



# RECORD OF DETERMINATION

## Administrative Review Team

Thursday, June 7, 2018

The Administrative Review Team made the following determinations at this meeting:

**1. BSD SRN – Hen Quarter  
18-040WR**

**6628 Riverside Drive  
Waiver Review**

Proposal: To allow for the installation of operable sun shades at an existing tenant space in building C2 of the Bridge Park Development.

Location: Northeast of the intersection of Riverside Drive and Bridge Park Avenue.

Request: Review and recommendation of approval to the Planning and Zoning Commission for a Waiver Review under the provisions of Zoning Code Section 153.066.

Applicant: Brian Sell, Moody Nolan.

Planning Contact: Lori Burchett, AICP, Planner II.

Contact Information: 614.410.4656, lburchett@dublin.oh.us

Case Information: www.dublinohiousa.gov/pzc/18-040

**REQUEST:** Recommendation of approval to the Planning and Zoning Commission for a Waiver Review:

**DETERMINATION:** The Waiver Review was recommended for disapproval and forwarded to the Planning and Zoning Commission.

### STAFF CERTIFICATION

\_\_\_\_\_  
Vince Papsidero, FAICP  
Planning Director





## MEETING MINUTES

# Administrative Review Team

Thursday, June 7, 2018 | 2:00 pm

### RECOMMENDATION

**1. BSD SRN – Hen Quarter  
18-040WR**

**6628 Riverside Drive  
Waiver Review**

Lori Burchett said this is a proposal to allow for a waiver review for the installation of a vinyl patio enclosure for an existing tenant space in Building C2 of the Bridge Park Development. She said the site is northeast of the intersection of Riverside Drive and Bridge Park Avenue. She said ART previously approved a patio for this tenant including a filigree pattern sunscreen. She said this application is a request for a review and recommendation of approval to the Planning and Zoning Commission for a Waiver Review under the provisions of Zoning Code Section 153.066. The waiver is being requested to allow for a use of a secondary material (vinyl), not permitted in the zoning code section 153.062(E)(1)(d) as a permitted secondary material. Permitted secondary materials are limited to details and accents, and include glass fiber reinforced gypsum, wood siding, fiber cement siding, metal, and exterior architectural metal panels and cladding.

Ms. Burchett said ART may recall there was a similar request for the Cap City tenant space located in Building C2, which ART recommended disapproval of to the Planning and Zoning Commission. After multiple meetings, the Planning and Zoning Commission approved the vinyl material with several conditions that were specific to that material, tenant space, and tenant operations. She stated Staff has determined that a disapproval recommendation is consistent with previous recommendations when a vinyl material was proposed, and is appropriate for this case. Additionally, Ms. Burchett stated that the Commission emphasized that the Cap City Diner approval and any future approval would be on a case-by-case basis and that the approval did not set a precedent.

Ms. Burchett said the applicant is proposing the vinyl enclosure be attached behind the filigree sunscreen. A sunshade will be installed as well, which would only be used as needed for comfort of patio patrons. The vinyl enclosures would be used during inclement weather events and is intended to be raised when the patio is not in use.

Brian Sell, representing the applicant, stated that the applicant feels strongly about having this detail and they will want to present to the Commission their proposal specifically how it supports the intent of the district. The applicant will note that Cap City is using that material. Mr. Sell stated that this tenant will not have them down as often as Cap City Diner, and they will not have place settings or table cloths on the dining furniture.

Ms. Burchett mentioned that Code Enforcement visited Cap City Diner last month and spoke with the manager about the conditions associated with the approval. The manager said he would reiterate those conditions with their staff to ensure all operational conditions are being met.

Donna Goss asked about where the filigree detail is located and how it would interact with the vinyl enclosure and shades. She asked for the applicant to clarify its location. Mr. Sell stated the vinyl enclosure and sunshades would be installed behind the filigree. Ms. Goss noted that the filigree would help cover and obscure the vinyl enclosure and that it may be less visible.



Shawn Krawetzki asked if the access to the patio through the vinyl would be a solid frame door or Velcro sealed panel. If it is a door frame, if the door would be taken off to be stored. Would the filigree detail to the side be part of the frame? Mr. Sell said that they might be able to eliminate the screen at the door to keep it more open and accessible.

Claudia Husak noted that the wind causes a noticeable bubble when the vinyl enclosure is down. She noted that these enclosures should not be used to extend the season, but rather to provide protection from the weather during unanticipated weather events.

Jennifer Rauch asked about the specific conditions for Cap City Diner. Ms. Burchett presented the approved conditions on the screen.

Mr. Krawetzki inquired about lighting design and if it would be sensitive to the public areas and cycle track adjacent to the patio space. Mr. Sell said that new lighting would be in the zoning requirements and would be directed to the patio and not public spaces.

Ms. Burchett said a recommendation of disapproval is recommended to ART as the proposed Waiver Review is not consistent with all of the applicable review criteria.

Should the ART or ultimately, the Planning and Zoning Commission, vote to approve this waiver request, Planning suggests incorporating similar conditions as were approved for the Cap City Diner case in 2017.

Ms. Rauch asked if there were any further questions or concerns regarding this application. [There were none.]

Ms. Rauch made a motion for disapproval. Ms. Goss seconded. Motion of disapproval was unanimous. She stated this application will be forwarded to the Planning and Zoning Commission for their June 21, 2018 meeting.

Ms. Burchett noted this building is not a historic structure as it was constructed in 2001. She said the roof and stone will remain. Mr. Harpham recalled an instance when the wood trim was coming off the building across the street from this property.

Ms. Goss confirmed the size of the HardiPlank will match the current siding size and this would match the conditions when approved as a Planned Unit Development. Ms. Husak said she was not an architect so she asked if the HardiPlank would still have the same feel and appearance as wood or whether the change will be more noticeable. Mr. Harpham used the HardiPlank sample to explain how they come with different patterns and on the product provided, the striations are good so it will appear the same as wood. As for the feel, he said one would just have to tap on it to realize it was not real wood siding. He concluded he would have no trouble supporting a recommendation of approval to the ARB for their determination on appropriateness.

As for the windows, Mr. Harpham said the hardest part with matching the appearance of windows is the mullions. He said the windows will be wrapped as to protect the structure from the weather and it is not a substandard material so that is all a positive upgrade. Shawn Krawetzki suggested that if the mullions were placed on the inside of the window, the historical character is removed but they last longer. Mr. Harpham again suggested the ART leave the final decision to the ARB.

Ms. Goss noted that the existing windows all have four panes so she suggested they continue that pattern for consistency but how the applicant achieves that will be up to the ARB.

Ms. Goss asked if there were any further questions or concerns regarding this application. [There were none.]

**4. BSD SRN – Hen Quarter  
18-040WR**

**6628 Riverside Drive  
Waiver Review**

Lori Burchett said this is a proposal to allow for the installation of operable sun shades at an existing tenant space in Building C2 of the Bridge Park Development. She said the site is northeast of the intersection of Riverside Drive and Bridge Park Avenue. She said this is a request for a review and recommendation of approval to the Planning and Zoning Commission for a Waiver Review under the provisions of Zoning Code Section 153.066.

Ms. Burchett said the applicant previously received approval for the patio and at that time the applicant had indicated that the owner is interested in a cover for the patio. She said the applicant is proposing vinyl screens that are similar to those used at the Cap City Diner, which is also in the area but the specifications do not exactly match so more dialogue is needed with the applicant. She presented material samples of the sunshades and the panes of vinyl. She said staff would be more supportive of the sunshades if they were only to be down during appropriate weather and staff was more concerned with the vinyl panes. Therefore, she said staff is recommending a permitted material because the material proposed was determined to not be of high quality.

Ms. Burchett said while the Planning and Zoning Commission had approved a similar product for Cap City Diner, stringent requirements and conditions were attached. Unfortunately, she said, that establishment is not complying with all the conditions, particularly when the shades can be up or down. She reported that when staff has visited Cap City Diner and the vinyl is down, the wind makes the vinyl bow outward and it is not attractive. Ms. Husak remarked this applicant is not the same restaurateur but it is still a concern that should be addressed. Shawn Krawetzki was concerned that since the screen is so dark, the decorative hen

filigree proposed on the west end of the patio will disappear when the screens are down. Ms. Burchett said she would review that further with the applicant.

Ray Harpham recalled the ART did not provide a recommendation of approval to the PZC for the Cap City Diner as the ART was against using the material. He said the PZC approved the proposal but there are issues with trying to enforce the conditions. He thought one of which was that the PZC had the right to revisit the application at a later date to ensure this was the right product and conditions were being met.

Colleen Gilger said there are too many tenant spaces with these covered patios that act as building expansions and not enough open patio space. Ms. Husak said she was concerned with longevity and how the vinyl parts stretch over time. Mr. Harpham noted that with the dark screens transparency is essentially eliminated.

Donna Goss asked if there were any further questions or concerns regarding this application. [There were none.]

**5. BSD SRN — Bridge Park, Block H  
18-041WR**

**PIDs: 273-012751 & 273-012752  
Waiver Review**

~~Lori Burchett said this is a proposal to permit an alternative material on the exterior elevations as architectural detailing for Block H of the Bridge Park Development. She said the site is southwest of the intersection of John Shields Parkway and Dale Drive. She said this is a request for a review and recommendation of approval to the Planning and Zoning Commission for a Waiver Review under the provisions of Zoning Code Section 153.066.~~

~~Ms. Burchett said the materials and design of Block H in the Bridge Park Development were approved, which included EIFS for detailing but now the applicant is requesting to change out the EIFS that was permitted for Fypon as the details they proposed cannot be made from EIFS.~~

~~Ms. Burchett presented a graphic showing the locations where this new material would be installed. She said the look would be the same as the approved plans. She indicated the applicant had shared where Fypon has been used in Ohio and they said it is also considered a standard material used in similar areas. Claudia Husak said the applicant stated Fypon is easier to form on the building and they are concerned with the longevity and maintenance of EIFS.~~

~~Aaron Stanford asked if there were photographs provided as to where Fypon has been used before. Ms. Husak recalled Fypon was used for the majority of the architectural details at the Woodlands at Ballantrae. Ray Harpham said Fypon can be very detailed and looks like wood so it is used for decorative pieces.~~

~~Shawn Krawetzki said he thought the product fades and yellows and would require significant maintenance. Ms. Husak recommended the applicant be asked to address that concern. Mr. Harpham requested a Specifications Sheet from the manufacturer to better understand the material. Mr. Stanford asked about the color to be used for most of the trim and Ms. Burchett answered light beige but the heavier materials would be a gray color. Ms. Husak said the applicant cannot get EIFS to perform as needed which is the reason for this request.~~

~~Ms. Husak noted the elevation drawings were inconsistent so Ms. Burchett said she would ask the applicant to revise them. Donna Goss emphasized the ART will need clarity on where the material will be installed and for the applicant to provide material samples and Specification Sheets in order for the ART to make a recommendation to the Planning and Zoning Commission.~~



# RECORD OF DETERMINATION

## Administrative Review Team

Thursday, April 19, 2018

The Administrative Review Team made the following determination at this meeting:

- 3. BSD SRN – Hen Quarter Patio** **6628 Riverside Drive**  
**18-013MPR** **Minor Project Review**
- Proposal: A 525-square-foot patio and associated site improvements for an existing tenant space in Block C of the Bridge Park Development. The site is zoned Bridge Street District Scioto River Neighborhood.
- Location: Northeast corner of the intersection of Riverside Drive and Bridge Park Avenue.
- Request: Review and approval of a Minor Project Review under the provisions of Zoning Code Section 153.066.
- Applicant: Brian Sell, Moody Nolan.
- Planning Contact: Lori Burchett, AICP, Planner II
- Contact Information: 614.410.4656, lburchett@dublin.oh.us
- Case Information: www.dublinohiousa.gov/art/18-013

**Request:** Approval of this request for a Minor Project Review with two conditions:

- 1) That the applicant clarify if a Fire Pit is proposed and work with Washington Township Fire to safely locate it; and
- 2) That the applicant clarify if the patio is enclosed with a gate and work with Planning and Building Standards to ensure all applicable Code requirements are met.

**Determination:** This application was approved. This approval shall be valid for a period of two years from the date of approval in accordance with Zoning Code §153.065(H) and §153.066(G).

### STAFF CERTIFICATION

  
\_\_\_\_\_  
Vince A. Papsidero, FAICP  
Director of Planning



~~Dan Morgan, Behal Sampson Dietz, inquired about bike parking. Ms. Burchett said she would work through that with the applicant to ensure that requirement is met.~~

~~The Chair, Vince Papsidero, said an ART determination is required for the Administrative Departure requested.~~

~~Donna Goss asked for clarification regarding the open space versus the lot coverage. Ms. Burchett explained that the Open Space requirement had been met.~~

~~Mr. Papsidero asked if there were any further questions or concerns regarding this application. [There were none.]~~

~~The Chair called for a motion to determine the Administrative Departure. Ms. Goss motioned, Mr. Krawetzki seconded, to approve the Administrative Departure. The Chair called for a vote and the Administrative Departure was unanimously approved.~~

~~The Chair called for a motion to recommend approval to the Architectural Review Board for the four Minor Project Review Waivers, the Fee-in-Lieu of Open Space, the Parking Plan, and the Minor Project Review with four conditions. Ms. Goss motioned, Mr. Krawetzki seconded, for a recommendation of approval to the Architectural Review Board for the Minor Project Review in total. The vote was unanimous for the recommendation of approval and would be forwarded to the Architectural Review Board.~~

**3. BSD SRN – Hen Quarter Patio  
18-013MPR**

**6628 Riverside Drive  
Minor Project Review**

Lori Burchett said this is a proposal for a 525-square-foot patio and associated site improvements for an existing tenant space in Block C of the Bridge Park Development. The site is zoned Bridge Street District Scioto River Neighborhood and is northeast corner of the intersection of Riverside Drive and Bridge Park Avenue. She said this is a request for a review and approval of a Minor Project Review under the provisions of Zoning Code Section 153.066.

Ms. Burchett presented an aerial view of the site as well as the existing elevations facing east and west and the proposed site plan for this tenant space in Building C2. She noted the proposed patio addition at 555 square feet will run along Bridge Park Avenue. She said the patio is located on a level foundation as part of the base of the building but the patio area is slightly elevated from the existing sidewalk to accommodate the east to west grade change of the right-of-way.

Mr. Burchett said the patio is proposed to be covered with a metal canopy, designed and painted to match the base building canopy and will be finished with a copper filigree design to coordinate with the proposed sun-screen located along the west side of the patio. The canopy, she explained, is proposed at nine feet in height from the level foundation and will include an integrated drain system supported by metal columns painted to match the base building located at approximately 10 feet on center. She said the sun-screen is integrated into the design of the western elevation of the patio and is proposed to feature a custom copper filigree to match the accent detail on the patio canopy cover.

Ms. Burchett presented the dimension plan view to show the patio in relation to the sidewalk and cycle track and the street planters. She reported the patio was found to be fully within the private property and will not encroach the right-of-way.

Ms. Burchett presented a rendering of the proposed southern elevation of the patio addition and pointed out the filigree on the front of the canopy and the steel planters in coordinated copper proposed that will help define the patio space below. Furniture selections for the patio were presented and consisted of

solid wood tables (studio wise design with a rustic byre fuse hardware top and jet base); Florida chairs (Wa-01S with a walnut frame and espresso seat/back); and wicker and teak lounge chairs (Restoration Hardware Malibu Lounge Chair in grey all-weather). She also presented the celestial lighting (120V Exterior LED string light) proposed for along the interior of the covered patio.

At last, Ms. Burchett presented the east elevation that shows the Hen Quarter sign on the canopy over the main entrance to the restaurant, the patio, and the design wall incorporating a chicken planned for the western wall.

Ms. Burchett indicated that sign dimensions and compliance with the Master Sign Plan have not been reviewed as part of this application being reviewed today but all signs will need to be designed to meet the approved Master Sign Plan for Blocks B and C and will require review and approval of sign permits, prior to installation.

Ms. Burchett said approval is recommended for the Minor Project Review with two conditions:

- 1) That the applicant clarify if a Fire Pit is proposed and work with Washington Township Fire to safely locate it; and
- 2) That the applicant clarify if the patio is enclosed with a gate and work with Planning and Building Standards to ensure all applicable Code requirements are met.

Vince Papsidero inquired about the design wall on the west elevation. Ms. Burchett indicated there were concerns that this wall might be considered a sign since it was designed like their logo so the applicant changed the design by removing the text "Hen Quarter" leaving just a chicken. Brian Sell, Moody Nolan, explained they wanted to get away from the full body chicken, which is in their logo as they just intend for this to be a decorative element.

The Chair, Mr. Papsidero, asked if there were any further questions or concerns regarding this application. [There were none.] He asked the applicant if he agreed to the two conditions of approval for the Minor Project Review, which he answered affirmatively. He called for a motion. Ms. Gilger motioned, Mr. Krawetzki seconded, to approve the Minor Project Review. The Chair called for a vote and the Minor Project was approved unanimously.

**4. SRN – Bridge Park, Amendment to MSP for VASO Rooftop Bar 6540 Riverside Drive  
18-020MSP Master Sign Plan**

Nichole Martin said this is a proposal for an amendment to the Master Sign Plan for the Bridge Park Development for the VASO Rooftop Bar located in Block A of the Bridge Park Development, zoned Bridge Street District Scioto River Neighborhood. She said the site is southeast of the intersection of Riverside and Banker Drives. She said this is a request for a review and recommendation of approval to the Planning and Zoning Commission for an amendment to the Master Sign Plan under the provisions of Zoning Code Sections 153.065(H) and 153.066, and the Bridge Street District Sign Guidelines.

Ms. Martin presented an aerial view of the site and noted this bar is on the roof of the AC Hotel on the northwest corner of the building.

Ms. Martin reported the Commission approved amendments to the Master Sign Plan for Bridge Park Blocks A, B, & C to permit additional flexibility for creative sign designs within the pedestrian realm. However, she said, it is not possible to contemplate all creative sign designs; therefore, it is necessary to allow for the Commission to review and approve addendums to the plan for signs meeting the intent of the BSD Sign Design Guidelines as place-making elements. Master Sign Plans are intended to allow for one-of-a-kind, whimsical, unique signs that employ the highest quality materials and construction while