

Waiver Review

15-110SPR/WR – BSD Residential District

Tuller Flats Apartments

4313 Tuller Road

This is a request for a waiver for construction details on the previously approved multiple-family residential development consisting of 29 three-story apartment buildings, and a community clubhouse, located on public streets east of the John Shields Parkway - Tuller Ridge intersection. The waiver request is to allow additional façade locations for the mechanical systems louvers, BSC §153.065(N)(4) and to waive the requirement for screening of rooftop mechanical systems, BSC §153.062(D)(1)(a) and BSC §153.065(E)(3)(b). This is a review by ART in accordance with BSC §153.065(N)(4) and under the provisions of Code Section 153.066(I).

Date of Application

Thursday, 12th of November 2015

Date of ART Introduction

Thursday, 19th of November 2015

Date of ART Recommendation

Tuesday, 24th of November 2015

Date of Planning and Zoning Commission Determination

Thursday, 3rd of December 2015

Case Manager

Joanne L. Shelly, RLA, AICP, LEED BD+C | Urban Designer / Landscape architect
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PART I: APPLICATION OVERVIEW

<i>Zoning District</i>	BSC Residential District
<i>Review Type</i>	Waiver Review
<i>Waiver request</i>	1) Allow mechanical louvers on the street facing façade - <i>Approval</i> 2) Waive the requirement for screening of rooftop mechanical systems - <i>Disapproval</i>
<i>Applicant</i>	Kolby Turnock, Casto Tuller LLC
<i>Case Manager</i>	Joanne L. Shelly, RLA, AICP, LEED BD+C Urban Designer/ Landscape architect (614) 410-4677 jshelly@dublin.oh.us

Application Review Procedure: Waiver Review

The purpose of the Waiver Review is to provide an opportunity for an applicant to request approval of waivers for building details that depart from BSC §153.065(N)(4) Façade Requirements, BSC §153.062(D)(1)(a) Roof Type Requirements and BSC §153.065(E)(3)(b) Fencing, Walls and Screening, provided the intent and purpose of these standards for the BSC-Residential district are maintained.

Following acceptance of a complete application for Site Plan Review – Waiver Review, the Administrative Review Team shall make a recommendation to the Planning and Zoning Commission to approve, deny, or approve with conditions the application based on the criteria of §153.066(I) for Waivers. A determination by the Planning and Zoning Commission is required not more than 28 days from the date the request was submitted.

Application Content & Analysis

This first request is for a waiver of BSC §153.062(N)(4)5. Façade Requirements to allow mechanical louvers on street facing façades. This request is for all building types and on all blocks.

The Bridge Street District Code §153.065(N)(4) Façade Requirements, (a) Façade Transparency, part 5 states that *"vents, air conditioners and other utility elements shall not be part of any street-facing building façade, unless otherwise permitted for individual building types. Where these elements are part of other facades, particular care must be taken to render these elements less visible to public view through architectural integration"*.

§153.065(N)(4) Façade Requirements (mechanical system vents)

Proposed Louvers			
Permitted		Proposed	
<i>Location</i>	Non-street facing facades	Street facing facades	Not Met
<i>Visibility</i>	Architectural integrated or screened	Architecturally integrated by symmetrical locations on recessed facades	Met
<i>Color</i>	Color to match adjacent façade finishes	Colors match adjacent facades	Met

This second request is to waive the requirements of BSC §153.062(D)(1)(a) Roof Type Requirements and BSC §153.065(E)(3)(b) Screening of rooftop mechanical systems. This request is for all D, E & H building types on all blocks.

The Bridge Street District Code §153.062(D)(1)(a) Roof Type Requirements, Parapet Height, part 2. states that *"parapets shall be high enough to screen the roof and any roof appurtenances from view from the streets and any adjacent buildings of similar height or lower.....where a six foot parapet is insufficient to screen rooftop mechanical equipment a screening structure shall be required as provided in BSC §153.065(E)(3)"*.

Additionally, the BSC §153.065(E)(3)(b) Fencing, Walls and Screening, Screening, Roof Mounted Mechanical Equipment, states that *"all roof-mounted mechanical equipment (including but not limited to HVAC equipment, exhaust fans, cooling towers, and related guard rails or safety equipment) shall be fully screened from view at ground level on all sides of the structure and, to the extent practicable, from adjacent buildings of similar height in a BSD zoning district"*.

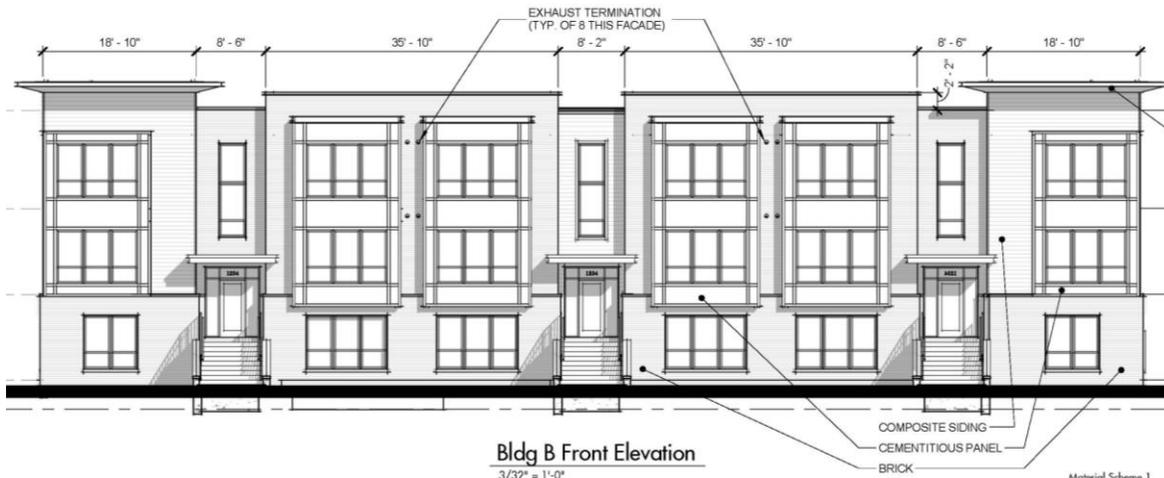
§153.062(D)(1)(a) Roof Type Requirements & §153.065(E)(3)(b) Fencing, Walls and Screening

Parapets & Screens			
Requirements		Proposed	
<i>Visibility</i>	Screened from view at ground level and to the extent practicable from adjacent buildings of similar height.	Screened from view at ground level and from adjacent buildings of similar height.	Met
<i>Screen types</i>	Parapet or screening structure at least as tall as the height of the mechanical equipment being screened.	Parapets heights sufficient to screen sight lines and central locations which diminish sight lines to equipment.	Not Met
<i>Color/material</i>	Color to match adjacent façade finishes and of a primary material	Parapet colors are continuous from façade and materials.	Met

PART II: ADMINISTRATIVE REVIEW TEAM COMMENTS

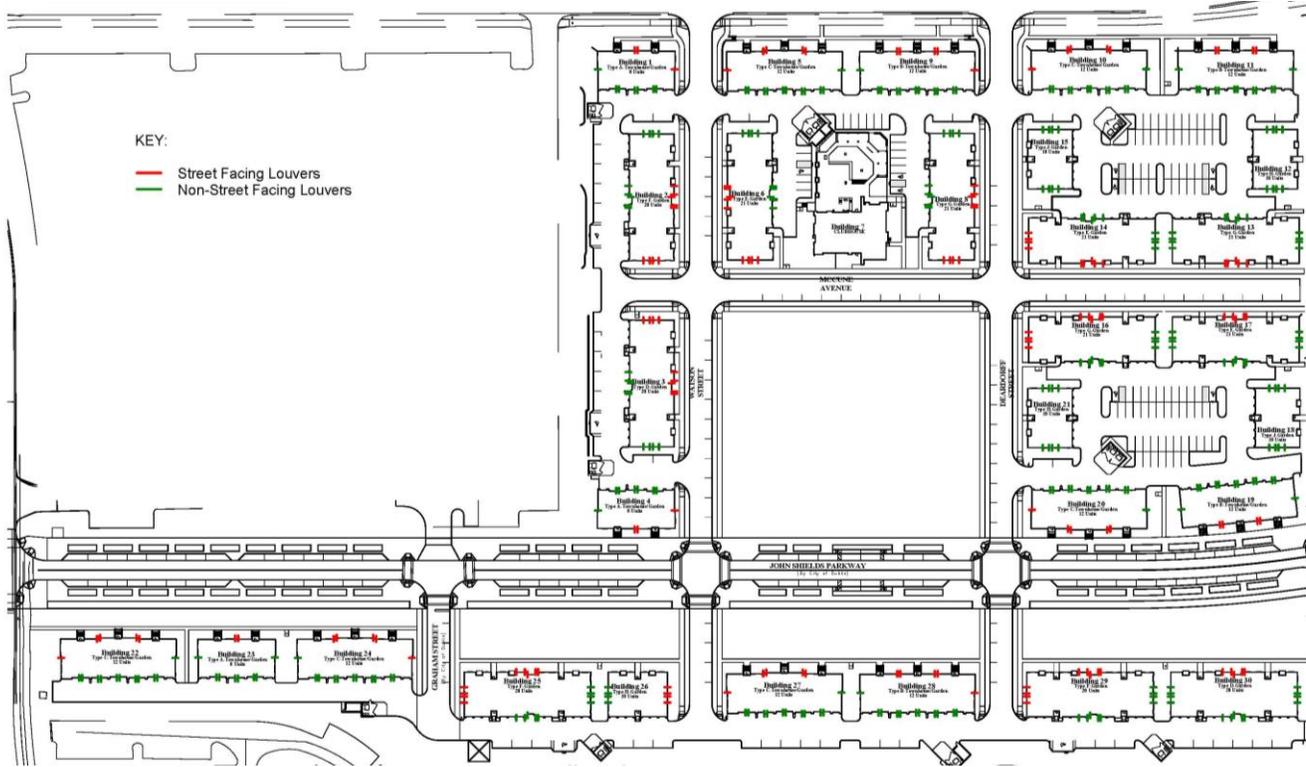
Planning & Building Standards

Mechanical System Louvers. The ART’s evaluation of this waiver, to allow mechanical system louvers on street facing facades, is viewed as a conflict between the building design and the code requirement which is the result of unavoidable or unalterable site conditions. Due to the layout of the neighborhood street blocks and the townhouse style of the architecture and dual loading of the interior spaces, conditions are created where the internal living space layout places the mechanical, bathroom and kitchen equipment adjacent to



street facing facades. The vents for mechanical systems are located on the nearest exterior walls to provide efficiency of operation for those systems.

The following plan identifies the locations of the louvers.



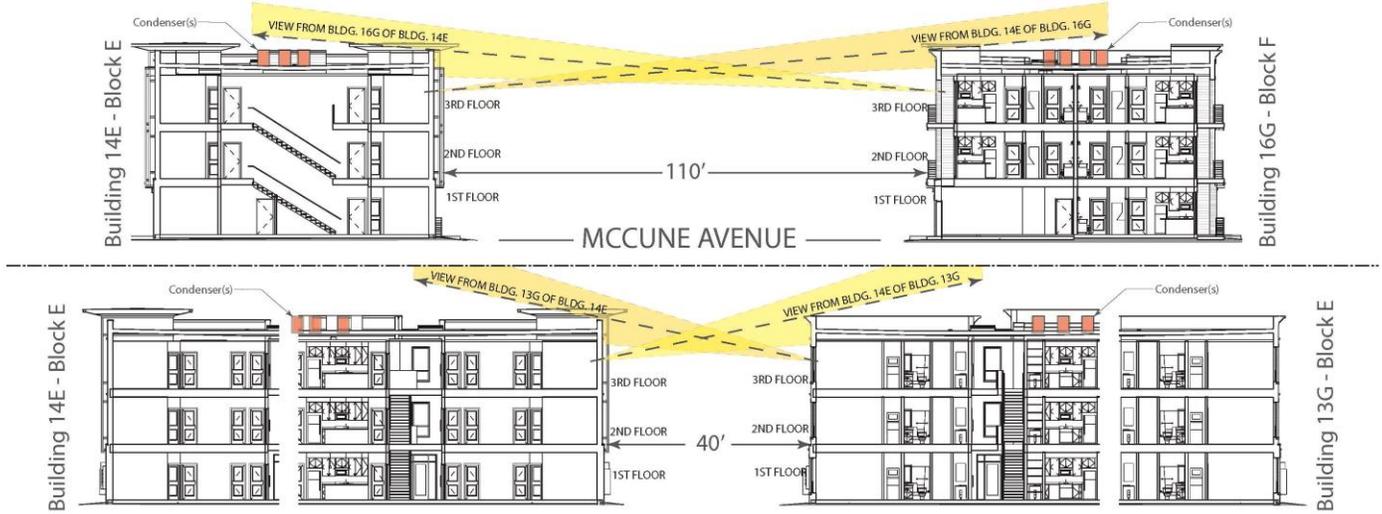
Through coordination with Building Standards the location of the louvers on street-facing facades has been minimized to the extent possible using best Mechanical and Electrical and Plumbing engineering practices. Louvers have been chosen which are roughly 6 inches in diameter and will be painted to match the adjacent material colors.

Mechanical Rooftop Screening. ART's evaluation of the request to waive the requirements for screening of mechanical rooftop systems focused on the locations where the parapet height is not at least as tall as the height of the mechanical equipment being screened. Due to the design process, the design for the mechanical systems was not complete at the time of Planning & Zoning Commission review and approval for the site plan and architectural design. The mechanical systems submitted for permitting are 35 inches in height, which is 9 inches taller than the 24 inch tall parapet. This creates a condition where the parapets no longer meet the code requirements for screening of sight lines to the interior of the roof top mechanical systems.

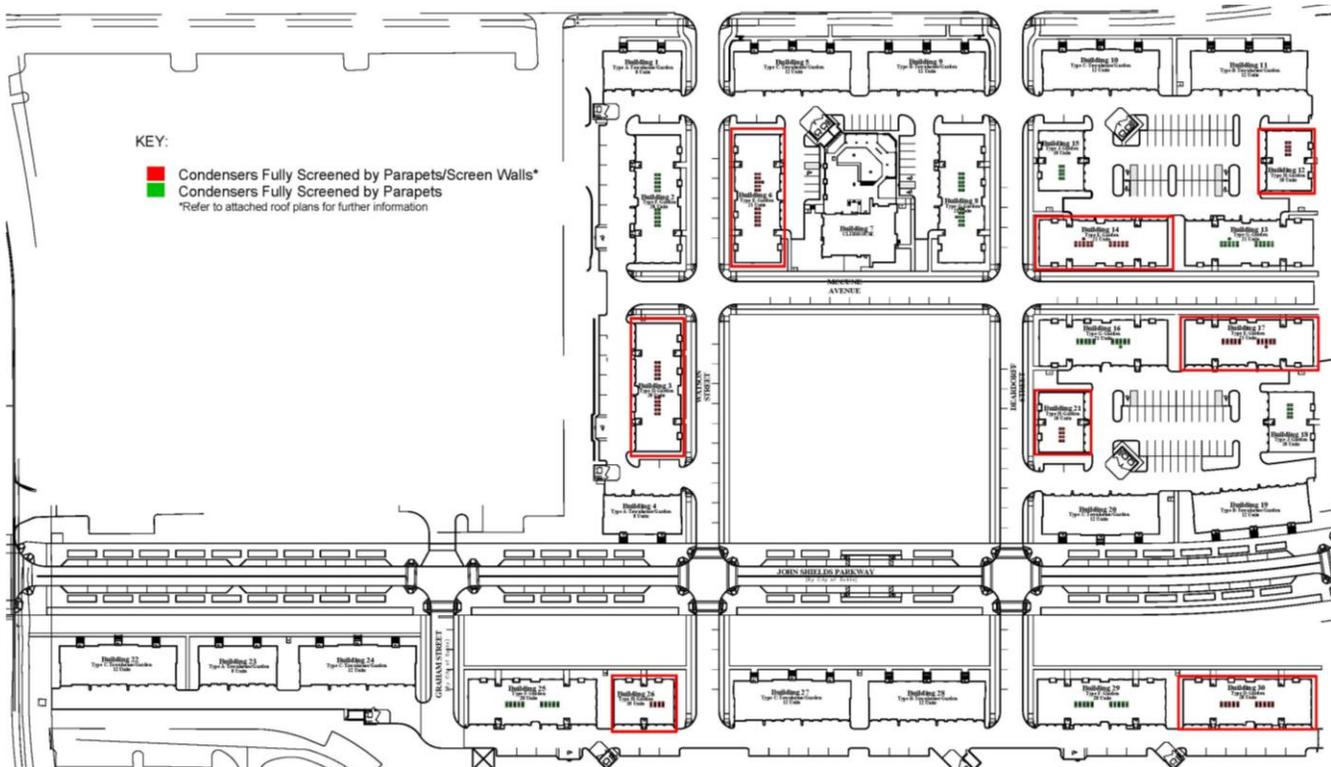
Street views have been provided to demonstrate compliance with the intent of the code requirement.



The applicant has also provided diagrams that seek to demonstrate that the current parapet height, coupled with the interior location of the rooftop mechanical systems meets the stated requirement of the code that the systems shall not be visible from the street or adjacent buildings of similar height.



This condition occurs for building types D, E & H, as identified in the following plan.



After review of the submittal documents and the applicants' description of the waiver request, the ART consensus was that relief from this requirement could set a precedent for the relaxation of the rooftop screening requirement and place staff and applicants in a position where each and every situation would have to be heavily diagrammed for review both at site plan approval and again at permitting.

Engineering, Parks and Open Space, Fire, Police, Economic Development

No comments.

PART III: APPLICABLE REVIEW STANDARDS

The following criteria must be met for consideration by the ART for recommendation for approval of waivers:

- a) Request is caused by unique site, use or other circumstances.
- b) Not requested solely to reduce cost or as a matter of general convenience
- c) Request does not authorize any use or open space type not permitted in the District
- d) Request will ensure that the development is of equal or greater development quality

PART IV: ADMINISTRATIVE REVIEW TEAM RECOMMENDATION

Mechanical System Louvers. A request for a waiver of BSC §153.062(N)(4)5. Façade Requirements to allow mechanical louvers on street facing façades. This request is for all building types and on all blocks.

The Administrative Review Team has conducted its analysis of the project based on the information submitted and recommends **approval** to the Planning and Zoning Commission for a waiver to allow mechanical systems louvers on street facing facades.

Mechanical Rooftop Screening. A request for a waiver of BSC §153.062(D)(1)(a) Roof Type Requirements & §153.065(E)(3)(b) Fencing, Walls and Screening This request is for all building types D, E & H and on all blocks.

The Administrative Review Team has conducted its analysis of the project based on the information submitted and recommends **disapproval** to the Planning and Zoning Commission to waive the requirement for screening of rooftop mechanical systems.

PART V: APPLICATION HISTORY

Pre-Application Review

The Administrative Review Team conducted a Pre-Application Review on October 31 and November 7, 2013. Comments were provided to the applicant to allow the application generally met the requirements of the Bridge Street District zoning regulations and the objectives of the Bridge Street District Area Plan.

Planning and Zoning Commission - Informal Review

An Informal Review of this project was conducted on January 9, 2014. This step was included in the review process to provide an early understanding of the project because a development agreement between the applicant and the City was necessary to implement significant public infrastructure improvements associated with this proposal, including the extension of John Shields Parkway from Tuller Ridge Drive to Village Parkway, the land exchange of the City public land for the creation of the JSP greenway and design of the neighborhood streets.

City Council Review

City Council provided preliminary feedback regarding a revised site plan and architecture at their May 19, 2014 meeting.

Administrative Review Team - Basic Plan Review

The Administrative Review Team reviewed and made a recommendation of approval for a Basic Plan Development Plan and Site Plan, and Development Plan and Site Plan Waivers on February 13, 2014. The applications were scheduled and subsequently postponed prior to the February 20, 2014 and March 5, 2014 Planning and Zoning Commission meetings.

Planning and Zoning Commission – Basic Development Plan & Basic Site Plan Review

The Basic Development Plan and the Basic Site Plan were reviewed and approved by the Planning and Zoning Commission at the July 17, 2014 meeting. The Basic Development Plan was approved with three conditions and the Basic Site Plan was approved with three conditions.

City Council Development Agreement

The City Council executed a development agreement with Ordinance 115-14 on January 5, 2015. The agreement approved the basic lot and block layout and land exchange as shown in Exhibit E.

Planning and Zoning Commission – Development Plan & Site Plan, Waiver Review

The rezoning of the Sycamore Ridge Park was reviewed and approved by the Planning and Zoning Commission at the March 12, 2015 meeting.

Planning and Zoning Commission – Development Plan & Site Plan, Waiver Review

The Development Plan and the Site Plan were reviewed and approved by the Planning and Zoning Commission at the March 12, 2015 meeting. The Development Plan was approved with one condition and the Site Plan was approved with five site plan and ten building element waivers and ten conditions.

Planning and Zoning Commission – Preliminary Plat & Final Plat Review

The Preliminary Plat and the Final Plat were reviewed and approved with one condition by the Planning and Zoning Commission at the March 12, 2014 meeting.

City Council Development Agreement

The Preliminary Plat and the Final Plat were reviewed and approved by the City Council at the May 4, 2015 meeting.

Planning and Zoning Commission – Master Sign Plan Review

The Master Sign Plan was reviewed and approved with one condition by the Planning and Zoning Commission at the June 18, 2015 meeting.