MEETING MINUTES

Administrative Review Team

### **Thursday, October 5, 2017 | 2:00 pm**

**ART Members and Designees:** Vince Papsidero, Planning Director; Donna Goss, Director of Development; Colleen Gilger, Director of Economic Development; Matt Earman, Director of Parks and Recreation; Ray Harpham, Interim Chief Building Official; Aaron Stanford, Senior Civil Engineer; and Mike Altomare, Fire Marshal.

**Other Staff:** Claudia Husak, Senior Planner; Lori Burchett, Planner II; Logan Stang, Planner I; Mike Kettler, Planning Technician; Lia Yakumithis, Planning Assistant; and Laurie Wright, Administrative Support II.

Applicants: Wayne Schick, Cameron Mitchell Restaurants LLC (Case 2).

Vince Papsidero called the meeting to order at 2:03 pm. He asked if there were any amendments to the September 21 meeting minutes. The minutes were accepted into the record as presented. He noted the following Minor Modifications:

* Crown Fiat – Modifications to sign provided general sign requirements are maintained.
* Bridge Park, Building B3 – Other modifications deemed appropriate by the Planning Director.

**Introductions**

**1. BSD SRN – Bridge Park, Block A (A1 Office Building) PID: 273-012721**

 **17-102SPR Site Plan Review**

Lori Burchett said this is a proposal for a four-story, 80,000-square-foot office building and associated site improvements on a 0.77-acre site zoned Bridge Street District Scioto River Neighborhood District. She said the site is northeast of the intersection of Riverside Drive and W. Dublin-Granville Road. She said this is a request for a review and recommendation of approval to the Planning and Zoning Commission for a Site Plan Review under the provisions of Zoning Code Section 153.066.

Ms. Burchett reported this application was reviewed informally by the Planning and Zoning Commission (PZC) on September 7, 2017. She said the Commission thought the overall massing had a cohesive look but it was somewhat the same. The Commission said there was not enough interest, she said, and they did not want this building to detract from the hotel but to show more uniqueness. She reported that one of the Commissioners requested a form change to take advantage of the curvature of the street. The consensus of the Commission she reported was that the design appeared to read as a traditional office building and it was not timeless. Additionally, she said there was not enough interest at the street level. The ART asked if the Commission wanted to see retail on the first floor, to which Ms. Burchett said they did not state that specifically.

Ms. Burchett presented some elevations that had been part of that review by the PZC. She recalled the Commission had also stated the entry was disconnected and that the canopy feature lacked amenity space. She reported the applicant responded to the Commission’s comments and she presented their revised plans. She pointed out the major street wall on the south that faces SR 161, while Riverside Drive is on the west side. She indicated only minor details had been changed and the materials were similar; however, the applicant did add the stepped approach to the floors and added balconies. That change was appreciated by the ART; however, they stated the design was still very similar to the Informal Review and not responsive enough to the Commissioners’ comments.

Claudia Husak said the wall does not allow for engagement with the street. She recalled when the PZC had reviewed the AC Hotel they commented that it was so removed from the public realm so a patio was added. Ms. Burchett suggested some steps there would help.

Ms. Husak also referred to the PZC’s review of the neighborhood hospital. She recalled it was so important that the applicant engages the street because the Bridge Street District is supposed to provide walkable urbanism and that was a completely different area than this.

Vince Papsidero said as proposed he could not support this application. He said they should have a predominant, principal entrance on SR 161 and it needs to engage with the activity across the street. He suggested maybe they consider forming the building to better fit the curvature of the road as one of the Commissioners had suggested at the informal review. Ms. Burchett said she was in agreement. She said the massing was okay but they need a better connection with the street. Mr. Papsidero added there is currently no connection with the street.

Ray Harpham suggested maybe the applicant could tier the floors down like they did on the other side but have it come right down to the street level. He said there should be more engagement as the building meets the street level.

Colleen Gilger said that the balconies provide a nice amenity space for tenants. She also pointed out that the outdoor space on the Crawford Hoying Development Partners’ building is a nice amenity and would encourage the applicant to consider incorporating outdoor space for this building as well. Mr. Papsidero suggested maybe some landscaping could help the balcony experience otherwise there will be colored umbrellas used everywhere. Ms. Burchett noted a canopy was removed.

Beside the stepped approach to the floors on the one side, Donna Goss said the rest of the building appears flat. Ms. Burchett added it feels institutional. Ms. Goss said the lines look good on the flat elevation drawings but that is not translating. Mr. Harpham added those lines provide an artificial contrast on the drawings because it is not reflected the same on the three-dimensional models. The materials do not provide as much contrast. He said the windows may be too reflective and appear as another flat surface.

Mr. Papsidero suggested where there is so much paneling, stone or granite in the same color family should be substituted instead.

Aaron Stanford asked if the applicant presented any preliminary signage to which Ms. Burchett indicated they had not. He said the applicant needs to be considering the options within the MSP as they design this building so the signs can be better integrated. Ms. Burchett reported the applicant had indicated a full floor tenant was on board. Mr. Stanford said he was interested to know how the applicant plans to handle multi-tenant signs.

Mr. Papsidero indicated that if an applicant is going to ignore comments from the Commission, staff should be informed of the reason before the process moves forward.

Ms. Gilger said she was expecting an office building different from what we can get already, perhaps a loft house or warehouse type building. She emphasized that A block is so prominent but the applicant is missing a great opportunity here if they do not design a unique building that will help bookend the development. Ms. Husak asked for Ms. Gilger to provide examples of that type of building and architecture, if she could for the next review.

Ms. Burchett indicated the case is tentatively scheduled to be reviewed by the PZC in December. She said the applicant will be in attendance for the case review at the next ART meeting, which should allow enough time for the applicant to incorporate revisions prior to the December PZC meeting.

2. BSD SRN – Cap City Diner – Outdoor Speakers 6644 Riverside Drive

17-105CU Conditional Use

Lia Yakumithis said this is a proposal for the use of outdoor speakers in an existing patio and exterior entrance space for a 6,000-square-foot restaurant in the Bridge Park Development, zoned Bridge Street District Scioto River Neighborhood. She said the site is west of Riverside Drive, approximately 150 feet northeast of the intersection with Bridge Park Avenue. She said this is a request for a review and recommendation of approval to the Planning and Zoning Commission for a Conditional Use under the provisions of Zoning Code Section 153.236.

Ms. Yakumithis presented an aerial view of the site to highlight the location of the tenant space within building C2 of the Bridge Park Development. She presented a floor plan and noted where the speakers are proposed to be situated - in the entrance space as well as the existing patio area. She explained two speakers would be placed at the entrance and would face Longshore Street; five speakers would be out in the patio. She said that staff is considering a condition limiting the use of the speakers to during hours of operation.

Ray Harpham asked if the decibel levels had been identified. Ms. Yakumithis answered the Code only specifies a requirement for noise level at a distance of 50 feet from the source. Claudia Husak clarified that is the requirement in the Nuisance Code.

Ms. Husak asked when the restaurant would be open. Wayne A. Schick, Cameron Mitchell Restaurants, said they are open for lunch and dinner. He said during the week they would close the kitchen at 10 pm and be done at 11 pm and for weekends it would be closer to midnight.

Ms. Husak indicated the people that live near here welcome business in the area, but the Code requires a Conditional Use and this is the first of its kind the PZC will review. Mr. Papsidero asked if the City should stipulate a decibel level. He enlisted the help of the applicant as the City has not dealt with this issue before.

Mr. Schick asked if he would be responsible for helping to write new Code and what the City would like the rules to be. Ms. Husak said speakers are currently a Conditional Use in the BSD Code and speakers specifically are not in the Code so that is why the applicant can request it. She said nobody has seen sound requirement limits yet so there is the opportunity to see if the applicant’s proposal sticks. Mr. Schick asked if the ART thought noting decibel levels at the origin was best because other cities use various distances. Mr. Papsidero indicated if the sound was not linked to the origin, weather could work against an applicant when it comes to distance to a residence.

Mr. Harpham asked if decibels are not identified in the Code what the Code actually states. Mr. Schick said the Code reads “plainly audible” and he thought the distance of sound travel meant 50 feet from nearby residences. Mr. Papsidero stated it meant 50 feet away from the origin of sound. Mr. Harpham suggested if the sound level was controlled at the origin, a business would not be susceptible to complaints from across the street.

Mr. Schick said they maintain no higher than 85 decibels in their other restaurants. Mr. Papsidero said the noise level of 85 decibels equates to a garbage disposal.

Mr. Papsidero suggested that 50 decibels is more reasonable and that could be added to the Code. He said that would eliminate applicants from having to request a Conditional Use. Ms. Husak agreed to 50 decibels in terms of 50 feet to a residence is reasonable. Mr. Papsidero indicated that noise on the street with heavy traffic is 85 decibels. Ms. Husak indicated that the sound at Tucci’s has had an amplifier at times but the City does not regulate that.

Ms. Burchett asked if Cap City would permit live outdoor music. Mr. Schick answered they do not currently but he does not want to restrict them from permitting it in the future. Ms. Husak suggested some time restrictions be added to the Code. Mr. Schick said when the music gets turned off, it is like “last call” when the lights flash or are put back to a bright level and the place empties out in a hurry. He said they would not want to turn the music off too early.

Mr. Papsidero asked the applicant if there were separate controls for sound for both the inside and the outside. Mr. Schick confirmed the controls are separate.

Ms. Husak indicated the ART is scheduled to make a recommendation at the meeting on October 19th to be forwarded to the PZC for their meeting on November 2, 2017. She said the 19th would be the next ART meeting as the 12th is a General Staff Review meeting. She asked the ART to review the case and direct any issues or questions to her in the meantime.

**Adjournment**

Vince Papsidero asked if there were any additional administrative issues or other items for discussion. [There were none.] He adjourned the meeting at 2:36 pm.

As approved by the Administrative Review Team on October 19, 2017.