



BOARD DISCUSSION

Architectural Review Board

Wednesday, June 23, 2021 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

- 1. 72-84 N. High Street
20-1911NF Informal Review

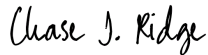
Proposal: Redevelopment of a mixed-use site (former Oscar’s site) zoned Historic District, Historic Core.
Location: Northeast of the intersection of N. High Street with North Street.
Request: Informal review with non-binding feedback of massing studies informing potential future development under the provisions of Zoning Code §153.176 and the *Historic Design Guidelines*.
Applicant: Dwight McCabe, The McCabe Companies; and Jonathan Grubb, Architectural Alliance
Planning Contact: Chase Ridge, AICP Candidate, Planner I
Contact Information: 614.410.4656, cridge@dublin.oh.us
Case Information: www.dublinohiousa.gov/arb/20-191

RESULT: The Board reviewed and provided informal feedback on a series of massing studies provided by the applicant. Members generally agreed that they could be supportive of demolition of the existing structures on the site, providing that the demolition criteria are met. The Board members expressed that they are generally supportive of redevelopment of the site, indicating that redevelopment should be sensitive to the historic context of the district. Members expressed that massing of new structures should be aligned with adjacent buildings and structures, and should act as a transition between the more intense development north of the site to less intense development to the south and east. Members emphasized that open spaces should be designed in a way that encourages the general public to utilize them, and encouraged an active streetscape with retail and commercial spaces.

MEMBERS PRESENT:

Gary Alexander Yes
Amy Kramb Yes
Sean Cotter Yes
Frank Kownacki Absent
Martha Cooper Yes

STAFF CERTIFICATION

DocuSigned by:

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Chase Ridge, AICP Candidate, Planner I



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~~Agenda this evening: Case 4 – Psychic Readings by Lisa – Sign at 16 N. High Street. He asked if any member of the Board wished to pull the case from the Consent Agenda. [Hearing none.]~~

~~4. Psychic Readings by Lisa – Sign at 16 N. High Street, 21-054MPR, Minor Project Review~~

~~The Chair stated this application is a request for the installation of a wall sign and a projecting sign for a tenant space within a historic building on a 0.26-acre site zoned Historic District, Historic Core. The site is east of N. High Street, ±125 feet north of the intersection with Bridge Street. Mr. Rayburn from Staff and the applicant, Ms. George are here this evening to answer any questions. [Hearing none.]~~

~~Ms. Kramb moved, Mr. Cotter seconded, to approve the Minor Project by consent with four conditions:~~

- ~~1) That the applicant apply for and successfully obtain approval of a Permanent Sign Permit through Building Standards, prior to installation;~~
- ~~2) That all text on both the wall sign and projecting sign be metallic gold in color;~~
- ~~3) That the projecting sign be located between the primary entrance to the tenant space and the first window, immediately south of the primary entrance and within 6 feet of the primary entrance, subject to Staff approval; and~~
- ~~4) That the applicant remove all temporary signs, prior to the installation of the new permanent signs.~~

~~Vote: Ms. Cooper, yes; Mr. Alexander, yes; Mr. Cotter, yes; and Ms. Kramb, yes.
[Motion carried 4-0]~~

~~The Chair swore in staff and applicants who planned to address the Board on any of the cases to be reviewed during this meeting.~~

INFORMAL REVIEW CASES

1. 72 – 84 N. High Street, 20-0911NF, Informal Review

The Chair stated this application is a request for an Informal Review and feedback for redevelopment of a mixed-use site (former Oscar's site) zoned Historic District, Historic Core. The site is located northeast of the intersection of N. High Street with North Street.

Staff Presentation

Mr. Ridge presented an aerial view of the site that contains a number of parcels. He reviewed the history for this case, as follows:

February 2021 – Informal Review

The Architectural Review Board (ARB) reviewed and provided non-binding feedback on a proposal for the construction of a mixed-use building including residential units, an event center, restaurant space, retail space, 80 parking spaces and associated open space. Feedback included a general concern regarding massing, scale and height and interest was shown for saving a portion of the building (former Oscar's site).

May 2021 – Site Tour

The Board members toured the buildings inside and out at 72-84 N. High Street. They were informed of the general conditions of the buildings, along with construction and design.

Today, June 23, 2021 – Informal Review

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The Applicant is seeking feedback on massing studies, not the previous proposal, which will guide potential future redevelopment of the site. Existing conditions for 72-84 N. High Street and 20 North Street to the south [shown.]

The Applicant had provided Staff with a massing study, which included the two phases of Old Dublin Town Center built in 1999 overlaid on the site in question where the height of 2.5 stories was measured totalling 25 feet from grade to the mid-point of eaves; the BriHi development built in 2009 contained 2.5 stories at ± 30 feet in height, which was also overlaid on the site; and the CoHatch development, which is under construction to contain 1 – 3 stories at ± 30 feet in height, that was also included in the massing study.

Board Discussion Questions

The following discussion questions [shown] have been provided for the Board to consider during this review:

1. Is the Board supportive of demolition of all or portions of the existing buildings on the site? If so, which ones should be considered for demolition?
2. Is the Board supportive of redevelopment of the site? If so, what scale of redevelopment would the Board find appropriate?
3. Based on the massing study, and if the Board is supportive of redevelopment of the site, what is an appropriate building height or number of stories along N. High Street? North Street?
4. Given the significant change of grade on the site from west to east, could the Board be supportive of additional height, in excess of what Code permits, along N. Riverview Street? If so, what maximum building heights or number of stories would be recommended?
5. If the Board is supportive of redevelopment, what considerations should be incorporated related to site layout, lot coverage, and open space?
6. Are there other considerations by the Board?

Board Questions for Staff

Mr. Cotter inquired about the possible height discrepancy noted in the various materials re: CoHatch.
Mr. Ridge responded the correct height for CoHatch is 35 feet, not 30 feet.

Mr. Alexander asked if height on the buildings located on the alley side were measured to the mid-point of the roof. He noted the buildings closest to the former Brazenhead were much lower.
Mr. Ridge answered affirmatively.

Mr. Cotter asked if a Waiver was required for CoHatch to allow 35 feet for height.
Ms. Martin stated the ARB approved the building in January 2020. At that time, the BSD Code limited a certain number of stories and not maximum height depending on the building type. The building type was limited to 2.5 stories. Staff determined at the time that the lower level along Blacksmith Lane was not counted so it had 1.5 stories on top of that. One story made up the front of the building and 2.5 stories were on the back.

Mr. Alexander asked if the ARB had granted Waivers on that project (CoHatch) at the time.
Ms. Martin answered affirmatively but does not recall height being one of them.
Mr. Alexander recalled the ARB showed flexibility on that project at that time.

Applicant Presentation

Dwight McCabe, The McCabe Companies, 7361 Currier Road, Plain City, Ohio 43064, indicated the reason for the request for this Informal Review is to extend an open dialogue as the land owner is desiring the ARB to revisit a proposal provided in vague terms and convey what is possible for height and mass. He suggested the Board forget past proposals as the land owner wanted to start anew.

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He provided illustrations that compared their site to other buildings in the Historic District in a modern period, guided by the various iterations of the Historic District Code to **see if there isn't some** common thought to compare and contrast these buildings. A collection of historic buildings on the southeast corner of High Street and SR 161 are very similar so there are three good reflections of buildings that represent in context what the Historic District has been about and what it is today. Reflections were overlaid on this site to consider how it would be perceived, received, and possible given the current modifications in the Historic District Code. After the applicant listened to the feedback from the Board, in the last discussion and people in the area, they provided materials to be considered [shown.] Today, they are requesting a basic discussion of what is appropriate.

The applicant views the site as having three highlighted footprints A, B, and C [shown.] A is High Street frontage, B is North Street frontage, and C is the area considered **the 'back of house'** section of the property but is also the front of the pedestrian bridge landing. A High Street component for building massing was used as a model as well as frontage along North Street, where there is a significant drop off in grade. He noted the unique streetscape conditions on North Street with side alleys limited in width as they were created for a horse and buggy.

Beyond the footprint of the property are sections labelled as A1 and B1. Consider what those streetscapes and building façades are going to look like and what those corridors become in context to this property.

Current developments were overlaid onto the applicant's site for comparison [shown.] Within the back side overlay of those same developments [shown] there is a substantial amount of property in area C that would be empty. To replace the existing buildings with new buildings that sit on a similar footprint, would allow for similar parking conditions and does not change anything in terms of the perception. Area C has a slope to it. The applicant asked the Board for the direction of this project and what they would support. The discussion today is to gather ideas for what is best for that area; what the best use is from a community and development perspective; and also considering the view from the pedestrian bridge, asking what is acceptable to this Board.

Mr. Alexander asked if an image of a conceptual thought was included in the package.

Mr. McCabe answered that they reviewed the prior proposal for a visual representation of scale differences. On the High Street side, scale has a lot of similarity to it - less mass and does not quite reach the corner. In the first proposal, the applicant wanted to make sure that corner had a good landing and a good relationship with the library.

With the applicant's permission, Mr. Alexander said he would consider the applicant's two specific questions, after the list provided by Staff was reviewed by the Board (project direction and what is acceptable to the Board).

Public Comment

The Chair reported the Architectural Review Board had received and reviewed three public comments provided in advance of the meeting, greatly appreciating **the public's** participation in the process.

Mr. Alexander then asked the Moderator if any additional public comments were submitted during the course of this meeting.

Ms. Martin answered no further public comments were submitted.

Board Discussion

The Chair asked the Board to include any thoughts or comments they would like to share from the site visit and on demolition.

Ms. Kramb said the site visit did not provide any new information for her relating to demolition. The additions from the 70s and 80s can be demolished but she has not received enough information regarding

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the core of the main structure to sway her either way. That information will need to be provided with the demolition request/plan.

Mr. Cotter stated he could be supportive of demolishing all the buildings on this site with a demolition plan. Ms. Cooper stated she agreed with Ms. Kramb and Mr. Cotter; a full demolition is possible. Mr. Alexander stated the same agreement that a full demolition was possible since the structures had been labelled non-contributing in the Historic District. The applicant must meet the criteria of a demolition request.

Mr. Alexander asked the applicant what they plan to build on the site in terms of size and mass. Mr. McCabe answered he was acting under the advisement of Dublin's Planning Division to start with scale and provide a conceptual image of how the structures would present themselves to the street. Their next step would be to determine how the structures would be programed. The vision for Area C is going to dictate the program. They will limit lot coverage to the Code regulation of no more than 85% and will consider alternative parking considerations.

Mr. Cotter stated filling the backside of the property, Area C, is most difficult. The applicant should stay inside Code with a maximum height of 30 feet. If a 30-foot-high building is planned near the street, leaving more room in the front provides the illusion of less mass. To understand conceptual massing is a challenge but the first concepts look okay. Do not match with something down the street; make sure they are architecturally different.

Ms. Kramb stated she was in favor of getting the buildings figured out, and then applying a program or use. A building in the north end should not be any taller than those that are north of them and buildings on the south should not be any taller than buildings further south, limiting them to closer to ± 25 feet in height. She views this contextually.

Ms. Cooper reported she was a new member to the ARB but had read the earlier materials. She agreed with Ms. Kramb to stick with a height limit and blend with structures directly adjacent. The buildings super-imposed on the site with an open corner was appealing, as long as the building on North Street is not as tall.

Mr. Alexander stated he generally agreed with the comments made by his fellow Board Members. He reported the building to the north was reviewed under a different Zoning Code and the new Code requirements adopted a different height. Matching that height and scale is appropriate as he does not want to see the applicant penalized having to deal with the new standards and he would support a Variance request for height there. An open corner would allow buildings on the south side to be lower due to a natural break at that corner. Connect with the system of walkways that was created for the library and use that space as a transition to lower buildings. If the height ends up being comparable to what was approved for CoHatch, it would be okay, contextually. A U-shaped building with more mass to the opening of the north would be appropriate and the east elevation could be built up. This is a unique site and will have more visibility on the backside and suggested a podium building with parking underneath. He asked the applicant if they were considering smaller buildings or a singular element.

Mr. Cotter stated how the mass is to be broken up depends on the intended uses. He likes breaks in a façade for architectural character but there should not be three fronts for one use. Ms. Kramb emphasized that the applicant not replicate what already exists and to divide the building logically; fake fire walls at BriHi do not look right. Ensure the east side is not taller and could slope down to the south. Stories do not matter like height does in context with the surroundings.

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Mr. Alexander and Ms. Cooper like the open corner, whereas Mr. Cotter and Ms. Kramb want to see the building be built back further for a better streetscape. Mr. Cotter indicated he was not fan of open space if it has no use.

Ms. Kramb said the overlay with the plaza graphic helped break up the block and that could be a possible solution for this project. The applicant does not need to fill all 85% of lot coverage just because they are permitted. Underneath parking with a plaza on top is a great way to use space instead of a surface lot.

Mr. McCabe indicated this discussion is what the applicant wanted at this point. They received productive feedback and gained a better understanding of what is permitted and desired of the Board and what the constraints are. This is an opportunity to be creative and drive what is programmatically possible. He tried to draw out specific answers for possible height limits.

Ms. Kramb stated the number of stories is not an exact measurement and a specific height is not important. Look at the site contextually and compare the proposal visually to the immediate surroundings.

Mr. McCabe considered what the scope of the project under the bridge could be and the two sites could be layered together to make a good launch point and provide a better bubble around the property.

Summary of the Board's Comments

The Board is supportive of demolition of all the existing buildings on the site, as long as the demolition criteria is met with documented evidence.

The Board is supportive of redevelopment.

The scale of the structures need to be comparable to adjacent structures. The Board is open to re-development on the east elevation.

The applicant must be sensitive to surrounding structures. The Board might not approve development if it is taller than CoHatch in terms of feet and the applicant must keep the height lower than the overall height on High Street.

The Board agreed, context is more important than the actual number of feet for height.

The entire site does not need to be developed, if it is not warranted.

An open corner enables open space in the public realm and if located on the southwest corner, it could be a benefit.

Ms. Cooper added she supports what will be done to create frontage on N. Riverview. Perhaps property is open from the High Street side and also made open. She agreed height change could conceal parking.

Mr. Alexander thanked Mr. McCabe.

~~2. The Apothecary at 30-32 S. High Street, 21-0841NF, Informal Review~~

~~The Chair said this is a request for an Informal Review and feedback for renovations, additions, and associated site improvements to two historic buildings located on two parcels totaling 0.25 acres zoned Historic District, Historic Core. The site is east of S. High Street, ±75 feet north of the intersection with Spring Hill Lane.~~

~~Staff Presentation~~

~~Ms. Holt presented an aerial view of the site that includes two vacant properties to be considered with this application and both are on the National Register of Historic Places. 30 S. High Street is to the north and 32 S. High Street is to the south. Both historic places were reviewed using the new Zoning Code and *Historic Design Guidelines*. The uses are permitted and the size criteria are appropriate. Surrounding zoning is mostly the same.~~

~~Existing conditions [shown] at 30 S. High Street has one of the last remaining log structures in town: it was a former pharmacy. The structure on 32 S. High Street was built as a more traditional commercial~~



BOARD ORDER

Architectural Review Board

Wednesday, October 16, 2019 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

**2. 72 Dublin LLC at 20 North Street & 72-84 N. High Street
19-093ARB-MPR**

Minor Project Review

Proposal: Siding maintenance and repainting of an existing, mixed-use building on a 0.67-acre site zoned Bridge Street District Historic Core.
Location: Northeast of the intersection of N. High Street and North Street.
Request: Review and approval of the Minor Project Review under the provisions of Zoning Code Sections 153.066—153.070 and the *Historic Dublin Design Guidelines*.
Applicant: Evan Fracasso, United Development Services
Planning Contact: Chase J. Ridge, Planner I
Contact Information: 614.410.4656, cridge@dublin.oh.us
Case Information: www.dublinohiousa.gov/arb/19-093

MOTION: Ms. Bryan moved, Mr. Keeler seconded, to approve the Minor Project with the following condition:

- 1) That the applicant work with Staff to satisfy the tree replacement requirements set forth in Code or pay a Fee-in-Lieu.

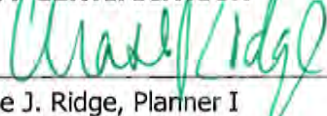
VOTE: 5 – 0

RESULT: The Minor Project was conditionally approved.

RECORDED VOTES:

Shannon Stenberg	Yes
Gary Alexander	Yes
Andrew Keeler	Yes
Kathleen Bryan	Yes
Robert Bailey	Yes

STAFF CERTIFICATION


Chase J. Ridge, Planner I



CASES:

1. ~~Property at 17 N. Riverview Street, 19-090ARB-MPR, Minor Project Review~~

~~Ms. Stenberg stated that this application is a proposal for the repainting of an existing, single-family home on a 0.18-acre site zoned Bridge Street District Historic Core.~~

~~Staff Presentation~~

~~Mr. Hounshell stated that this application is for a Minor Project Review for an existing residential home located at 17 N. Riverview Street, northeast of the intersection of Bridge Street and Blacksmith Lane, within the Historic Core District. The applicant is proposing new exterior paint for the structure. The house, which was built in 1927, contains a one-and-one-half-story Craftsman-style house with a rectilinear footprint and rests on a concrete block foundation. The building has a side-gable standing seam metal roof with a shed dormer on the front façade. The proposal includes painting the existing siding, shutters, garage door and trim. The applicant is proposing to paint the siding of the house and the garage a light grey (Roycroft Pewter; SW 2848) and the accents and trim white (Pure White; SW7005). Staff has considered all the applicable criteria for this application and recommends approval with no conditions.~~

~~The applicant had no additional comments.~~

~~There were no public comments.~~

~~Board Discussion~~

~~Mr. Keeler inquired if the garage would be painted, as well.
Mr. Hounshell responded affirmatively.~~

~~Mr. Alexander moved, Mr. Bailey seconded to approve the Minor Project with no conditions.
Vote: Mr. Alexander, yes; Mr. Keeler, yes; Ms. Bryan, yes; Mr. Bailey, yes; Ms. Stenberg, yes.
(Motion approved 5-0.)~~

2. 72 Dublin LLC, 20 North Street & 72-84 N. High Street, 19-093ARB-MPR, Minor Project Review

Ms. Stenberg stated that this application is a proposal for siding maintenance and repainting of an existing, mixed-use building on a 0.67-acre site zoned Bridge Street District Historic Core.

Staff Presentation

Mr. Ridge stated that this is a request for the repainting of properties located at 20 North Street and 72-84 North High Street. The site is located on the northeast corner of North Street and High Street. The building at 20 North Street is behind the North High Street properties. The applicant proposed three options for the repainting of the buildings and has selected the first as their preferred option. This proposal includes painting the 84 North High Street building a dark blue-gray color (Distance, SW 6243) with an off-white trim (White Heron, SW 7627). The existing stone

would remain on this building. The building located at 72 North High Street is proposed to be painted off-white (Snowbound, SW 7004) with all trim painted a white color (Pure White, SW 7005). The proposal includes painting 20 North Street the same off-white color (Snowbound, SW 7004) as 72 North High Street. All decking and trim on this building is proposed to be a dark brown color (Rockweed, SW 2735). The existing stone on this building would also remain. In order to expose more of the west-facing façade, the applicant is proposing to remove a large evergreen tree that is situated in front of 84 North High Street. Staff has reviewed all the applicable criteria and recommends approval with the one condition that the applicant be required to meet the Code for tree replacement or pay a fee in lieu.

Applicant Presentation

Evan Fracasso, 72 Dublin LLC, 501 Morrison Road, Gahanna, Ohio, displayed paint samples to the Board.

There were no public comments.

Board Questions for Applicant

Ms. Bryan inquired the reason for removing the evergreen tree.

Mr. Fracasso responded that the evergreen tree was planted 20 years ago within three feet of the building. It is now encroaching on the building and creating a hazard due to its height and proximity to the building.

Mr. Alexander inquired if the Sleepy Blue color originally provided with the application was not being used in the project.

Mr. Fracasso responded that it is not. Color studies were done, and staff determined that the color was too similar to the color used in the Crawford Z1 Building to the north of this site.

Mr. Alexander noted that he likes the Distance Blue color.

Mr. Fracasso responded that their intent was to create a color emphasis in the center of the **building. Oscar's** is the primary tenant. The inverse of the colors used on the front of the building will be used on the rear of this building, which will present a visual focal point in Historic Dublin from the pedestrian bridge.

Ms. Bryan moved, Mr. Keeler seconded approval of the Minor Project with the following condition:

- 1) That the applicant work with staff to satisfy the tree replacement requirements set forth in Code or pay a fee-in-lieu.

Vote: Mr. Keeler, yes; Mr. Alexander, yes; Ms. Stenberg, yes; Ms. Bryan, yes; Mr. Bailey, yes.
(Motion approved 5-0.)

3. ~~Kne Residence at 55 S. Riverview Street, 19-094ARB-MPR, Minor Project Review~~

~~Ms. Stenberg stated that this application is a proposal for a detached garage addition to create a three-car garage for an existing, single-family home on a 0.40-acre site zoned Bridge Street District Historic Residential.~~



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ARCHITECTURAL REVIEW BOARD

BOARD ORDER

AUGUST 28, 2013

The Architectural Review Board took the following action at this meeting:

**2. BSC Historic Core District – Oscar’s Restaurant 84 North High Street
13-087ARB-MPR/MSP Sign Modifications**

Proposal: Installation of a ground sign and a wall sign along North High Street for an existing restaurant located on the east side of North High Street, north of the intersection with North Street.

Request: Review and approval of a minor project review and master sign plan application under the provisions of Code Section 153.065(H), 153.170, and the *Historic Dublin Design Guidelines*.

Applicant: Jack Eggspuehler, 84 High Company Ltd; represented by Mike Tibbetts.

Planning Contact: Jennifer M. Rauch, AICP, Planner II and Jordan Fromm, Planning Assistant

Contact Information: (614) 410-4600, jrauch@dublin.oh.us and jfromm@dublin.oh.us

MOTION: David Rinaldi moved, Bob Dyas seconded to approve this Minor Project Review application for sign modifications, because it meets the provisions of Zoning Code Sections 153.065(H), 153.170, and the *Historic Dublin Design Guidelines*, with three conditions:

- 1) A revised site plan be provided identifying the proposed ground sign location and orientation to ensure the sign does not encroach the right-of-way and project over the public sidewalk, subject to approval by Engineering;
- 2) The applicant revise the proposed ground sign detail to eliminate the red band on the top of the sign post; and,
- 3) The applicant paints the existing gooseneck lights above the proposed wall sign to match the trim of the building.

* Mike Tibbetts on behalf of the applicant agreed to the conditions.

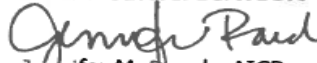
VOTE: 5 – 0.

RESULT: This Minor Project Review application was approved.

RECORDED VOTES:

Robert Schisler	Yes
Bob Dyas	Yes
David Rinaldi	Yes
Neil Mathias	Yes
Thomas Munhall	Yes

STAFF CERTIFICATION


Jennifer M. Rauch, AICP
Planner II

2. BSC Historic Core District – Oscar’s Restaurant
13-087ARB-MPR/MSP

84 North High Street
Sign Modifications

Jennifer Rauch presented this request for approval of sign modifications on the existing restaurant located within a multi-tenant building on the east side of North High Street, north of North Street. She said Oscar’s is in the center of the multi-tenant building, which is connected to 72 North High to the south. She presented a drawing of the existing elevation which showed the existing wall sign with gooseneck fixtures which is the subject of this application. She showed a drawing of the existing planting bed where the proposed ground sign will be located.

Ms. Rauch said as part of this proposal, the applicant is requesting two signs. She presented a slide showing the sign proposed to replace the existing wall sign. She said the applicant is permitted, per Code two different types of signs for the storefront in the multi-tenant building. She explained the size requirements for both signs are a maximum of 8 square feet, which they meet. She said both signs are consistent in design with a black background with white and red lettering. She said the wall sign is located adjacent to the entrance door and the two existing light fixtures will remain. She said the wall sign meets the height requirement at 14 feet from grade, where 15 feet is permitted.

Ms. Rauch said the ground sign is proposed within the existing ivy bed located adjacent to the North High Street sidewalk. She said the applicant indicates a post arm design with the same background and color scheme as the wall sign. She said it meets the Code for height. She said no lighting is proposed. Ms. Rauch said the proposed ground sign location does encroach into the minimum 8-foot setback that Code requires. She said the Administrative Review Team recommends approval of this request, as similar signs have been approved in the District and given its scale it is appropriate and pedestrian in nature.

Ms. Rauch said the Administrative Review Team reviewed this application, noted that it identified where the ground sign is proposed, but Engineering wanted to be more specific about its orientation in that the post is located closest to the building, and ensuring it will not project over the public sidewalk and into the right-of-way. She said the applicant has been asked to modify the site plan to include that information when submitting for the sign permit.

Ms. Rauch said Dublin’s architectural consultant has also reviewed the sign and requested the red shown on the top of the cedar post be removed and left natural. She said in addition, a condition was added regarding the existing gooseneck fixtures requesting they be painted to match the trim of the building. Ms. Rauch said approval of this application is recommended with three conditions.

Robert Schisler asked if the ground sign would be in line with the other existing signs. Ms. Rauch confirmed it would and it would also in line with the existing Oscar’s patio.

Robert Munhall asked if the existing building color scheme would remain the same or change to match the sign. Mike Tibbetts, (25 North Street, Dublin, Ohio) said the sign color scheme was consistent throughout the restaurant.

Mr. Munhall said the red, white, and black signs had a different feel and he wondered if they were planning on changing the building colors. Mr. Tibbetts said the building color scheme was changed about two years ago when the building addition was approved.

Motion and Vote

David Rinaldi moved, Bob Dyas seconded, to approve this Minor Project Review application for sign modifications, because it meets the provisions of Zoning Code Sections 153.065(H), 153.170, and the *Historic Dublin Design Guidelines*, with three conditions:

- 1) A revised site plan be provided identifying the proposed ground sign location and orientation to ensure the sign does not encroach the right-of-way and project over the public sidewalk, subject to approval by Engineering;
- 2) The applicant revise the proposed ground sign detail to eliminate the red band on the top of the sign post; and,
- 3) The applicant paints the existing gooseneck lights above the proposed wall sign to match the trim of the building.

Mr. Tibbetts, on behalf Jack Eggspuehler, agreed to the conditions.

The vote was as follows: Mr. Munhall, yes; Mr. Mathias, yes, Mr. Schisler, yes; Mr. Rinaldi, yes; and Mr. Dyas, yes. (Approved 5 – 0.)



CITY OF DUBLIN.

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ARCHITECTURAL REVIEW BOARD

BOARD ORDER

OCTOBER 26, 2011

The Architectural Review Board took the following action at this meeting:

**1. boho 72 Boutique
11-059ARB**

**72 North High Street
Sign Modifications**

Proposal: A new tenant sign for a projecting ground sign for a new retail business located in the Historic District. The site is located on the east side of North High Street at the intersection with North Street.

Request: Review and approval of sign modifications under the provisions of Code Section 153.170 and the *Historic Dublin Design Guidelines*.

Applicant: Jamie Mollwitz; represented by Rhonda Davis, Signmaster.

Planning Contact: Rachel Beck, Planning Assistant
Jennifer M. Rauch, Planner II

Contact Information: (614) 410-4600, rbeck@dublin.oh.us | jrauch@dublin.oh.us

MOTION: Carl Karrer made a motion, seconded by Tasha Bailey, to approve this application because the proposed sign modifications meet the Zoning Code and the *Historic Dublin Design Guidelines*, with one condition:

- 1) The applicant will be required to obtain a sign permit for the tenant sign panel before installation.

VOTE: 4 – 0.

RESULT: This application for sign modifications was approved.

RECORDED VOTES:

William Souders	Absent
Tom Currie	Yes
Robert Schisler	Yes
Carl Karrer	Yes
Tasha Bailey	Yes

STAFF CERTIFICATION

Jennifer M. Rauch
Planner II

plans look after construction. Robert Schisler said the Board should conduct the site visits in November and the site plan review exercise in December.

Ms. Rauch said City Council has met and reviewed their goals for 2011, which included an update and discussion regarding the progress of the Bridge Street Corridor. She said the video is now available online for those who wish to see the discussion.

Tasha Bailey asked if there is an update for the ATM located at BriHi Square. Ms. Martin said a revised application will be before the Board in November.

Mr. Schisler briefly explained the rules and procedures of the Architectural Review Board. He swore in those who wished to address the Board

**1. boho 72 Boutique
11-059ARB**

**72 North High Street
Sign Modifications**

Jennifer Rauch said this application is for review and approval of sign modifications for a new tenant within an existing retail building within the Historic District. She said the site is located at 72 North High on the northeast corner of North High Street and North Street. She said this building in conjunction with Oscars, which is located at 84 North High, as well as the building located at 20 North Street make up the northeast corner and share the parking lot located to the rear. She said across the street from the site is the Dublin Branch of the Columbus Metropolitan Library and to the south across North Street are various commercial uses.

Ms. Rauch said the site currently has an existing eight foot tall sign post with a sign arm located at six and a quarter feet in height. She said the sign post is a brown wooden post which is located four feet from the right-of-way. She said this is a non-conforming location, as Code requires sign to be located eight feet from the right-of-way; however it was previously approved in this location. She said as long as only the sign panel and sign face are changed and no modifications are made to the post, the sign post can remain its current location.

Ms. Rauch said the applicant is proposing to place a new six-square-foot sign panel on the arm. She said the propose sign panel meets the requirements for the number of colors, as well as the size, height, and secondary image requirements.

Ms. Rauch said it is Planning's analysis the proposed sign meets the criteria of the *Historic Dublin Design Guidelines* and the Zoning Code and approval is recommended, with one condition:

- 1) The applicant will be required to obtain a sign permit for the tenant sign panel before installation.

Tasha Bailey asked if the sign post is grandfathered. Ms. Rauch said the post is in a non-conforming location, and the tenant is allowed to keep the post and maintain the sign in the current location. She said if the tenant wanted to replace or move the post, the post would have to meet Code and be located eight feet from the right-of-way. Ms. Bailey asked if the Board has a say in what the post looks like. Ms. Rauch said the Board can request the post be painted a different color, but the applicant is not required to move the post.

Motion and Vote

Carl Karrer made a motion, seconded by Tasha Bailey, to approve the application because the proposed sign modifications meet the Zoning Code and the *Historic Dublin Design Guidelines*, with one condition.

One condition:

- 1) The applicant will be required to obtain a sign permit for the tenant sign panel before installation.

David Kline agreed to the condition.

The vote was as follows: Ms. Bailey, yes; Mr. Karrer, yes; Mr. Schisler, yes; and Mr. Currie, yes. (Approved 4 – 0.)

**2. 2012 Annual Items of Interest
09-062ADM**

Administrative Request

~~Eugenia Martin reviewed the proposed 2011-2012 Annual Items of Interest which included Update the Appendix for the Properties Outside the Historic District, Historic Preservation Sustainable Practices, Historic Dublin Design Guidelines Update, and Inventory of Historical Properties in the District;~~

~~Robert Schisler asked if there will be a final version of the sign provisions within the Bridge Street Code for the Board to review. Ms. Martin said the comments made by the Board have been incorporated into the Code. Mr. Schisler asked if the board will have the opportunity to see how the comments have been incorporated. Ms. Martin said all of the Bridge Street Code drafts are available online and she will provide the most recent version of the draft Code at the November meeting. She said the Zoning Code book updates will be received too.~~

~~Mr. Schisler said he would like an explanation of how to go about conducting the inventory of historical properties, and the Board's responsibility in completing this item. Ms. Martin said the Board's role would include making suggestions of a policy regarding regular updates for the City's historical property inventory. She said the first four items were on the Board's 2010-2011 Annual Items of Interest and are proposed to continue into 2012 as the City's concentration has been on the Bridge Street Corridor which will have an impact on items of the list. She said in the budget there are proposed funds to hire a consultant to help complete the revisions to the *Historic Dublin Design Guidelines*.~~

~~Jennifer Rauch said the Inventory of Historical Properties in the District and the Appendix for the Properties Outside the Historic District will be more staff driven, but will be brought forward to the Board. She said Historic Preservation Sustainable Practices is a topic the Board can take charge of through research and identifying the types of sustainable practices to utilize in the District.~~

~~Tom Currie said the policy regarding the inventory and the appendix need to be included in the update to the *Guidelines*. Ms. Rauch said the Appendix for the Properties Outside the Historic District, is located within the Zoning Code, but includes a small number of historic properties. She said the goal was to review the entire list of historic properties within the City and determine which properties should be added. She said the Code requires review and recommendation by the Architectural Review Board and the Planning and Zoning Commission, and City Council would make the final decision.~~

~~Ms. Rauch said the Community Plan has a list of every property in the City with historic significance and Planning has reviewed the list to determine if additional properties should be added to the Code. She said it would be Planning's responsibility to identify these properties, as the property owners have not requested to be placed on the list and the process needs to be handled sensitivity. She said by adding a property to the appendix a property owner that wants to make modifications would be required to come before the Board for review and approval.~~

~~Mr. Karrer asked if there is a description of each property and what is significant about it. Ms. Rauch said Planning has an inventory that lists every historic property. She said each property has a detailed sheet that includes a picture and description of the structure, when it was constructed, significant details, if someone of significance in Dublin lived or had a business there. She said the inventory is on file in Planning and is used~~

RECORD OF ORDINANCES

Ordinance No. 08-10

Passed _____, 20____

AN ORDINANCE TO REZONE APPROXIMATELY 0.67 ACRES LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH HIGH STREET AND NORTH STREET WITHIN HISTORIC DUBLIN FROM CB, CENTRAL BUSINESS DISTRICT TO HB, HISTORIC BUSINESS DISTRICT - OSCAR'S (CASE 09-109Z)

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, 6 of the elected members concurring:

Section 1. That the following described real estate (see attached map marked Exhibit "A") situated in the City of Dublin, State of Ohio, is hereby rezoned from CB, Central Business District to HB, Historic Business District, and shall be subject to regulations and procedures contained in Ordinance No. 21-70 (Chapter 153 of the Codified Ordinances) the City of Dublin Zoning Code and amendments thereto.

Section 2. That application, Exhibit "B", including the list of contiguous and affected property owners, and the recommendations of the Planning and Zoning Commission, Exhibit "C", are all incorporated into and made an official part of this Ordinance and said real estate shall be developed and used in accordance therewith.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 12th day of April, 2010.

Timothy A. Lecklider
Mayor - Presiding Officer

ATTEST:

Anne C. Clark
Clerk of Council

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show and magazine covers. Today, these structures are images of municipal identity and civic pride. On behalf of Tnemec local representative, Dan Hanes, he presented the 2009 Tank of the Year award to the City of Dublin for its Darree Fields elevated storage tank. Mr. Hammersmith, City Engineer, accepted the award on behalf of the City.

CORRESPONDENCE

- Notice from Division of Liquor Control re. Transfer of D5 and D6 permits from GES Services LLC, dba Donerick's Pub at 6711 Dublin Center Drive and Patio to Cobalt Dog LLC, 6711 Dublin Center Drive and Patio.

Council members had no objection to transfer of the liquor permits.

CITIZEN COMMENTS

Wallace Maurer, 7451 Dublin Road noted that:

1. He is pleased to have been the citizen who four years ago suggested the artwork project for the City's water tower!
2. At the previous Council meeting, he had imagined that the City Manager, Law Director, Fiscal Officer and City Council were all combined into one, all-wise Emperor of the City — and that he would be that Emperor. If that was the case, there was an ordinance passed at a recent Council meeting, which he would not have approved. To provide context, during the last presidential election, there was one candidate who struck terror in the hearts and minds of many in respect to infinite wealth. The primary talking point of his campaign was, "There are two Americas. One America consists of the most infinitely wealthy in the country, and the other America consists, not only of the poor, but everybody else." This message contributed to an underlying rage that already existed in the country among people who have lost their jobs and/or their homes. The situation is now close to explosion. There are a couple of safety valves at the moment: one is the Tea Party phenomenon, which at the moment lacks a centralized focus; the other is the health insurance law. However, nothing will remedy the situation except restoration of jobs and property. At the next meeting, he will address the ordinance passage that troubled him, as his time to speak has now expired.

LEGISLATION

POSTPONED LEGISLATION

Ordinance 08-10

Rezoning Approximately 0.67 Acres Located on the Northeast Corner of the Intersection of North High Street and North Street within Historic Dublin from CB, Central Business District to HB, Historic Business District. (Oscar's – Case 09-109Z)

Mr. Smith stated that Council postponed this ordinance at its previous hearing with direction that staff identify a parking solution. He is pleased to report that they now have deed restrictions executed by Oscar's, which put in place a valet service with designated parking locations. Today, he received an executed amendment to their parking lease adding 250 parking spaces behind the adjacent office building for the next five years. Mayor Lecklider inquired if the applicant's representative is present tonight. Are they aware that Council is prepared to vote on this legislation at this time?

Mr. Smith responded that Ms. Temple, the applicant's representative is present. He has also spoken with Mr. Eggspuehler and Mr. Tibbets several times in the last two weeks. He indicated to them that they had now accomplished what Council had requested, and that a vote from Council is anticipated at this hearing.

Mr. Gerber asked if the amended parking lease encompasses both the upper and lower parking tiers.

Mr. Smith responded that it does. It includes all the parking spaces behind the building. This is the initial step, and staff will continue to work with Oscar's on how to designate and enforce the parking.

Vote on the Ordinance: Mr. Keenan, yes; Mrs. Boring, yes; Mayor Chinnici-Zuercher, yes; Mayor Lecklider, yes; Mr. Gerber, yes; Vice Mayor Salay, yes. (Mr. Reiner was absent from the room)

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Ms. Chinnici-Zuercher noted that she is voting affirmatively due to the fact that the Legal department has worked with the applicant to ensure that there is sufficient parking to accommodate the existing business and future expansion of the property.

SECOND READING/PUBLIC HEARING – ORDINANCES

Ordinance 14-10

Authorizing the Execution of a Calculation Agency Agreement, and Declaring an Emergency. (2009 Bond Issue – Build America Bonds)

Ms. Grigsby stated that this ordinance authorizes the execution of the Calculation Agency agreement, which provides for the Bank of New York to file the necessary IRS forms with regard to the Build America Bonds (BABs) that were issued last fall. At the last Council meeting, Council members requested some additional information, which has been provided for this meeting. The information includes the staff reports and meeting minutes from October 5, 2009 and October 19, 2009; information regarding the purchasers of the bonds; and the final pricing book. Staff requests that Council approve this Ordinance as an emergency.

Mr. Keenan stated that his concern regarding the BABs was that they are attractive to entities that pay no U.S. income taxes. However, the savings is significant. He appreciates the follow-up information.

Mr. Gerber moved to treat this as emergency legislation.

Vice Mayor Salay seconded the motion.

Vote on the motion: Vice Mayor Salay, yes; Mayor Lecklider, yes; Mr. Gerber, yes; Mrs. Boring, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes.

Vote on the Ordinance: Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Vice Mayor Salay, yes; Mr. Gerber, yes; Mayor Lecklider, yes; Mrs. Boring, yes.

Ordinance 15-10

Authorizing the Provision of Certain Incentives to Medco Health Solutions of Columbus North, Ltd. to Induce it to Extend the Lease Term on its Facility within the City and Continue its Operations and Retain its Workforce within the City, and Authorizing the Execution of an Economic Development Agreement.

Ms. Gilger stated that Medco has been exploring the options of renewing the lease of their existing space at 5151 Blazer Memorial Parkway or moving to a larger space at a different Central Ohio location. The proposed incentive authorized by this ordinance is tied to a ten-year extension of their existing lease. Medco has 170 employees located at this site, and nearly 1,500 employees within the region. This is a five-year, 15% performance incentive that would be dependent upon their meeting pre-determined targets of growth in payroll. The incentive is capped at \$600,000.

Bryce Love, Medco, Director of Pharmacy Practice, thanked Council for consideration of this incentive. They employ over 800 customer service representatives and registered pharmacists at over 13 sites throughout the nation. Dublin is one of the safest sites they have, and their employees enjoy working here. Due to the expansion of health care, they are able to recruit more employees for this health care sector.

Mayor Lecklider requested information about their operations within the City.

Mr. Love responded that he is a registered pharmacist, graduate of Ohio State, and a preceptor for four of the six Colleges of Pharmacy, so they have a large number of students coming to their site. At the call center, they have a customer service operation for refills. Their registered pharmacists perform four primary services: telephone medication therapy management for the Medicare population; telephone counseling for mail order dispensed prescriptions; telephone nurse care coordination; and formulary management, including cost-savings opportunities for their members.

Mr. Reiner inquired the education requirements for their employees who are dispensing this type of information.

Mr. Love responded that their customer service representatives are required to have high school diplomas. Their pharmacists must be licensed and in good standing with the State of Ohio.

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Counseling Center was fortunate, receiving only a \$250,000 funding reduction. They received a minimal reduction due to the fine work performed at the Counseling Center. The ADAMH Board provides diligent oversight to their program and patient care. Executive Director Julie Rinaldi provides strong leadership and they have a strong board of directors. They have recently invited Mr. McDaniel to join the Board, as a liaison for the City. The Center recently celebrated its 30th anniversary. The staff and the facility are significantly larger now due to the increasing needs of the community. Many Franklin County mental health facilities have closed due to lack of funding. The Counseling Center is anticipating some budget cuts due to the reduction in State funds. However, the Center is able to continue operations due to the additional support provided by the City and Washington Township. A recent project implemented by the Dublin Counseling Center was the Red Flag suicide prevention program, a partnership effort with the school district. The services the Center provides are excellent, and the Center receives top scores from the ADAMH Board.

Julie Rinaldi, Dublin Counseling Center Executive Director thanked Council for its continuing support.

Mayor Lecklider stated that Council considers the Dublin Counseling Center a real asset to the community. Their efforts in difficult financial times are very much appreciated. Although much of what the Center does is not public, due to the nature of its work, Council is pleased to have this partnership with the Center and will continue to support its work.

• **Recognition of Randy Languis, Division 1, State Wrestling Champion**

Mayor Lecklider presented a proclamation to Randy Languis for his win of the Division I, 140-pound State Wrestling Championship on March 6, 2010. Randy, a senior at Dublin Scioto High School and captain of the wrestling team, is Dublin's only three-time State Placer in wrestling, completing his senior year with a record of 50-4. On behalf of Council, Mayor Lecklider proclaimed Friday, March 26, 2010 as "Randy Languis Day" in the City of Dublin.

CORRESPONDENCE

There was no correspondence requiring Council action.

CITIZEN COMMENTS

Wallace Maurer, 7451 Dublin Road noted that at home he has a decades-old cactus, potted many years ago by his mother. The earth has never been changed, and the cactus flowers like clockwork in January, February and March. This year, it flowered more than ever before and the individual flowers are breathtaking. It could be a metaphor for the explosive growth of the City. Changing metaphors, if the seven Council members, City Manager, Fiscal Officer and Law Director of Dublin were combined into one "wise emperor," and he was that emperor with the responsibility of final approval of rezoning applications, he would have disapproved an application reviewed by Council 2-3 meetings ago. He will discuss his reasons for this at the next Council meeting.

LEGISLATION

POSTPONED LEGISLATION

Ordinance 08-10

Rezoning Approximately 0.67 Acres Located on the Northeast Corner of the Intersection of North High Street and North Street within Historic Dublin from CB, Central Business District to HB, Historic Business District. (Oscar's – Case 09-109Z)

Mr. Langworthy stated that this legislation relates to properties at 72 and 84 N. High Street and 20 North Street located at or near the intersection of those two streets. The application proposes various architectural and site modifications that would remove part of the patio area and enclose it with building space. This application has been reviewed by the ARB for the architectural site modifications; by the BZA for variances for the setback, parking, landscaping and lot coverage requirements; and by P&Z for the rezoning. The P&Z recommends approval. The reason this application was postponed at the February 22nd Council meeting was because some Council members requested the applicant provide valet parking to address concerns raised regarding the availability and proximity of parking within the Historic District. Mr. Smith will discuss how that will be achieved.

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Mr. Smith stated that Council requested that staff identify a means by which to implement valet parking to serve this restaurant. This is a straight zone and therefore conditions cannot be appended. To meet that need, a restrictive covenant has been built into the title that runs with the land. This restriction ensures that if the requirement to provide valet services in front of Oscar's building is violated, the City would have the ability to obtain an injunction. In addition, Oscar's has also agreed that in the event legal action is necessary, and the City prevails, Oscar's would pay all of the associated legal fees incurred by the City. Oscar's also has an agreement in place with River's Edge, where the valet-parked cars will be taken.

Mr. Langworthy stated that Planning, Engineering and the Law Director's office have worked with the applicant to provide an appropriately located valet station along North High Street. The proposed valet service would be located immediately in front of Oscar's restaurant, in the first two on-street parking spaces on the east side of North High Street, north of the intersection with North Street.

Mr. Smith noted that the restrictive covenant also provides that if there is ever a future need for the City to place additional restrictions on that space, the applicant must abide by those regulations.

Mr. Gerber stated that it was his understanding that: (1) there has been a parking agreement between this applicant and 94 N. High for a number of years, which, although it has recently expired, would remain in place; and (2) the additional valet parking would occur behind the 94 N. High building, where an additional 100 parking spaces would be added. The terms of this agreement as proposed tonight appear to be that the applicant will continue to do what he has done in the past and nothing new. Therefore, how would this arrangement provide additional parking?

Mrs. Boring noted that the location identified on the Rivers Edge property on the valet parking map is where the overflow public parking currently exists.

Mayor Chinnici-Zuercher agreed. It would now be necessary for patrons in need of overflow parking to park at the base of the steep hill behind the 94 N. High building, and there are no steps in place on that hill. That is the reason a recommendation was made at the previous meeting that this lower lot area would be the location in which the valets would park the cars, leaving the upper parking lot area available for self parking.

Mr. Langworthy requested that Carolyn Temple from Mr. Eggspuehler's office respond to the question.

Mr. Gerber stated that he does not know when that parking agreement was put in place, but it provided additional parking at 94 N. High Street. The applicant indicated at the previous discussion that the existing parking agreement would remain in place, and that the valet parking would bring an additional 100 spaces behind that building.

Carolyn Temple, 20 North Street stated that she believes that the lease of the 94 N. High Street parking spaces has not expired. Mr. Tibbets can confirm that.

Mr. Gerber responded that he received a phone call today from Tom Carpenter -- one of the owners of 94 N. High Street -- indicating that the parking agreement had expired.

Ms. Temple responded that she would check on it tomorrow.

Mr. Langworthy stated that the details of the location and arrangements are being worked out separately; they are not part of the deed restriction.

Ms. Chinnici-Zuercher responded that she recognizes that. However, the goal remains the same -- to gain parking spaces, and not to use existing parking spaces for the valet parking. There was a significant waiver of the parking requirement previously approved, and this is the area with the most critical parking needs in the District. For this reason, valet parking was identified as an alternative to address the need. If the business prefers not to use the additional area behind the 94 N. High building, they could choose to use the area behind the school for the valet parking. There were other options available, but the

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applicant discussed only the parking area behind 94 N. High. Again, the objective is not to use existing spaces.

Mr. Keenan stated that when the valet parking details are finalized, it will be necessary to make certain that Oscar's will not at some point relocate the valet parking area to the west, which is already heavily utilized. The restrictive covenant provides only that they "shall abide by any and all rules pertaining to valet parking that are established by the City from time to time." It only indicates that, "The grantee will provide the valet parking in a manner, at the times and at the locations approved by the City." He wants to make certain that it is clear that this does not contemplate using public parking areas to the west.

Mr. Smith stated that at the previous meeting, the applicant indicated a renewed parking agreement was in place. It is important to verify that.

Ms. Chinnici-Zuercher stated that using the space in front of the 94 N. High building is not an acceptable alternative for the valet parking.

Mr. Gerber stated that he cannot vote for this application until he has the answers to these questions.

Vice Mayor Salay stated that it appears necessary to postpone this again.

Mayor Lecklider agreed. At the previous discussion, he was under the assumption that the space for the valet parking was the lot at the base of the hill.

Ms. Chinnici-Zuercher added that it was not merely an assumption; there was substantial discussion to that effect.

Mayor Lecklider emphasized that the assumption is that not only will Mr. Eggspuehler renew the parking agreement for 94 S. High, but that he would also secure an agreement for the parking area at the base of the hill. How can such a condition be imposed upon the applicant?

Mr. Smith responded that it is very problematic if the agreement is not already in place. The agreement was the basis upon which the City would be able to designate the valet parking location, times, etc. He recommends that the legislation be postponed in order that a discussion with Mr. Eggspuehler can take place. Based on the previous discussion, it was his impression that Mr. Eggspuehler had a lease in place for the parking lot behind 94 N. High, at the base of the hill.

Mr. Gerber stated that unless both parking areas -- the existing area at 94 N. High and the 100 additional spaces behind 94 N. High -- are part of this application, he will not be able to support the rezoning.

Mr. Keenan stated that the issue is whether that condition can be imposed upon the applicant, and what would be the duration of that agreement. If the agreement is only for three or four years, the issue is not adequately resolved.

Mr. Smith stated that the deed restriction ensures that Mr. Eggspuehler has agreed to abide by the locations and times that the City designates. But that was based upon the understanding that Mr. Eggspuehler had secured those parking areas. Absent that, the situation is entirely different. The covenant restrictions were not yet recorded, pending the outcome of this legislation. The restrictions will require the owner to provide valet parking in order to operate the restaurant.

Mr. Keenan responded that it would be ill-advised for the owner to enter into the agreement without the option to renew it over a long period of time.

Ms. Chinnici-Zuercher stated that Council made it clear that they are interested in the restaurant continuing to exist in this location and being expanded, but that Council could no longer support any new or expanded restaurant without a provision for the additional parking. The City certainly will not waive the parking requirement in this case.

Mrs. Boring stated that message needs to be shared by the Planning staff.

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Mayor Lecklider clarified that in addition to the lower parking lot, it would be essential to renew the current lease at 94 N. High to ensure that parking would not be shifted to the west, where the parking is already congested.

Mr. Gerber stated that it makes no difference to him where the owner finds the valet parking spaces. But the applicant has represented that there are 25-30 spaces at 94 N. High and another 100 additional spaces at the base of the hill. If the applicant secures a total of 130 spaces, he is satisfied.

Vice Mayor Salay stated that is only under the assumption that none of those spaces the applicant identifies are in the City's public parking lot across the street.

Ms. Chinnici-Zuercher agreed. That was also part of the previous discussion – that other valet services are parking cars in the public parking lots.

Mayor Lecklider asked Ms. Temple if she would agree to Council postponing the legislation.

Ms. Temple agreed.

Mrs. Boring moved to postpone Ordinance 08-10 to the April 12 Council meeting.

Mr. Gerber seconded the motion.

Vote on the motion: Vice Mayor Salay, yes; Mayor Lecklider, yes; Mr. Reiner, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Gerber, yes; Mrs. Boring, yes.

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 14-10

Authorizing the Execution of a Calculation Agency Agreement, and Declaring an Emergency. (2009 Bond Issue – Build America Bonds)

Vice Mayor Salay introduced the ordinance.

~~Ms. Grigsby stated that this legislation allows the City Manager to execute the calculation agreement with the Bank of New York, which is the City's bond registrar for the debt that was issued last fall. It provides authorization to prepare and submit the forms to the IRS each July and December over the 20-year term of the bonds. When the City last issued debt, it took advantage of the Build America Bonds as an option. As a result, the City pays a higher interest rate to the bond holders, and the federal government will reimburse the City 35% of that interest cost. This agreement allows the Bank of New York to prepare the necessary forms to obtain that 35% subsidy.~~

~~Mr. Keenan stated that he understood there were two different vehicles that could be used for this – traditional, municipal bonds and the Build America Bonds.~~

~~Ms. Grigsby confirmed that is correct.~~

~~Mr. Keenan stated that he recalls that previous discussion indicated the City was leaning toward using the traditional bonds.~~

~~Ms. Grigsby stated that when the earlier legislation was introduced to Council, the information from the underwriters regarding the market at that time was that the Build America Bonds would save the City some interest costs, but not enough to warrant using them. However, by the time they reached the market, the Build America Bonds and the interest rate at that time would save the City significantly more dollars than the traditional tax exempt debt. In fact, the City saved approximately \$560,000 over the life of the 20-year bond. The City did issue tax exempt debt for the first three years; years 4 through 20 are Build America Bonds.~~

~~Mr. Keenan stated that as he indicated previously, he has some philosophical issues with the bonds, which could be sold to any investors.~~

~~Ms. Grigsby responded that the tax exempt debt can be sold to any investors as well. Build America Bonds open up a new market for investors because of the higher interest rate that can be obtained. The tax exempt debt has a lower interest rate because it is exempt from federal and state taxes. Some agencies that are tax exempt, such as retirement funds, do not benefit from tax exempt bonds. However, the Build America Bonds are beneficial to them because of their higher interest rate.~~

~~Mr. Keenan stated that he recalls that foreign governments could potentially be involved, and the 35% reimbursement would ultimately subsidize them using federal funds.~~

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Mrs. Boring referred to page 9 of the 1997 minutes, in the discussion about 25 percent road frontage, which the City requires for all car dealers. She cannot find that portion of the text in the Perimeter Center development text that is crossed out.

Ms. Husak responded that is the issue with the way the text was written and the reason staff asked the applicant not to continue with that text. The text was written to state, "landscaping to Code, unless otherwise approved by the Final Development Plan." This landscaping and the relief on the landscaping, 40 percent of their frontage, is something that was in their Plan, but not their text.

Mrs. Boring stated that she has been told many times previously that the text overrides the Plan.

Ms. Husak stated that the 1997 approved text states "unless approved on the Plan," so the text provides for that.

Mrs. Boring inquired the location of the language concerning the relief in the display areas. Her concern is that other car dealers will now ask for 40 percent, for instance, along Sawmill Road. How will that appear compared to the Code requirement for 25 percent?

Ms. Husak responded that the method for the car dealerships on Sawmill Road to obtain permission to do so is by securing a variance from the Board of Zoning Appeals, since they are all in a standard zoning district. In part two of the packet, which begins with the Perimeter Center development text, page 64 is to be deleted from the existing MAG text. The top of that page reads, "All landscaping shall be according to the Dublin Landscape Code unless a deviation is specifically approved as part of the Final Development Plan."

Mrs. Boring asked if staff is indicating that when road frontage is used for vehicle display, it is the same as landscaping plans?

Ms. Husak responded affirmatively.

Mrs. Boring stated that the text does not mention landscaping. It indicates that 25 percent frontage of the road will be used for automobile display. She does not accept that as a landscaping plan.

Ms. Husak responded that the relief in the Zoning Code for the 25 percent is in the Landscape Code, and the relief is landscaping.

Mrs. Boring stated that she cannot equate this to landscaping.

Aaron Underhill, Smith & Hall, 37 W. Broad Street, representing the applicant, stated that architects John Oney and Brad Perish, and Tim Galli, MAG, are present to respond to questions.

Mrs. Boring stated that she would like to clarify her concerns. The development plan is great in terms of the building expansion and add-on. However, the City has had issues with vehicle displays over many years. Staff indicates any variance from the Code must be approved by BZA, and that is the concern. When the City grants one car dealership relief, it is very difficult not to grant another car dealership the same opportunity to display his merchandise. It is a sense of fairness, and if she were serving on BZA, she would be compelled to grant a variance on that basis. Therefore, unless the percentage is revised to 25 percent — the intent of the original plan — she will not be able to support this rezoning. Approving this would have a future negative impact on the SR 161/Sawmill Road corridor.

Mayor Lecklider indicated that Council is prepared to vote at this time.

Mr. Gerber raised a point of order. Is it staff's recommendation to add a ninth condition as outlined in the staff report?

Ms. Husak responded that is an error; that language should not have been included in the memo. There are only eight conditions — those appended by the Planning & Zoning Commission, which are recommended to Council for this rezoning.

Vote on the Ordinance: Vice Mayor Salay, yes; Mayor Lecklider, yes; Mr. Reiner, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mrs. Boring, no; Mr. Gerber, yes.

Ordinance 08-10

Rezoning Approximately 0.67 Acres Located on the Northeast Corner of the Intersection of North High Street and North Street within Historic Dublin from CB, Central Business District to HB, Historic Business District. (Oscar's – Case 09-109Z)

Mayor Lecklider stated that staff's memo indicates a request to postpone this hearing.

Ms. Readler stated that Legal staff is working on the issue of valet parking raised by Council at the first reading. They are continuing to work on a solution with the applicant.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

February 22, 2010

Page 13
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Held

Vice Mayor Salay moved to postpone Ordinance 08-10 to the March 22, 2010 meeting. Mr. Keenan seconded the motion.

Vote on the motion: Mr. Keenan, yes; Mrs. Boring, yes; Vice Mayor Salay, yes; Mr. Gerber, yes; Mayor Lecklider, yes; Ms. Chinnici-Zuercher, yes.

Ordinance 09-10

Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire a 0.136 Acres, More or Less, Utilities Easement from Dublin United, LLC.

Mr. Hammersmith that as indicated at the first reading, this is the final easement needed for the improvement of Emerald Parkway to serve Cardinal Health and Verizon. The need for this easement was discovered through the design of the project, and it is necessary to memorialize this utility easement along the frontage of the first Verizon building.

Vote on the Ordinance: Mayor Lecklider, yes; Mrs. Boring, yes; Vice Mayor Salay, yes; Mr. Gerber, yes; Ms. Chinnici-Zuercher, yes; Mr. Keenan, yes.

Ordinance 10-10

Authorizing the Provision of Certain Incentives to Perio, Inc. to Induce the Expansion of its Headquarters, Operations and Workforce within the City, and Authorizing the Execution of an Economic Development Agreement.

Mr. McDaniel stated that there is no additional information to report.

Vote on the Ordinance: Mr. Gerber, yes; Mayor Lecklider, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mrs. Boring, yes; Vice Mayor Salay, yes.

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 11-10

Adopting and Enacting a Supplement (S-27) to the Code of Ordinances for the City of Dublin.

Ms. Salay introduced the ordinance.

Ms. Readler stated that this is the biannual update of the City's codified ordinances.

Mr. Gerber moved to dispense with the public hearing.

Mr. Keenan seconded the motion.

Vote on the motion: Ms. Chinnici-Zuercher, yes; Mrs. Boring, yes; Mr. Reiner, yes; Mayor Lecklider, yes; Mr. Gerber, yes; Mr. Keenan, yes; Vice Mayor Salay, yes.

Vote on the Ordinance: Mr. Keenan, yes; Mayor Lecklider, yes; Mr. Reiner, yes; Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Vice Mayor Salay, yes; Mr. Gerber, yes.

Ordinance 12-10

Amending Section 52.03 ("Water Wells") of the Codified Ordinances of the City of Dublin, Ohio.

Vice Mayor Salay introduced the ordinance.

Mr. Hammersmith stated that this legislation is provided to update Section 52.03 of the City's Code in regard to the geothermal heating systems. Previously, the City's Code has not adequately addressed that use of ground water. This past year, Dublin had one commercial installation and five or six residential installations; more are expected in the future. This also allows the City to re-evaluate the \$20 permit fee and make that update part of the City's annual cost of services study. More staff time is required to review these permits than a typical groundwater installation permit. Irrigation wells are excluded from the requirement for a permit. Those are better regulated by the Ohio Department of Natural Resources, which maintains well logs and information on those installations.

Mayor Lecklider inquired if the activity last year was the impetus for this amendment.

Mr. Hammersmith responded affirmatively.

Vice Mayor Salay inquired if these systems are for new builds or can they be retrofitted into existing homes.

Mr. Hammersmith responded that, to date, the applications have been for new homes, but they could be retrofits to existing homes.



PLANNING AND ZONING COMMISSION

RECORD OF ACTION

JANUARY 21, 2010

CITY OF DUBLIN

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/ TDD: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

Creating a Legacy

The Planning and Zoning Commission took the following action at this meeting:

**5. Oscar's 72 and 84 North High Street and 20 North Street
09-105Z Rezoning**

Proposal: Rezone three parcels totaling 0.67 acre from CB, Central Business District to HB, Historic Business District for a site located at the northeast corner of North High Street and North Street.

Request: Review and recommendation of approval to City Council of a standard district rezoning under the provisions of Code Section 153.234.

Applicant: Jack Eggspuehler, Owner; represented by Carolyn Temple, Aerosafe Group.

Planning Contact: Jennifer M. Rauch, AICP, Planner II.

Contact Information: (614) 410-4690, jrauch@dublin.oh.us

MOTION #1: To recommend approval to City Council for this Rezoning application because it meets the Future Land Use designation and the City's long-term goal of ensuring properties within the Historic District are within the zoning classification consistent with the development located in this area.

VOTE: 7 - 0.


RESULT: This rezoning was recommended for approval.

MOTION #2: To highlight the Planning and Zoning Commission's discussion regarding their concerns with parking in the Historic District and the once public patio in the communication accompanying the rezoning application to City Council.

VOTE: 7 - 0.

RESULT: The Planning and Zoning Commission's discussion about their Historic District parking concerns and once public patio will accompany the rezoning application sent to City Council.

STAFF CERTIFICATION


Jennifer M. Rauch, AICP
Planner II

~~Ms. Amorose Groomes verified that no one in the audience wished to speak regarding this application.~~

Motion and Vote

~~Mr. Zimmerman made a motion to approve this Corridor Development District sign application because it is consistent with signs approved for other shopping centers in Dublin, it complies with the applicable review criteria and existing development standards within the area with two conditions:~~

- ~~1) That the total area for the two signs be limited to a maximum of 80 square feet; and~~
- ~~2) That either sign design presented as part of the application be permitted on either elevation, or that the design proposed for the east elevation may be used on both the east and west sides of the building, subject to Planning approval.~~

~~Mr. Andrews agreed to the above conditions.~~

~~Mr. Hardt seconded the motion and the vote was as follows: Ms. Kramb, yes; Mr. Taylor, yes; Mr. Walter, yes; Mr. Fishman, yes; Ms. Amorose Groomes, yes; Mr. Hardt, yes; and Mr. Zimmerman, yes. (Approved 7-0.)~~

**5. Oscars 84 & 72 North High Street and 20 North Street
09-105Z Rezoning**

Ms. Amorose Groomes said this application involves a rezoning of 0.67 acres on three parcels from CB, Central Business District to HB, Historic Business District for a site located at the northeast corner of North High Street and North Street.

Jennifer Rauch presented this standard rezoning application and explained the review procedures. She stated the rezoning would determine the specific zoning regulations that govern the development of this site and provide the Commission the opportunity to review the proposed zoning classification and its appropriateness given the location within the Historic District. She said as the site is located within the Historic District, the applicant has gained approval of the site development details from the Architectural Review Board. She stated a recommendation from the Commission to City Council would be required.

Ms. Rauch said the three parcels totaling 0.67 acres are located at the northeast corner of North High Street and North Street and consists of 84 and 72 North High and 20 North Street. She said the properties to the south are zoned CB, Central Business District and the properties to the north, east and west are zoned SO, Suburban Office District. She stated the City's overarching goal is to rezone properties in the Historic District into the more appropriate zoning classifications which are HR, Historic Residential District, and HB, Historic Business District, which is consistent with the proposal

Ms. Rauch stated in November 2009 the Architectural Review Board approved site modifications which included a building addition and modifications to the existing patio area. She said the approved modifications required compliance with the Zoning Code and the approval of multiple variances. She said the Board of Zoning Appeals approved four variances in December 2009.

Ms. Rauch said based on Planning Analysis, the Future Land Use map and the Area Plan are met for this proposal and Planning recommends the Planning and Zoning Commission recommend approval to City Council.

Ms. Amorose Groomes asked if there was anyone who would like to speak with regard to this application. [There was none]

Mr. Taylor said the rezoning was appropriate and the only issue he wanted to get on the record was his concern with the parking situation. He said he was disappointed the Board of Zoning Appeals approved a parking variance so quickly when this property has previously received a substantial parking variance. He expressed concern about the 1,800-square-foot addition without additional parking. He said the District is about to reach a critical mass with parking and when tenants open up in the new building on the corner of Bridge and High it is going to come to a head. He said he wanted City Council to hear from the Commission that the parking issue needs to be dealt with in a more substantial way than wayfinding and shared parking agreements.

Ms. Krumb expressed her concern about the loss of the patio as a public area over the past few years and that it was never replaced. She said this agreement needs to be remembered and the applicant is not following that open facility condition and it should be fixed.

Mr. Fishman agreed and said the patio is still to operate like park. He said the original condition when Mr. Eggspuehler asked to use this as a patio, but to provide a sign stating it was open to the public. He said over time the sign has become overgrown and no one feels comfortable using this space as a City park because it looks like his patio. He said this is a gross violation of the condition and should be made to be a City park again.

Ms. Amorose Groomes agreed and said it is problematic because it was intended to be community space and it needs to be resolved.

Ms. Rauch said with the original approval of the variance which under that area became open to the public Mr. Eggspuehler agreed it was to open to the public in lieu of the required interior landscaping. She stated as part of the recent variance approval the applicant was provided relief from the interior landscaping requirements and thus eliminating the need for the park to remain open to the public.

Mr. Walter said he did not believe the interior landscape requirements and the provision of the open patio were connected in the 1987 variance. He said they can get relief to the interior landscaping but the patio needs to be open.

Ms. Amorose Groomes asked that the site be brought into compliance. Mr. Langworthy said conditions cannot be attached to the rezoning, but Planning would include this discussion within the memo provided to City Council.

Carolyn Temple, 20 North Street, Dublin OH 43017, was present, representing the applicant.

Motion and Vote #1

Mr. Taylor made a motion to recommend approval to City Council for this Rezoning application because it meets the Future Land Use designation and the City's long-term goal of ensuring properties within the Historic District are within the zoning classification consistent with the

development located in this area. Mr. Zimmerman seconded the motion. The vote was as follows: Mr. Walter, yes; Mr. Fishman, yes; Ms. Amorose Groomes, yes; Ms. Kramb, yes; Mr. Hardt, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 7 – 0.)

Motion and Vote #2

Mr. Walter made a motion to highlight the Planning and Zoning Commission's discussion regarding their concerns with parking in the Historic District and the once public patio in the communication accompanying the rezoning application to City Council. Mr. Fishman seconded the motion. The vote was as follows: Mr. Hardt, yes; Ms. Kramb, yes; Mr. Zimmerman, yes; Mr. Taylor, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; and Mr. Walter, yes. (Approved 7 – 0.)

6. ~~Perimeter Center PCD, MAG Volvo Expansion~~ **6325 Perimeter Loop ~~09-108Z/PDP/FDP~~ **Rezoning/Preliminary Development Plan** **Final Development Plan****

~~Ms. Amorose Groomes swore in the applicants, Ben Hale, Smith and Hale, and John Oney, Architecture Alliance, representing MAG, and those wishing to speak in regards to this case, including City representatives.~~

~~Claudia Husak said this is a request for recommendation of approval to City Council for a rezoning with a preliminary development plan for 15.67 acres from PCD, Planned Commerce District (Perimeter Center, Subareas J and D) and PUD, Planned Unit Development district (Perimeter Center Subarea J-1) to a new PUD to accommodate an expansion of the Midwestern Auto Group (MAG) site. She said the proposed development includes a substantial building addition, a car wash, and other related site improvements for this auto dealership site.~~

~~Ms. Husak said this also a request of review and approval of a final development plan which includes all final details concerning architecture, landscaping, site improvements, lights, signs, and other details for this building addition. She showed a slide of the vicinity of the site and said the most recent application the Commission reviewed in this area was for the WD Partners site where the two subareas were combined into one. She said the case is scheduled for the first reading for City Council on January 25, 2010.~~

~~Ms. Husak highlighted the different subareas within the Perimeter Center PCD and said that the MAG site is in the southern portion of the district in Subarea J, which was created in 1998 specifically for MAG. She said there were several amendments which were approved by the Planning and Zoning Commission and there was a building expansion and skywalk which would all be void with this application. She said Subarea J-1 was rezoned last year for a temporary parking lot during an anticipated expansion, but as the needs of MAG have changed, it causes the need for a rezoning.~~

~~Ms. Husak said MAG is proposing to create a new Planned Unit Development district, which is the 15.69 acres. She said the redevelopment requiring this rezoning is generally located on the southeastern portion of the site. She said the site includes frontage on US 33, Perimeter Drive, Perimeter Loop Road, and Venture Drive. She said that the site includes two buildings, a 7,000-square-foot building that accommodates the Land Rover franchise to the north and a 68,500-square-foot building that incorporates the administrative offices and includes all the other franchises that MAG operates in the southern portion of the site.~~



CITY OF DUBLIN, OH

Land Use and
Long Range Planning
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ARCHITECTURAL REVIEW BOARD

BOARD ORDER

NOVEMBER 17, 2009

The Architectural Review Board took the following action at this meeting:

**1. Oscar's Restaurant
09-002ARB**

**84 & 72 North High Street
Building Modification**

Proposal: A 1,038-square-foot building addition to an existing building located at 84 North High Street that will encroach onto the property at 72 North High Street. The 0.34- and 0.18-acre sites are located at the northeast intersection of North High and North Streets within the Historic District.

Request: Review and approval of building modifications under the provisions of the *Historic Dublin Design Guidelines*.

Applicant: Jack J. Eggspuehler; represented by Linda Campisano, Aero Safe Group.

Planning Contact: Jennifer M. Rauch, AICP, Planner II

Contact Information: (614) 410-4690, jrauch@dublin.oh.us

MOTION: Carl Karrer made a motion, seconded by Denise Franz King, to approve this application because it meets the *Historic Dublin Design Guidelines* and the requirements of the Zoning Code with the following nine conditions:

1. The applicant rezone the properties at 84 and 72 North High Street, and 20 North Street to HB, Historic Business District, as soon as is reasonably feasible;
2. The applicant gain approval of right-of-way encroachment from Engineering and City Council to permit the patio to remain in the High Street right-of-way, prior to obtaining a building permit;
3. The applicant obtain a parking variance to accommodate the variety of uses provided on site and account for the additional building square footage, prior to obtaining a building permit;
4. The proposed deck area north of existing patio be eliminated and the existing planting area and stone wall be retained;
5. The proposed deck material located south of the existing patio and the existing brick pavers located along the sidewalk in front of 72 North High be replaced with the larger stone pavers to match the existing patio area and minimize construction impacts on the existing tree located in front of 72 North High;

**ARCHITECTURAL REVIEW BOARD
BOARD ORDER
NOVEMBER 17, 2009**

**1. Oscar's Restaurant
09-002ARB**

**84 & 72 North High Street
Building Modification**

6. The proposed steps to the new patio area be moved west along the walkway to and the extent of the proposed patio area be limited to a smaller area to minimize impacts to the existing trees, subject to Planning approval;
7. The existing bike racks be appropriately relocated on the site, subject to Planning approval;
8. Planning confirm with the appropriate authority that the proposed HB, Historic Business District zoning will not create a violation with the construction of a building across property lines; and
9. The applicant submit a rendering showing the view of the fire wall on the north end of 72 North High Street, as seen from North and North High Streets, in a timely fashion and subject to approval by Planning. If Planning approval is not given, the issue shall return to the Architectural Review Board.

VOTE: 4 – 0.


RESULT: This application was approved.

* Mike Tibbetts and Jack Eggspueller, applicant and owner, agreed to the conditions listed above.

RECORDED VOTES:

William Souders	Absent
Tom Currie	Yes
Robert Schisler	Yes
Carl Karrer	Yes
Denise Franz King	Yes

STAFF CERTIFICATION


Jennifer M. Rauch, AICP
Planner II

~~Ms. King referred in the *Historic Dublin Design Guidelines* to The Secretary of the Interior's Standards for Rehabilitation, Standard 2: *The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided,* and Standard 9: *New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and the environment.* She said if the Standards were observed along with the deed restrictions, she had confidence that the process will work, but was not sure that the two standards had been conveyed to the artists.~~

~~Mr. Karrer said the property was purchased by the City, and the authority to enforce the deed restrictions was passed to the owner of the house to the south of the barn.~~

~~Ms. Ott clarified the City had the responsibility first and foremost to adhere to the deed restrictions on the land, and that there was no intent to violate them in this process.~~

~~Mr. Karrer added Ms. Ott had done a tremendous job of balancing the interests of the City, the DAC, and the community. He said she had an interesting challenge and had done a good job working with David Guion and the DAC to try to understand their concerns. Mr. Karrer said Mr. Guion also had worked with them. Mr. Karrer said he was satisfied that the process is going to work well.~~

~~Mr. Karrer said it came to a point where he needed to remove himself from the issue because he was too closely tied to it; however, he was concerned about the role of the ARB in the process. He said architecture is art and public art is inherently a part of the architectural character of a district, and the ARB is charged with maintaining its architectural character. Mr. Karrer said the ARB needs time to work with Planning and City Council to see if some less contentious way to proceed constructively with the art projects could be developed. Mr. Karrer said it was not something that could be or would be resolved tonight and he thought this project would proceed within the rules that are applied now. He said in the future, he would like to see a constructive way for public oversight, which ARB provides for the Historic District. He said he would like ARB to have some role in the Art in Public Places process as it relates to the Historic District.~~

~~Ms. Ott said she would carry Mr. Karrer's comments and suggestions back to City Council. She said she would provide Mr. Currie and Mr. Schisler with a copy of the artist instructions.~~

~~Mr. Karrer briefly explained the rules and procedures of the Board. He swore in those who wished to speak in regards to any case on the agenda, including the applicants, and City representatives.~~

**1. Oscar's Restaurant
09-002ARB**

**84 & 72 North High Street
Building Modification**

Jennifer Rauch presented this request for review and approval of architectural and site modifications that include removing the existing deck and landscaped areas for a 1,038-square foot addition located between the 84 and 72 North High Street buildings. She said each of the

three parcels contain a building with similar architectural features, paint colors, and materials. She described the existing building sizes and locations.

Ms. Rauch said the existing landscaped area is proposed to be removed to account for the addition and to accommodate newly proposed deck and patio area. She said the applicant proposes to provide two new wood deck areas. Ms. Rauch said Planning recommends the existing northern landscape area remain to continue the existing park-like feel, and the southern deck incorporate the stone tile detail on the existing patio to provide continuity between the spaces. She said the new outdoor area will be enclosed with a wrought iron fence, similar to what exists.

Ms. Rauch said the changes for 72 North High Street include the addition of an outdoor area for MJ Candy patrons. She said steps are proposed from the wood deck area down into the patio. She said Planning recommends the entrance proposed for the new outdoor area be shifted northwest to avoid existing trees, and the expanse of the patio be limited to minimize the impact to the existing trees.

Ms. Rauch said Planning recommends the bike racks located adjacent to the existing 84 N. High Street patio, be relocated appropriately onsite.

Ms. Rauch reported there were zoning requirement issues related to the setbacks, lot coverage and use of the patio, which Planning recommends be addressed through a condition to rezone the site to allow for zero lot line setbacks and lot coverage exceeding 80 percent to be approved by the Board. She pointed out the existing patio encroaches into the High Street right-of-way which requires separate approval, a rezoning and a right-of-way encroachment to allow it to continue. Ms. Rauch said an existing rear parking lot serves all three of the buildings, and Planning recommends the applicant pursue a parking variance to address the additional parking required as a part of the addition.

Ms. Rauch said the addition will mimic the architectural details of the northernmost portion of the building with the cross gable and box-bay window. She said the applicant also proposes to remove the existing entrance door and replace it with a window. She said the entrance door will be relocated to the south and a portion of the existing wrought iron fence will be centered in front of the existing picture window. Ms. Rauch said the new addition will incorporate the same colors, materials, and design as the existing building. She said the same architectural details are proposed on the rear of the building with arched windows, two-stories, and a cross-gable design to match the existing building.

Ms. Rauch said Planning believes that the scale and massing of the building are met with this addition and are appropriate, and therefore recommends approval with the seven conditions listed in the Planning Report.

Robert Schisler pointed out that the Board had received two elevations, and asked which they were to review. Eugenia Martin clarified that the Board was to review Sheet 3, revised September 17, 2009.

Mr. Schisler clarified that the same property owned all three buildings on separate parcels. Ms. Rauch described each parcel.

Mr. Schisler noted that one building crossed the property line and asked if those two lots were combined.

Ms. Rauch explained the three buildings were on three separate parcels. She said Planning recommends the three lots be rezoned to HB, Historical Business District, to allow a zero front yard, side yard, and modified rear yard setbacks based on their location. Ms. Rauch said the applicant has been working with the Building Department to resolve any potential Building Code issues. She said from a zoning perspective, a rezoning of these three parcels would resolve those issues.

Eugenia Martin confirmed that if there was a question of a building crossing property lines, it was a common situation in the Historic District. She said 6 through 12 South High Street, Donatos and the Barber Shop, was a good example where there were two different parcels and the building crosses over the property line. She said a similar situation exists with this proposal.

Ms. Rauch reiterated the Zoning Code does not state a building has to end at the lot line, a building could cross the property line. She explained further that there is no requirement that the building has to be built to only the property line, just that there is no side yard setback.

Mr. Schisler said they were going beyond the property lot line into the neighbor's lot and he did not understand that. Ms. King explained that a neighbor was not involved because one person owned all three lots.

Tom Currie asked what the ARB's role would be if one parcel was sold and they had approved a building crossing the property line.

Ms. Martin said the property owner purchasing the land would have agreements understanding the building crosses over the southern property line.

Mr. Schisler said his preliminary comment for the design, immaterial of the architecture itself, is the proposal adds to the lot coverage which already exceeds 80 percent. He said it should not be increased because the proposal would take away the character and the openness in the area.

Ms. Rauch said even if the applicant rezones to HB, it will be non-conforming in terms of the lot size, it being too small. She reiterated the parcels are owned by the same person and has agreed to allow this building to extend over the property line. Ms. Rauch said from a zoning perspective, the Code does not prohibit this, because it allows a side yard setback of zero. She said the Code also allows the Board to approve increased lot coverage.

Carl Karrer said there should be a variance request to allow the structure to cross the property line.

Ms. Rauch said if the property is rezoned, the applicant does not have to request a variance to cross the property line. She explained further that if it is zoned HB, then the side yard setback is zero, meaning there is no side yard setback.

Mr. Karrer said he thought Mr. Schisler's observation was accurate that a zero setback may cause issues in the future with a building crossing the property line, but it is also beyond the domain of the Board. He suggested that the Board refer the issue to the Planning and Zoning Commission or Board of Zoning Appeals to get the appropriate approval. Ms. Rauch confirmed that was the intent.

Mr. Schisler said it would become a Building Code issue, because once the building extended across the property line, the building behind it has openings and the Fire Marshal will need to get involved as it is not one building. He said he understood there would be a firewall, but that would be a major aesthetic issue in how the buildings are combined. He said it could change the elevation and architecture.

Ms. Martin reported that the applicant has been working closely with the Building Department and Commercial Plans Examiner through the zoning process. She pointed out that the application was submitted early this year, so everyone has been working extensively to make sure that all the issues are addressed so that it would not alter the exterior elevation.

Jack Eggspuehler, applicant/owner of the three properties, said that after many years, Oscar's needs to have something done to freshen up the building. He said combined buildings was in keeping with what was done with Bridge Street.

Mr. Eggspuehler agreed with the seven conditions as listed in the Planning Report.

Mike Tibbetts, the operator of the restaurant, agreed that the restaurant needed a facelift. He said they began this process in January, hoping to begin the construction over the winter and have the construction before the patio season, which is critical for the operation. Mr. Tibbetts said should they be forced to be closed for construction into the spring and summer, it would probably serve to effectively end this plan, at least for the year.

Mr. Schisler said the proposed front elevations aesthetically looked nice, but he was concerned the large firewall would have to extend above the roof and stand out when looking into the site from the southwest into the site. He said he would like to see how that is being treated.

Mr. Tibbetts said they worked with the Fire Department and Ray Harpham extensively.

Ms. Rauch noted an existing firewall on the site at the end of the north elevation of 72 North High Street.

Mr. Tibbetts said the fire barrier proposed on the 84 North High Street building would similarly match. Mr. Schisler pointed out that a firewall had to be higher than the highest roof.

Ms. King said her only concern was about this proposal meeting the *Dublin Historic Design Guidelines*. She commented that she was thrilled to have a business on High Street that was doing so well it wants to expand. She said as long as the *Guidelines* are met and the applicant agrees to the conditions proposed by Planning, she was in favor of the project.

Mr. Schisler reiterated that he would like to see what the firewall and the screened electric meters would look between the existing and new buildings. He said if the Fire Marshal did not

care about the lot lines and the square footage being exceeded for a Type 5B building, it was not the Board's privy. He said he would like to see the wall disappear and the two buildings just be married together.

Mr. Currie noted that the main entrance is shown on the east side of the building. He asked if the ADA accessible access was from the High Street entrance.

Mr. Tibbetts said the main entrance at the parking lot and the new front entrance are ADA accessible.

Mr. Schisler noted that it was a Building Code issue, but if the plan was drawn to scale, there was an accessibility circulation problem. He suggested that their architect review it.

Mr. Schisler asked if the parking requirements for the commercial district were satisfied for the addition. Ms. Rauch said the proposal will require a parking variance, reviewed and approved by the BZA to address the parking for the site.

Ms. King asked if there was a way to structure an additional condition so that the concern about the view of the brick wall from the corner of North and North High Streets could be addressed through the landscaping plan, so that the applicant can move forward.

Mr. Schisler pointed out that if the Fire Marshal requires a brick wall, it has to be ten feet from any opening. He said the Board may not be happy with the brick wall after all the Code implications. He said he would like to see it resolved as to what it is going to be, meeting all the Code requirements.

Ms. Rauch explained that if something changed on the plan or elevation as a result of the Fire Code or Building Code, the applicant would have to come back to the Board for reapproval. She said the proposal the Board approves tonight is what the applicant is permitted to construct.

Mr. Karrer suggested the addition of an eighth condition requesting Planning confirm with the appropriate authority that the proposed HB, Historic Business District zoning will not create a violation with the construction of a building crossing the property line.

Motion and Vote

Mr. Karrer made a motion, seconded by Denise Franz King to approve this application because it meets the *Historic Dublin Design Guidelines* and the requirements of the Zoning Code with the following eight conditions:

1. The applicant rezone the properties at 84 and 72 North High Street, and 20 North Street to HB, Historic Business District, as soon as is reasonably feasible;
2. The applicant gain approval of right-of-way encroachment from Engineering and City Council to permit the patio to remain in the High Street right-of-way, prior to obtaining a building permit;
3. The applicant obtain a parking variance to accommodate the variety of uses provided on site and account for the additional building square footage, prior to obtaining a building permit;

4. The proposed deck area north of existing patio be eliminated and the existing planting area and stone wall be retained;
5. The proposed deck material located south of the existing patio and the existing brick pavers located along the sidewalk in front of 72 North High be replaced with the larger stone pavers to match the existing patio area and minimize construction impacts on the existing tree located in front of 72 North High;
6. The proposed steps to the new patio area be moved west along the walkway to and the extent of the proposed patio area be limited to a smaller area to minimize impacts to the existing trees, subject to Planning approval;
7. The existing bike racks be appropriately relocated on the site, subject to Planning approval; and
8. Planning confirm with the appropriate authority that the proposed HB, Historic Business District zoning will not create a violation with the construction of a building across property lines.

Mr. Currie expressed concerns about the overall aesthetic of the proposed firewall located at the north end of the 72 North High Street building and approving a proposal without a detail of this architectural element.

Ms. King suggested a ninth condition:

9. "The applicant submits a rendering showing the view of the fire wall on the north end of 72 North High Street, as seen from North and North High Streets, in a timely fashion and subject to approval by Planning. If Planning approval is not given, the issue shall return to the Architectural Review Board."

Mr. Karrer amended his motion, adding Condition 9. Ms. King seconded the motion.

Mr. Eggspuehler extended kudos to Planning for helping them get this application to this point, which he said was a remarkable task.

Mr. Tibbetts said they agreed to the nine conditions.

The vote was as follows: Mr. Currie, yes; Mr. Schisler, yes; Ms. King, yes; and Mr. Karrer, yes. (Approved 4 – 0.)

2. Bridge and High Development 09-095ARB

3 North High Street Architectural Modifications

~~Eugenia Martin presented this request for review and approval of architectural modifications to the entrance for the southernmost tenant space of Building B in the Bridge and High Street development. She said the applicant is proposing to modify the entrance to the southernmost tenant space of Building B. She said during the tenant fit up process for this space, the applicant was having difficulties maintaining the entrances on both sides of the building and worked with the City to make sure that the public entrances were available from High Street and the central public plaza while allowing the tenant to maximize the interior space. She said the applicant is proposing that the existing double doors on the approved High Street entrance be fixed and that a new, three-foot wide single door with a transom window above be installed on the south side of the existing alcove to match the two previously approved double doors. She said the proposed~~



CITY OF DUBLIN.

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

ARCHITECTURAL REVIEW BOARD

BOARD ORDER

September 26, 2007

The Architectural Review Board took the following action at this meeting:

1. MJ's Candy Bar 72 North High Street Sign
07-087ARB

Proposal: Two signs, a 2.5-foot diameter pole-mounted projection sign and a 2-foot diameter projection sign for a business located on the northeast corner of North High Street and North Street.

Request: Review and approval of the signs under the provisions of the *Historic District Guidelines*.

Applicant: Jeffrey Shaffer, Owner.

Planning Contact: Sarah White, Planning Assistant and Abby Scott, Planner.

Contact Information: (614) 410-4600, swhite@dublin.oh.us
(614) 410-4654, ascott@dublin.oh.us

MOTION: Clayton Bryan made a motion, seconded by Tom Currie, to approve this Sign Review with two conditions:

- 1) The three proposed paint colors be matte finish to blend with the building; and
- 2) The proposed paint colors be subject to staff approval.

* Jeffrey Shaffer agreed to the above conditions.

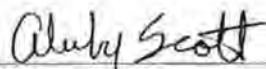
VOTE: 5 - 0.

RESULT: This application was approved.

RECORDED VOTES:

Thomas Holton	Yes
Clayton Bryan	Yes
William Souders	Yes
Linda Kick	Yes
Tom Currie	Yes

STAFF CERTIFICATION


Abby Scott
Planner

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street

**1. MJ's Candy Bar
07-087ARB**

**72 North High Street
Sign**

Sarah White presented this request for review and approval of a 2.5-foot diameter pole-mounted projection sign and a two-foot diameter projection sign for a new business in the Historic District. She said the 0.18-acre site is located at the northeast corner of North High Street and North Street and contains a two-story office and commercial use building and a parking lot to the rear of the site. She presented a slide showing the proposed location of the two signs on the site plan.

Ms. White said the applicant was proposing to install the 2.5-foot diameter sign on the existing wooden pole and bracket measuring 7.8 feet in high that fronts onto North High Street, approximately 14.5 feet from the right-of-way. She explained that the pole will be landscaped with three boxwood shrubs. She said according to the *Guidelines*, a second sign is permitted for a business if a second entrance has an opening onto a parking area to the rear of the business and is not visible from the right-of-way. She said the applicant has proposed that a rear sign will hang from a decorative iron bracket affixed at 6.9 feet at the rear entrance of the building.

Ms. White said the dimensions of the front sign measure 2.5 feet in diameter at a total square footage of five feet. She said while the *Guidelines* do not address the permitted size of a second sign, typically the secondary sign is smaller in scale than the primary sign. She explained in this case, the applicant is proposing a two-foot diameter rear sign totaling 3.15 square feet. Ms. White described that both double-sided signs are identical in sign face design and materials. She said the applicant is proposing to utilize colors from the Sherwin Williams Color Preservation palette, including Peace Yellow for the sign face, Caribbean Coral for the 'J's', and Fairfax Brown for 'M, Candy Bar,' and the double outline of the signs. She explained that the applicant is also proposing to paint the rear decorative iron bracket and front pole and bracket, Fairfax Brown. Ms. White said the font proposed for both signs is Antique Olive Bold.

Ms. White reported that during site visits, Planning noticed that an existing deck was in disrepair and the issue was reported to Code Enforcement and discussed with the applicant. She said on subsequent visits, Planning noted that the deck was being replaced.

Ms. White said Planning reviewed this application based on the *Historic Dublin Design Guidelines*, regarding signs and recommends approval with the following condition:

- 1) The three proposed paint colors be matte finish to blend with the building; and

Linda Kick asked if any of these signs' design is considered a logo, graphic, or a secondary image.

Jeffrey Shaffer, the applicant said the sign graphic was the logo and name for the business. He said the logo graphic is supposed to be a burnt orange.

Mr. Bryan said the color was directly from the 1950s. He preferred the color be toned down with a hint of lamp black in it or a burnt umber – something that would not look pinkish. Mr. Shaffer agreed.

Mr. Bryan made a motion, seconded by Mr. Currie, to approve this Sign Review with the following two conditions:

- 1) The three proposed paint colors be matte finish to blend with the building; and
- 2) The proposed paint colors are subject to staff approval.

Mr. Shaffer agreed to the above conditions.

The vote was as follows: Mr. Souders, yes; Ms. Kick, yes; Mr. Holton, yes; Mr. Currie, yes; and Mr. Bryan, yes. (Approved 5 – 0.)

**2. Krema
07-089ARB**

**45 North High Street
Sign**

Joanne Ochal presented this request for review and approval of a multi-tenant ground sign for an existing business. She said the 0.2-acre site is located in Historic Dublin, on the west side of North High Street, just south of Darby Street. Ms. Ochal said the site contains a one-story building with four parking spaces in the rear, along Darby Street.

Ms. Ochal said the proposed five-foot tall cedar sign measures 5.93-square feet in area. She said it will have three tenant panels. She said the applicant is proposing to use University Roman and Baskerville fonts for the 'Sisters' Sweet Shop', and Baskerville for 'Grandma's Fruitcake'. She said 'Krema Since 1898 Peanut Butter' is the company logo, and that font is similar to Times Bold to meet the *Guidelines*. Ms. Ochal said the colors proposed are Pure White for the sign face, the letters are in Shamrock, and the sign post will be Perfect Greige. She said the applicant is proposing two mountable low-voltage black metal landscape lights on each side of the sign. She said the sign base will be landscaped by six common boxwoods. Ms. Ochal said the sign will be located on the southeast corner of the site, eight feet from the property line and eight feet from the right-of-way. She presented a slide showing the existing building and the proposed sign location.

Ms. Ochal said the *Guidelines* also allow additional signs at the rear entrance of a business, as long as the entrance is off the parking lot or street. She said however, the Sweet Sisters' Shop is accessed off the parking lot, not actually Krema. She said there is a Krema sign located above a dock door and Planning recommends that sign be removed. Ms. Ochal said if the applicant wishes to have another sign identifying Sisters' Sweet Shop, he may come back to the Board for review and approval of that sign.

Ms. Ochal said a temporary banner that had not received a permit was removed and therefore, the previously recommended Condition 3 had been removed. She said after reviewing the standards, it was Planning's opinion that this application be approved with the remaining four conditions listed in the Planning Report.

Clayton Bryan confirmed that the proposed lights were not halogen. He said the stark white shown was not actually a historic color, and he preferred a more antique white. Craig Sonksen, the applicant agreed to soften the white paint on the sign so that it does not look as brilliant.



ARCHITECTURAL REVIEW BOARD
BOARD ORDER

AUGUST 25, 2004

CITY OF DUBLIN

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

The Architectural Review Board took the following action at this meeting:

- 3. **Architectural Review Board 04-109ARB – 72 North High Street**
Location: 0.18-acre located on northeast corner of North High Street and North Street.
Existing Zoning: CB, Central Business District.
Request: Review and approval of a six-square foot main identification sign.
Proposed Use: A boutique.
Applicant: 72 North High Company, Limited, c/o Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; represented by Mary Curran, 72 North High Street, Dublin, Ohio 43016.
Staff Contacts: Ryan James, Intern and Joanne Ochal, Planner.

MOTION: To approve this application because the proposed signage is generally consistent with the design intent of the *Old Dublin Design Guidelines*, with six conditions:

- 1) That a flat or matte finish be used for all paint;
- 2) That any future lighting be brought back to the Architectural Review Board for review and approval;
- 3) That a sign permit be obtained from the Division of Planning prior to installation;
- 4) That the swirling tail of the "s" be removed or replaced with a script tail more historic in nature, less weight, less noticeable, removing the arrow or point at the top of the "s", subject to staff approval;
- 5) That any future signage for new tenants and/or owners be subject to Architectural Review Board review and approval; and
- 6) That all outdoor displays be located outside of all rights-of-way, and only be displayed during business hours.

*Mary Curran, agreed to the above conditions.

VOTE: 3 – 0.

RESULT: The application was approved.

RECORDED VOTES:

Allan Staub	Yes
Richard Taylor	Absent
David Larson	Yes
Thomas Holton	Yes
Kevin Bales	Absent

STAFF CERTIFICATION

Daniel D. Bird, FAIC
Director of Planning
09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street



CITY OF DUBLIN.

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

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Web Site: www.dublin.oh.us

ARCHITECTURAL REVIEW BOARD BOARD ORDER

May 26, 2004

The Architectural Review Board took the following action at this meeting:

2. **Architectural Review Board 04-045ARB – Oscar’s – 84 North High Street**
Location: 0.34-acre located on the east side of North High Street, 80 feet north of North Street.
Existing Zoning: CB, Central Business District.
Request: Review and approval of a six-square foot wall sign and gooseneck lighting.
Proposed Use: Restaurant.
Applicant: Jack Eggspuehler, 84 North High Company, LTD., 20 North Street, Dublin, Ohio 43017; represented by Craig Barnum, 84 North High Street, Dublin, Ohio 43017.
Staff Contact: Dan Phillabaum, Planner.

MOTION: To approve this request for signage with seven conditions:

- 1) That *Option One*, incorporating the traditional lettering style for “Oscar’s” and contemporary lettering style for “Prime Kitchen and Wine Bar,” be utilized;
- 2) That the proposed colors for the sign be revised such that the sign border match the existing building trim, and the sign background utilize a darker green color, subject to staff approval;
- 3) That the proposed color for the gooseneck light fixtures match the existing building trim, subject to staff approval;
- 4) That all proposed sign and light fixture colors be of a matte or low-gloss finish, consistent with the Old Dublin Design Guidelines;
- 5) That an electrical permit be obtained from the Division of Building Standards prior to installation;
- 6) That a sign permit be obtained from the Division of Planning prior to installation; and
- 7) That all property maintenance and Code compliance issues as noted within the staff memo dated May 20, 2004, be substantially completed (except those items requiring greater timeframe for scheduling to complete the work), to the satisfaction of staff prior to issuance of a sign permit.

*Craig Barnum agreed to the above conditions.

**ARCHITECTURAL REVIEW BOARD
BOARD ORDER**

May 26, 2004

**2. Architectural Review Board 04-045ARB – Oscar’s – 84 North High Street
(Continued)**

VOTE: 4-0-1

RESULT: The application was approved.

RECORDED VOTES:

Allan Staub	Yes
Richard Taylor	Abstain
David Larson	Yes
Thomas Holton	Yes
Kevin Bales	Yes

STAFF CERTIFICATION



Carson C. Combs, AICP
Senior Planner



CITY OF DUBLIN

**BOARD OF ZONING APPEALS
BOARD ORDER**

NOVEMBER 20, 2003

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Board of Zoning Appeals took the following action at this meeting:

- 3. **Variance 03-144V – Nathan’s – 72 North High Street**
Location: 0.18-acre located on the northeast corner of North High Street and North Street.
Existing Zoning: CB, Central Business District.
Request: A variance to Section 153.212 to reduce the required number of parking spaces from 31 to zero spaces.
Proposed Use: A 2,083-square foot commercial building with a 1,383-square foot restaurant and 700 square feet of office space.
Applicant: 72 North High Company, Limited, c/o Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; represented by Corey Tacosik, 4448 Hanna Hills Drive, Dublin, Ohio 43016.
Staff Contact: Mark Zuppo, Jr., Planner.

MOTION: To table this variance due to lack of quorum. Mr. Skillman had a conflict and could not vote on this case. The applicant will be scheduled first on the December 18, 2003 agenda.

VOTE: 3 – 0.

RESULT: This variance was tabled.

RECORDED VOTES:

Brent Davis	Absent
Jeffrey Ferezan	Yes
G. Lynn McCurdy	Yes
Ray Harpham	Absent
Drew Skillman	Yes

STAFF CERTIFICATION

Frank A. Ciarochi
Frank A. Ciarochi
Acting Planning Director



CITY OF DUBLIN

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

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ARCHITECTURAL REVIEW BOARD BOARD ORDER

November 19, 2003

The Architectural Review Board took the following action at this meeting:

3. Architectural Review Board 03-107ARB – Nathan’s – 72 North High Street

Location: 0.18-acre located on northeast corner of North High Street and North Street.

Existing Zoning: CB, Central Business District.

Request: Review and approval of a five-square foot, post-mounted identification sign and roof-mounted kitchen vents.

Proposed Use: A 2,083-square foot commercial building with a 1,383-square foot restaurant (conversion from retail) and 700 square feet of office space.

Applicant: 72 North High Company, Limited, c/o Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; represented by Corey Tacosik, 4448 Hanna Hills Drive, Dublin, Ohio 43016.

Staff Contact: Carson C. Combs, AICP, Senior Planner.

MOTION #1: To approve this request with eight conditions:

- 1) That final details for the proposed ramp be provided prior to the issuance of a building permit, subject to staff approval;
- 2) That the proposed exhaust siding be painted crème with the cap and trim painted to match the roof, and the air intake painted to match the roof, subject to staff approval;
- 3) That a building permit from the Division of Building Standards be obtained for the proposed building improvements;
- 4) That a sign permit be obtained from the Division of Planning prior to installation;
- 5) That any future lighting for the proposed sign be brought back to the ARB for consideration;
- 6) That an application for a revised, comprehensive variance for shared parking and a reduction in required parking spaces for 72 North High Street, 84 North High Street, and 20 North Street be submitted to the Board of Zoning Appeals by January 2, 2004;
- 7) That necessary parking variances be obtained from the Board of Zoning Appeals, or that Code be met; and
- 8) That hours of operation for the proposed restaurant be restricted to breakfast and lunch hours (no later than 3:00 p.m.).

09-002ARB

Architectural and Site Modifications

Oscar's Restaurant

72 & 84 N. High Street

3. Architectural Review Board 03-107ARB – Nathan’s – 72 North High Street (Continued)

*Corey Tacosik agreed to the above conditions.

VOTE: 4 – 0.

RESULT: The application was approved.

MOTION #2: To request that the City Manager increase traffic enforcement for pedestrian and vehicular safety, and that the Board of Zoning Appeals encourage the applicant to utilize pamphlets and other signage to direct restaurant patrons to designated parking areas.

VOTE: 4 – 0.

RESULT: The approved request will be forwarded to the City Manager and the Board of Zoning Appeals.

RECORDED VOTES:	MOTION #1	MOTION #2
Janet Axene	Yes	Yes
Allan Staub	Yes	Yes
Richard Taylor	Absent	Absent
David Larson	Yes	Yes
Thomas Holton	Yes	Yes

STAFF CERTIFICATION



Carson C. Combs, AICP
Senior Planner



CITY OF DUBLIN.

**ARCHITECTURAL REVIEW BOARD
BOARD ORDER**

November 19, 2003

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Architectural Review Board took the following action at this meeting:

- 4. **Architectural Review Board 03-128ARB – Oscar’s – 84 North High Street**
Location: 0.34-acre located on the east side of North High Street, 80 feet north of North Street.
Existing Zoning: CB, Central Business District.
Request: Review and approval of exterior modifications that include an 18.2-square foot expansion to create a front entrance vestibule, the removal of exterior rear entrance steps with a 131.6-square foot patio expansion, and revised mechanical screening.
Proposed Use: A 6,900-square foot, mixed-use building containing 3,070 square feet of restaurant space, a 1,560-square foot outdoor dining patio, 3,230 square feet of office uses, and a 600-square foot salon.
Applicant: 84 North High Company, LTD., c/o Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017.
Staff Contact: Carson C. Combs, AICP, Senior Planner.

MOTION: To approve this request for the front vestibule *only*, with two conditions:

- 1) That final details for all improvements be provided prior to the issuance of building permits, subject to staff approval; and
- 2) That a building permit be obtained from the Division of Building Standards prior to construction.

*Jack Eggspuehler agreed to the above conditions.

VOTE: 4 – 0.

RESULT: The application was approved with the indication from the applicant that all other proposed items will be re-submitted for consideration at a later date.

RECORDED VOTES:

Janet Axene	Yes
Allan Staub	Yes
Richard Taylor	Absent
David Larson	Yes
Thomas Holton	Yes

STAFF CERTIFICATION

Carson C. Combs, AICP
Senior Planner

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street



CITY OF DUBLIN

ARCHITECTURAL REVIEW BOARD
BOARD ORDER

April 25, 2001

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Architectural Review Board took the following action at this meeting:

- I. **Architectural Review Board 01-048ARB – Art Impressions – 72 North High Street**
Location: 0.18 acre located at the northeast corner of North High Street and North Street.
Existing Zoning: CB, Central Business District.
Request: Review and approval of a 5.95 square-foot rear sign.
Proposed Use: Art gallery.
Applicant: Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; c/o Rebecca Caddell, 2696 Berwick Boulevard, Columbus, Ohio 43209.
Contact: Carson Combs, Planner.

MOTION: That the proposed signage not be approved and that the previously approved projecting sign be utilized in conjunction with an appropriate sandwich sign or door sign on Oscar's to be approved administratively.

*Rebecca Caddell agreed to the above conditions.

VOTE: 5 – 0.

RESULT: The proposed signage was disapproved and an alternative sign package approved by the board.

RECORDED VOTES:

Janet Axene	Yes
Allan Staub	Yes
G. Lynn McCurdy	Yes
Richard Taylor	Yes
David Larson	Yes

STAFF CERTIFICATION

Carson Combs
Planner

ARCHITECTURAL REVIEW BOARD
BOARD ORDER

December 13, 2000



CITY OF DUBLIN

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Architectural Review Board took the following action at this meeting:

2. **Architectural Review Board 00-114ARB – Art Impressions – 72 North High Street**

Location: 0.18 acre located at the northeast corner of North High Street and North Street.

Existing Zoning: CB, Central Business District.

Request: Review and approval of a 5.54 square-foot ground sign (front entrance) and a 5.54 square-foot projecting sign (rear entrance).

Proposed Use: Art gallery.

Applicant: Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; c/o Rebecca Caddell, 714 North High Street, Dublin, Ohio 43017.

MOTION: To approve this application with six conditions:

- 1) That the colors used on the sign be either flat or semi-gloss to match the existing colors on the building;
- 2) That the front ground sign be reduced to five square feet to comply with the Old Dublin Design Guidelines;
- 3) That any future lighting be brought back to the Architectural Review Board for review and approval;
- 4) That the rear projecting sign be located above the rear entrance in keeping with the Old Dublin Design Guidelines;
- 5) That the bracket design be in keeping with the historic character of the district and the Old Dublin Design Guidelines, subject to staff approval; and
- 6) That a sign permit be obtained prior to installation.

* Jack Eggspuehler agreed to the conditions.

VOTE: 3-0.

RESULT: The application was approved.

RECORDED VOTES:

Janet Axene	Absent
Allan Staub	Yes
G. Lynn McCurdy	Yes
Richard Termeer	Yes
David Larson	Absent

STAFF CERTIFICATION


Warren Campbell
Planner

ISO 9002
REGISTERED

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street

**ARCHITECTURAL REVIEW BOARD
BOARD ORDER**

December 13, 2000



CITY OF DUBLIN

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Architectural Review Board took the following action at this meeting:

2. **Architectural Review Board 00-114ARB – Art Impressions – 72 North High Street**
Location: 0.18 acre located at the northeast corner of North High Street and North Street.
Existing Zoning: CB, Central Business District.
Request: Review and approval of a 5.54 square-foot ground sign (front entrance) and a 5.54 square-foot projecting sign (rear entrance).
Proposed Use: Art gallery.
Applicant: Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; c./o Rebecca Caddell, 714 North High Street, Dublin, Ohio 43017.

MOTION: To approve this application with six conditions:

- 1) That the colors used on the sign be either flat or semi-gloss to match the existing colors on the building;
- 2) That the front ground sign be reduced to five square feet to comply with the Old Dublin Design Guidelines;
- 3) That any future lighting be brought back to the Architectural Review Board for review and approval;
- 4) That the rear projecting sign be located above the rear entrance in keeping with the Old Dublin Design Guidelines;
- 5) That the bracket design be in keeping with the historic character of the district and the Old Dublin Design Guidelines, subject to staff approval; and
- 6) That a sign permit be obtained prior to installation.

* Jack Eggspuehler agreed to the conditions.

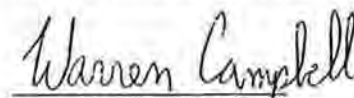
VOTE: 3-0.

RESULT: The application was approved.

RECORDED VOTES:

Janet Axene	Absent
Allan Staub	Yes
G. Lynn McCurdy	Yes
Richard Termeer	Yes
David Larson	Absent

STAFF CERTIFICATION



Warren Campbell
Planner

ISO 9002
REGISTERED

09-002ARB

Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street



CITY OF DUBLIN

**ARCHITECTURAL REVIEW BOARD
BOARD ORDER**

November 29, 2000

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-761-6550
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Architectural Review Board took no action at this meeting due to lack of quorum:

2. **Architectural Review Board 00-114ARB – Art Impressions – 72 North High Street**
Location: 0.18 acre located at the northeast corner of North High Street and North Street.
Existing Zoning: CB, Central Business District.
Request: Review and approval of a 5.54 square-foot ground sign (front entrance) and a 5.54 square-foot projecting sign (rear entrance).
Proposed Use: Art gallery.
Applicant: Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; c/o Rebecca Caddell, 714 North High Street, Dublin, Ohio 43017.
Staff Contact: Warren Campbell, Planner.

Due to lack of quorum this case was postponed to the next meeting.

STAFF CERTIFICATION

Warren Campbell
Planner

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street

CITY OF DUBLIN
DIVISION OF PLANNING
5800 SHIER-RINGS ROAD
Dublin, Ohio 43017
(614) 761-6550

DUBLIN ARCHITECTURAL REVIEW BOARD
BOARD ORDER

Application No: ARB94-007 - Precious Skin and Precious Nails

Applicant: Jean Jewett

Address: 72 North High Street

Date of Board Action: July 27, 1994

BOARD ACTION:

Approval granted for Remodeling Landscaping
 New Construction Other (Describe)
 Signage

Approved as submitted
 Approved with modifications/conditions described below
 Not Approved
 Recommended to Board of Zoning Appeals
 Not Recommended to Board of Zoning Appeals

Modifications: 1. That the street address be incorporated in the sign with an obelisk shape with final design subject to Staff approval; and
2. That the sign be centered behind the bench.

Conditions: 1. That the floodlights comply with the Dublin Lighting Guidelines and that they be shielded with landscaping or shields to prevent off-site glare and that the lighting be subject to Staff approval; and
2. That the property owner submit a sign package for the entire site prior to approval of any additional tenant signage on the site.

This certificate is not a building permit, a certificate of zoning compliance, or a sign permit. This does not relieve the applicant of the responsibility of filing for and obtaining a building permit (761-6556), obtaining zoning compliance and/or a sign permit (761-6550) and following all other applicable codes, ordinances, and regulations of the City of Dublin.

BOARD MEMBER:	VOTE:
Larry Frimerman	YES
Lowell Mast	YES
Bill Miller	YES
Carole Olshavsky	ABSENT
Marian Vance	YES

Signature of Staff Member in attendance, certifying that the outcome of this case was as reported above.

Mary H. Newcomb 8/3/94
Name Date



CITY OF DUBLIN

**CITY OF DUBLIN
DIVISION OF PLANNING**

5131 Post Road, Suite 120
Dublin, Ohio 43017
(614) 761-6553

**DUBLIN ARCHITECTURAL REVIEW BOARD
BOARD ORDER**

Application No: ARB 93-020
Applicant: Warren Cunningham
Address: 84 North High Street
Date of Board Action: 12/15/93

BOARD ACTION:

- Approval granted for
 - Remodeling
 - New Construction
 - Signage
 - Landscaping
 - Other (Describe) _____
- Approved as submitted
- Approved with modifications/conditions described below
- Not Approved
- Recommended to Board of Zoning Appeals
- Not Recommended to Board of Zoning Appeals

The application was tabled without discussion at the request of the applicant.

This certificate is not a building permit, a certificate of zoning compliance, or a sign permit. This does not relieve the applicant of the responsibility of filing for and obtaining a building permit (761-6556), obtaining zoning compliance and/or a sign permit (761-6553) and following all other applicable codes, ordinances, and regulations of the City of Dublin.

BOARD MEMBER:	VOTE: 4-0
Thomas McCash	absent
Lowell Mast	yes
Bill Miller	yes
Carole Olshavsky	yes
Marian Vance	yes

Signature of Staff Member in attendance, certifying that the outcome of this case was as reported above.

Mary H. Newcomb 1/6/94

 Name Date



CITY OF DUBLIN
Department of Planning & Development

BOARD ORDER
BOARD OF ZONING APPEALS
CITY OF DUBLIN, OHIO

JANUARY 23, 1992

5. Variance Application V92-002 - Irish Pub at 72 North High Street
- Location:** An existing building at the northeast corner of North Street and North High Street (72 North High Street) with shared off-site parking on the west side of North Blacksmith Lane to the south of North Street (38 and 40 North High Street)
- Existing Zoning:** CB, Central Business District.
- Request:** Variances from the following provisions:
- 1) To Section 1193.13 to permit a reduction in the required number of new parking spaces from 33 to 15 spaces to support the conversion of an office to tavern/restaurant use;
 - 2) To Section 1193.04(a) to permit the joint use of parking, for nine additional spaces behind 38 North High Street (total lot of 17 spaces will now be under lease), and for six proposed spaces to be installed behind 40 North High Street;
 - 3) To Section 1193.06(a) to permit the installation of six new parking spaces that are gravel, not hard-surfaced, at 40 North High Street.
- Proposed Use:** Conversion of 2,060 square foot office structure for use as an Irish pub.
- Applicant:** Jack J. Eggspuehler, 20 North High Street, Dublin, OH 43017.

- MOTION:** To approve Variance Application V92-002 with the following conditions:
- 1) Hours of operation to be restricted to 4:00 p.m. and later, Monday-Friday and 12:00 p.m. and later on Saturday and Sunday;
 - 2) Wheel stops to be placed in the lot at 38 North High to maximize number of parking spaces and identify each parking space;
 - 3) Outdoor seating to be prohibited unless prior approval by both ARB and BZA;
 - 4) Lighting to be installed in parking lot at 38 North High. Lighting to be installed by the opening date and to meet Dublin lighting guidelines;
 - 5) Existing light at Oscar's to be redirected with staff's approval;
 - 6) Existing light at Oscar's to be replaced by December 18, 1994, with cutoff fixture to meet Dublin lighting guidelines; and
 - 7) The large tree behind 40 N. High Street to be protected during construction and preserved thereafter.

RESULT: Approved **VOTE:** 4-0 Motion to approve V92-002

BOARD MEMBER:
 John Belton
 John Ferrara
 Frank T. Pandora II
 Becky Saylor
 Peter Zawaly

VOTE:
 Yes
 Yes
 Yes
 Yes
 Absent

Signature of Staff Member in attendance, certifying that outcome of this case was as reported above.

Barbara M. Clarke 1/28/92
 Barbara M. Clarke Date
 Zoning Administrator



C I T Y O F D U B L I N

Department of Planning & Development

BOARD ORDER
ARCHITECTURAL REVIEW BOARD
CITY OF DUBLIN, OHIO

AUGUST 28, 1991

Application ARB91-017 - 72 North High Street

Location: Existing office building located on the southeast corner of North High Street and North Street.

Existing Zoning: CB, Central Business District

Request: Conversion of office space to a tavern - Recommendation to the Board of Zoning Appeals for parking variance.

Proposed Use: Irish Tavern

Applicant: J.J. Eggspuehler c/o T.E. Caplinger

RESULTS: Tabled until next meeting. VOTE: 4-0

CONDITIONS: Applicant to reach joint parking agreement with nearby property owner(s).

<u>BOARD MEMBER:</u>	<u>VOTE:</u>
Gerald DeGrazia	Yes
Thomas Kellet	Yes
Lowell Mast	Yes
Bill Miller	Yes
Donna Schenk	Absent

Signature of Staff Member in attendance, certifying that the outcome of this case was as reported above.

Mary H. Neumann 9/6/91
Name Date



C I T Y O F D U B L I N

Department of Planning & Development

BOARD ORDER 1 of 3
ARCHITECTURAL REVIEW BOARD
CITY OF DUBLIN, OHIO

AUGUST 28, 1991

Application ARB91- 020 - Oscar's - 84 North High Street
Locations: Existing restaurant/bar located on the east side of North High Street, approximately 100 feet north of North Street.
Existing Zoning: CB, Central Business District
Request: Approval of patio fencing and gate, exterior carpeting, and awning signage.
Proposed Use: Restaurant/Bar
Applicant: Brad Eggspuehler

RESULTS: 1. Fencing - Approved as submitted VOTE:4-0
by the applicant

CONDITIONS:

BOARD MEMBER:

VOTE:

Gerald DeGrazia
Thomas Kellet
Lowell Mast
Bill Miller
Donna Schenk

Yes
Yes
Yes
Yes
Absent

Signature of Staff Member
in attendance, certifying
that the outcome of this
case was as reported above.

Mary H. Newcomb 1/4/91
Name Date



C I T Y O F D U B L I N
Department of Planning & Development

BOARD ORDER 2 of 3
ARCHITECTURAL REVIEW BOARD
CITY OF DUBLIN, OHIO

AUGUST 28, 1991

Application AR391- 020 - Oscar's - 84 North High Street
Locations: Existing restaurant/bar located on the east side of North High Street, approximately 100 feet north of North Street.
Existing Zoning: CB, Central Business District
Request: Approval of patio fencing and gate, exterior carpeting, and awning signage.
Proposed Use: Restaurant/Bar
Applicant: Brad Eggspuehler

RESULTS: Canopy sign approved VOTE: 4 - 0

- CONDITIONS:
1. Color to be Sunbrella #4603 Jockey Red.
 2. White lettering "Oscar's" on canopy to match those on ground sign in front.
 3. Existing rear entrance sign to be removed when canopy sign is installed.

<u>BOARD MEMBER:</u>	<u>VOTE:</u>
Gerald DeGrazia	Yes
Thomas Kellet	Yes
Lowell Mast	Yes
Bill Miller	Yes
Donna Schenk	Absent

Signature of Staff Member
in attendance, certifying
that the outcome of this
case was as reported above.

Mary H. Newcomb 1/6/91
Name Date



C I T Y O F D U B L I N

Department of Planning & Development

BOARD ORDER 3 of 3
ARCHITECTURAL REVIEW BOARD
CITY OF DUBLIN, OHIO

AUGUST 28, 1991

Application ARB91- 020 - Oscar's - 84 North High Street
Locations: Existing restaurant/bar located on the east side of North High Street, approximately 100 feet north of North Street.
Exisiting Zoning: CB, Central Business District
Request: Approval of patio fencing and gate, exterior carpeting, and awning signage.
Proposed Use: Restaurant/Bar
Applicant: Brad Eggspuehler

RESULTS: Carpeting- Applicant to work with Staff regarding covering for walkway VOTE: 4-0

CONDITIONS:

<u>BOARD MEMBER:</u>	<u>VOTE:</u>
Gerald DeGrazia	Yes
Thomas Kellet	Yes
Lowell Mast	Yes
Bill Miller	Yes
Donna Schenk	Absent

Signature of Staff Member in attendance, certifying that the outcome of this case was as reported above.

Mary H. Newcomb, 9/6/91
Name Date



C I T Y O F D U B L I N
Department of Planning & Development

MINUTES OF MEETING

DUBLIN BOARD OF ZONING APPEALS

MAY 25, 1989

Present at the meeting were Chairperson, Ms. Saylor; Board members, Mr. Pandora and Mr. Kranstuber; and Staff members, Ms. Kurtz and Ms. Clarke.

3. Variance Application V89-011 - 84 N. High Street (amended application)

Ms. Kurtz presented slides of the site, background information as outlined in the Staff Report dated May 25, 1989, and the following information:
-The proposal is for outdoor service to the patio at 84 N. High Street which will seat up to 100 patrons. Seating for approximately 55 or 60 patrons exists presently. In 1987, the Board of Zoning Appeals granted a Variance for the number of parking spaces necessary for this 1,950 s.f. patio area from 39 to zero, based on the fact that it will be a public park area, with the following conditions: "outdoor service to the seating area will not be permitted by operators of the delicatessen or by any other persons; the area to remain as park-like as proposed continually; and the area to be made as accessible to the public as possible."

-In its review of Mr. Eggspuehler's request for service to the outdoor seating area, Staff could not identify any substantive reason to limit outdoor service to the area, although the lighting and design of the rear staircase from the deck to the parking lot should be evaluated for safety.

-Ms. Kurtz explained that patrons are currently able to purchase food and beverages from the Deli and can take them outside to the patio/deck area.

-Staff is recommending approval with the following conditions:

- 1) The park/patio area to remain accessible to non-patrons of Oscar's Deli at all times;
- 2) That a landscape plan for the park/patio area be prepared for review by the Landscape Planner;
- 3) That the outdoor service be in compliance with requirements of the State Liquor Control Board's permit requirements should a liquor permit be issued for Oscar's Deli;
- 4) That in consideration of the residential properties which abut the site, noise and music associated with the outdoor serving area to be kept to a reasonable intensity.

Mr. Jack Eggspuehler, the applicant, stated his agreement with the conditions as listed in the Staff Report, and he presented the following information:

-He expressed concern about previous problems with bees in the patio area during warmer months and feels a full-time attendant is needed to keep the

patio clean and useable. This can only be economically justifiable with the tipping associated with table service.

-Mr. Eggspuehler stated that he recently learned that Oscar's Deli is next on the list for a liquor license. This particular liquor license does not include beer and wine. Mr. Eggspuehler stated that to get the liquor license, the liquor must be served if someone asked for it.

-Mr. Eggspuehler noted that he had public rest rooms constructed at 20 North Street (part of this overall site) for access and use by the public within this park-like area. He stated that the rest rooms and seating area would remain open to the public if outdoor service exists.

Ms. Saylor noted that she was on the BZA when the parking variance was granted. She felt that the public would be more apprehensive about using this area as a park if it appears to have a more restaurant-like atmosphere. Mrs. Joan Eggspuehler stated that the public does use this facility now, and people often bring food. Table service would not be provided eight hours a day. Mr. Eggspuehler stated that they are not only cleaning up after people who purchase food from the Deli and eat outside, but also after others who enjoy the park. He does not feel he can justify paying a person to be outside cleaning up without service and tipping.

Ms. Saylor stated that there is currently a self-serve arrangement, and she did not feel a hardship was being imposed by not allowing outdoor service. Mr. Pandora noted that when the original Variance was granted reducing the required number of parking spaces from 39 to zero, Mr. Eggspuehler agreed that this would be a park area accessible to the public. Mr. Eggspuehler is now claiming that the problems are attendant to the general public using the patio. Mr. Eggspuehler agreed. Mr. Pandora felt that this variance request was unjustified unless Mr. Eggspuehler is claiming that Oscar's Deli cannot be a viable business without outdoor service. Mr. Eggspuehler stated that it is costing a lot of money to run the business, but he expected it would. He is hoping that the opportunity to serve beer and wine will boost business, especially during evening hours when the public is less likely to be using this outdoor seating as a park area. He noted that the BZA was aware from the very beginning that he had applied for the license to serve beer and wine, and he felt it was implied that it would be served in the patio area. Mrs. Eggspuehler stated that Oscar's Deli is now open until 7:00 p.m., but she hopes to have extended summer hours.

Mr. Kranstuber agreed that the patio would lose its park-like atmosphere if food and beverages are served outdoors. Mrs. Eggspuehler stated that even now when the Deli is not extremely busy, the counter-service workers will carry out a food tray as a matter of courtesy. Other people are sitting at outside tables when this happens, so they are in fact using the park when it appears that the Deli is providing outdoor service.

Ms. Saylor stated that when Mr. Eggspuehler applied for the Variance, he did offer to create this park area. It was not something the BZA imposed. The BZA did impose the condition that the park-area remain public.

Mr. Eggspuehler stated that Dublin needs to have alcohol in this area for the benefit of all the merchants in the Old Dublin area. Ms. Saylor asked if someone could purchase an alcoholic beverage inside the Deli, after the license is issued, and bring it out to the patio area. Mrs. Eggspuehler

replied that there are some restrictions about what door they use, etc., but this will be permitted. An inspector for the liquor department did identify an area that would be restricted to the serving of alcohol. Mr. Eggspuehler noted that additional seating is permitted as part of the landscape plan (up to 100 outdoor seats) and perhaps some of this permitted seating could be developed with park benches to provide seating outside the patio area to help retain the public atmosphere. Mr. Pandora felt that this sidewalk cafe atmosphere would be good for Old Dublin, and he suggested that a generic "Welcome, Seating Open to the Public" sign be posted to reinforce the public park setting.

Mr. Kranstuber also commended the sidewalk cafe atmosphere, but he expressed concern for the neighboring residents in regard to music and noise. He asked if adjacent residents had been notified of this application. Ms. Kurtz replied that only the contiguous property owners (Dublin Library and 94 N. High) were notified, not area residents. Ms. Clarke clarified that the applicant is not requesting to have music on site, but Staff anticipates that if there is a liquor license and outdoor service, the potential for music exists.

Ms. Saylor requested a motion. No motion being made, Ms. Saylor moved to deny the Variance application. There was no second, and Ms. Saylor withdrew her motion.

Further discussion ensued about the Variance request. Ms. Saylor expressed her objection to outdoor service when previous applications were granted by the BZA and ARB because of the park-like atmosphere being created. She agreed that it may be nice to have this service in Old Dublin, but the expansion of service as proposed at this location may diminish the park-like quality previously established and may possibly become a nuisance to the nearby residents. She expressed concern about approving this use without notification to surrounding residents.

Mr. Eggspuehler stated that he is now locked in to running a public park with no economic benefit. He stated that he cannot continue to operate his business with the losses he is experiencing now and must have beer, wine and liquor available for patrons. Ms. Saylor noted that he will still be able to sell these beverages, even without having outdoor service available. Mr. Eggspuehler stated that without outdoor service, there will be no one outside policing the area, and he will end up with the bee problem again. Then no one will use this park area. Mr. Eggspuehler reiterated that it is not feasible to staff a person to clean this patio area without the benefits of service and tipping. He stated that he is willing to work with the BZA and Staff to make this work.

Mrs. Eggspuehler requested that the application be tabled. Mr. Pandora moved to table the application until more BZA members can be present and further consideration can be given to the proposal. Mr. Kranstuber seconded the motion, and the vote was as follows: Mr. Pandora, yes; Ms. Saylor, yes; Mr. Kranstuber, yes. Tabled 3-0.



C I T Y O F D U B L I N
Department of Planning & Development

BOARD ORDER
BOARD OF ZONING APPEALS
CITY OF DUBLIN, OHIO
May 25, 1989

- 3. Variance Application V89-011 - 84 N. High Street (amended application)
 - Location: Northeast corner of North High Street and North Street.
 - Existing Zoning: CB, Central Business District and Architectural Review District.
 - Request: Removal of condition prohibiting outdoor service at patio area adjacent to Oscar's Deli as required by Variance V87-028.
 - Proposed Use: Full outdoor service to patio/park area of Oscar's Deli.
 - Applicant: Jack J. Eggspuehler

RESULTS: Motion to deny - no second
Motion to table

VOTE: no vote
approved, 3-0

CONDITIONS: None

<u>BOARD MEMBER:</u>	<u>VOTE:</u>
Bill Chambers	absent
Charles Kranstuber	yes
Frank T. Pandora II	yes
Richard Rauh	absent
Becky Saylor	yes

Signature of **STAFF MEMBER** in attendance, certifying that the outcome of this case was as reported above:

Adair J. Kurty 6/13/89
Name Date

3. ~~CASE ARB88-006 - Old Dublin Spring Park~~

~~Ms. Janet Jordan, Parks & Recreation Director, and Mr. Dan Smith made this presentation. They explained that this project was the first phase of a larger park project that would extend upstream along both sides of the river. Mr. Smith explained that the project would be funded by the Parks and Recreation Department, Historical Society, Chamber of Commerce, Dublin Kiwanis and private donations. The plan includes a paved walkway, stone benches and a small gazebo built on the foundation of the old pump house. Mr. DeCrazia asked if there would be any lighting. The answer was no since the park is not intended for night time use. Mr. Smith explained that the walkway would be paved in a manner that would discourage the use of bicycles and skateboards. The Board unanimously approved the plan.~~

4. ~~CASE ARB88-003 - 80 West Bridge Street~~

~~Mr. Dan Smith represented the Dublin Public Schools and presented a plan for the remodel of the 1919 School Building. New windows will be installed that will return the structure to it's original appearance. The circular drive in front of the building will be reconfigured and parking there will be limited to 12 spaces behind a screened wall. The project was unanimously approved.~~

5. ~~CASE ARB88-004 - 144 West Bridge Street~~

~~Mr. Dan Smith also represented the Dublin Schools in this case and explained that the new gymnasium had originally been planned to the north of the Indian Run School Building. That plan was abandoned for budget reasons and the current plan was proposed showing the gym on the west side of the building. A new circular drive is to be constructed and part of the existing pavement will be removed and will be replaced with landscaping. The plan was unanimously approved.~~

6. ~~CASE ARB88-005 - 72-84 N. High Street~~

~~Mr. Ted Harder represented Mr. Eggspueller and explained that they had prepared elevation drawings to illustrate the proposed alterations to the front of the two buildings. The Board approved the drawings with the condition that the applicant return with building samples.~~

BZA.

12-17-87

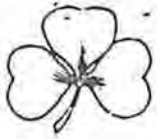
Variance 187-028

Variance to landscape code to eliminate interior parking lot landscape area approved by 3 attending members

Variance to parking code to reduce required 1 space / 50 sq' of outdoor seating area of 1950 sq' = 39 spaces, to 0 spaces. Condition is that no outdoor ~~seating~~ service be permitted, that the area to remain as a park like area regardless of success of deli and that the area be as accessible to public as possible.

09-002ARB

Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street



City of Dublin

6665 Coffman Road
Dublin, Ohio 43017

MINUTES OF MEETING
DUBLIN ARCHITECTURAL REVIEW BOARD
OCTOBER 28, 1987

1. Application ARB 87-023 - 60 Franklin Street

This application was for review of a proposed fence to be constructed at the above address. A site plan and concept drawing was presented. The fence is in compliance with all provisions of the Dublin fence code. Normally a fence like this would be approved by the building department without this review, but because of the location, it does need to be reviewed by the ARB. The fence material, height, location, etc. was discussed. A question was brought up about the color of the fence.

A motion was made to approve the fence, reserving the right to review the color of paint used on the fence. Motion was seconded and vote was unanimous.

2. Application ARB 87-025 - 53 N. High Street

Mr. Darragh read a letter to the Board from Mr. Lowell Mast, the applicant, stating that he would be out of town and could not attend the meeting. Pictures of the proposed signage was enclosed.

Discussion ensued about the signage and some questions were brought up that the applicant would need to answer. Since he was not able to attend, a motion was made and seconded to table this application. Vote was called for and was unanimous.

3. Application ARB 87-026 - 37 W. Bridge Street

Because additional data was requested for this application to review proposed signage, and the applicant was Mr. Mast, and he was not able to attend the meeting, a motion was made and seconded to table this application. Vote was called for and was unanimous.

4. Public Hearing on Case ARB 87-024 - Eggspuehler Office Project

Mr. Darragh reported on the past history of this office project. He explained that this has been before the Architectural Review Board for approximately one year and the site plan has been developed from its preliminary pretty much into what it is now. The original application involved an application for review of a site plan and for the construction of a new building at the northwest corner of North High Street and North Street.

ARB MINUTES

1 / -

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street

The initial proposal was for a third building fronting toward North Street. The arrangement of this building caused some concern among Staff in that the setback along North Street was very difficult to achieve also the parking setback was difficult to achieve. The revised plan is a result of several meetings and a number of different reviews.

Mr. Darragh explained the setbacks, parking determinations, materials to be used, construction of stone walls, variance requests, alley vacations and landscaping.

Mr. Darragh further reported on the process that the applicant, architect and our Staff went through in reference to the delicatessen and outdoor seating and the process of trying to maximize the parking.

The hearing this date was for the request for the variance of the landscaping code which will eliminate the 5% of the parking area being landscaped and also the request that would go before the Board of Zoning Appeals in reference to outdoor seating along North High Street.

* Mr. Eggspuehler's intention is to convert the area between the two existing buildings into a park-like setting with extensive landscaping and also 100 outdoor seats that can be used either by the general public or by the people who may choose to use the proposed delicatessen. He explained his reasoning for this project. He stated that when he looks at North High Street and he looks at his buildings compared to what Mr. Gus Crim has done in the Rivers Edge building, he is ashamed and makes no bones about it. He stated that is a class building and a great addition to the old Dublin community. Mr. Eggspuehler said that he is very fond of this community and because of that he has made a heavy investment. He wants to see old Dublin become a very special place where people can come. He feels that if we (merchants, landlords) start doing something with their businesses and doing something with events, that everyone will benefit. With the outdoor seating, they could have some special events. People could walk the streets, come across from the library, the offices and just sit, have coffee, or lunch. He wants to help vitalize this end of the street. Mr. Eggspuehler then reviewed his site, building plans, parking, landscaping, outdoor seating, etc.

Mr. Ralph, ^{Hallowen} resident, (and his wife owns the Heather Shop on North High Street) came forward to speak his concerns over this project. He had made an analysis on parking for both North and South High Street. He used Ordinance 1193 to do this analysis. The bottom line was in his analysis was that we are very short on parking (180 spaces). His major concern is that this will kill the merchants on the street and create a slum area. He offered some solutions; a parking garage, City purchase lots to turn into parking lots with meters, help landlords clean out back lots and pave it, reduced parking to one hour with meters, etc. He said Mr. Eggspuehler's idea is great, but if he is permitted a parking variance, this is the first step to killing this street and making it a slum. He asked that this be rejected until 119 - 219 parking spaces are developed.

Mr. Eggspuehler responded by stating he understood the concern for parking and had just put in some extra parking for another building, over and above what was needed because of that. He stated that he is not asking for approval for the delicatessen, that is under construction, he is asking if we want a park-like atmosphere on North High Street, and feels that will be a benefit.

This will be for pedestrian type of traffic. He doesn't feel that there will be alot of cars. The idea is to bring people down that street with the idea that the people between W. Bridge and the end of town will improve their properties. That will be an enhancement. It is all you how look at it.

Mr. Halloran rebutted by stating that he is aware of that, but he is referring to a City Ordinance that needs to be enforced. He stated that we can't stand another 50+ cars on the street. He went on to say that the parking is of utmost importance. He then reiterated what he had said previously.

~~Mr. Eggspuehler said again that this will be a park and it will be a benefit. The delicatessen is not the issue.~~

The Board discussed the differences between restaurant use, and if it was just a park, would Mr. Eggspuehler be allowed tables and benches, with no parking requirements. Calculations and drawings were reviewed.

The Board discussed the different options that had been brought up, along with some of the considerations brought forward. The types of stores, and different types of draws for people were discussed.

After a heated conversation, Mr. Darragh stated that no further action was needed by this Board since action has already been taken. All minutes of meetings pertaining to this application will be forwarded to the Board of Zoning Appeals for the hearing on the 19th. At that time anybody wishing to appear before that Board was encouraged to do so.

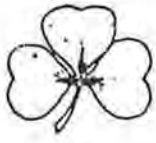
~~5. Case ARB 86-002 River's Edge II~~

~~This is an application for review of proposed signage (site, directory and directional). Additional drawings were presented to the Board for review. Shape, conformity, colors, height and dimension, etc were discussed.~~

~~After discussion of all three signs, a motion was made and seconded to approve them. Vote was unanimous.~~

~~Meeting Adjourned.~~

ARB MINUTES
10/28/87



City of Dublin

6665 Coffman Road
Dublin, Ohio 43017

MINUTES OF MEETING
DUBLIN ARCHITECTURAL REVIEW BOARD
SEPTEMBER 23, 1987

Mr. Robert Darragh reported to the Chairman that due to the fact that the first three applicants were not present, they would begin with Case #4.

4.. Application ARB 87-024 - Eggspuehler Office Building

This case is a refinement of the plan for the Eggspuehler Office Building on North High Street. Mr. Darragh reported that Mr. Eggspuehler has been talking to the Board for sometime about plans for outdoor seating and a new food business (there has been a Pizza operation in the building for sometime, and they are no longer there), and Mr. Eggspuehler would like to use that particular space to operate a Deli. In light of the improvements that have already been approved on the building, they wanted to do some deck work for outdoor seating. The plan was presented along with a site plan that had been revised. Mr. Darragh stated that what he had advised the applicants to do was to go over the plan again and see if by removing any, and/or all of the required interior landscaping in the parking lot if they could gain any parking spaces, and if so how many. They did this, and they gained four. The constraints of the site initially, did not give the applicant a whole lot to work with. Mr. Darragh stated that in his experience they have never entertained a variance to the landscaping code, period, let alone one for interior landscaping in a parking lot. Mr. Darragh stated that he couldn't imagine a better situation to take to the Board of Zoning Appeals for a landscaping variance than this particular project. In fact, Mr. Darragh stated, he had hoped that they would gain a few more parking spots, but they really didn't have a whole lot to work with. The plans were reviewed by the Board and the applicant explained what he tried to do with the parking.

Mr. Darragh reported that the other issue that the Board will be looking at is how to handle the outdoor seating for the restaurant; deli. Lighting was discussed.

A recommendation was made that this be handled as two separate items and parking be the first item and a motion that the Board recommend that they are in favor of granting a variance.

The question was asked what the total amount of parking is without the variance, and the answer was 48. With the variance 51, as there would have to be a dumpster on the 52nd one. It was stated by the applicant that the dumpster would be screened.

A second was made to the motion. Vote was called for and there was four votes for approval and one opposed; motion carried.

V-89-011
Minutes of ARB

Mr. Darragh stated that the next issue is the request for a variance for the outdoor seating. The parking calculation for a restaurant use is that one parking space per 50 square foot of gross floor area be provided. When they review a plan for a McDonald's restaurant, they require parking for the gross floor area of the building. That includes the basement if there is any, and the mechanical area, walk-in coolers, and if they have outdoor seating, we also require that for every 50 square feet of outdoor seating, they also provide an additional parking space. Mr. Darragh stated that it is a seasonal use, but on the other hand, during the season it does have an impact on the available parking. The City of Columbus handles the matter exactly the same way. Mr. Darragh reported that this evening he had done a calculation on the area and how many parking spaces would be required to accommodate the outdoor seating, and it is about 40 spaces. When the Board discussed this proposal before, they had no concrete idea of exactly how much deck area would be used for seating and that is available now. Mr. Darragh stated that he remembered one comment Mr. Woodings made when the Board discussed how many seats would be appropriate, it was stated however many made it successful.

Mr. Darragh introduced Mrs. Eggspeuhler and made mention that Mr. Eggspeuhler was out of town. Mr. Darragh asked her if she intended to operate Oscar's Deli, and she responded yes. He then asked if she has had any experience in the Deli business. Mrs. Eggspeuhler responded, not actually Deli, but she had experience in food service. It was asked how much seating would be provided indoors and the answer was 20 to 25. Mrs. Eggspeuhler stated that she felt this was a seasonal type of thing and there will be people inside in the winter time and the outside in the summer. It was asked if 40 additional spaces were then needed in addition to the 51. Mr. Darragh stated that was correct. It was asked how many tables there were. Mr. Darragh stated that he only calculated what was on the outside, not the area inside as that was pretty much addressed in the parking for the entire complex. The calculation was one space per every 250 square feet and they came up with a requirement for the 54 spaces required originally; from that point anything separate for the existing pizza parlor. Mr. Darragh went on to say that our policy has been that if there has been that type of operation in any particular building we really don't find grounds to deny it for the next person. Seating, size & shape of tables, and locations were discussed.

Mr. Darragh stated that this has not been discussed with Mr. Bowman or Ms. Clarke either one. He stated that he agreed with Mr. Woodings that he would very much like to see the effort of the project survive, but that he was very leary about taking a variance for 40 parking spaces to the Board of Zoning Appeals. Mr. Darragh asked if Mrs. Eggspeuhler was familiar with an operation similar to this and how well it may or may not work. She responded that in reference to parking, they are thinking two client populations. The people who operate in the business buildings and would walk over into the park from where they work, or people who would be attracted to Old Dublin and would walk up and down the street and they would park alot of different places and not just right there. She didn't feel the need for 40 parking spaces, there would be alot of walk-in people. She stated that she understood the concern for a variance like that but felt that if you want that north end to go, there has to be some accomodation for what is going to go on there. There will be people at the Library with there children that would walk over for lunch. It was asked that since the school and library were enlarging parking because of overflow, and since the library is expanding its hours, will granting a 40 car variance create more of a problem. *ARR MINUTES*

It was stated that it was a gamble, but one worth taking. We need something in the north end. It was brought up that in German Village there are a lot of these types of operations, and they don't have any parking down there and they are successful. It was stated that more than likely 60% of the trade would be walk-in. Discussion followed along these lines.

Mr. Darragh asked the applicant what the hours of operation would be. Mrs. Eggspeuhler responded that at this point they are thinking 7:00 A.M. until 7:00 P.M., but a lot of that would be test out time and see when they are busiest. Mr. Darragh stated that in reference to the Library; there is an agreement that has already been reached between the School Board and the Village of Dublin. The property that is immediately west of the existing Library, there are two ball diamonds on that property now. That property now is in the ownership of the Village of Dublin. The School Board gave that property to Dublin just in the past few weeks. The reason being that Dublin has agreed and has already signed a lease to lease that property to the Library. The Village owns the property that the Library is on now and the additional property is to accommodate the Library expansion and the parking lot of approximately 200 spaces. The proposal for now is to develop that ground into a gravel temporary parking lot and this has been discussed, to let the school park their buses on it until the School can buy another remote facility to park the buses somewhere else. When the Library is ready to expand the parking lot will be paved and finished off. He stated that he didn't know what that means as far as available parking in downtown Dublin. It appears that the piece of land and the attendant parking for the Library expansion is a good size parking lot. Again, it is a gamble as to whether we could dedicate any of that parking lot for any public use, and we simply don't know how well that lot will function with the anticipated Library use down the road. A motion was made that the Board strongly recommend that the variance be given to this in order to improve that area. A second was given, and the vote was called for. The Board was unanimous in approval. Motion carried. Mr. Darragh stated that the applicant now needs to file an application with the Board of Zoning Appeals and they will be heard on the 22nd of October.

1. Tabled Application ARBo7-021 - 75 S. High Street

The applicant for this case was now present. Mr. Darragh presented the revised drawing for a sign request. The applicant Mr. Denis Murphy made his presentation and explained to the Board the revisions made to try to comply with their previous recommendations. The Board discussed the proposal, colors, sizes, and number of signs. The Board seemed to have a problem with the background color and the variety of colors from each tenant. The applicant stated that the tenants in the rear of the building has an identity problem. The Board felt that these signs were not consistent. The Board felt that this sign was not going to make a business more successful. After much discussion by the Board and the applicant, the Board decided that this sign was not in compliance (Uniformity, graphics coordination, colors, etc.) and a motion was made to deny this application. Roll was called and motion to deny carried. The Board gave the applicant a lot of suggestions and ideas, and in fact some Board members felt that the existing sign was nicer than the proposed.

2. Tabled Application ARB87-022 - 75 S. High Street

No show.

3. Application ARB 87-023 - 60 Franklin Street

No show.

09-002ARB

Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street

ARB, MINUTES



City of Dublin

6665 Coffman Road
Dublin, Ohio 43017

MINUTES OF MEETING
DUBLIN ARCHITECTURAL REVIEW BOARD
AUGUST 26, 1987

TABLED CASES

1. Application ARB 87-019 Dublin Carpet
The applicant did not appear

2. Application ARB87-020 52 S. High Street

This case involved a request for signage that was approved and also a request for a proposed canopy installation at 52 S. High St. for Harrison Lupidi Photographers. Mr. Darragh summarized the Staff Report. Photos of canopies were shown, and the applicants intentions made known. Discussion followed. A motion was made to approve the application. Vote was called for and motion carried.

OTHER CASES

1. Application ARB 87-021 - 75 S. High Street

This application was for review of landscaping and signage for 75 S. High St. In addition to landscaping and signage, there is also a proposal for alterations proposed. The plans were distributed. Mr. Murphy and the architect, Mr. Rauh were present to answer questions. Mr. Darragh summarized his report. Discussion on parking, drainage, landscaping, landscaping screens and signage were discussed. Photographs of the rear of the building were shared.

A motion was made to approve the building elevation and table the parking. Vote was called for and motion carried.

2. Application ARB87-022 - 75 S. High Street

This application was for the signage of the above building. After some discussion of the proposed signage, a motion was made to table this application. Vote was called for and motion carried.

3. Application - 53 N. High Street

This application was for a proposal to change existing signage. After discussion, a motion was made to approve the change. A vote was taken, and motion carried.

INFORMAL

1. Review of proposed alterations for 72 & 84 North High Street

Mr. Jack Eggspuehler made his presentation on these proposed alterations for these existing buildings. He discussed the rear of the building, a stone wall and patio. He stated that they are seeking approval to put in the patio area with the idea that he would have to go to the Board of Zoning Appeals to obtain approval of being able to put tables and chairs out there. He stated that there would be a lot of flowers with a parklike atmosphere. Discussion followed and the Board gave suggestions and opinions.

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street

2. Variance Application V86-022 - Eggspuehler Office

- A. The subject site is a parcel of approximately .75 acres on the east side of North High Street and across from the Dublin Public Library. To the north is the River's Edge II project (under construction) and the southern boundary is created by North Street. There are two existing structures along the High Street frontage which are converted homes and are now being used as offices and a pizza shop. Until recently the site was bound by dedicated alleys on the north and east. The alleys were vacated by Village Council in order to provide for green space along the High Street frontage and to create additional area for parking. There is an existing parking area behind the building at 84 North High, the area behind 72 North High is undeveloped property.

- B. The applicants, Mr. and Mrs. Eggspuehler, propose construction of a two story, 7000 square foot office building on the undeveloped property behind 72 North High Street. The new building will be oriented along North Street and will include development of a 48 space parking area which will serve all three buildings. The stone wall along North Street will be preserved and extended to screen the southern part of the parking area from the right-of-way. Mr. Eggspuehler intends to use 2,500 square feet of the building for his business, Aerosafe, and the balance of the structure will be divided into tenant space and areas for a library, exercise room, supply room and mechanical room.

- C. This proposal will require variances to several Sections of the Zoning Code. The required setback for the building is 33 feet from the property line and 20 feet for the parking area. These dimensions are based on the 66 foot right-of-way of North Street. The plan shows the building sited behind the stone wall and approximately 4 feet from the property line to the entry stairs. The face of the building, exclusive of the stairway is approximately 12 feet from the property line. Staff envisions no substantial negative effect in granting this variance since the building, exclusive of the stairway, will be behind the setback of the existing building at the corner. As well, the request for extending the parking area to the property line seems a reasonable solution to an effort to create the maximum number of spaces possible. Staff is supportive of the parking and building setbacks on the conditions that the stone wall be extended, at a minimum height of 3 feet, adjacent to the parking area on each side of the curb cut and that flowering ornamental trees, preferably crab apples, be planted on 30' intervals from High Street to the east property line.

ARB91-017

- D. In addition to the two setback variances, a reduction in required parking is requested. Based on the formula of 1 space per 250 square feet of building area, the combined requirement for the three buildings is 56 spaces. The 48 spaces shown on the plan leaves the project 8 spaces short. Reduction of required parking is viewed by staff as an extreme request and is rarely supported. The applicant is usually advised to acquire more land or to reduce the size of the proposed structure. Mr. Eggspuehler is apparently unable to do either. As an option, staff has advised that the applicant arrange offsite parking.
- E. Mr. Eggspuehler has made an arrangement with Mr. Bartolomucci, owner of Dublin T.V. at 36 North High Street, to improve the area at the rear of the building creating 16 or 17 parking spaces in exchange for dedicating 8 of those spaces for the use of Mr. Eggspuehler's employees. Please see the attached letter from Mr. Eggspuehler to Mr. Bartolomucci.
- F. Staff finds that this solution is acceptable since an improved, enlarged parking area will be provided where such facilities are now marginal.
- G. Staff recommends approval of the setback variances with the conditions stated in paragraph C. Approval of the parking variance is also recommended on the condition that an acceptable site plan for the offsite parking be submitted and approved by staff prior to issuance of a building permit for the new building.
- H. Staff will report on recommendations of the Architectural Review Board during the hearing on this case.

AR.B91-017



CITY OF DUBLIN.

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone: 614-410-4600
Fax: 614-410-4747
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ARCHITECTURAL REVIEW BOARD

BOARD ORDER

September 26, 2007

The Architectural Review Board took the following action at this meeting:

1. MJ's Candy Bar **72 North High Street**
07-087ARB **Sign**

Proposal: Two signs, a 2.5-foot diameter pole-mounted projection sign and a 2-foot diameter projection sign for a business located on the northeast corner of North High Street and North Street.

Request: Review and approval of the signs under the provisions of the *Historic District Guidelines*.

Applicant: Jeffrey Shaffer, Owner.

Planning Contact: Sarah White, Planning Assistant and Abby Scott, Planner.

Contact Information: (614) 410-4600, swhite@dublin.oh.us
(614) 410-4654, ascott@dublin.oh.us

MOTION: Clayton Bryan made a motion, seconded by Tom Currie, to approve this Sign Review with two conditions:

- 1) The three proposed paint colors be matte finish to blend with the building; and
- 2) The proposed paint colors be subject to staff approval.

* Jeffrey Shaffer agreed to the above conditions.

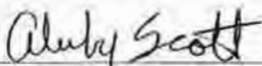
VOTE: 5 - 0.

RESULT: This application was approved.

RECORDED VOTES:

Thomas Holton	Yes
Clayton Bryan	Yes
William Souders	Yes
Linda Kick	Yes
Tom Currie	Yes

STAFF CERTIFICATION


 Abby Scott
 Planner

09-002ARB
 Architectural and Site Modifications
 Oscar's Restaurant
 72 & 84 N. High Street

**1. MJ's Candy Bar
07-087ARB**

**72 North High Street
Sign**

Sarah White presented this request for review and approval of a 2.5-foot diameter pole-mounted projection sign and a two-foot diameter projection sign for a new business in the Historic District. She said the 0.18-acre site is located at the northeast corner of North High Street and North Street and contains a two-story office and commercial use building and a parking lot to the rear of the site. She presented a slide showing the proposed location of the two signs on the site plan.

Ms. White said the applicant was proposing to install the 2.5-foot diameter sign on the existing wooden pole and bracket measuring 7.8 feet in high that fronts onto North High Street, approximately 14.5 feet from the right-of-way. She explained that the pole will be landscaped with three boxwood shrubs. She said according to the *Guidelines*, a second sign is permitted for a business if a second entrance has an opening onto a parking area to the rear of the business and is not visible from the right-of-way. She said the applicant has proposed that a rear sign will hang from a decorative iron bracket affixed at 6.9 feet at the rear entrance of the building.

Ms. White said the dimensions of the front sign measure 2.5 feet in diameter at a total square footage of five feet. She said while the *Guidelines* do not address the permitted size of a second sign, typically the secondary sign is smaller in scale than the primary sign. She explained in this case, the applicant is proposing a two-foot diameter rear sign totaling 3.15 square feet. Ms. White described that both double-sided signs are identical in sign face design and materials. She said the applicant is proposing to utilize colors from the Sherwin Williams Color Preservation palette, including Peace Yellow for the sign face, Caribbean Coral for the 'J's', and Fairfax Brown for 'M, Candy Bar,' and the double outline of the signs. She explained that the applicant is also proposing to paint the rear decorative iron bracket and front pole and bracket, Fairfax Brown. Ms. White said the font proposed for both signs is Antique Olive Bold.

Ms. White reported that during site visits, Planning noticed that an existing deck was in disrepair and the issue was reported to Code Enforcement and discussed with the applicant. She said on subsequent visits, Planning noted that the deck was being replaced.

Ms. White said Planning reviewed this application based on the *Historic Dublin Design Guidelines*, regarding signs and recommends approval with the following condition:

- 1) The three proposed paint colors be matte finish to blend with the building; and

Linda Kick asked if any of these signs' design is considered a logo, graphic, or a secondary image.

Jeffrey Shaffer, the applicant said the sign graphic was the logo and name for the business. He said the logo graphic is supposed to be a burnt orange.

Mr. Bryan said the color was directly from the 1950s. He preferred the color be toned down with a hint of lamp black in it or a burnt umber – something that would not look pinkish. Mr. Shaffer agreed.

Mr. Bryan made a motion, seconded by Mr. Currie, to approve this Sign Review with the following two conditions:

- 1) The three proposed paint colors be matte finish to blend with the building; and
- 2) The proposed paint colors are subject to staff approval.

Mr. Shaffer agreed to the above conditions.

The vote was as follows: Mr. Souders, yes; Ms. Kick, yes; Mr. Holton, yes; Mr. Currie, yes; and Mr. Bryan, yes. (Approved 5 - 0.)

**2. Krema
07-089ARB**

**45 North High Street
Sign**

Joanne Ochal presented this request for review and approval of a multi-tenant ground sign for an existing business. She said the 0.2-acre site is located in Historic Dublin, on the west side of North High Street, just south of Darby Street. Ms. Ochal said the site contains a one-story building with four parking spaces in the rear, along Darby Street.

Ms. Ochal said the proposed five-foot tall cedar sign measures 5.93-square feet in area. She said it will have three tenant panels. She said the applicant is proposing to use University Roman and Baskerville fonts for the 'Sisters' Sweet Shop', and Baskerville for 'Grandma's Fruitcake'. She said 'Krema Since 1898 Peanut Butter' is the company logo, and that font is similar to Times Bold to meet the *Guidelines*. Ms. Ochal said the colors proposed are Pure White for the sign face, the letters are in Shamrock, and the sign post will be Perfect Greige. She said the applicant is proposing two mountable low-voltage black metal landscape lights on each side of the sign. She said the sign base will be landscaped by six common boxwoods. Ms. Ochal said the sign will be located on the southeast corner of the site, eight feet from the property line and eight feet from the right-of-way. She presented a slide showing the existing building and the proposed sign location.

Ms. Ochal said the *Guidelines* also allow additional signs at the rear entrance of a business, as long as the entrance is off the parking lot or street. She said however, the Sweet Sisters' Shop is accessed off the parking lot, not actually Krema. She said there is a Krema sign located above a dock door and Planning recommends that sign be removed. Ms. Ochal said if the applicant wishes to have another sign identifying Sisters' Sweet Shop, he may come back to the Board for review and approval of that sign.

Ms. Ochal said a temporary banner that had not received a permit was removed and therefore, the previously recommended Condition 3 had been removed. She said after reviewing the standards, it was Planning's opinion that this application be approved with the remaining four conditions listed in the Planning Report.

Clayton Bryan confirmed that the proposed lights were not halogen. He said the stark white shown was not actually a historic color, and he preferred a more antique white. Craig Sonksen, the applicant agreed to soften the white paint on the sign so that it does not look as brilliant.



ARCHITECTURAL REVIEW BOARD
BOARD ORDER

AUGUST 25, 2004

CITY OF DUBLIN

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

The Architectural Review Board took the following action at this meeting:

3. Architectural Review Board 04-109ARB – 72 North High Street

Location: 0.18-acre located on northeast corner of North High Street and North Street.

Existing Zoning: CB, Central Business District.

Request: Review and approval of a six-square foot main identification sign.

Proposed Use: A boutique.

Applicant: 72 North High Company, Limited, c/o Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; represented by Mary Curran, 72 North High Street, Dublin, Ohio 43016.

Staff Contacts: Ryan James, Intern and Joanne Ochal, Planner.

MOTION: To approve this application because the proposed signage is generally consistent with the design intent of the *Old Dublin Design Guidelines*, with six conditions:

- 1) That a flat or matte finish be used for all paint;
- 2) That any future lighting be brought back to the Architectural Review Board for review and approval;
- 3) That a sign permit be obtained from the Division of Planning prior to installation;
- 4) That the swirling tail of the "s" be removed or replaced with a script tail more historic in nature, less weight, less noticeable, removing the arrow or point at the top of the "s", subject to staff approval;
- 5) That any future signage for new tenants and/or owners be subject to Architectural Review Board review and approval; and
- 6) That all outdoor displays be located outside of all rights-of-way, and only be displayed during business hours.

*Mary Curran, agreed to the above conditions.

VOTE: 3 – 0.

RESULT: The application was approved.

RECORDED VOTES:

Allan Staub	Yes
Richard Taylor	Absent
David Larson	Yes
Thomas Holton	Yes
Kevin Bales	Absent

STAFF CERTIFICATION

Daniel D. Bird, FAIC
Director of Planning

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street



CITY OF DUBLIN

ARCHITECTURAL REVIEW BOARD BOARD ORDER

May 26, 2004

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Architectural Review Board took the following action at this meeting:

2. **Architectural Review Board 04-045ARB – Oscar’s – 84 North High Street**
Location: 0.34-acre located on the east side of North High Street, 80 feet north of North Street.
Existing Zoning: CB, Central Business District.
Request: Review and approval of a six-square foot wall sign and gooseneck lighting.
Proposed Use: Restaurant.
Applicant: Jack Eggspuehler, 84 North High Company, LTD., 20 North Street, Dublin, Ohio 43017; represented by Craig Barnum, 84 North High Street, Dublin, Ohio 43017.
Staff Contact: Dan Phillabaum, Planner.

MOTION: To approve this request for signage with seven conditions:

- 1) That *Option One*, incorporating the traditional lettering style for “Oscar’s” and contemporary lettering style for “Prime Kitchen and Wine Bar,” be utilized;
- 2) That the proposed colors for the sign be revised such that the sign border match the existing building trim, and the sign background utilize a darker green color, subject to staff approval;
- 3) That the proposed color for the gooseneck light fixtures match the existing building trim, subject to staff approval;
- 4) That all proposed sign and light fixture colors be of a matte or low-gloss finish, consistent with the Old Dublin Design Guidelines;
- 5) That an electrical permit be obtained from the Division of Building Standards prior to installation;
- 6) That a sign permit be obtained from the Division of Planning prior to installation; and
- 7) That all property maintenance and Code compliance issues as noted within the staff memo dated May 20, 2004, be substantially completed (except those items requiring greater timeframe for scheduling to complete the work), to the satisfaction of staff prior to issuance of a sign permit.

*Craig Barnum agreed to the above conditions.

**ARCHITECTURAL REVIEW BOARD
BOARD ORDER**

May 26, 2004

**2. Architectural Review Board 04-045ARB – Oscar’s – 84 North High Street
(Continued)**

VOTE: 4-0-1

RESULT: The application was approved.

RECORDED VOTES:

Allan Staub	Yes
Richard Taylor	Abstain
David Larson	Yes
Thomas Holton	Yes
Kevin Bales	Yes

STAFF CERTIFICATION



**Carson C. Combs, AICP
Senior Planner**



CITY OF DUBLIN

**BOARD OF ZONING APPEALS
BOARD ORDER**

NOVEMBER 20, 2003

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Board of Zoning Appeals took the following action at this meeting:

3. Variance 03-144V – Nathan’s – 72 North High Street

Location: 0.18-acre located on the northeast corner of North High Street and North Street.

Existing Zoning: CB, Central Business District.

Request: A variance to Section 153.212 to reduce the required number of parking spaces from 31 to zero spaces.

Proposed Use: A 2,083-square foot commercial building with a 1,383-square foot restaurant and 700 square feet of office space.

Applicant: 72 North High Company, Limited, c/o Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; represented by Corey Tacosik, 4448 Hanna Hills Drive, Dublin, Ohio 43016.

Staff Contact: Mark Zuppo, Jr., Planner.

MOTION: To table this variance due to lack of quorum. Mr. Skillman had a conflict and could not vote on this case. The applicant will be scheduled first on the December 18, 2003 agenda.

VOTE: 3 – 0.

RESULT: This variance was tabled.

RECORDED VOTES:

Brent Davis	Absent
Jeffrey Ferezan	Yes
G. Lynn McCurdy	Yes
Ray Harpham	Absent
Drew Skillman	Yes

STAFF CERTIFICATION

Frank A. Ciarochi
Acting Planning Director

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street



CITY OF DUBLIN

Division of Planning
5800 Shier-Rings Road
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ARCHITECTURAL REVIEW BOARD BOARD ORDER

November 19, 2003

The Architectural Review Board took the following action at this meeting:

3. **Architectural Review Board 03-107ARB – Nathan’s – 72 North High Street**
Location: 0.18-acre located on northeast corner of North High Street and North Street.
Existing Zoning: CB, Central Business District.
Request: Review and approval of a five-square foot, post-mounted identification sign and roof-mounted kitchen vents.
Proposed Use: A 2,083-square foot commercial building with a 1,383-square foot restaurant (conversion from retail) and 700 square feet of office space.
Applicant: 72 North High Company, Limited, c/o Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; represented by Corey Tacosik, 4448 Hanna Hills Drive, Dublin, Ohio 43016.
Staff Contact: Carson C. Combs, AICP, Senior Planner.

MOTION #1: To approve this request with eight conditions:

- 1) That final details for the proposed ramp be provided prior to the issuance of a building permit, subject to staff approval;
- 2) That the proposed exhaust siding be painted crème with the cap and trim painted to match the roof, and the air intake painted to match the roof, subject to staff approval;
- 3) That a building permit from the Division of Building Standards be obtained for the proposed building improvements;
- 4) That a sign permit be obtained from the Division of Planning prior to installation;
- 5) That any future lighting for the proposed sign be brought back to the ARB for consideration;
- 6) That an application for a revised, comprehensive variance for shared parking and a reduction in required parking spaces for 72 North High Street, 84 North High Street, and 20 North Street be submitted to the Board of Zoning Appeals by January 2, 2004;
- 7) That necessary parking variances be obtained from the Board of Zoning Appeals, or that Code be met; and
- 8) That hours of operation for the proposed restaurant be restricted to breakfast and lunch hours (no later than 3:00 p.m.).

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street

3. Architectural Review Board 03-107ARB – Nathan’s – 72 North High Street (Continued)

*Corey Tacosik agreed to the above conditions.

VOTE: 4 – 0.

RESULT: The application was approved.

MOTION #2: To request that the City Manager increase traffic enforcement for pedestrian and vehicular safety, and that the Board of Zoning Appeals encourage the applicant to utilize pamphlets and other signage to direct restaurant patrons to designated parking areas.

VOTE: 4 – 0.

RESULT: The approved request will be forwarded to the City Manager and the Board of Zoning Appeals.

RECORDED VOTES:	MOTION #1	MOTION #2
Janet Axene	Yes	Yes
Allan Staub	Yes	Yes
Richard Taylor	Absent	Absent
David Larson	Yes	Yes
Thomas Holton	Yes	Yes

STAFF CERTIFICATION



Carson C. Combs, AICP
Senior Planner



CITY OF DUBLIN.

ARCHITECTURAL REVIEW BOARD
BOARD ORDER

November 19, 2003

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Architectural Review Board took the following action at this meeting:

- 4. **Architectural Review Board 03-128ARB – Oscar’s – 84 North High Street**
Location: 0.34-acre located on the east side of North High Street, 80 feet north of North Street.
Existing Zoning: CB, Central Business District.
Request: Review and approval of exterior modifications that include an 18.2-square foot expansion to create a front entrance vestibule, the removal of exterior rear entrance steps with a 131.6-square foot patio expansion, and revised mechanical screening.
Proposed Use: A 6,900-square foot, mixed-use building containing 3,070 square feet of restaurant space, a 1,560-square foot outdoor dining patio, 3,230 square feet of office uses, and a 600-square foot salon.
Applicant: 84 North High Company, LTD., c/o Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017.
Staff Contact: Carson C. Combs, AICP, Senior Planner.

MOTION: To approve this request for the front vestibule *only*, with two conditions:

- 1) That final details for all improvements be provided prior to the issuance of building permits, subject to staff approval; and
- 2) That a building permit be obtained from the Division of Building Standards prior to construction.

*Jack Eggspuehler agreed to the above conditions.

VOTE: 4 – 0.

RESULT: The application was approved with the indication from the applicant that all other proposed items will be re-submitted for consideration at a later date.

RECORDED VOTES:

Janet Axene	Yes
Allan Staub	Yes
Richard Taylor	Absent
David Larson	Yes
Thomas Holton	Yes

STAFF CERTIFICATION

Carson C. Combs, AICP
Senior Planner

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street



CITY OF DUBLIN

ARCHITECTURAL REVIEW BOARD
BOARD ORDER

April 25, 2001

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Architectural Review Board took the following action at this meeting:

- I. **Architectural Review Board 01-048ARB – Art Impressions – 72 North High Street**
Location: 0.18 acre located at the northeast corner of North High Street and North Street.
Existing Zoning: CB, Central Business District.
Request: Review and approval of a 5.95 square-foot rear sign.
Proposed Use: Art gallery.
Applicant: Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; c/o Rebecca Caddell, 2696 Berwick Boulevard, Columbus, Ohio 43209.
Contact: Carson Combs, Planner.

MOTION: That the proposed signage not be approved and that the previously approved projecting sign be utilized in conjunction with an appropriate sandwich sign or door sign on Oscar's to be approved administratively.

*Rebecca Caddell agreed to the above conditions.

VOTE: 5 – 0.

RESULT: The proposed signage was disapproved and an alternative sign package approved by the board.

RECORDED VOTES:

Janet Axene	Yes
Allan Staub	Yes
G. Lynn McCurdy	Yes
Richard Taylor	Yes
David Larson	Yes

STAFF CERTIFICATION

Carson Combs
Planner

ARCHITECTURAL REVIEW BOARD
BOARD ORDER

December 13, 2000



CITY OF DUBLIN

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Architectural Review Board took the following action at this meeting:

2. **Architectural Review Board 00-114ARB – Art Impressions – 72 North High Street**

Location: 0.18 acre located at the northeast corner of North High Street and North Street.

Existing Zoning: CB, Central Business District.

Request: Review and approval of a 5.54 square-foot ground sign (front entrance) and a 5.54 square-foot projecting sign (rear entrance).

Proposed Use: Art gallery.

Applicant: Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; c/o Rebecca Caddell, 714 North High Street, Dublin, Ohio 43017.

MOTION: To approve this application with six conditions:

- 1) That the colors used on the sign be either flat or semi-gloss to match the existing colors on the building;
- 2) That the front ground sign be reduced to five square feet to comply with the Old Dublin Design Guidelines;
- 3) That any future lighting be brought back to the Architectural Review Board for review and approval;
- 4) That the rear projecting sign be located above the rear entrance in keeping with the Old Dublin Design Guidelines;
- 5) That the bracket design be in keeping with the historic character of the district and the Old Dublin Design Guidelines, subject to staff approval; and
- 6) That a sign permit be obtained prior to installation.

* Jack Eggspuehler agreed to the conditions.

VOTE: 3-0.

RESULT: The application was approved.

RECORDED VOTES:

Janet Axene	Absent
Allan Staub	Yes
G. Lynn McCurdy	Yes
Richard Termeer	Yes
David Larson	Absent

STAFF CERTIFICATION


Warren Campbell
Planner

ISO 9002
REGISTERED

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street

ARCHITECTURAL REVIEW BOARD
BOARD ORDER

December 13, 2000



CITY OF DUBLIN

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Architectural Review Board took the following action at this meeting:

2. **Architectural Review Board 00-114ARB – Art Impressions – 72 North High Street**
Location: 0.18 acre located at the northeast corner of North High Street and North Street.
Existing Zoning: CB, Central Business District.
Request: Review and approval of a 5.54 square-foot ground sign (front entrance) and a 5.54 square-foot projecting sign (rear entrance).
Proposed Use: Art gallery.
Applicant: Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; c./o Rebecca Caddell, 714 North High Street, Dublin, Ohio 43017.

MOTION: To approve this application with six conditions:

- 1) That the colors used on the sign be either flat or semi-gloss to match the existing colors on the building;
- 2) That the front ground sign be reduced to five square feet to comply with the Old Dublin Design Guidelines;
- 3) That any future lighting be brought back to the Architectural Review Board for review and approval;
- 4) That the rear projecting sign be located above the rear entrance in keeping with the Old Dublin Design Guidelines;
- 5) That the bracket design be in keeping with the historic character of the district and the Old Dublin Design Guidelines, subject to staff approval; and
- 6) That a sign permit be obtained prior to installation.

* Jack Eggspuehler agreed to the conditions.

VOTE: 3-0.

RESULT: The application was approved.

RECORDED VOTES:

Janet Axene	Absent
Allan Staub	Yes
G. Lynn McCurdy	Yes
Richard Termeer	Yes
David Larson	Absent

STAFF CERTIFICATION

Warren Campbell
Planner

ISO 9002
REGISTERED

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street



CITY OF DUBLIN

**ARCHITECTURAL REVIEW BOARD
BOARD ORDER**

November 29, 2000

Division of Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-761-6550
Fax: 614-761-6566
Web Site: www.dublin.oh.us

The Architectural Review Board took no action at this meeting due to lack of quorum:

2. **Architectural Review Board 00-114ARB – Art Impressions – 72 North High Street**
Location: 0.18 acre located at the northeast corner of North High Street and North Street.
Existing Zoning: CB, Central Business District.
Request: Review and approval of a 5.54 square-foot ground sign (front entrance) and a 5.54 square-foot projecting sign (rear entrance).
Proposed Use: Art gallery.
Applicant: Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017; c/o Rebecca Caddell, 714 North High Street, Dublin, Ohio 43017.
Staff Contact: Warren Campbell, Planner.

Due to lack of quorum this case was postponed to the next meeting.

STAFF CERTIFICATION

Warren Campbell
Planner

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street

CITY OF DUBLIN
DIVISION OF PLANNING
5800 SHIER-RINGS ROAD
Dublin, Ohio 43017
(614) 761-6550

DUBLIN ARCHITECTURAL REVIEW BOARD
BOARD ORDER

Application No: ARB94-007 - Precious Skin and Precious Nails

Applicant: Jean Jewett

Address: 72 North High Street

Date of Board Action: July 27, 1994

BOARD ACTION:

Approval granted for Remodeling Landscaping
 New Construction Other (Describe)
 Signage

Approved as submitted
 Approved with modifications/conditions described below
 Not Approved
 Recommended to Board of Zoning Appeals
 Not Recommended to Board of Zoning Appeals

Modifications: 1. That the street address be incorporated in the sign with an obelisk shape with final design subject to Staff approval; and
2. That the sign be centered behind the bench.

Conditions: 1. That the floodlights comply with the Dublin Lighting Guidelines and that they be shielded with landscaping or shields to prevent off-site glare and that the lighting be subject to Staff approval; and
2. That the property owner submit a sign package for the entire site prior to approval of any additional tenant signage on the site.

This certificate is not a building permit, a certificate of zoning compliance, or a sign permit. This does not relieve the applicant of the responsibility of filing for and obtaining a building permit (761-6556), obtaining zoning compliance and/or a sign permit (761-6550) and following all other applicable codes, ordinances, and regulations of the City of Dublin.

BOARD MEMBER:	VOTE:
Larry Frimerman	YES
Lowell Mast	YES
Bill Miller	YES
Carole Olshavsky	ABSENT
Marian Vance	YES

Signature of Staff Member in attendance, certifying that the outcome of this case was as reported above.

Mary H. Newcomb 8/3/94
Name Date



CITY OF DUBLIN

**CITY OF DUBLIN
DIVISION OF PLANNING**

5131 Post Road, Suite 120
Dublin, Ohio 43017
(614) 761-6553

**DUBLIN ARCHITECTURAL REVIEW BOARD
BOARD ORDER**

Application No: ARB 93-020
Applicant: Warren Cunningham
Address: 84 North High Street
Date of Board Action: 12/15/93

BOARD ACTION:

- Approval granted for
 - Remodeling
 - New Construction
 - Signage
 - Landscaping
 - Other (Describe) _____
- Approved as submitted
- Approved with modifications/conditions described below
- Not Approved
- Recommended to Board of Zoning Appeals
- Not Recommended to Board of Zoning Appeals

The application was tabled without discussion at the request of the applicant.

This certificate is not a building permit, a certificate of zoning compliance, or a sign permit. This does not relieve the applicant of the responsibility of filing for and obtaining a building permit (761-6556), obtaining zoning compliance and/or a sign permit (761-6553) and following all other applicable codes, ordinances, and regulations of the City of Dublin.

BOARD MEMBER:	VOTE: 4-0
Thomas McCash	absent
Lowell Mast	yes
Bill Miller	yes
Carole Olshavsky	yes
Marian Vance	yes

Signature of Staff Member in attendance, certifying that the outcome of this case was as reported above.

Mary H. Newcomb 1/6/94

 Name Date



CITY OF DUBLIN
Department of Planning & Development

BOARD ORDER
BOARD OF ZONING APPEALS
CITY OF DUBLIN, OHIO

JANUARY 23, 1992

5. Variance Application V92-002 - Irish Pub at 72 North High Street
- Location:** An existing building at the northeast corner of North Street and North High Street (72 North High Street) with shared off-site parking on the west side of North Blacksmith Lane to the south of North Street (38 and 40 North High Street)
- Existing Zoning:** CB, Central Business District.
- Request:** Variances from the following provisions:
- 1) To Section 1193.13 to permit a reduction in the required number of new parking spaces from 33 to 15 spaces to support the conversion of an office to tavern/restaurant use;
 - 2) To Section 1193.04(a) to permit the joint use of parking, for nine additional spaces behind 38 North High Street (total lot of 17 spaces will now be under lease), and for six proposed spaces to be installed behind 40 North High Street;
 - 3) To Section 1193.06(a) to permit the installation of six new parking spaces that are gravel, not hard-surfaced, at 40 North High Street.
- Proposed Use:** Conversion of 2,060 square foot office structure for use as an Irish pub.
- Applicant:** Jack J. Eggspuehler, 20 North High Street, Dublin, OH 43017.

- MOTION:** To approve Variance Application V92-002 with the following conditions:
- 1) Hours of operation to be restricted to 4:00 p.m. and later, Monday-Friday and 12:00 p.m. and later on Saturday and Sunday;
 - 2) Wheel stops to be placed in the lot at 38 North High to maximize number of parking spaces and identify each parking space;
 - 3) Outdoor seating to be prohibited unless prior approval by both ARB and BZA;
 - 4) Lighting to be installed in parking lot at 38 North High. Lighting to be installed by the opening date and to meet Dublin lighting guidelines;
 - 5) Existing light at Oscar's to be redirected with staff's approval;
 - 6) Existing light at Oscar's to be replaced by December 18, 1994, with cutoff fixture to meet Dublin lighting guidelines; and
 - 7) The large tree behind 40 N. High Street to be protected during construction and preserved thereafter.

RESULT: Approved **VOTE:** 4-0 Motion to approve V92-002

BOARD MEMBER:
 John Belton
 John Ferrara
 Frank T. Pandora II
 Becky Saylor
 Peter Zawaly

VOTE:
 Yes
 Yes
 Yes
 Yes
 Absent

Signature of Staff Member in attendance, certifying that outcome of this case was as reported above.

Barbara M. Clarke 1/28/92
 Barbara M. Clarke Date
 Zoning Administrator



CITY OF DUBLIN
Department of Planning & Development

BOARD ORDER
ARCHITECTURAL REVIEW BOARD
CITY OF DUBLIN, OHIO

DECEMBER 18, 1991

Tabled Case: Application ARB91-017 - Irish Pub - 72 North High Street

Location: Existing office building located on the northeast corner of North High Street and North Street.

Existing Zoning: CB, Central Business District

Request: Conversion of office space to a tavern - Recommendation to the Board of Zoning Appeals for parking variance.

Proposed Use: Irish Tavern

Applicant: J.J. Eggspuehler c/o T.E. Caplinger

RESULTS: Recommended to the Board of Zoning Appeals (BZA) VOTE: 5-0

- CONDITIONS:
- 1.) Hours of operation to be restricted to 4:00 p.m. and later, Monday-Friday and 12:00 p.m. and later on Saturday and Sunday.
 - 2.) If lot at 40 N. High is not paved, ARB is supportive of surface variance.
 - 3.) Wheel stops be placed in the lot at 38 North High to maximize number of parking spaces and identify each parking space.
 - 4.) Outdoor seating be prohibited unless prior approval by both ARB and BZA.
 - 5.) Lighting to be installed in parking lot at 38 North High. Lighting to be installed by the opening date and to meet Dublin lighting guidelines.
 - 6.) Existing light at Oscar's to be redirected with Staff's approval.
 - 7.) Existing light at Oscar's to be replaced by December 18, 1994, with cutoff fixture to meet Dublin lighting guidelines.

BOARD MEMBER: VOTE:

Gerald DeGrazia	Yes
Thomas Kellett	Yes
Lowell Mast	Yes
Bill Miller	Yes
Donna Schenk	Yes

Signature of Staff Member
in attendance, certifying
that the outcome of this
case was as reported above.

Mary H. Newcomb 12/19/91
Name Date



CITY OF DUBLIN
Department of Planning & Development

BOARD ORDER
ARCHITECTURAL REVIEW BOARD
CITY OF DUBLIN, OHIO

AUGUST 28, 1991

Application ARB91-017 - 72 North High Street

Location: Existing office building located on the southeast corner of North High Street and North Street.

Existing Zoning: CB, Central Business District

Request: Conversion of office space to a tavern - Recommendation to the Board of Zoning Appeals for parking variance.

Proposed Use: Irish Tavern

Applicant: J.J. Eggspuehler c/o T.E. Caplinger

RESULTS: Tabled until next meeting. VOTE: 4-0

CONDITIONS: Applicant to reach joint parking agreement with nearby property owner(s).

<u>BOARD MEMBER:</u>	<u>VOTE:</u>
Gerald DeGrazia	Yes
Thomas Kellet	Yes
Lowell Mast	Yes
Bill Miller	Yes
Donna Schenk	Absent

Signature of Staff Member
in attendance, certifying
that the outcome of this
case was as reported above.

Mary H. Neumann 9/6/91
Name Date



C I T Y O F D U B L I N
Department of Planning & Development

BOARD ORDER 1 of 3
ARCHITECTURAL REVIEW BOARD
CITY OF DUBLIN, OHIO

AUGUST 28, 1991

Application ARB91- 020 - Oscar's - 84 North High Street
Locations: Existing restaurant/bar located on the east side of North High Street, approximately 100 feet north of North Street.
Existing Zoning: CB, Central Business District
Request: Approval of patio fencing and gate, exterior carpeting, and awning signage.
Proposed Use: Restaurant/Bar
Applicant: Brad Eggspuehler

RESULTS: 1. Fencing - Approved as submitted VOTE:4-0
by the applicant

CONDITIONS:

BOARD MEMBER:

VOTE:

Gerald DeGrazia
Thomas Kellet
Lowell Mast
Bill Miller
Donna Schenk

Yes
Yes
Yes
Yes
Absent

Signature of Staff Member
in attendance, certifying
that the outcome of this
case was as reported above.

Mary H. Newcomb 1/4/91
Name Date



C I T Y O F D U B L I N
Department of Planning & Development

BOARD ORDER 2 of 3
ARCHITECTURAL REVIEW BOARD
CITY OF DUBLIN, OHIO

AUGUST 28, 1991

Application AR391- 020 - Oscar's - 84 North High Street
Locations: Existing restaurant/bar located on the east side of North High Street, approximately 100 feet north of North Street.
Existing Zoning: CB, Central Business District
Request: Approval of patio fencing and gate, exterior carpeting, and awning signage.
Proposed Use: Restaurant/Bar
Applicant: Brad Eggspuehler

RESULTS: Canopy sign approved VOTE: 4 - 0

- CONDITIONS:
1. Color to be Sunbrella #4603 Jockey Red.
 2. White lettering "Oscar's" on canopy to match those on ground sign in front.
 3. Existing rear entrance sign to be removed when canopy sign is installed.

<u>BOARD MEMBER:</u>	<u>VOTE:</u>
Gerald DeGrazia	Yes
Thomas Kellet	Yes
Lowell Mast	Yes
Bill Miller	Yes
Donna Schenk	Absent

Signature of Staff Member
in attendance, certifying
that the outcome of this
case was as reported above.

Mary H. Newcomb 1/6/91
Name Date



C I T Y O F D U B L I N

Department of Planning & Development

BOARD ORDER 3 of 3
ARCHITECTURAL REVIEW BOARD
CITY OF DUBLIN, OHIO

AUGUST 28, 1991

Application ARB91- 020 - Oscar's - 84 North High Street
Locations: Existing restaurant/bar located on the east side of North High Street, approximately 100 feet north of North Street.
Exisiting Zoning: CB, Central Business District
Request: Approval of patio fencing and gate, exterior carpeting, and awning signage.
Proposed Use: Restaurant/Bar
Applicant: Brad Eggspuehler

RESULTS: Carpeting- Applicant to work with Staff regarding covering for walkway VOTE: 4-0

CONDITIONS:

<u>BOARD MEMBER:</u>	<u>VOTE:</u>
Gerald DeGrazia	Yes
Thomas Kellet	Yes
Lowell Mast	Yes
Bill Miller	Yes
Donna Schenk	Absent

Signature of Staff Member in attendance, certifying that the outcome of this case was as reported above.

Mary H. Newcomb, 9/6/91
Name Date



C I T Y O F D U B L I N
Department of Planning & Development

MINUTES OF MEETING

DUBLIN BOARD OF ZONING APPEALS

MAY 25, 1989

Present at the meeting were Chairperson, Ms. Saylor; Board members, Mr. Pandora and Mr. Kranstuber; and Staff members, Ms. Kurtz and Ms. Clarke.

3. Variance Application V89-011 - 84 N. High Street (amended application)

Ms. Kurtz presented slides of the site, background information as outlined in the Staff Report dated May 25, 1989, and the following information:
-The proposal is for outdoor service to the patio at 84 N. High Street which will seat up to 100 patrons. Seating for approximately 55 or 60 patrons exists presently. In 1987, the Board of Zoning Appeals granted a Variance for the number of parking spaces necessary for this 1,950 s.f. patio area from 39 to zero, based on the fact that it will be a public park area, with the following conditions: "outdoor service to the seating area will not be permitted by operators of the delicatessen or by any other persons; the area to remain as park-like as proposed continually; and the area to be made as accessible to the public as possible."

-In its review of Mr. Eggspuehler's request for service to the outdoor seating area, Staff could not identify any substantive reason to limit outdoor service to the area, although the lighting and design of the rear staircase from the deck to the parking lot should be evaluated for safety.

-Ms. Kurtz explained that patrons are currently able to purchase food and beverages from the Deli and can take them outside to the patio/deck area.

-Staff is recommending approval with the following conditions:

- 1) The park/patio area to remain accessible to non-patrons of Oscar's Deli at all times;
- 2) That a landscape plan for the park/patio area be prepared for review by the Landscape Planner;
- 3) That the outdoor service be in compliance with requirements of the State Liquor Control Board's permit requirements should a liquor permit be issued for Oscar's Deli;
- 4) That in consideration of the residential properties which abut the site, noise and music associated with the outdoor serving area to be kept to a reasonable intensity.

Mr. Jack Eggspuehler, the applicant, stated his agreement with the conditions as listed in the Staff Report, and he presented the following information:

-He expressed concern about previous problems with bees in the patio area during warmer months and feels a full-time attendant is needed to keep the

patio clean and useable. This can only be economically justifiable with the tipping associated with table service.

-Mr. Eggspuehler stated that he recently learned that Oscar's Deli is next on the list for a liquor license. This particular liquor license does not include beer and wine. Mr. Eggspuehler stated that to get the liquor license, the liquor must be served if someone asked for it.

-Mr. Eggspuehler noted that he had public rest rooms constructed at 20 North Street (part of this overall site) for access and use by the public within this park-like area. He stated that the rest rooms and seating area would remain open to the public if outdoor service exists.

Ms. Saylor noted that she was on the BZA when the parking variance was granted. She felt that the public would be more apprehensive about using this area as a park if it appears to have a more restaurant-like atmosphere. Mrs. Joan Eggspuehler stated that the public does use this facility now, and people often bring food. Table service would not be provided eight hours a day. Mr. Eggspuehler stated that they are not only cleaning up after people who purchase food from the Deli and eat outside, but also after others who enjoy the park. He does not feel he can justify paying a person to be outside cleaning up without service and tipping.

Ms. Saylor stated that there is currently a self-serve arrangement, and she did not feel a hardship was being imposed by not allowing outdoor service. Mr. Pandora noted that when the original Variance was granted reducing the required number of parking spaces from 39 to zero, Mr. Eggspuehler agreed that this would be a park area accessible to the public. Mr. Eggspuehler is now claiming that the problems are attendant to the general public using the patio. Mr. Eggspuehler agreed. Mr. Pandora felt that this variance request was unjustified unless Mr. Eggspuehler is claiming that Oscar's Deli cannot be a viable business without outdoor service. Mr. Eggspuehler stated that it is costing a lot of money to run the business, but he expected it would. He is hoping that the opportunity to serve beer and wine will boost business, especially during evening hours when the public is less likely to be using this outdoor seating as a park area. He noted that the BZA was aware from the very beginning that he had applied for the license to serve beer and wine, and he felt it was implied that it would be served in the patio area. Mrs. Eggspuehler stated that Oscar's Deli is now open until 7:00 p.m., but she hopes to have extended summer hours.

Mr. Kranstuber agreed that the patio would lose its park-like atmosphere if food and beverages are served outdoors. Mrs. Eggspuehler stated that even now when the Deli is not extremely busy, the counter-service workers will carry out a food tray as a matter of courtesy. Other people are sitting at outside tables when this happens, so they are in fact using the park when it appears that the Deli is providing outdoor service.

Ms. Saylor stated that when Mr. Eggspuehler applied for the Variance, he did offer to create this park area. It was not something the BZA imposed. The BZA did impose the condition that the park-area remain public.

Mr. Eggspuehler stated that Dublin needs to have alcohol in this area for the benefit of all the merchants in the Old Dublin area. Ms. Saylor asked if someone could purchase an alcoholic beverage inside the Deli, after the license is issued, and bring it out to the patio area. Mrs. Eggspuehler

replied that there are some restrictions about what door they use, etc., but this will be permitted. An inspector for the liquor department did identify an area that would be restricted to the serving of alcohol. Mr. Eggspuehler noted that additional seating is permitted as part of the landscape plan (up to 100 outdoor seats) and perhaps some of this permitted seating could be developed with park benches to provide seating outside the patio area to help retain the public atmosphere. Mr. Pandora felt that this sidewalk cafe atmosphere would be good for Old Dublin, and he suggested that a generic "Welcome, Seating Open to the Public" sign be posted to reinforce the public park setting.

Mr. Kranstuber also commended the sidewalk cafe atmosphere, but he expressed concern for the neighboring residents in regard to music and noise. He asked if adjacent residents had been notified of this application. Ms. Kurtz replied that only the contiguous property owners (Dublin Library and 94 N. High) were notified, not area residents. Ms. Clarke clarified that the applicant is not requesting to have music on site, but Staff anticipates that if there is a liquor license and outdoor service, the potential for music exists.

Ms. Saylor requested a motion. No motion being made, Ms. Saylor moved to deny the Variance application. There was no second, and Ms. Saylor withdrew her motion.

Further discussion ensued about the Variance request. Ms. Saylor expressed her objection to outdoor service when previous applications were granted by the BZA and ARB because of the park-like atmosphere being created. She agreed that it may be nice to have this service in Old Dublin, but the expansion of service as proposed at this location may diminish the park-like quality previously established and may possibly become a nuisance to the nearby residents. She expressed concern about approving this use without notification to surrounding residents.

Mr. Eggspuehler stated that he is now locked in to running a public park with no economic benefit. He stated that he cannot continue to operate his business with the losses he is experiencing now and must have beer, wine and liquor available for patrons. Ms. Saylor noted that he will still be able to sell these beverages, even without having outdoor service available. Mr. Eggspuehler stated that without outdoor service, there will be no one outside policing the area, and he will end up with the bee problem again. Then no one will use this park area. Mr. Eggspuehler reiterated that it is not feasible to staff a person to clean this patio area without the benefits of service and tipping. He stated that he is willing to work with the BZA and Staff to make this work.

Mrs. Eggspuehler requested that the application be tabled. Mr. Pandora moved to table the application until more BZA members can be present and further consideration can be given to the proposal. Mr. Kranstuber seconded the motion, and the vote was as follows: Mr. Pandora, yes; Ms. Saylor, yes; Mr. Kranstuber, yes. Tabled 3-0.



CITY OF DUBLIN
Department of Planning & Development

BOARD ORDER
BOARD OF ZONING APPEALS
CITY OF DUBLIN, OHIO
May 25, 1989

3. Variance Application V89-011 - 84 N. High Street (amended application)
 Location: Northeast corner of North High Street and North Street.
 Existing Zoning: CB, Central Business District and Architectural Review District.
 Request: Removal of condition prohibiting outdoor service at patio area adjacent to Oscar's Deli as required by Variance V87-028.
 Proposed Use: Full outdoor service to patio/park area of Oscar's Deli.
 Applicant: Jack J. Eggspuehler

RESULTS: Motion to deny - no second
Motion to table

VOTE: no vote
approved, 3-0

CONDITIONS: None

BOARD MEMBER:

VOTE:

Bill Chambers	absent
Charles Kranstuber	yes
Frank T. Pandora II	yes
Richard Rauh	absent
Becky Saylor	yes

Signature of **STAFF MEMBER** in attendance, certifying that the outcome of this case was as reported above:

Aduri J. Kurty 6/13/89
Name Date

3. ~~CASE ARB88-006 - Old Dublin Spring Park~~

~~Ms. Janet Jordan, Parks & Recreation Director, and Mr. Dan Smith made this presentation. They explained that this project was the first phase of a larger park project that would extend upstream along both sides of the river. Mr. Smith explained that the project would be funded by the Parks and Recreation Department, Historical Society, Chamber of Commerce, Dublin Kiwanis and private donations. The plan includes a paved walkway, stone benches and a small gazebo built on the foundation of the old pump house. Mr. DeCrazia asked if there would be any lighting. The answer was no since the park is not intended for night time use. Mr. Smith explained that the walkway would be paved in a manner that would discourage the use of bicycles and skateboards. The Board unanimously approved the plan.~~

4. ~~CASE ARB88-003 - 80 West Bridge Street~~

~~Mr. Dan Smith represented the Dublin Public Schools and presented a plan for the remodel of the 1919 School Building. New windows will be installed that will return the structure to it's original appearance. The circular drive in front of the building will be reconfigured and parking there will be limited to 12 spaces behind a screened wall. The project was unanimously approved.~~

5. ~~CASE ARB88-004 - 144 West Bridge Street~~

~~Mr. Dan Smith also represented the Dublin Schools in this case and explained that the new gymnasium had originally been planned to the north of the Indian Run School Building. That plan was abandoned for budget reasons and the current plan was proposed showing the gym on the west side of the building. A new circular drive is to be constructed and part of the existing pavement will be removed and will be replaced with landscaping. The plan was unanimously approved.~~

6. ~~CASE ARB88-005 - 72-84 N. High Street~~

~~Mr. Ted Harder represented Mr. Eggspueller and explained that they had prepared elevation drawings to illustrate the proposed alterations to the front of the two buildings. The Board approved the drawings with the condition that the applicant return with building samples.~~

BZA.

12-17-87

Variance 187-028

Variance to landscape code to eliminate interior parking lot landscape area approved by 3 attending members

Variance to parking code to reduce required 1 space / 50 sq' of outdoor seating area of 1950 sq' = 39 spaces, to 0 spaces. Condition is that no outdoor ~~seating~~ service be permitted, that the area to remain as a park like area regardless of success of deli and that the area be as accessible to public as possible.

09-002ARB

Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street



City of Dublin

6665 Coffman Road
Dublin, Ohio 43017

MINUTES OF MEETING
DUBLIN ARCHITECTURAL REVIEW BOARD
OCTOBER 28, 1987

1. Application ARB 87-023 - 60 Franklin Street

This application was for review of a proposed fence to be constructed at the above address. A site plan and concept drawing was presented. The fence is in compliance with all provisions of the Dublin fence code. Normally a fence like this would be approved by the building department without this review, but because of the location, it does need to be reviewed by the ARB. The fence material, height, location, etc. was discussed. A question was brought up about the color of the fence.

A motion was made to approve the fence, reserving the right to review the color of paint used on the fence. Motion was seconded and vote was unanimous.

2. Application ARB 87-025 - 53 N. High Street

Mr. Darragh read a letter to the Board from Mr. Lowell Mast, the applicant, stating that he would be out of town and could not attend the meeting. Pictures of the proposed signage was enclosed.

Discussion ensued about the signage and some questions were brought up that the applicant would need to answer. Since he was not able to attend, a motion was made and seconded to table this application. Vote was called for and was unanimous.

3. Application ARB 87-026 - 37 W. Bridge Street

Because additional data was requested for this application to review proposed signage, and the applicant was Mr. Mast, and he was not able to attend the meeting, a motion was made and seconded to table this application. Vote was called for and was unanimous.

4. Public Hearing on Case ARB 87-024 - Eggspuehler Office Project

Mr. Darragh reported on the past history of this office project. He explained that this has been before the Architectural Review Board for approximately one year and the site plan has been developed from its preliminary pretty much into what it is now. The original application involved an application for review of a site plan and for the construction of a new building at the northwest corner of North High Street and North Street.

ARB MINUTES

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09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street

The initial proposal was for a third building fronting toward North Street. The arrangement of this building caused some concern among Staff in that the setback along North Street was very difficult to achieve also the parking setback was difficult to achieve. The revised plan is a result of several meetings and a number of different reviews.

Mr. Darragh explained the setbacks, parking determinations, materials to be used, construction of stone walls, variance requests, alley vacations and landscaping.

Mr. Darragh further reported on the process that the applicant, architect and our Staff went through in reference to the delicatessen and outdoor seating and the process of trying to maximize the parking.

The hearing this date was for the request for the variance of the landscaping code which will eliminate the 5% of the parking area being landscaped and also the request that would go before the Board of Zoning Appeals in reference to outdoor seating along North High Street.

* Mr. Eggspuehler's intention is to convert the area between the two existing buildings into a park-like setting with extensive landscaping and also 100 outdoor seats that can be used either by the general public or by the people who may choose to use the proposed delicatessen. He explained his reasoning for this project. He stated that when he looks at North High Street and he looks at his buildings compared to what Mr. Gus Crim has done in the Rivers Edge building, he is ashamed and makes no bones about it. He stated that is a class building and a great addition to the old Dublin community. Mr. Eggspuehler said that he is very fond of this community and because of that he has made a heavy investment. He wants to see old Dublin become a very special place where people can come. He feels that if we (merchants, landlords) start doing something with their businesses and doing something with events, that everyone will benefit. With the outdoor seating, they could have some special events. People could walk the streets, come across from the library, the offices and just sit, have coffee, or lunch. He wants to help vitalize this end of the street. Mr. Eggspuehler then reviewed his site, building plans, parking, landscaping, outdoor seating, etc.

Mr. Ralph, ^{Hallowen} resident, (and his wife owns the Heather Shop on North High Street) came forward to speak his concerns over this project. He had made an analysis on parking for both North and South High Street. He used Ordinance 1193 to do this analysis. The bottom line was in his analysis was that we are very short on parking (180 spaces). His major concern is that this will kill the merchants on the street and create a slum area. He offered some solutions; a parking garage, City purchase lots to turn into parking lots with meters, help landlords clean out back lots and pave it, reduced parking to one hour with meters, etc. He said Mr. Eggspuehler's idea is great, but if he is permitted a parking variance, this is the first step to killing this street and making it a slum. He asked that this be rejected until 119 - 219 parking spaces are developed.

Mr. Eggspuehler responded by stating he understood the concern for parking and had just put in some extra parking for another building, over and above what was needed because of that. He stated that he is not asking for approval for the delicatessen, that is under construction, he is asking if we want a park-like atmosphere on North High Street, and feels that will be a benefit.

This will be for pedestrian type of traffic. He doesn't feel that there will be alot of cars. The idea is to bring people down that street with the idea that the people between W. Bridge and the end of town will improve their properties. That will be an enhancement. It is all you how look at it.

Mr. Halloran rebutted by stating that he is aware of that, but he is referring to a City Ordinance that needs to be enforced. He stated that we can't stand another 50+ cars on the street. He went on to say that the parking is of utmost importance. He then reiterated what he had said previously.

~~Mr. Eggspuehler said again that this will be a park and it will be a benefit. The delicatessen is not the issue.~~

The Board discussed the differences between restaurant use, and if it was just a park, would Mr. Eggspuehler be allowed tables and benches, with no parking requirements. Calculations and drawings were reviewed.

The Board discussed the different options that had been brought up, along with some of the considerations brought forward. The types of stores, and different types of draws for people were discussed.

After a heated conversation, Mr. Darragh stated that no further action was needed by this Board since action has already been taken. All minutes of meetings pertaining to this application will be forwarded to the Board of Zoning Appeals for the hearing on the 19th. At that time anybody wishing to appear before that Board was encouraged to do so.

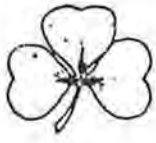
~~5. Case ARB 86-002 River's Edge II~~

~~This is an application for review of proposed signage (site, directory and directional). Additional drawings were presented to the Board for review. Shape, conformity, colors, height and dimension, etc were discussed.~~

~~After discussion of all three signs, a motion was made and seconded to approve them. Vote was unanimous.~~

~~Meeting Adjourned.~~

ARB MINUTES
10/28/87



City of Dublin

6665 Coffman Road
Dublin, Ohio 43017

MINUTES OF MEETING
DUBLIN ARCHITECTURAL REVIEW BOARD
SEPTEMBER 23, 1987

Mr. Robert Darragh reported to the Chairman that due to the fact that the first three applicants were not present, they would begin with Case #4.

4.. Application ARB 87-024 - Eggspuehler Office Building

This case is a refinement of the plan for the Eggspuehler Office Building on North High Street. Mr. Darragh reported that Mr. Eggspuehler has been talking to the Board for sometime about plans for outdoor seating and a new food business (there has been a Pizza operation in the building for sometime, and they are no longer there), and Mr. Eggspuehler would like to use that particular space to operate a Deli. In light of the improvements that have already been approved on the building, they wanted to do some deck work for outdoor seating. The plan was presented along with a site plan that had been revised. Mr. Darragh stated that what he had advised the applicants to do was to go over the plan again and see if by removing any, and/or all of the required interior landscaping in the parking lot if they could gain any parking spaces, and if so how many. They did this, and they gained four. The constraints of the site initially, did not give the applicant a whole lot to work with. Mr. Darragh stated that in his experience they have never entertained a variance to the landscaping code, period, let alone one for interior landscaping in a parking lot. Mr. Darragh stated that he couldn't imagine a better situation to take to the Board of Zoning Appeals for a landscaping variance than this particular project. In fact, Mr. Darragh stated, he had hoped that they would gain a few more parking spots, but they really didn't have a whole lot to work with. The plans were reviewed by the Board and the applicant explained what he tried to do with the parking.

Mr. Darragh reported that the other issue that the Board will be looking at is how to handle the outdoor seating for the restaurant; deli. Lighting was discussed.

A recommendation was made that this be handled as two separate items and parking be the first item and a motion that the Board recommend that they are in favor of granting a variance.

The question was asked what the total amount of parking is without the variance, and the answer was 48. With the variance 51, as there would have to be a dumpster on the 52nd one. It was stated by the applicant that the dumpster would be screened.

A second was made to the motion. Vote was called for and there was four votes for approval and one opposed; motion carried.

V-89-011
Minutes of ARB

Mr. Darragh stated that the next issue is the request for a variance for the outdoor seating. The parking calculation for a restaurant use is that one parking space per 50 square foot of gross floor area be provided. When they review a plan for a McDonald's restaurant, they require parking for the gross floor area of the building. That includes the basement if there is any, and the mechanical area, walk-in coolers, and if they have outdoor seating, we also require that for every 50 square feet of outdoor seating, they also provide an additional parking space. Mr. Darragh stated that it is a seasonal use, but on the other hand, during the season it does have an impact on the available parking. The City of Columbus handles the matter exactly the same way. Mr. Darragh reported that this evening he had done a calculation on the area and how many parking spaces would be required to accommodate the outdoor seating, and it is about 40 spaces. When the Board discussed this proposal before, they had no concrete idea of exactly how much deck area would be used for seating and that is available now. Mr. Darragh stated that he remembered one comment Mr. Woodings made when the Board discussed how many seats would be appropriate, it was stated however many made it successful.

Mr. Darragh introduced Mrs. Eggspeuhler and made mention that Mr. Eggspeuhler was out of town. Mr. Darragh asked her if she intended to operate Oscar's Deli, and she responded yes. He then asked if she has had any experience in the Deli business. Mrs. Eggspeuhler responded, not actually Deli, but she had experience in food service. It was asked how much seating would be provided indoors and the answer was 20 to 25. Mrs. Eggspeuhler stated that she felt this was a seasonal type of thing and there will be people inside in the winter time and the outside in the summer. It was asked if 40 additional spaces were then needed in addition to the 51. Mr. Darragh stated that was correct. It was asked how many tables there were. Mr. Darragh stated that he only calculated what was on the outside, not the area inside as that was pretty much addressed in the parking for the entire complex. The calculation was one space per every 250 square feet and they came up with a requirement for the 54 spaces required originally; from that point anything separate for the existing pizza parlor. Mr. Darragh went on to say that our policy has been that if there has been that type of operation in any particular building we really don't find grounds to deny it for the next person. Seating, size & shape of tables, and locations were discussed.

Mr. Darragh stated that this has not been discussed with Mr. Bowman or Ms. Clarke either one. He stated that he agreed with Mr. Woodings that he would very much like to see the effort of the project survive, but that he was very leary about taking a variance for 40 parking spaces to the Board of Zoning Appeals. Mr. Darragh asked if Mrs. Eggspeuhler was familiar with an operation similar to this and how well it may or may not work. She responded that in reference to parking, they are thinking two client populations. The people who operate in the business buildings and would walk over into the park from where they work, or people who would be attracted to Old Dublin and would walk up and down the street and they would park alot of different places and not just right there. She didn't feel the need for 40 parking spaces, there would be alot of walk-in people. She stated that she understood the concern for a variance like that but felt that if you want that north end to go, there has to be some accomodation for what is going to go on there. There will be people at the Library with there children that would walk over for lunch. It was asked that since the school and library were enlarging parking because of overflow, and since the library is expanding its hours, will granting a 40 car variance create more of a problem. *ARR MINUTES*

It was stated that it was a gamble, but one worth taking. We need something in the north end. It was brought up that in German Village there are a lot of these types of operations, and they don't have any parking down there and they are successful. It was stated that more than likely 60% of the trade would be walk-in. Discussion followed along these lines.

Mr. Darragh asked the applicant what the hours of operation would be. Mrs. Eggspeuhler responded that at this point they are thinking 7:00 A.M. until 7:00 P.M., but a lot of that would be test out time and see when they are busiest. Mr. Darragh stated that in reference to the Library; there is an agreement that has already been reached between the School Board and the Village of Dublin. The property that is immediately west of the existing Library, there are two ball diamonds on that property now. That property now is in the ownership of the Village of Dublin. The School Board gave that property to Dublin just in the past few weeks. The reason being that Dublin has agreed and has already signed a lease to lease that property to the Library. The Village owns the property that the Library is on now and the additional property is to accommodate the Library expansion and the parking lot of approximately 200 spaces. The proposal for now is to develop that ground into a gravel temporary parking lot and this has been discussed, to let the school park their buses on it until the School can buy another remote facility to park the buses somewhere else. When the Library is ready to expand the parking lot will be paved and finished off. He stated that he didn't know what that means as far as available parking in downtown Dublin. It appears that the piece of land and the attendant parking for the Library expansion is a good size parking lot. Again, it is a gamble as to whether we could dedicate any of that parking lot for any public use, and we simply don't know how well that lot will function with the anticipated Library use down the road. A motion was made that the Board strongly recommend that the variance be given to this in order to improve that area. A second was given, and the vote was called for. The Board was unanimous in approval. Motion carried. Mr. Darragh stated that the applicant now needs to file an application with the Board of Zoning Appeals and they will be heard on the 22nd of October.

1. Tabled Application ARBo7-021 - 75 S. High Street

The applicant for this case was now present. Mr. Darragh presented the revised drawing for a sign request. The applicant Mr. Denis Murphy made his presentation and explained to the Board the revisions made to try to comply with their previous recommendations. The Board discussed the proposal, colors, sizes, and number of signs. The Board seemed to have a problem with the background color and the variety of colors from each tenant. The applicant stated that the tenants in the rear of the building has an identity problem. The Board felt that these signs were not consistent. The Board felt that this sign was not going to make a business more successful. After much discussion by the Board and the applicant, the Board decided that this sign was not in compliance (Uniformity, graphics coordination, colors, etc.) and a motion was made to deny this application. Roll was called and motion to deny carried. The Board gave the applicant a lot of suggestions and ideas, and in fact some Board members felt that the existing sign was nicer than the proposed.

2. Tabled Application ARB87-022 - 75 S. High Street

No show.

3. Application ARB 87-023 - 60 Franklin Street

No show.

09-002ARB

Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street

ARB, MINUTES



City of Dublin

6665 Coffman Road
Dublin, Ohio 43017

MINUTES OF MEETING
DUBLIN ARCHITECTURAL REVIEW BOARD
AUGUST 26, 1987

TABLED CASES

1. Application ARB 87-019 Dublin Carpet
The applicant did not appear

2. Application ARB87-020 52 S. High Street

This case involved a request for signage that was approved and also a request for a proposed canopy installation at 52 S. High St. for Harrison Lupidi Photographers. Mr. Darragh summarized the Staff Report. Photos of canopies were shown, and the applicants intentions made known. Discussion followed. A motion was made to approve the application. Vote was called for and motion carried.

OTHER CASES

1. Application ARB 87-021 - 75 S. High Street

This application was for review of landscaping and signage for 75 S. High St. In addition to landscaping and signage, there is also a proposal for alterations proposed. The plans were distributed. Mr. Murphy and the architect, Mr. Rauh were present to answer questions. Mr. Darragh summarized his report. Discussion on parking, drainage, landscaping, landscaping screens and signage were discussed. Photographs of the rear of the building were shared.

A motion was made to approve the building elevation and table the parking. Vote was called for and motion carried.

2. Application ARB87-022 - 75 S. High Street

This application was for the signage of the above building. After some discussion of the proposed signage, a motion was made to table this application. Vote was called for and motion carried.

3. Application - 53 N. High Street

This application was for a proposal to change existing signage. After discussion, a motion was made to approve the change. A vote was taken, and motion carried.

INFORMAL

1. Review of proposed alterations for 72 & 84 North High Street

Mr. Jack Eggspuehler made his presentation on these proposed alterations for these existing buildings. He discussed the rear of the building, a stone wall and patio. He stated that they are seeking approval to put in the patio area with the idea that he would have to go to the Board of Zoning Appeals to obtain approval of being able to put tables and chairs out there. He stated that there would be alot of flowers with a parklike atmosphere. Discussion followed and the Board gave suggestions and opinions.

09-002ARB
Architectural and Site Modifications
Oscar's Restaurant
72 & 84 N. High Street

2. Variance Application V86-022 - Eggspuehler Office

- A. The subject site is a parcel of approximately .75 acres on the east side of North High Street and across from the Dublin Public Library. To the north is the River's Edge II project (under construction) and the southern boundary is created by North Street. There are two existing structures along the High Street frontage which are converted homes and are now being used as offices and a pizza shop. Until recently the site was bound by dedicated alleys on the north and east. The alleys were vacated by Village Council in order to provide for green space along the High Street frontage and to create additional area for parking. There is an existing parking area behind the building at 84 North High, the area behind 72 North High is undeveloped property.

- B. The applicants, Mr. and Mrs. Eggspuehler, propose construction of a two story, 7000 square foot office building on the undeveloped property behind 72 North High Street. The new building will be oriented along North Street and will include development of a 48 space parking area which will serve all three buildings. The stone wall along North Street will be preserved and extended to screen the southern part of the parking area from the right-of-way. Mr. Eggspuehler intends to use 2,500 square feet of the building for his business, Aerosafe, and the balance of the structure will be divided into tenant space and areas for a library, exercise room, supply room and mechanical room.

- C. This proposal will require variances to several Sections of the Zoning Code. The required setback for the building is 33 feet from the property line and 20 feet for the parking area. These dimensions are based on the 66 foot right-of-way of North Street. The plan shows the building sited behind the stone wall and approximately 4 feet from the property line to the entry stairs. The face of the building, exclusive of the stairway is approximately 12 feet from the property line. Staff envisions no substantial negative effect in granting this variance since the building, exclusive of the stairway, will be behind the setback of the existing building at the corner. As well, the request for extending the parking area to the property line seems a reasonable solution to an effort to create the maximum number of spaces possible. Staff is supportive of the parking and building setbacks on the conditions that the stone wall be extended, at a minimum height of 3 feet, adjacent to the parking area on each side of the curb cut and that flowering ornamental trees, preferably crab apples, be planted on 30' intervals from High Street to the east property line.

ARB91-017

- D. In addition to the two setback variances, a reduction in required parking is requested. Based on the formula of 1 space per 250 square feet of building area, the combined requirement for the three buildings is 56 spaces. The 48 spaces shown on the plan leaves the project 8 spaces short. Reduction of required parking is viewed by staff as an extreme request and is rarely supported. The applicant is usually advised to acquire more land or to reduce the size of the proposed structure. Mr. Eggspuehler is apparently unable to do either. As an option, staff has advised that the applicant arrange offsite parking.
- E. Mr. Eggspuehler has made an arrangement with Mr. Bartolomucci, owner of Dublin T.V. at 36 North High Street, to improve the area at the rear of the building creating 16 or 17 parking spaces in exchange for dedicating 8 of those spaces for the use of Mr. Eggspuehler's employees. Please see the attached letter from Mr. Eggspuehler to Mr. Bartolomucci.
- F. Staff finds that this solution is acceptable since an improved, enlarged parking area will be provided where such facilities are now marginal.
- G. Staff recommends approval of the setback variances with the conditions stated in paragraph C. Approval of the parking variance is also recommended on the condition that an acceptable site plan for the offsite parking be submitted and approved by staff prior to issuance of a building permit for the new building.
- H. Staff will report on recommendations of the Architectural Review Board during the hearing on this case.

AR.391-017