

**Business Improvement District No. 2 Architectural Review Board**

**PROCEDURES**

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## **East Side Architectural Review Board**

### **Procedures**

#### **Section 1. Agenda Deadline.**

All requests to be placed on the Architectural Review Board (ARB) agenda shall be received by the East Side Business Improvement District staff no later than 12:00 noon, twelve days before the next scheduled meeting. All requests shall be in the form of the appropriate fully completed Board standard form. The East Side Business Improvement District staff shall determine whether or not the form is adequately complete for inclusion on the Board agenda.

#### **Section 2. Order of Business.**

At the regular meetings of the Board, the following shall be the order of business, and unless otherwise provided for, with respect to the procedure at meetings, Roberts Rules of Order shall apply:

1. Roll call.
2. Approval of minutes of previous meeting (s).
3. Old business.
4. New business.
5. Adjournment

The Architectural Review Board may, however, consider any issue out of the above order if a member so requests and there is no objection from the remaining members of the Board. Issues carried over from one meeting to the next shall, at subsequent meetings, be placed at the head of the category into which they fall.

#### **Section 3. Sign-in Policy.**

Those who attend meetings of the Board shall register with the Executive Director of the East Side Business Improvement District in writing for an official record of attendance. Those of the public who wish to speak on agenda items shall register with the Executive Director and sign the appropriate form. Sign in will be allowed up to the time of discussion for each agenda item.

#### **Section 4. Procedure for consideration of individual agenda issues.**

1. Presentation by property owner or representative of proposed development or modifications.
2. Questioning of the property owner or representative of proposed development or modifications by Commission members.
3. Presentations by proponents of the issue.
4. Presentations by opponents of the issue.
5. Discussion of the issue by Board members and expression of individual positions.
6. Decision to approve, deny, conditionally approve, or continue this issue.

## **Section 5. Definitions**

1. **BOARD:** refers to the East Side Business Improvement district No. 20 Architectural Review Board appointed under Section 200-61 of the Milwaukee Code of Ordinances
2. **DESIGN GUIDELINES:** The written guidelines adopted by the Common Council that guide the Board in its deliberation of Certificates of Appropriateness.
3. **CERTIFICATE OF APPROPRIATENESS:** All property owners or agents may not construct, alter, or demolish any exterior structure or feature within the Business Improvement District No. 20 boundary until the property owner or his agent has filed with the staff of the Board and application for a Certificate of Appropriateness, plans, specifications, and other materials prescribed, and a Certificate of Appropriateness has been issued. However, this does not:
  - a. Prevent the ordinary maintenance or repair of any exterior architectural structure or feature that does not involve a change in design, or outward appearance and does not require a building permit.
  - b. Prevent any structural change certified by the Department of Building Inspection as immediately required for the public safety because of hazardous conditions.
4. **ELEVATION:** a drawing showing the elements of a building as seen in a vertical plane.
5. **FOOTPRINT:** the outline of a building on the land.
6. **NEW CONSTRUCTION:** any work undertaken on a new building or structure is considered new construction.
7. **PLAN:** a drawing illustrating the elements of a building as seen in a horizontal plane.
8. **REHABILITATION:** any work undertaken on an existing building, regardless of the age of the building.
9. **STREETSCAPE:** a view or picture of the street setting depicting the proposed or existing building in relationship to other buildings on the street.

## **Section 6. Certificates of Appropriateness**

### **1. APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS**

A. In order to construct any exterior architectural feature or reconstruct, alter, or demolish any exterior structure or feature in BID No. 20, a Certificate of Appropriateness must be applied for and granted. A Certificate is required before the proposed work may be started and before a building permit can be issued by the Department of City Development. Certificate of Appropriateness application forms are available from the Board staff.

B. Construction or alterations of structures or features in the District that are performed prior to review and approval are non-conforming. A letter of non-compliance shall be sent to the building owner and, when applicable, the business operator indicating that an

application for Certificate of Appropriateness must be received within ten (10) working days of the date of the letter. If no application has been received within the specified time, enforcement action by the Department of Neighborhood Services shall commence. If a building owner or business operator submits an application for a Certificate of Appropriateness after enforcement action has begun, the property must be returned to the original condition before the application has been placed on the agenda.

C. No Certificate of Appropriateness application for any proposed construction or alteration of structures or features in the District may be placed on an Architectural Review Board agenda if any other aspect of that property is currently non-compliant and had been referred to the Department of Neighborhood Services.

## **2. APPLICATION FILING DEADLINES**

Applications for a Certificate of Appropriateness are due by 12 noon 12 days prior to the Board meeting at which they are to be considered. If the applicant needs assistance in filling out the application or has questions regarding the proposed work, the Board staff is available for technical assistance. Applicants are encouraged to call for an appointment.

## **3. DOCUMENTATION OF APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS**

All work requiring a Certificate of Appropriateness must be reviewed and approved by the Board. Applications for Certificates of Appropriateness must be fully documented to allow for proper and speedy review. Applications not meeting this criterion will be returned to the applicant with a list of items requiring additional documentation. Only fully documented applications will be scheduled for review.

### **A. Documentation Required for New Construction Applications**

#### **1) Site plan or measured drawing indicating the following:**

- a) Location of existing structures, driveways, curb cuts, property lines, right-of-ways, existing planting materials and size; and other pertinent information, including but not limited to lot and parcel number, existing zoning, existing variances and easements.
- b) Proposed building footprint with dimensions relative to property lines, right-of-ways, and building (s) setbacks; demolition or removal of site features and the construction of new site features including: new parking and driveways, utilities, planting and landscaping, sidewalks and patios, mechanical, equipment, and other appurtenances.

#### **2) Electronic, color renderings showing:**

- a) A general view of the street showing building site adjacent properties (streetscape)
- b) Individual views of the building immediately adjacent to and across the street and/or alley from the site.

#### **3) Building elevations:**

- a) Design of all elevations.
  - b) Vertical dimensions, grade lines, depth of foundation, and roof slopes.
  - c) Fenestration and entrances to buildings, indicating types of operation, dimensions, and materials.
  - d) Porch configuration.
  - e) All mechanical vents and equipment.
  - f) Location and type of outdoor light fixtures.
  - g) Proposed materials of walls, roofs, chimney flues, gutters and downspouts, exterior stairs, and all other exterior features.
- 4)** Plan and Elevation of Streetscape drawn to scale, depicting the footprint of buildings on the block and the elevation of the street façade of the proposed new construction and a minimum of two existing buildings on each side of the proposed site. If the site is a corner location, then the streetscape drawing shall depict the building adjacent to the site on both sides of the street.
- 5)** Floor Plans depicting the arrangement of interior spaces, location of windows and doors, mechanical equipment, and electrical and other utility service access. Floor plans do not need to be ready-for-bid construction documents, but they need to indicate dimensions.
- 6)** Materials Specification Outline with samples, brochures, and/or photographs of all exterior materials, finishes, and fixtures.
- 7)** Narrative Describing the Project: it's intended use, density of development; pertinent marketing facts, if applicable; and anticipated date of construction and completion.
- 8)** Phased Development Plan, if applicable. Documentation must include items 1 through 7 in addition to a construction development schedule, and final construction documents for each phase to be submitted prior to commencing work.
- a) Prior to commencing work on each phase, the staff must review the proposed construction.
  - b) Any modification to the development plan requires a new application for Certificate of Appropriateness.
- 9)** Minimum Submission Requirements: An electronic copy (.pdf format) and a minimum of seven copies of the following documents must be submitted with the application:
- a) Elevation of streetscape when applicable
  - b) Site Plan
  - c) Building elevations and floor plans
  - d) Materials specifications outline
  - e) Phased development plan, when applicable

These documents will remain in the possession of the Architectural Review Board.

## **B. Documentation Required for Rehabilitation of Existing Structure Applications**

The following requirements apply to those items of work in a rehabilitation project that constitute a change in the present exterior appearance of a property.

All applications require electronic files including photographs of the building elevations depicting the existing features of the structure. Photographs must be labeled to indicate location and photo direction.

### **1) Change to siding and/or trim of a building:**

- a) Drawings of proposed changes indicating dimensions, configuration, type of materials, and where these are to be applied; for siding, indicate the area (square feet) of the siding to be replaced. One electronic copy is required.
- b) Written description (when necessary) of proposed work indicating the condition of existing materials or method of installation for new work.
- c) Material samples

### **2) Changes to roofing materials, gutters and/or downspouts**

- a) Written description of gutter system (whether box, roof mounted, hung, fascia-mounted, or other type), indicating type a material, size, and finish.
- b) Written description of proposed replacement gutter and/or downspouts (type, size, material, and finish).
- c) Detail drawings if the proposed system is a modification or change from the existing system. Two copies are required.

### **3) Structural alterations (remodeling, new additions, new porches)**

- a) Electronic files (photographs) of each side of the building, depicting existing conditions.
- b) Site plan drawn to scale showing the building footprint; location of proposed addition or porch to be built or removed; location of all trees more than 6" in diameter, identified according to species (common name); location of existing sidewalks, and material and dimensions; and location of garages and other buildings. One copy is required.
- c) Floor plan and elevation for new additions or porches, showing dimensions and location of columns, windows, doors, vents, railings, steps, materials, and finishes. One copy is required.
- d) Samples and brochures of roofing and siding showing the color; brochures or photographs of new windows, doors, light fixtures, hardware, skylights, ventilators, and other fixtures or equipment, as applicable.

### **4) Removal of significant existing additions, porches or features:**

- a) Electronic files (photographs) of each side of the building depicting existing conditions.

- b) Site plan drawn to scale showing the building footprint and the relationship of the feature or architectural element to the main structure and the property lines. One copy is required.
- c) Written statement indicating the date of construction of the feature with supporting evidence.
- d) Description of the structural system, of applicable, and the material components, as well as its physical dimensions.
- e) Description of its present use.
- f) Written statement giving the reasons for the proposed removal of architectural elements or features.

**5) New landscaping and fixtures or changes to existing landscape:**

- a) Site plan drawn to scale showing location of the footprints of the main structure and existing out-buildings with respect to property lines; all trees of more than 6 inches in diameter; all bushes identified according to species (common name); and all existing and proposed sidewalks, fences, fountains, and other appurtenances. One copy is required.
- b) Elevation and detail drawings indicating dimensions of all proposed site fixtures including: fences, fountains, gazebos, play equipment, retaining walls, paving, and other appurtenances; brochures and photographs of equipment or manufactured fixtures may be submitted in lieu of measured drawings; manufacturer and item model number or designation must be included. One copy is required.
- c) List of all proposed planting materials indicating their size at the time of installation and at their maturity.

**C. Documentation Required for Sign Applications**

- 1) Drawing indicating the dimensions, materials, and configuration of the proposed sign; style and size of lettering; sample of colors to be utilized; and mounting brackets.
- 2) Site plan showing the relationship of the proposed sign to the building and the property lines, when free standing.
- 3) Electronic files (photographs) of building façade of sign are to be affixed to the structure, indicating mounting height and method of installation. Photograph must be labeled to identify location and photo direction.

A minimum of one electronic copy of the required documentation must be submitted. A minimum of seven copies must be provided for the ARB meeting considering the COA application. All materials submitted will remain with the records of the ARB.

**4. STAFF REVIEW OF APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS**

A. The staff shall review the Certificate of Appropriateness Application for accuracy and completeness. If the application is deficient, the staff shall contact the applicant and attempt to correct the deficiencies before presenting the application to the Board.

**5. BOARD REVIEW OF CERTIFICATES OF APPROPRIATENESS**

Upon hearing an application for a Certificate of Appropriateness, the Board will determine whether the proposal is appropriate to the economic development and adherence to the approved design guidelines.

A. The Board shall consider the following when applying the “Design Guidelines” adopted by the Common Council of the City of Milwaukee when determining whether or not to issue a Certificate of Appropriateness:

- 1) Whether the proposed change is consistent with the design standards for the particular property.
- 2) Whether new construction is architecturally compatible with the property and to historic and architecturally significant structures that either adjoin, abut or face the property,
- 3) Whether the character of property is to be preserved, and
- 4) Whether the work is necessary in order to provide structural stability.

B. The Board may direct issuance of a Certificate of Appropriateness, without scheduling a public hearing, conditioned upon the applicants’ express written agreement to make specified changes in the project necessary to bring it into conformance with the design guidelines or to submit revised plans, material samples etc. to a subcommittee of the Commission for approval.

C. The review and approval of elements placed or constructed prior to approval and the review and approval for new proposals located on properties that are currently nonconforming is contingent on the following:

- 1) A 10-day grace period from date of notification of a non-compliant or unapproved condition shall be given prior to enforcement.
- 2) Once enforcement action has been initiated, the property must be returned to the original condition before review and approval can be given.
- 3) If enforcement has been initiated against a property for a non-compliant condition, no other matter can be scheduled for that property until the nonconformity has been eliminated.

D. Failure of the Board to approve or conditionally approve a Certificate of Appropriateness will result in the scheduling of a Public Hearing within 30 days in accordance with the provisions of Section 200-61.

E. A complete set of approved final architectural construction drawings must be submitted to the Board prior to a Certificate of Appropriateness being issued.

## **6. REVISIONS TO PREVIOUSLY APPROVED PLANS**

Modifications to projects that occur during the construction process and deviate from the plans as approved are subject to review by the Architectural Review Board. The Architectural Review Board shall make a determination as to whether the proposed changes constitute a substantial revision upon reviewing the proposal. The applicant may, at any time withdraw the proposed revision from consideration. The developer may then submit as built documents that highlight where the changes have occurred. Those changes may be determined as non compliant with the Design Guidelines and corrective



action may be necessary. Any related aspect of a project may receive additional review when a proposed change is submitted for review.

## **7. ADDITIONAL REQUIREMENTS FOR SUBSTANTIAL FAÇADE ALTERATIONS**

When a façade alteration of an existing pivotal or contributing building involves greater than 50% of the façade, additional requirements may be placed as a condition of approval that the building owner provides an analysis of the whole façade which verbally or graphically demonstrates any areas of the façade where repair or enhancement is required to restore the façade to a level of finish in keeping with the quality of the District.

### **Section 7 Notification**

Reasonable efforts shall be made to notify adjacent property owners by letter, mailed at least five (5) days prior to any hearing when a proposed project involves new construction and/or significant alterations and/or additions to the exterior of a building will be proposed. Such additional notification shall be a courtesy to the property owner(s). Any member of the staff and/or the Board may request that additional notices be sent out if they believe that it fulfills the Boards intent on notification. Email notification is an acceptable alternative e and shall be sent out no later than two (2) days prior to the meeting.

History:

By-laws:

Procedures: