The applicant proposes to use brick, hardi-board siding, wood columns, shingle roofing, and stone around the chimneys.
- Section 3(II.A.2) of the DGRs states building designs shall not mix elements from different styles. The number, location, spacing, and shapes of windows and door openings shall be the same as those used in tradition building design. Additionally, section 3(II.D.1) states that true wood exterior materials are most appropriate and the use of alternative materials such as hardi-plank, vinyl and other modern materials may be appropriate when they are used in the same way traditional materials would have been used.
  - The applicant proposes brick as the main architectural material with hardiboard siding in some areas on all of the proposed buildings (Sub parcel A, B, and C). See below an elevation of one of the buildings highlighting the use of the hardi-board. The city architect reviewed the proposed materials and states that the hardi-board paneling is a durable alternative to traditional wood and aims to maintain the historical appearance. Hardi-board has been successfully used throughout the Village Center. However, the city architect notes that the design details for the hardi-board are not provided. This is not a case of mixing elements, but rather using a modern material in a traditional manner to achieve a historic-looking result. Staff recommends a condition of approval that the use of hardi-board siding design details be subject to staff approval for all proposed buildings within the development (condition #2).



Example of how hardi-board is used throughout the development (shown in red)

Section 3(II.A.3) of the DGRs states commercial storefront design shall follow traditional practice, including the use of bulkhead, display windows, and transom. All ARB 25 0210 Third Street Mixed-Use Development ARB-98-2024

visible elevations of the building, shall receive similar treatment in style, materials, and design so not visible side is of lesser visual character than the other.

- O The proposed building façade meets this requirement, featuring large display windows with bulkheads below. Residential units are included above the ground floor and do not include balconies. The south façade continues the use of storefront windows with brick accents above (please see condition #1). The north façade includes entrance doors into residential units, columns, and garage doors for a commercial tenant.
- Section 2(IV.E.7) of the DGRs states that residential units should have vertically proportioned windows that are made of wood and may have either vinyl or aluminum cladding on the exterior.
  - O The proposed windows are vertically proportioned however, it is unclear if they are made of wood and have vinyl or aluminum cladding on the exterior. Staff recommends a condition that the proposed windows be either vinyl or aluminum clad (condition #3).

#### (B) Sub Parcel B (Proposed Tuck-Under Townhomes)

- The applicant proposes to construct a 19,445 square foot building consisting of 14 townhomes in this sub parcel.
- The applicant proposes to use brick, stone, shingle roofing, wood columns and railings for the balconies, and hardi-board.
- DGR Section 2 (III.F.1) states that the materials used for townhouse buildings shall be appropriate and typical of the architectural style in which the building is constructed. In general, the DGRs recommend wood siding and brick as preferred exterior materials but allows other materials to be used if approved by the ARB. Based on the provided application materials, it appears as though brick is the primary façade material. Additionally, section 2 (II.D.1) states that true wood exterior materials are most appropriate and the use of alternative materials such as hardiplank, vinyl and other modern materials may be appropriate when they are used in the same way traditional materials would have been used.
  - O Similar to the other proposed buildings, the applicant proposes brick as the main architectural material with hardi-board siding in some areas on the top of the proposed building. Staff recommends a condition of approval that the use of hardi-board siding's design details be subject to staff approval (refer to condition #2).
- DGR Section 2 (III.F.7) states the only acceptable form of this window is one in which the glass panes have vertical proportions (height greater than width) and correctly-profiled muntins with an internal spacer that gives the appearance of a muntin extending through the glass. In addition, there must be an offset between the upper and lower sash to give the window a double-hung appearance. No snap-in or flat muntins will be approved. New windows must be made of wood and may have either vinyl or aluminum cladding on the exterior.
  - O The proposed windows are vertically proportioned however, it is unclear if they are made of wood and have vinyl or aluminum cladding on the exterior. Staff recommends a condition that the proposed windows be either vinyl or aluminum clad (condition #3).
- DGR Section 2 (III.C.3) states buildings shall be oriented towards the primary street on which the building is located.
  - O The building fronts the proposed Founders Avenue and Second Street. It also fronts Cherry Alley and Hawthorne Alley. The proposed site layout has the townhomes up against the tree lawn and sidewalk oriented towards the primary streets. Each townhome has a front door oriented toward the street with entrance steps, meeting this requirement.
- Urban Center Code section 3.32 states that tuck-under parking shall be accessed from an alley, if present, and must be accessed from the rear.

- O The applicant meets this requirement by proposing tuck-under parking on a private drive located at the rear of the townhomes, secured behind a gate.
- Urban Center Code section 2.54.1 states above ground mechanical devices shall be located in the side or rear yard, behind all portion of the principal façade, and shall be fully screened from the street and neighboring properties. Section 2.54.2 states above ground utility structures should be located in the alley or side or rear yard and fully screened from the street.
  - O The applicant proposes mechanical equipment on the roof of the townhome building that cannot be seen from the street.

#### (C) Sub Parcel C (Proposed Hybrid Courtyard)

- The applicant proposes to construct a 31,472 square foot multi-unit building consisting of 73 residential units.
- The applicant proposes to use brick, stone, shingle roofing, metal railings for the balconies, and hardi-board.
- DGR Section 2 (IV.B.2) states that building designs shall not mix elements from different styles. Designs must be accurate renderings of historical styles. Additionally, section 2 (IV.F.3) ) states that true wood exterior materials are most appropriate and the use of alternative materials such as hardi-plank, vinyl and other modern materials may be appropriate when they are used in the same way traditional materials would have been used.
  - Similarly, to the other two buildings, the applicant proposes brick as the main architectural material with hardi-board siding in some areas on the top of the proposed building. <u>Staff recommends a condition of approval</u> <u>that the use of hardi-board siding's design details be subject to staff</u> <u>approval (refer condition #2)</u>.
- There is a large grade difference from Hawthorne Alley to Founders Avenue that creates a need for brick foundation walls in this sub parcel. While sub parcel A and B have been designed as a step down approach so that the brick foundation walls are a typical height, sub parcel C must be constructed at one grade. To address this, the applicant is breaking up the walls by incorporating enhanced landscaping, bricked in window features that break up the blank walls, and small openings into the parking garage that are covered with metal railings. Both the landscape architect and city architect have reviewed the design and expressed their support for design and landscaping. Similar brick retaining walls are present in other areas of Village Center due to the varying grades.
- DGR Section II (IV.B.3) states apartment buildings that do not have individual entrances to residential units shall follow traditional practice by employing distinct central entrances that facilitate pedestrian access.
  - The multi-unit building does not have individual entrances however, it does have centrally located entrances into the building that facilitate pedestrian access. Due to the grade of the site, these entrances are accessed via staircases.
- DGR Section III (IV.B.3) states that garages shall be clearly secondary in nature, by
  means of a simplified design compatible with the primary structure and no garage
  doors are permitted to be visible from the primary streets.
  - o The applicant meets this requirement as they propose an underground parking garage that is not visible from the public streets.
- DGR Section 2 (IV.F.7) states the only acceptable form of this window is one in which the glass panes have vertical proportions (height greater than width) and correctly-profiled muntins with an internal spacer that gives the appearance of a muntin extending through the glass. In addition, there must be an offset between the upper and lower sash to give the window a double-hung appearance. No snap-in or flat muntins will be approved. New windows must be made of wood and may have either vinyl or aluminum cladding on the exterior.

- The proposed windows are vertically proportioned however, it is unclear if they are made of wood and have vinyl or aluminum cladding on the exterior. <u>Staff recommends a condition that the proposed windows be</u> either vinyl or aluminum clad (condition #3).
- While the DGR's do not specifically state above ground mechanical equipment shall be screened for apartment buildings, the applicant provided a roof plan indicating that the mechanical equipment on the roof is not seen from the public streets.
- 2. The visual and functional components of the building and its site, including but not limited to landscape design and plant materials, lighting, vehicular and pedestrian circulation, and signage.

#### Landscape

- Sub parcel A: Urban Center Code Section 2.901.1 states that all street, side, and side yards shall be landscaped with trees, shrubs, grass, ground covers or other plant materials or a combination of these materials.
  - The applicant is meeting this requirement by providing landscaping in all applicable areas on the private property.
- Sub parcel B and C: As these are two new building typologies, the applicant has created a set of standards for each which includes that all street, side, and side yards shall be landscaped with trees, shrubs, grass, ground covers or other plant materials or a combination of these materials.
  - O The applicant is meeting this requirement for these two subareas in all applicable areas on the private property. This includes bushes and shrubs along the building's facades, flower pots, and trees.
- Sub parcel C: As previously noted, this sub-parcel features a significant grade difference between Hawthorne Alley and Founders Avenue, requiring the installation of brick walls. The applicant plans to enhance the area with taller landscaping, including up to 2 foot tall shrubs and bushes and 8-10 foot tall ornamental trees, to soften the taller brick walls.
- The City Landscape Architect has reviewed the referenced plan in accordance with the landscaping requirements found in the New Albany Codified Ordinances and zoning text and provides the following comments. <u>Staff recommends a condition of approval that all City Landscape Architect's comments are met at the time of engineering permits, subject to staff approval (condition #4). The City Landscape Architect's comments are:</u>
  - 1. Update plant list to properly reflect proposed materials, typical all. Resubmit updated plan for review.
  - 2. Revise the proposed placement of Elegans Box Honeysuckle around the exterior of Building C, allowing for the material to be offset from the sidewalk and removed in strategic locations to avoid the visual of a continuous hedgerow.
  - 3. Revise the proposed landscape treatment around the exterior of Building C to include an increased use of evergreen plant material at strategic focal points along the facade.
  - 4. Extend the use of plant materials to mitigate stretches of exposed facades along Building C. Proposed treatments are to remain consistent with existing plant material and overall aesthetics found within New Albany and the Historic Village Center.
  - 5. Utilize the proposed Big Blue Lily Turf to replace the use of Elegans Box Honeysuckle located along the facade of Building C at Third Street.
  - 6. Revise the proposed evergreen plant material along the south facade of Building C to provide increased screening of the exposed facade and ramp.

#### Lighting

• A detailed lighting plan was not submitted for review. Therefore, the staff recommends a condition of approval requiring submission of such a plan to ensure the lighting uses cut-off fixtures and downcast designs (condition #5).

#### Vehicular and Pedestrian circulation:

- Sub parcel A: Urban Center Code section 2.89 requires a minimum of one off-street parking space per unit plus ½ space for each additional unit for residential. For commercial, it requires a minimum of two spaces and a maximum of one off-street space per 400 square feet of building space. Additionally, available on-street parking within 100' of the property lines shall provide a ½ space credit towards the off-street parking requirement.
  - The sub parcel includes 4,208 square feet of commercial which requires 11 minimum parking spaces. There is a total of 17 units including 14 one-bedroom flats and 3 two-bedroom flats and this requires a minimum of 19 parking spaces. The required number of off-street parking for the residential units and commercial area is a minimum of 30 spaces.
  - O In addition to the off-street parking provided, the building fronts onto High Street where there is a total of 14 existing on-street parking spaces immediately adjacent to the building as well as a proposed 6 spaces on Founders Avenue. The entire site is a pedestrian-oriented mixed use development with additional on-street parking spaces distributed along the public streets.
  - There are 20 off-street parking spaces. With the ½ space credit for onstreet parking, the applicant meets the required number of parking spaces.
- Sub parcel B: The applicant's proposed building typology sets the parking standards which requires a minimum of one off-street parking space per unit plus ½ space for each additional bedroom and a maximum of one off-street space per unit plus one space for each additional bedroom. Additionally, available on-street parking within 100' of the property lines shall provide a ½ space credit towards the off-street parking requirement.
  - The sub parcel includes 14 two-unit townhomes which requires a minimum of 21 parking spaces. In addition to the off-street parking provided, there are 4 on-street parking spaces on Founders Avenue and 4 on the west side of Second Street.
  - The applicant is providing 28 off-street parking spaces. With the additional on-street parking, the applicant exceeds the required minimum number of parking spaces.
- Sub parcel C: The applicant's proposed building typology sets the parking standards which requires a minimum of one off-street parking space per unit plus ½ space for each additional bedroom and a maximum of one off-street space per unit plus one space for each additional bedroom. Additionally, available on-street parking within 100' of the property lines shall provide a ½ space credit towards the off-street parking requirement.
  - The sub parcel includes a total of 73 units which breakdowns to 12 studios, 49 one-bedroom units, and 12 two-bedroom units. The required number of off-street parking for the units is a minimum 79 spaces.
  - o In addition to the off-street parking provided, there are 4 on-street spaces along Second Street and 8 spaces along Third Street
  - O The applicant is providing 78 off-street parking spaces. With the additional on-street parking, the applicant exceeds the required minimum number of parking spaces.
  - Bicycle parking is required to be provided onsite for new vehicular off-street parking facilities and the enlargement of off-street parking per UCD section 5.30.2.
    - The applicant is providing bicycle parking for each sub parcel that meets this requirement.

- As mentioned above, the city will install 5-foot wide concrete sidewalks along all public streets.
- The overall site is well designed from a site layout and planning perspective. The proposed street network is lined with buildings and shared parking is consolidated behind them or hidden from the public streets. The buildings front onto public streets as well as provide a cohesive architectural presence.

#### Signage

- No signage was submitted for review. All new signage is subject to ARB review and approval at a later date.
- 3. The distinguishing original qualities or character of a building, structure, site and/or its environment shall not be destroyed.
  - The majority of the site is vacant aside from one existing home that is dilapidated. The city architect has reviewed and preliminarily approved the submittal.
- 4. All buildings, structures and sites shall be recognized as products of their own time.
  - It appears that the applicant has designed the three new buildings in a way that is appropriate to the historic character of the area.
- 5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be created with sensitivity.
  - The shape, proportion and breakdown of architectural elements are appropriate for the proposed architectural style and complements existing buildings in the immediate area.
- 6. The surface cleaning of masonry structures shall be undertaken with methods designed to minimize damage to historic building materials.
  - Not Applicable
- 7. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.
  - Not Applicable

#### B. Urban Center Code Compliance Sub Parcel A:

The site in question is located in the Historic Center subarea within the Urban Center District. The proposed building typology is Traditional Commercial. The proposal complies with most of typology standards listed in this section of the Urban Center Code.

1. Lot and Building Standards

**Sub parcel A: Traditional Commercial (UCC Section 2.87)** 

Standard	Minimum	Maximum	Proposed
Lot Area	No min	No max	30'-85'
Lot Width	No min	200'	173'
Lot Coverage	No min	100%	39%
Street Yard (a)	5'	20'	2.8' (High Street) [waiver requested]
			2.5' (Founders Avenue) [waiver
			requested]
Side Yard (b)	0,	20'	6'10"
Rear yard (c)	15'	No max	2.6' [waiver requested]
Bldg Width	80%	100%	95%
Stories	2	3	3
Height (d)	No min	55'	42'-3"

Per 2.90, above ground mechanical devices, ground utility structures, and trash containers shall be screened from the street. The applicant meets this requirement by placing the dumpster at the rear of the building, screened from public view. Additionally, the mechanical equipment is located on the roof and is similarly screened from the street.

**Sub Parcel B: Tuck-Under Townhomes** (*new typology*)

Standard	Minimum	Maximum	Proposed
Lot Area	no min	no max	0.48ac
Lot Width	100'	no max	107'
Lot Coverage	50%	100%	69.3%
Street Yard/Front Yard	2'	no max	2.83'
Side Yard	2'	no max	2.90'
Rear Yard	no min	no max	3'
Building Width	no min	100%	94.6%
Stories	1	3	3
Building Height	no min	45'	39'-11"

Sub Parcel C: Hybrid Courtyard (new typology)

Standard	Minimum	Maximum	Proposed
Lot Area	.50 acres	no max	0.85ac
Lot Width	125'	no max	191.1'
Lot Coverage	50%	100%	85%
Street Yard/Front Yard	no min	no max	312'
Side Yard	no min	no max	n/a
Rear Yard	no min	no max	2.5'
Building Width	no min	100%	94.2%
Stories	3	4	3
Building Height	no min	50'	49'-7"

#### **5.2 Street and Network Standards**

• As part of a development agreement approved by the city council (R-55-2024), the applicant is dedicating the right-of-way to the city for the construction and funding of improvements to Founders Avenue, Second Street, Third Street, Cherry Alley, and Hawthorne Alley. These improvements include landscaping such as street trees and sidewalks which will be installed by the city. The design and layout for these new roads and associated improvements are not subject to the review and approval of the ARB per C.O. 1157.07 since this is a public improvement project.

#### A. Waiver Requests

The ARB's review is pursuant to C.O. Section 1113.11 Action by the Architectural Review Board for Waivers, within thirty (30) days after the public meeting, the ARB shall either approve, approve with supplementary conditions, or disapprove the request for a waiver. The ARB shall only approve a waiver or approve a waiver with supplementary conditions if the ARB finds that the waiver, if granted, would:

- 1. Provide an appropriate design or pattern of development considering the context in which the development is proposed and the purpose of the particular standard. In evaluating the context as it is used in the criteria, the ARB may consider the relationship of the proposed development with adjacent structures, the immediate neighborhood setting, or a broader vicinity to determine if the waiver is warranted;
- 2. Substantially meet the intent of the standard that the applicant is attempting to seek a waiver from, and fit within the goals of the Village Center Strategic Plan, Land Use Strategic Plan and the Design Guidelines and Requirements;

- 3. Be necessary for reasons of fairness due to unusual building, structure, or site-specific constraints; and
- 4. Not detrimentally affect the public health, safety or general welfare.

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

- (A) Waiver to UCC section 2.87(a) to allow the street yard setback to be 2.8+/- feet where code requires a minimum 5-foot setback.
- (B) Waiver to UCC section 2.87(a) to allow the street yard setback to be 2.5+/- feet where code requires a minimum 5-foot setback along Founders Avenue
- (C) Waiver to UCC section 2.87(c) to allow the rear yard setback to be 2.6+/- feet where code requires a minimum 15-foot setback.
- (A) Waiver to UCC section 2.87(a) to allow the street yard setback to be 2.8+/- feet where code requires a minimum 5-foot setback.
- (B) Waiver to UCC section 2.87(a) to allow the street yard setback to be 2.5+/- feet where code requires a minimum 5-foot setback along Founders Avenue

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

- 1. Urban Center Code Section 2.87(c) states that the required street yard setback for a traditional commercial building is a minimum of 5 feet. However, the applicant proposes portions of the building to have a setback of approximately 2.8 feet along High Street and approximately 2.5 feet along Founders Avenue, necessitating waivers.
- 2. For High Street, the waiver is necessary because the city requests that additional right-of-way be dedicated to the city. The developer's design team located the building 5 feet away from High Street, assuming the sidewalk and right-of-way limits matched. However, during the city engineer review of the proposed private development's site layout, the city staff discovered that the public, brick sidewalks are partially installed on private property.
- 3. The application provides an appropriate design and pattern of development considering the context in which the development is proposed and the purpose of the particular standard. Due to the curvature of High Street, the setback line varies along the street yard lot line and only a portion of the building encroaches into this setback at the southwest corner and goes up to 5'-3" which does meet the setback requirement. Regarding Founders Avenue, the site is pedestrian oriented and therefore, it's appropriate for the buildings to be close to the right-of-way. This portion of the building along Founders Avenue transitions from commercial spaces to townhomes, aligning with sub parcel B to maintain continuity throughout the overall development.
- 4. The application substantially meets the intent of the standard that the applicant is attempting to seek a waiver from, and fits within the goals of the Village Center Strategic Plan, Land Use Strategic Plan and the Design Guidelines and Requirement. The overall development provides a traditional urban form as desired in the UCC where a smaller setback is desirable. Even with the reduced setback, the city is providing all of the required streetscapes. Furthermore, the requested reduced setbacks apply only to specific sections of the building facades, not their entire lengths.
- 5. The request is necessary for reasons of fairness due to unusual building, structure, or site-specific constraints since this is an existing lot with two street yards. This waiver request is just for portions of the development that front on High Street and Founders Avenue. Regarding High Street, the city is creating the need for this waiver in order to have public right-of-way match the location of the public sidewalk at the southwest corner of the building. Thus, right-of-way along High Street follows the curve of the existing sidewalk. The proposed building footprint does not follow the curve of the existing sidewalk, as it is intended to parallel High Street.
- 6. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.

### (C) Waiver to UCC section 2.87(c) to allow the rear yard setback to be 2.6+/- feet where code requires a minimum 15-foot setback.

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

- 1. Urban Center Code Section 2.87(c) states that the required rear yard setback for a traditional commercial building is 15 feet. The applicant proposes a 2.6+/- foot setback along the rear property line (Cherry Alley), therefore a waiver is required. This setback is just for the building and not the parking area as there is no minimum parking setback from alleys.
- 2. The application provides an appropriate design and pattern of development considering the context in which the development is proposed and the purpose of the particular standard. As townhomes from sub parcel B front on Cherry Alley, the smaller setback is appropriate to continue the pattern of a pedestrian-oriented street.
- 3. The plan meets the intent of the standard that the applicant is attempting to seek a waiver from. The design hides the off-street parking from view of the public streets. As the building is "L" shaped, allowing a smaller setback hides the parking lot from Founders Avenue. This form is desired by the DGRs and UCC and matches the development pattern in the area. Additionally, it increased the building width along Founders Avenue which is desirable.
- 4. The request could be considered to be necessary for reasons of fairness due to unusual building, structure, or site-specific constraint. The UCC contemplates all traditional commercial buildings having off-street parking spaces in the rear yard. The lot's distinct feature is that it is bordered by two public streets and a public alley. Since the alley is designated as the rear yard, it causes the front yard (Founders Avenue) and the rear yard (Cherry Alley) to intersect. This results in an undesirable 15-foot setback from Cherry Alley, reducing the building's frontage on Founders Way. While Cherry Alley is an alley, it still is pedestrian-oriented with townhome entrances fronting it. Therefore, the smaller setback is appropriate as it conforms to an urban form.
- 5. It does not appear that the waiver would detrimentally affect the public health, safety or general welfare.

#### IV. SUMMARY

The ARB should evaluate the overall proposal based on the requirements in the Engage New Albany strategic plan, Urban Center Code, and Design Guidelines and Requirements. The development accomplishes several strategic plan recommendations including "promote mixed use and retail infill development to create continuous and activated street frontage throughout the Village Center" and "increase the number of people living and working in the Village Center through new residential and commercial development."

The New Albany Design Guidelines and Recommendations state that New Albany's goal is to encourage a consistent approach when new buildings are created in the community and the selection of architectural style shall be appropriate to the context, location, and function of the buildings. The designs for the three buildings are of high quality and the site strategy, building massings, and exterior elevations seamlessly blend with the existing area. The project encompasses three distinct sub-parcels, each tailored to meet site-specific needs while respecting the historical and architectural character of the Village Center. The development integrates a mix of uses including retail, townhomes, and multi-family housing, to create a dynamic urban environment. The extensions of Third Street and Second Street establish a cohesive grid pattern, while the placement of units fronting the streets ensures continuous and activated street frontages.

The development emphasizes cohesive site layout and connectivity, blending building orientation with pedestrian-friendly streetscapes. It meets parking standards through a mix of off-street and on-street parking. The city architect indicates that the use of hardi-board siding depends on the careful execution of design details, but the approach supports the goal of preserving historic aesthetics while incorporating durable, modern materials that achieve a historic-looking result. With the recommended changes from the city architect and landscape architect, it does not appear that the

original quality or character of the building or site will be destroyed or compromised as part of the construction of this development.

#### V. ACTION

Should the Architectural Review Board find sufficient basis for approval, the following motion would be appropriate.

#### **Suggested Motion for ARB-98-2024:**

Move to approve Certificate of Appropriateness application ARB-98-2024 with the following conditions:

- 1. That the applicant enhances the south façade to adhere to a strict centerline, subject to staff approval.
- 2. That the use of hardi-board siding <u>design details</u> be subject to staff approval for sub parcel A, B, and C.
- 3. That the proposed windows are made of wood and have vinyl or aluminum cladding on the exterior.
- 4. That the following landscaping comments be addressed:
  - Update plant list to properly reflect proposed materials, typical all.
  - Revise the proposed placement of Elegans Box Honeysuckle around the exterior of Building C, allowing for the material to be offset from the sidewalk and removed in strategic locations to avoid the visual of a continuous hedgerow.
  - Revise the proposed landscape treatment around the exterior of Building C to include an increased use of evergreen plant material at strategic focal points along the facade.
  - Extend the use of plant materials to mitigate stretches of exposed facades along Building C. Proposed treatments are to remain consistent with existing plant material and overall aesthetics found within New Albany and the Historic Village Center.
  - Utilize the proposed Big Blue Lily Turf to replace the use of Elegans Box Honeysuckle located along the facade of Building C at Third Street.
  - Revise the proposed evergreen plant material along the south facade of Building C to provide increased screening of the exposed facade and ramp.
- 5. That a plan to ensure the lighting uses cut-off fixtures and downcast designs is submitted, subject to staff approval.

**Approximate Site Location:** 

Red dashed line – Entire development

Yellow area: Sub parcel C (Traditional Commercial) Green area: Sub parcel B (Tuck-Under Townhomes) Yellow area: Sub parcel C (Hybrid Courtyard)



Source: NearMap



### **New Albany Town Center**

ARB v2.0 // NARRATIVE

DATE January 30, 2025

TO: City of New Albany Staff + Architectural Review Board

Following-up our presentation at the New Albany ARB meeting, January 13, 2025, the development team has compiled a thorough response that we believe meets the goals and intentions laid forth by both the City of New Albany Staff and the Architectural Review Board. Our response is predicated on our active listening of the Board's discussion and direction, analysis and execution of the design red-lines provided, further collaboration and coordination with Staff, and continued design development and refinement of the overall project.

Outlined below are specific items that were called out for further study and our response. Underlying themes throughout this submission, which adhere to the comments we heard at the previous meeting are:

- Restraint.
- Order.
- Consistency.
- Site Continuity.
- Scale / Proportion.

#### **Overall Site Updates:**

- Landscape Architect has updated Landscape Plan and Planting Materials List per City / MKSK comments regarding plant species and locations.
- Civil Engineer has updated the Site Plans per building footprint changes that resulted from architectural comments from ARB.
- Development Team continued bi-weekly Site and Engineering Coordination meetings with City Staff between ARB meetings.

(continued...)



#### **Building A:**

- The covered at-grade patio for future commercial tenant, previously facing the south property line, has been mirrored across the High Street facade and is now located at the main corner (Founder's Way and High Street intersection).
  - o This was in response to ARB's concern of the previous location and its appropriateness.
  - As we studied the High Street plan and streetscape further, the development team determined that locating the patio felt more natural and allowed the development to celebrate this new, important intersection.
- The two-story balcony element (previously featured above the commercial patio), which also mirrored to the opposite corner, was converted to interior unit space.
  - o This allows the design to formally respond to the site corner condition.
  - o This aligns with the principle theme of restraint, as we have removed the two-story balcony concept, as it was only present here at Building A.
  - o Further articulation and refinement of this corner aligns with similar conditions on Buildings B and C, providing continuity and consistency across the entire site.
- With the patio space mirroring to the main corner, the High Street façade and end-wall articulation shifted south, resulting in the architecture being true to its siting.
  - o IE. End wall articulation is now truly an end wall and fire separation from the abutting property to the south.
- The egress stair at the south end of the building has been shifted into the main footprint, eliminating a bump in the footprint.
  - o This was in response to ARB's red-lines.
  - o As a result, this move simplifies the massing and footprint, gaining an additional off-street parking space.
- The central two-story balcony element, which connected either side of the High Street façade, has been converted to interior unit space.
  - Like the new corner element, this aligns with the principle theme of restraint, as we have removed the two-story balcony concept, as it was only present here at Building A.
  - o In conjunction with the new corner, these elements act as hyphens, linking the High Street and Founder's Way facades.
  - o Further articulation and refinement of this element aligns with similar conditions on Buildings B and C, providing continuity and consistency across the entire site.
- The slope of the gable roofs and end walls have been adjusted to a steeper slope, per the comments.
  - o The slope is now 9:12, and further proportional study of the end wall has resulted in bring the parapet cap down in elevation, creating a better relationship to its neighboring massing and/or roof condition.



- Cornice and trim detailing have been refined across the entire building.
  - o This move aligns with the principle themes, as we simplified the trim packages into three categories, which are now consistent across all three buildings:
    - Brick Condition.
    - Fibre-Cement (Light).
    - Fibre-Cement (Dark).
- Residential entries have been redesigned, following proportional and historical analysis.
  - These changes have been reflected across Building A and Building B to create continuity and consistency across the overall site.
- Balcony railings, at the third floor terraces, have been redesigned to a traditional balustrade application.
  - o These changes have been reflected across Buildings B and Building C as well, to create continuity and consistency across the overall site.
- Half-round arches have been replaced with Segmented arches.
  - o These changes have been reflected across Building A and Building B to create continuity and consistency across the overall site.
- All windows have been updated to provide Simulated Divided Lites (SDLs).
  - o These changes have been reflected across Buildings B and Building C as well, to create continuity and consistency across the overall site.
  - o This aligns with the principle theme of restraint as well.

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#### **Building B:**

- The rusticated brick base, which was originally proposed, has been evaluated and applied consistency across all four sides of the building.
  - o This was in response to ARB's red-lines.
- Parapet heights at all facades have been studied and reduced, where structure allows it, to provide better proportioning at the top of the massing.
- Cornice and trim detailing have been refined across the entire building.
  - o This move aligns with the principle themes, as we simplified the trim packages into three categories, which are now consistent across all three buildings:
    - Brick Condition.
    - Fibre-Cement (Light).
    - Fibre-Cement (Dark).
- Residential entries have been redesigned, following proportional and historical analysis.
  - These changes align with Building A to create continuity and consistency across the overall site.
- Balcony railings, at the third floor terraces, have been redesigned to a traditional balustrade application.
  - o These changes align with Building A and Building C, to create continuity and consistency across the overall site.
- Half-round arches have been replaced with Segmented arches.
  - o These changes align with Building A to create continuity and consistency across the overall site.
- Trellis structures at third floor roof terraces have been removed.
  - o This move follows the principle theme of restraint.
- The interior drive-court facades have been further developed to better meet the standard of design, as expressed by the Board during the previous meeting.
  - o The redesign was in response to ARB's red-lines.
    - Window placement and rhythm has been changed to provide a more balanced façade for each townhome unit.
    - Bolt-on, Juliette balconies have been removed.
    - Increased cornice and trim proportions.
    - Increased scale of supporting columns.
  - o In lieu of downspouts, further articulation and emphasis of the demising walls provides clarity and separation between adjoining units. In conjunction with the adjustments made above, these moves allow each townhome façade reads balanced and individually.



- A brick wall, with an operable vehicular gate and man door have been added to the openend of the drive court.
  - o This move was in response to ARB's red-lines and concerns about visibility of parking from the alley right-of-way.
  - o The proposed solution eliminates undesired sight-lines into the drive court, and furthermore, provides a level of security for residents.
  - o The vehicular gate is sized for a single lane of traffic, which allows for a single man door for better day-to-day operation.
    - We believe this solution provides a better scale and proportion at this alley condition.
- Dormer styling and quantities have been reduced to a single application.
  - o This move aligns with the principle theme of restraint, as well as consistency, as in the previous version, we had multiple applications of dormers within the same footprint and style of articulation.
  - o In converting to all single dormers, this is a more traditional look, in-line with New Albany architectural context.
  - The single dormers also reduce the weight and height of the façade, which is more compatible with the rest of the architecture.
- All windows have been updated to provide Simulated Divided Lites (SDLs).
  - o These changes have been reflected across Buildings A and Building C as well, to create continuity and consistency across the overall site.
  - o This aligns with the principle theme of restraint as well

(continued...)



#### **Building C:**

- The footprint has changed, specifically at the southeast corner, which increased usable square footage.
  - o The transformer, which was previously located here, has been relocated towards the center of the site, in front of the open amenity courtyard.
    - This reduces undesirable sight lines of utility components from streets.
  - With increased frontage and massing at this corner, this creates an architectural opportunity to address this portion of the building as a corner feature.
    - This addresses the Board's concerns about the south façade not reading as a primary facade, given its current visibility to Main Street / US-62.
    - The corner has been articulated to align with similar conditions at Building A and Building B, providing consistency and continuity across the overall site.
    - This corner of Building B now becomes a prominent feature and introduction to the Village Center.
- Additional windows have been located at the reminder of the south façade, to further enhance and establish this alley-facing façade as a prominent elevation.
- Parapet heights at all facades have been studied and reduced, where structure allows it, to provide better proportioning at the top of the massing.
- Cornice and trim detailing have been refined across the entire building.
  - o This move aligns with the principle themes, as we simplified the trim packages into three categories, which are now consistent across all three buildings:
    - Brick Condition.
    - Fibre-Cement (Light).
    - Fibre-Cement (Dark).
- Balcony railings, at the third floor terraces, have been redesigned to a traditional balustrade application.
  - o These changes align with Building A and Building B, to create continuity and consistency across the overall site.
- All windows have been updated to provide Simulated Divided Lites (SDLs).
  - o These changes have been reflected across Buildings A and Building C as well, to create continuity and consistency across the overall site.
  - o This aligns with the principle theme of restraint as well.

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In summary, all of these moves, both in direct response to ARB's guidance and as a result of further development and refinement, have elevated the architectural quality of the proposed development, establishing continuity across all three buildings while highlighting specific moments and sight-lines. As a result, the proposed plans and architecture seamlessly connect to the greater New Albany community, while simultaneously is a catalyst for future development of the Village Center as a vibrant, walkable mixed-use neighborhood.

We are excited to continue this discussion with City Staff and the Board, as we are firm believers that through a collaborative design process with passionate, mission-driven stakeholders, the best solutions will arise and be implemented to positively impact the greater good.

Thank you,

Jonathan Grubb

Design Director | Architect





DEVELOPMENT

# New Albany Town Center Design Intent Package

FEBRUARY 10, 2025





# MERSHAD DEVELOPMENT

DEVELO









# **New Albany Town Center**

PROPOSED MIXED-USE DEVELOPMENT

#### **NEW ALBANY ARCHITECTURAL REVIEW BOARD**

JANUARY 27, 2025 | SUBMISSION - COMMENTS FEBRUARY 10, 2025 | ARB MEETING

#### **Request for Certificate of Appropriateness:**

- Proposed Mixed-Use Development
- New Building Typology Tuck-Under Townhomes
- New Building Typology Hybrid Courtyard Residential

#### **PROJECT BRIEF**

The proposed project is a mixed-use development located within the Urban Center of New Albany. The town-center inspired development proposes a total of 104 market-rate apartments, ranging from studio flats to 2 bedroom townhomes, as well as 4,208 SF commercial retail space. Currently contained within seven individual parcels, the future development would spread across three "subparcels", categorized from A to C going West to East. The site currently sits within the Historic Center and Core Residential zoning district of the Urban Center Code. Trisecting the site, in between as well as around each subparcel, is a proposed street grid network that has been designed by EP Ferris Consultants, proposed by New Albany Planning Staff, and incorporated by the developer. This well-studied grid network facilitates a comprehensive, walkable, and urban-center oriented development while also relieving traffic pressure on the Urban Center District. The development, as proposed, would provide private parking at a ratio of 1.79 parking spaces per 1 unit, while also providing parking for commercial uses at a ratio higher than the prescribed parking requirement by the Urban Center Code.

Proposed within the town center development are various building typologies such as a traditional commercial building, townhomes, and a multi-unit building. By incorporating elements of the Urban Center Code, Village Center Strategic Plan, New Albany Design Guidelines, as well as the surrounding context of the area, the development adds to and expands upon the current fabric of the Urban Center while also promoting walkability, connectivity, and desirable living options. The project has been designed to incorporate engaging sight lines, various moments of public engagement, and an inviting commercial presence for the community and surrounding residents in a manner congruent with the current Urban Center. The development is being proposed by Mershad Development, designed by Archall Architects, and engineered by McMullen Engineering, with landscaping design by James Burkart Associates.

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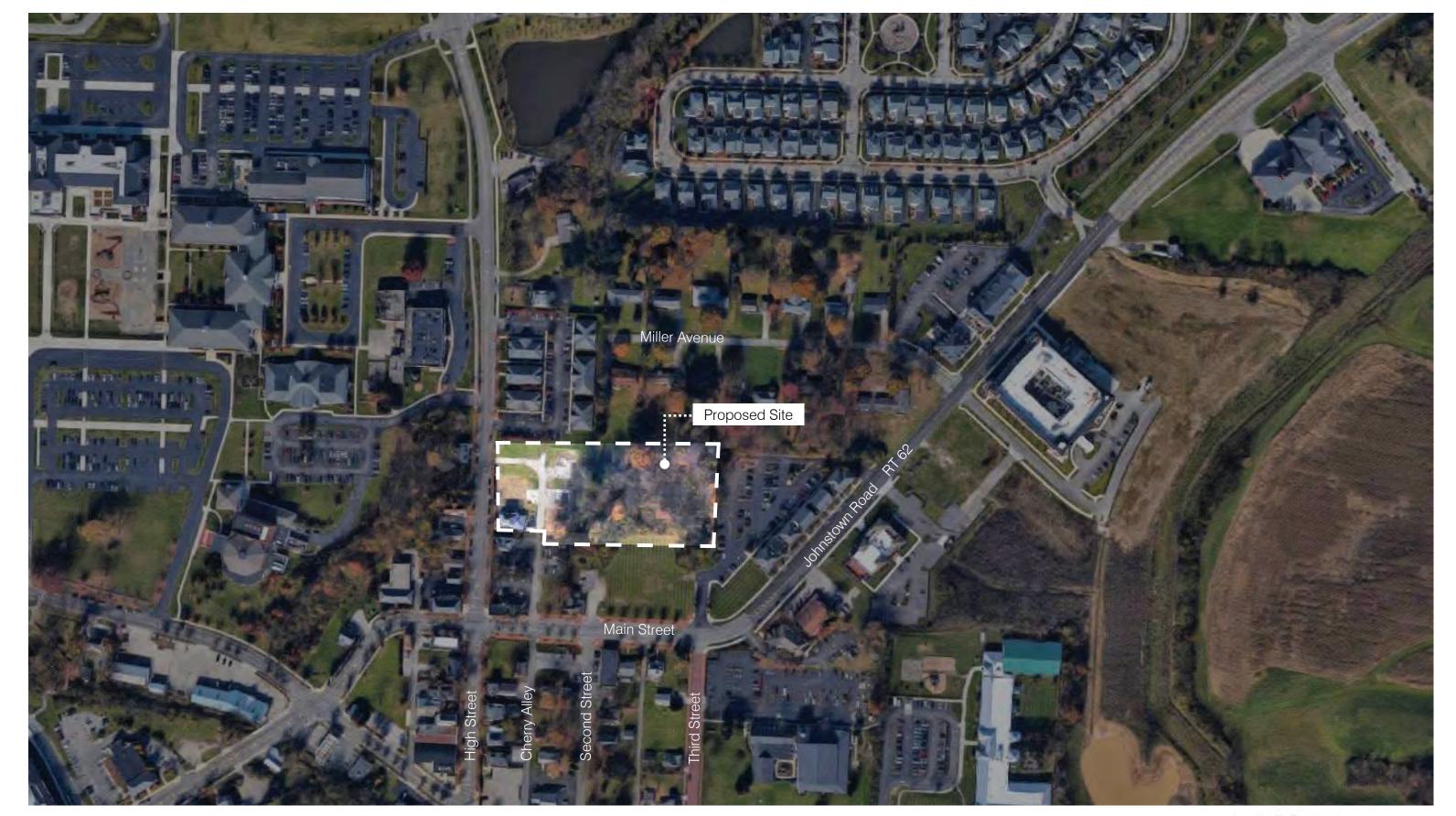




### **Site Context**





























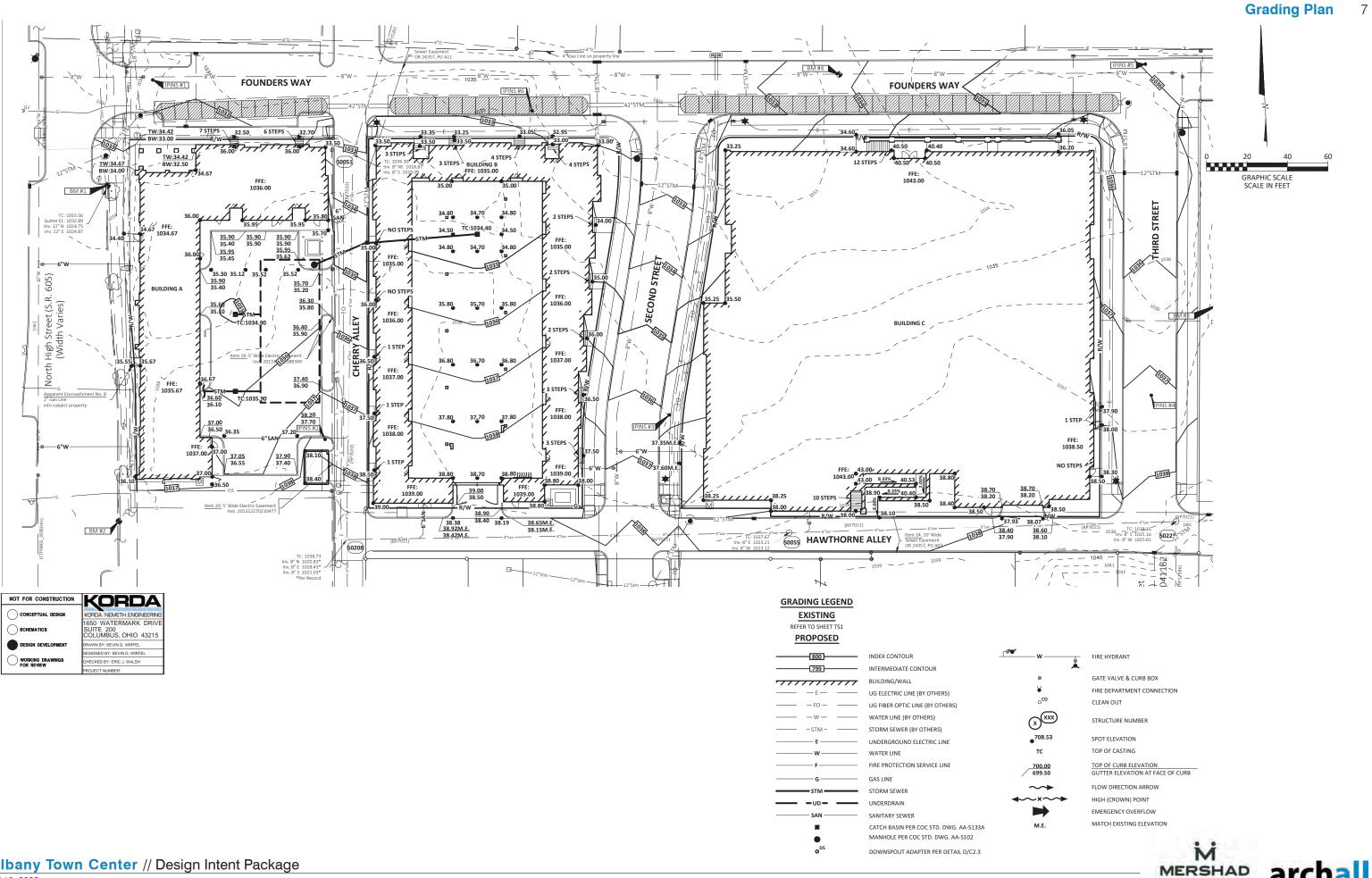


SITE PLAN SCALE 1" = 40'-0"

TOTAL ACREAGE (PRE STREET GRID) 2.96 AC PRIVATE ACREAGE (AFTER PUBLIC ROW) 1.72 AC (58.1%) DEVELOPABLE ACREAGE (AFTER SETBACKS) 1.67 AC (56.4%)





















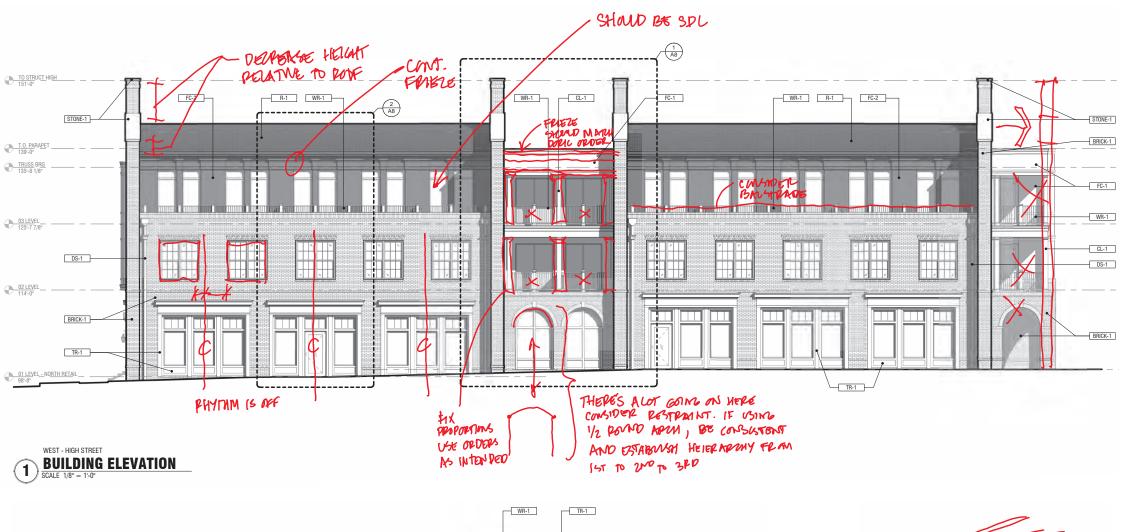


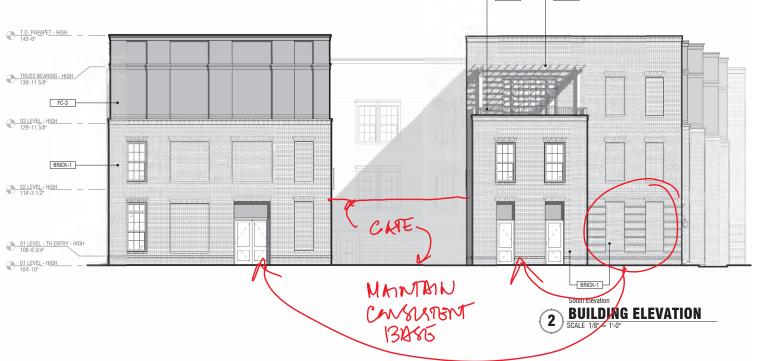


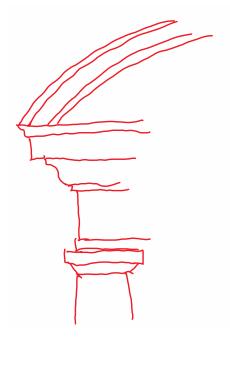


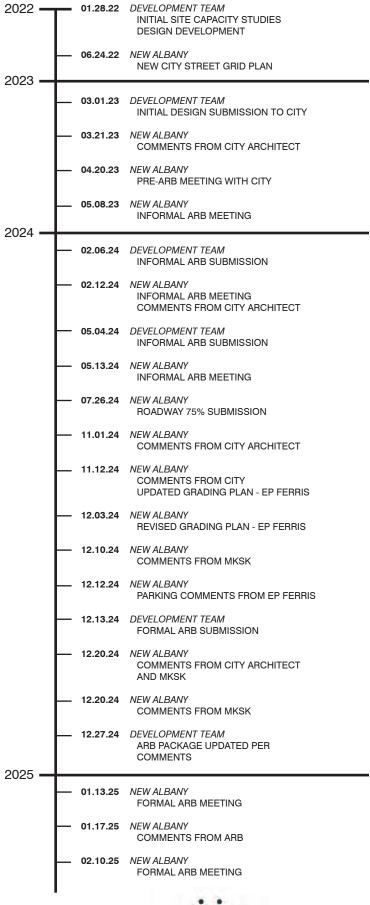
















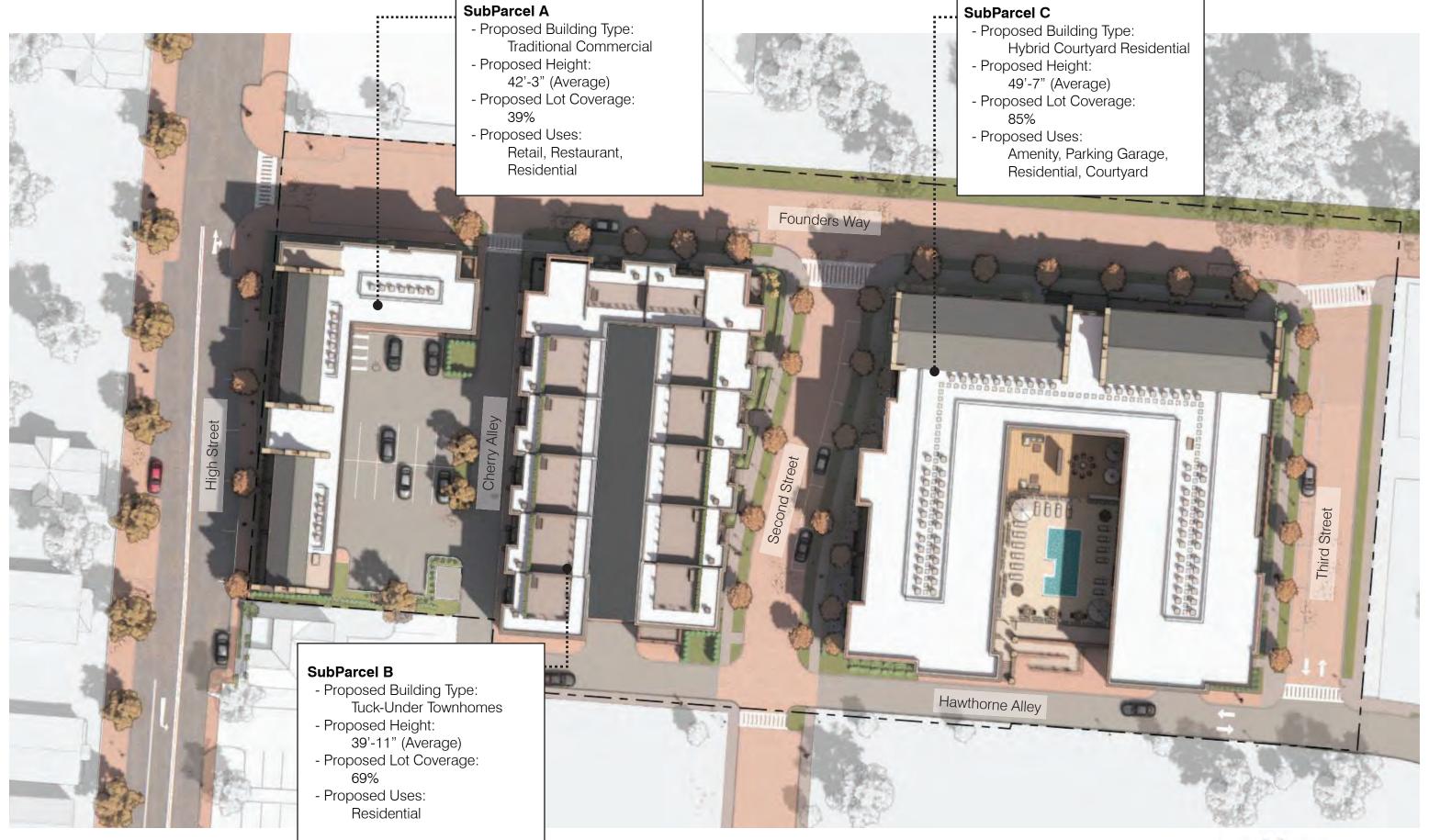
## **Proposed Development**





















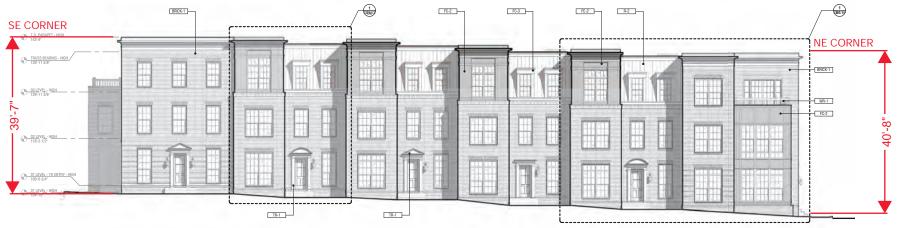




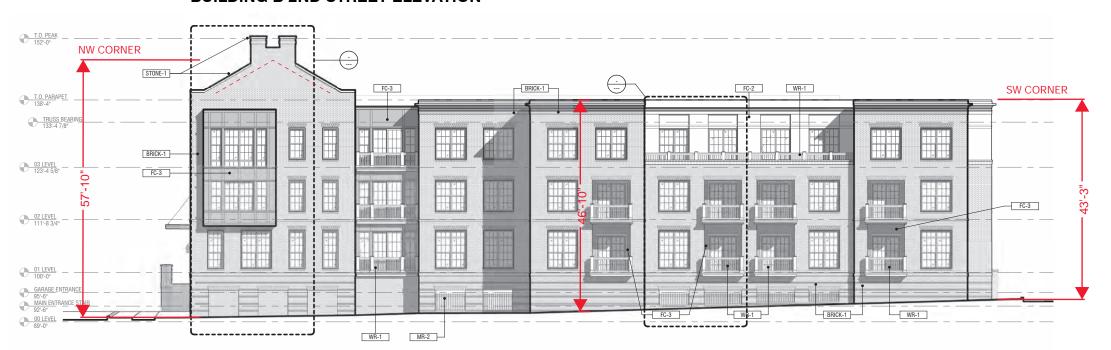




#### **BUILDING A HIGH STREET ELEVATION**



#### **BUILDING B 2ND STREET ELEVATION**



#### **BUILDING C 2ND STREET ELEVATION**

#### **Building A Height**

Northwest	// 46'-7"
Northeast	// 41'-1"
Southeast1	// 39'-9"
Southeast2	// 39'-0"
Southwest	// 44'-8"
Average	// 42'-3"

#### **Building B Height**

Northwest	// 40'-8"
Northeast	// 40'-8"
Southeast	// 39'-7"
Southwest	// 38'-7"
Average	// 39'-11"

#### **Building C Height**

Northwest	// 57'-10"
Northeast	// 55'-4"
Southeast	// 42'-1"
Southwest	// 43'-3"
Average	// 49'-7"











































CASE STUDY - THE LOX BAGEL SHOP - N HIGH STREET, COLUMBUS





