

**Parcel** 273-000054      **Address** 35 N High St      **OHI** N/A

<b>Year Built:</b> 1955	<b>Map No:</b> 116	<b>Photo No:</b> 1783-1786 (7/10/16)
<b>Theme:</b> Commercial	<b>Historic Use:</b> Commercial	<b>Present Use:</b> Commercial
<b>Style:</b> Vernacular	<b>Foundation:</b> Concrete Block	<b>Wall Type:</b> Concrete Block
<b>Roof Type:</b> Gable/hipped/asphalt shingle	<b>Exterior Wall:</b> Brick/concrete block	<b>Symmetry:</b> No
<b>Stories:</b> 1	<b>Front Bays:</b> 4	<b>Side Bays:</b> -
<b>Porch:</b> Flat roof on southeast corner of south elevation and masonry patio east of building	<b>Chimney:</b> None visible	<b>Windows:</b> Fixed frame display windows and casements

**Description:** The one-story restaurant building has an irregular footprint with an L-plan cross-gable core and rear additions. The building is constructed of concrete block, with brick veneer on the façade and south elevation. A flat roof porch extends across the southeast corner of the building. The façade entrance is sheltered within the porch. Windows on the building are fixed single lights and casements.

**Setting:** The building is located on the west side of N High St within in the old village center of Dublin. The building has a deep set-back and a masonry patio extends between it and the streetside.

**Condition:** Good

**Integrity:** Location: Y Design: N Setting: Y Materials: N  
 Workmanship: N Feeling: Y Association: Y

**Integrity Notes:** The building has fair integrity, as the rear addition appears to meet the Secretary of the Interior’s Standards for Rehabilitation.

**Historical Significance:** The building is within the boundaries of the City of Dublin’s local Historic Dublin district, and is recommended contributing to both the local district, and the recommended Dublin High Street Historic District, boundary increase, which is more inclusive of historic resources in the original village.

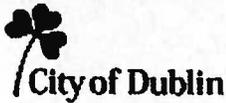
**District:** Yes      Local Historic Dublin district      **Contributing Status:** Recommended contributing  
**National Register:** Recommended Dublin High Street Historic District, boundary increase      **Property Name:** N/A



35 N High St, looking southwest



35 N High St, looking northeast



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## ARCHITECTURAL REVIEW BOARD

### BOARD ORDER

**FEBRUARY 22, 2012**

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

**2. Tucci's  
11-055ARB**

**35 North High Street  
Exterior Modifications**

Proposal: Modifications to an existing building for an approximately 600-square-foot building addition with architectural modifications to the east, west, and south elevations. The 0.23-acre site is located on the west side of North High Street at the intersection with Wing Hill.

Request: Review and approval of modifications under the provisions of Code Section 153.070 and the *Historic Dublin Design Guidelines*.

Applicant: Craig Barnum, represented by; Randal Roberty, Design Collective Inc.

Planning Contacts: Eugenia M. Martin, ASLA, Landscape Architect

Contact Information: (614) 410-4650, emartin@dublin.oh.us

**MOTION:** Robert Schisler made a motion, seconded by Bob Dyas, to approve this application because the proposed exterior modifications meet the criteria of the *Historic Dublin Design Guidelines* and the Zoning Code, with four conditions:

- 1) The walkway along the west façade of the restaurant be constructed of brick, similar to what is used for the public walkways in the Historic District;
- 2) The applicant work with the City on the connection to the existing public walkway on the north side of the site;
- 3) The applicant use Option A for building materials on the rear façade of the restaurant, with the brick veneer wrapping the northwest corners to the gabled end and board and batten siding be used on the remaining north façade to the existing brick; and
- 4) The applicant revise the plans to specify the size and manufacturer of the copper downspouts at the building permit stage.

\* Marcus Brewer, Design Collective Inc., agreed to the conditions.

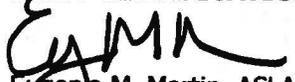
**VOTE:** 4 – 0.

**RESULT:** This application for exterior modifications was approved.

**RECORDED VOTES:**

William Souders	Yes
Tom Currie	Yes
Robert Schisler	Yes
Tasha Bailey	Absent
Bob Dyas	Yes

**STAFF CERTIFICATION**

  
Eugenia M. Martin, ASLA  
Landscape Architect

**2. Tucci's  
11-055ARB**

**35 North High Street  
Exterior Modifications**

Eugenia Martin presented this request for exterior modifications to an existing restaurant which was tabled at the January meeting at the applicant's request in order to address Board comments. She said modifications made to the proposal since it was last before the Board consisted of the inclusion of elevations of the north façade, updated elevations to reflect the underside of the gabled roof on both the east and west façade, two options for exterior finishes on the west façade, information on the mechanical screening, and site layout on the west side of the building.

Ms. Martin presented the front elevation and said the applicant had not proposed any changes to what was previously submitted. She reviewed the proposal again and highlighted the extension of the elevated dining area on the northeast corner of the building and gabled roof to provide covered dining in that area. She said as a result of the extension of the gabled roof, the existing accessible ramp will need to be relocated as well as the construction of new stairway to provide restaurant access. Ms. Martin said the applicant is proposing to install a retractable awning as part of the underside of the existing wood trellis.

Ms. Martin said along the rear façade, the applicant is proposing to raise the roof of the existing garage and make interior modifications to provide a private dining area. She said the applicant is proposing to add dormers on the roof to break up the expanse of the roof. She said the applicant is also proposing a 600-foot addition on the southwest corner of the building which will provide a secondary access to the private dining area as well as house the expansion of the renovated kitchen cooler and wine area.

Ms. Martin said the Board had requested additional information on the site plan for the west side. She said the applicant has upgraded the site plan to reflect, at Planning's request, a walkway extension from the existing public walkway on the north side of the building to the south side of the building in order to provide connection to the existing walkway in front of Modern Male. She said the applicant has not indicated what this material is to be, but at the last meeting, it was requested by the Board to use a brick similar to that used on the existing public sidewalks in the District.

Ms. Martin said also at the request of the Board, the applicant has provided additional information as well as two options for exterior finishes of the renovated garage and the addition. She said Option A includes a continuation of the existing brick on the front of the restaurant to clad the exterior of the garage area. She said the exterior of the addition would be clad with a board and batten material and have a stone water table. Ms. Martin said Option B is a reverse of the two types of material. She the applicant is proposing to clad the addition with brick and the exterior of the existing garage would be clad with a board and batten material. She said a water table is not being proposed in Option B, but the columns for the gabled roof and covered entrance would be clad with stone.

Ms. Martin said the Board had requested the applicant provide an elevation for the north side of the restaurant which would depict the material change as well as how the material would wrap the corner on the northwest side. She presented the elevation showing the gabled roof end and pointed out the mechanical screening shown for the rooftop mechanicals. She said the applicant indicated the screening would be three-foot three and a half-inches in height and constructed of a board and batten material. Ms. Martin said in Option A, the applicant proposes to wrap the northwest corner with the brick, extending east approximately six feet.

Ms. Martin said Planning is recommending Option A as the preferred exterior material covering for the addition and the renovated garage. She said additionally, they are requesting the applicant add a trim piece in the gable area which would match the gable treatments on the west façade where the addition is located. She said it is recommended the gable end trim would be similar in style and color to the gabled end on the addition entrance. She said that Planning is also recommending a condition that the wrapped

corner with the brick would extend only about two feet and then be capped or not extend above the trim piece extending along the infill of the gabled end of the garage. She said that would be more in line with the Residential Appearance Code and provide a finished edge, which is in line with the character of the District.

Ms. Martin said on the south elevation, the applicant does not propose any changes in regards to the addition, showing again the extended roof gabled end, the mechanical screening, and the 600 square-foot addition.

Ms. Martin said the water table proposed is to be of Coronado Stone Venetian Stucco Stone, similar to that used on the Bri Hi development. She said the addition siding proposed would be a cedar board and batten treatment stained clear. She said the shingles proposed for the renovation would be a gray architecture shingle to match what exists on the restaurant. Ms. Martin pointed out that the proposed brick, although not depicted as such in the elevations, would be the same as exists on the restaurant.

Ms. Martin said in regards to site amenities, the applicant proposes wall sconces which match the sconces located on the piers around the patio. She said on the front façade, there would be a sconce on both sides of the bar area window and one on the side of the main entrance. She said on the rear façade, there would be one sconce on the side of the entrance into the private dining area. Ms. Martin said the applicant is proposing the installation of two ceiling fans to be located underneath the elevated dining area. She said parts of the existing railing will be reused when possible and what needs to be filled in will be fabricated to match. She said the applicant is proposing copper downspouts and the manufacturer as well as the size will need to be identified at Building Permits.

Ms. Martin said that Planning has evaluated this proposal based upon all the applicable review criteria and has found the application can meet approval with five conditions:

- 1) The north elevation should be revised to reflect the recommendations of the Board by incorporating a flush mounted trim inside the gabled end on the northwest corner to match the other gables on the building;
- 2) The walkway along the west façade of the restaurant be constructed of brick, similar to what is used for the public walkways in the Historic District;
- 3) The applicant work with the City on the connection to the existing public walkway on the north side of the site;
- 4) The applicant use Option A for building materials on the rear façade of the restaurant and to the gabled end and that board and batten siding be used on the remaining north façade to the existing brick and that the brick veneer wrap the northwest corner two feet in lieu of the six feet as shown; and
- 5) The applicant revise the plans to specify the size and manufacturer of the copper downspouts at the building permit stage.

Mr. Dyas asked why Planning recommended Option A. He said it seemed if the board and batten material went around the corner, it would have a better transition point on the other side and there would not be a brick line. Ms. Martin explained Planning felt there was a little more character in Option A as far as different types of materials. She said it ends up making the addition and the renovation of the existing garage identifiable as a renovation, which is in line with the *Guidelines* recommendation that additions are recognized as periods of their own time.

Mr. Dyas asked if the brick was brought back two feet, would it be stopped at the top of the wall so the cross member piece of the trim would be above the brick. Ms. Martin said that was correct.

Mr. Dyas recalled the applicant had agreed to move the gas meter if possible. He asked if it was not shown on the elevation, did that mean it would be relocated. Marcus Brewer, Design Collective, Inc. said their engineer was working with Columbia Gas to determine the criteria and ramifications of moving the meter around to the north side.

Mr. Currie asked if the meter would be screened or shielded. Ms. Martin said in an urban environment, it is not possible to effectively screen meters all the way, but there are ways to try to blend it in, similar to what was done at Bridge and High Streets with the meters which were painted to match the siding. She said if it is unable to be moved, Planning will work with the applicant to make sure it is blended in some way.

Mr. Schisler said he preferred Option B because he liked the fact the wood would wrap the side. He said he thought Option B works better in the transition of materials around the building. Mr. Brewer explained they preferred Option A because they felt the transition of materials created a better architectural rhythm. Mr. Schisler pointed out it would be easier to deal with the gas meter in its current location with Option B than if they went to brick in Option A. Ms. Martin said it was certainly up to the Board's discretion if they preferred Option B.

Mr. Schisler said everything else the Board had requested had been addressed. Mr. Currie said his preference was what the applicant preferred, which was Option A. He asked if the dormers would be open to the inside. Mr. Brewer said yes.

Mr. Souders asked if the brick and stone proposed were real or were they thin brick and stucco stone. Mr. Brewer said the brick was real, but the stone was stucco stone. Mr. Souders asked if the brick rested on the footing. He noted that there was no brick ledge now on the building. He asked what supported the brick. Mr. Brewer said they had not discussed that yet. Mr. Souders said it all leads to where it ends after it turns the corner, how far it is sticking and all that.

Mr. Brewer said that actually was one of the other reasons they preferred Option A. He said in Option B, the brick pushes out very close to the south side lot line on that side. Ms. Martin pointed out that with the Building Permit process, if it is found to be on a lot line, they will have to adjust it back in to meet required setbacks. She said as that as far as installing the installation of the brick veneer, that it would be addressed with the Building Permit process.

Mr. Souders said if he preferred Option A, the brick would have to go across the entire north to the gable end. He said it could not just end at two feet. He said if that was not what the applicant wanted to do, then he could only support Option B because he thought it was the better solution given turning the corner as well as all the mechanicals and electrical and things there. Mr. Souders reiterated that for him to support Option A, brick would have to go across the gable end. He said Option B was the better solution all the way around for the mechanics, and not having to turn the corner. He said whether there was a stone base with the wood there as opposed to just taking the wood down to the sidewalk to protect it from shoveled snow and all that, those would be an option.

Ms. Martin pointed out the applicant had not indicated how the north side would be addressed in Option B. She said she understood this would be the existing stucco and/or still a concrete block. Mr. Souders modified what he said about Option B, that it would extend the board and batten siding all the way down to the existing brick to cover all the garage and existing building.

Ms. Martin confirmed if Option A was selected by the Board, it would be brick to end of the garage with the gable end trimmed out and finished, and if Option B was selected, it would be board and batten siding along the west façade and the north façade all the way to the existing brick on the north façade.

Mr. Souders asked the Board members if they could support one or both options, if in Option A, the brick would go to the end of the gable and stop at the end of the garage space, with the wood trim in the upper gable and board and batten siding for the balance of the space, and if in Option B, the entire thing would be wrapped in board and batten siding.

Mr. Currie said he would support either option, but preferred Option A. Mr. Dyas said he liked Option A with the brick all the way to the end of the gable as Mr. Souders suggested. Mr. Souders asked if Mr. Brewer still preferred Option A and was okay extending the brick. Mr. Brewer said they had no problem with that. Mr. Schisler said he would support Option A, modified, but he thought they would have issues, and would have to work on them.

Dan Phillabaum asked if the brick was extended to the other return treatment of the gable on the north elevation, would the Board still look for the decorative bracketing detail within that pediment, as is on some other elevations.

Mr. Souders said he did not think that extra was necessary on the north façade because the wood was signifying the importance of the entryway on the west façade. He said he would prefer to see the brick go all the way up.

Mr. Phillabaum said the recommendation of Planning was to give a better termination to the brick as it was proposed and to add a little more visual entrance to the side. He said he thought based on the direction the Board was going, it is probably unnecessary to add the extra decorative bracketing similar to the south elevation.

Mr. Souders asked if it was okay to extend the brick up into the gable which as a better solution. Mr. Brewer agreed that was the best solution.

Ms. Martin suggested Condition 1 be stricken and that Condition 4 be reworded: The applicant use Option A for building materials on the rear façade of the restaurant and the brick veneer wrap the northwest corner to the gabled end and board and batten siding should be used on the remaining north façade for the existing brick.

#### **Motion and Vote**

Robert Schisler made a motion, seconded by Bob Dyas, to approve this application because the proposed exterior modifications meet the criteria of the *Historic Dublin Design Guidelines* and the Zoning Code, with four conditions:

- 1) The walkway along the west façade of the restaurant be constructed of brick, similar to what is used for the public walkways in the Historic District;
- 2) The applicant work with the City on the connection to the existing public walkway on the north side of the site;
- 3) The applicant use Option A for building materials on the rear façade of the restaurant, with the brick veneer wrapping the northwest corners to the gabled end and board and batten siding be used on the remaining north façade to the existing brick; and
- 4) The applicant revise the plans to specify the size and manufacturer of the copper downspouts at the building permit stage.

The vote was as follows: Mr. Souders, yes; Mr. Currie, yes; Mr. Dyas, yes; Mr. Schisler, yes. (Approved 4 – 0.)

Mr. Souders adjourned the meeting at 7:29 p.m.

As approved by the Architectural Review Board.

**City of Dublin**  
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## ARCHITECTURAL REVIEW BOARD

### BOARD ORDER

JANUARY 25, 2012

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

1. **Tucci's** **35 North High Street**  
**11-055ARB** **Exterior Modifications**
- Proposal: Modifications to an existing building for an approximately 600-square-foot building addition with architectural modifications to the east, west, and south elevations. The 0.23-acre site is located on the west side of North High Street at the intersection with Wing Hill.
- Request: Review and approval of modifications under the provisions of Code Section 153.070 and the *Historic Dublin Design Guidelines*.
- Applicant: Craig Barnum, represented by; Randal Roberty, Design Collective Inc.
- Planning Contacts: Eugenia M. Martin, ASLA, Landscape Architect
- Contact Information: (614) 410-4650, emartin@dublin.oh.us

**MOTION:** Robert Schisler made a motion, seconded by Willaim Souders, to table this request for exterior modifications in order for the applicant to address Board comments on the west and north elevation, and waive the 15-Day Rule submission requirement.

**VOTE:** 5 – 0.

**RESULT:** This application was tabled.

**RECORDED VOTES:**

William Souders	Yes
Tom Currie	Yes
Robert Schisler	Yes
Tasha Bailey	Yes
Bob Dyas	Yes

**STAFF CERTIFICATION**

  
Eugenia M. Martin, ASLA  
Landscape Architect

**1. Tucci's  
11-055ARB**

**35 North High Street  
Exterior Modifications**

Eugenia Martin presented this request of exterior modifications to an existing building on the east, west and south elevations as well as a 600 square foot addition. She described the site and showed photographs of the surrounding area. Ms. Martin said the applicant received approval from the Board of Zoning Appeals in December for a variance to not be required to provide onsite parking.

Ms. Martin said that the proposed site plan includes modifications to the entrance along the front façade of the building and modifications to the rear which includes a conversion of the existing garage storage space into a private dining area. She said the proposal includes a 600-foot addition, which will be part of the dining area as well as part of an expansion of the kitchen and a cooler area. She presented a photograph of the existing building viewed from High Street. Ms. Martin said proposed is an extension of the elevated dining area and an extended open gabled roof to provide additional cover for patrons. She said because of the extension of the elevated dining area and roof, the applicant needs to relocate the handicap ramp as well as construct a larger staircase. Ms. Martin said an existing trellis is located on the south side elevated dining area and the applicant is proposing to install a retractable awning, similar to one approved for J Lui's a couple of months ago.

Ms. Martin said on the west elevation of the building the applicant is proposing to modify the existing garage storage area by raising the roof, installing dormers, and cladding the exterior with a stone veneer. She said the proposal also includes a 600-square-foot addition which will serve as the entrance into the private dining area, as well as additional space for the kitchen extension and a wine wall.

Ms. Martin said along the south elevation, the applicant proposes to install rooftop mechanical screenings which are not currently in place. She said the screening is to be a cedar board and batten style, similar to the cladding to be installed on the addition. She said the applicant has not indicated on the plans the height of the screening material and Planning has requested it be included at the building permit stage.

Ms. Martin said the exterior of the garage is to be clad with a Coronado Stone, similar to that used at the Bri Hi Square development. She said the 600-square-foot addition will be clad with a cedar board and batten material and the roof will be a gray architectural shingle, similar to what is on the rest of the restaurant. She said the existing brick on the building will not be changed.

Ms. Martin said regarding site amenities, the applicant proposes wall sconces, two on either side of the window area on the front façade and on either side of the rear entrance. She said the sconces are similar to the style currently existing around the patio. She said two ceiling fans are to be located underneath the open gable of the covered elevated patio. Ms. Martin said the existing railing will be reused where possible and new railing to match be used to fill in around the patio and on the ramp.

Ms. Martin said Planning has reviewed the proposal and Planning recommends approval with the condition the applicant revise the plan to specify the height of the mechanical screening at the building permit stage.

Craig Barnum, CLB Restaurants, representing the applicant, Thelma Hill, said most of their guests enter the restaurant from the rear of the building, where the lighting is poor and the building looks unappetizing for a restaurant. He explained the back room will have a completely different atmosphere from the rest of the restaurant and will be able to accommodate a party of thirty. Mr. Barnum said the small kitchen will be improved and expanded. He said with the improvements in the District, his business has never been better, however there is still a struggle with the valet. Mr. Barnum said they worked with Mo Dioun regarding the shared valet stand, although having two restaurants dinner patrons dropping off their cars cause some challenges during peak times. Mr. Barnum said he was willing to do whatever was necessary to move this process forward.

Robert Schisler referred to the schematic design drawings, and pointed out the property lines were indicated as 'lot lines.' He pointed out that they were capturing an open walkway area on the west side and putting a roof over it. Ms. Martin said the applicant was not permitted to enclose that area. Mr. Barnum said they needed the area for storage, but because that was an issue, it will remain as it exists.

Mr. Schisler said he preferred to see the existing wall, even if it goes off this property. Ms. Martin said the applicant was granted a right-of-way encroachment a couple of years ago, provided the area in question stays open and not be enclosed to become usable space.

Mr. Schisler noted typically by code, that you cannot have a door swing over the property line. He suggested it could be redesigned so that the exit is on the east of the corner. Mr. Barnum pointed out that was not a customer entrance. Mr. Schisler said that might change the aesthetics because things had to be moved. Ms. Martin said that was something that could be addressed at the building permit stage.

Mr. Schisler said the proposal for the rear elevation will be an improvement. He said, however, there is a very large gas meter with a couple of bollards located where the downspout comes down. He asked where they planned to put it and whether they had room to do some of the work with it there.

Marcus Brewer, Design Collective Incorporated, said they may move the gas meter if it is not too expensive, otherwise they would hide it with landscaping.

Mr. Schisler said he liked the front and the trellis. Mr. Barnum said the idea was not to increase the outside seating, but to provide a roof covered area to protect patrons from the weather and cooler temperatures. He said he thought he would put heaters there so they could still enjoy being outside.

Mr. Schisler noted the photograph of the building as it exists did not show any large pieces of ductwork sticking up out of the roof, but the rendering showed large pieces. He said they could be seen in the back and perhaps it was just the elevation view. He asked if the kitchen was moving to the east. Mr. Barnum said the kitchen will expand to the west. Ms. Martin said it was just the perspective of the drawing. Mr. Barnum said much of that will be screened, especially from the back, and the equipment will not be seen.

Tom Currie said this was an exciting plan and a great improvement. He referred to the west elevation and asked why the stone and board and batten siding was proposed rather than continuing the brick on the front of the building. He asked about the use of the back door. Mr. Barnum said that door will not be used as an entrance, but as an emergency exit. He said they chose the stone and board and batten siding to keep in the character of the other buildings as well as Bri Hi. Mr. Brewer said they tried to balance the materials and stone and board and batten were less expensive than the brick. Mr. Currie said that was subjective and he thought brick would be more appropriate.

Mr. Souders agreed and said there is not enough separation when the two buildings are joined to add stone. He said the wood did not bother him. He said adding more materials do not make it simpler. He said in context of the business, they have brick, and the material on the rear should be brick as well.

Mr. Schisler asked to see the elevation of the north side showing how it terminates to the brick. He said he assumed the stone would stop where the gable comes down so that it looks like a building that was joined to a brick building. He said he liked the mixture of stone in the front at the bases of the column with the patio setting.

Mr. Souder asked if the stone or brick just ends when turning the corner.

Mr. Barnum asked if the preference was the stone on the back be the same brick as on the front of the building. Mr. Souders said that was the opinion of two, not the majority, regarding the issue of whether it was stone or brick. He said how you turn a corner was important to some of them. Mr. Barnum said his preference would be to have the stone on the rear.

Bob Dyas asked if the north elevation could be changed where the stucco continued near where the electric service came into the building by extending the stone a couple of feet and trimming it out. Mr. Brewer said that was probably what they would do.

Mr. Souders clarified the Board was suggesting if they are going to have stone and the garage is like a building that joins with the brick, then the gable end needs to be all stone, turning the corner. He said the same way, the wood on the south side turns at the side, the stone needs to extend out further and go down the north face. Mr. Schisler said especially, since the City improved the walkway and it is so nice, actually to have stone, brick, or siding, other than the stucco would be a great improvement to that corner, especially when coming from the parking lot and alley.

Mr. Barnum said that they planned to add landscaping to cover some of that side of the building and the utility boxes. He said once the entrance changes, they are going to do everything they can to make sure it is pleasing because that is where most of his patrons are going to walk.

Ms. Martin highlighted one of the review criteria was that when additions or alterations are done, typically it is recommended by the *Historic Dublin Design Guidelines* the material be different so it is recognized as an addition, not something that is part of the original structure. She said that was part of how the material was selected by the applicant.

Mr. Currie said that was somewhat true, and read from the *Guidelines*, *'Materials for additions should be traditional to the District, but need not match those of the original structure to which the addition is attached.'* He said that was a criteria that was often debated. He said he did not know they had to necessarily have a different material on the addition.

Mr. Currie referred to the dormers on the west elevation. He asked if the ceiling height was going to be raised and would they be like skylights or just placed there with nothing behind them. Mr. Barnum said there was nothing behind the clear glass.

Mr. Souders asked if the scissors trusses opened into the private room. Mr. Currie asked if they were post and beam type trusses. Mr. Barnum clarified they were exposed. He said the architect's idea was to create sort of a Napa Valley winery feel with a high open exposed ceiling, similar to the front porch.

Mr. Souders said the drawings represented a two-hour barrier with exposed trusses above that. He asked if that was needed. Mr. Brewer said that was a separation preferred for fire separation, but it was not a firewall. Ms. Martin explained there had been many conversations with the City's Commercial Plans Examiner about it. Mr. Brewer said most of that wall will be existing masonry, so it should not be hard to accomplish. Ms. Martin said the applicant should be able to meet all applicable Building and Fire Codes with the proposed plan, and if they have any architectural modifications, it will come back to the Board for review and approval.

Mr. Souders asked if the space was within the square footage allowed for the use group even if it is not sprinkled, why you have to have a separation. Steve Langworthy explained that it was based on seating. Ms. Martin said the existing restaurant meets the Fire Code as far as seating and not have the interior sprinkled. She said with the addition, if there is no fire separation, it has to be sprinkled or have the fire barrier.

Mr. Currie asked if the vines or landscaping over the patio will be retained. Mr. Barnum said the vines located where the retractable awning was to go would remain because it was a nice look. Mr. Currie asked about plans for the existing plantings on the south side of the building. Mr. Barnum said one tree where the new entrance is will be relocated. Mr. Langworthy said there would be a discussion regarding that because they had talked about having a walkway along there instead of landscaping to allow people to have somewhere to walk without using the alley.

Mr. Currie said he was referring to the Wing Street plantings. Mr. Barnum said he did not think the plan was to touch the rose plantings near the back door. Mr. Currie asked if landscaping was proposed on the west side of the building. Ms. Martin said landscaping was proposed, but the city is requesting a walkway so that there is "safe refuge" for pedestrians as they walk along Darby Street. She said the pavers will match those that the city has.

Mr. Currie asked where their dumpster was located. Mr. Barnum said they do not have one. He explained they have a long term agreement to share one with J. Liu's which has worked out well.

Tasha Bailey said that for people walking out of Bri Hi north, towards this restaurant, one of the issues today is they have to go either around to the back or front of the building to enter and it was not accessible coming from the shopping area or green area. Mr. Barnum said there was a gate from the patio that you could walk through to get to the entrance, and that would not change.

Ms. Bailey said for locals that know where it is, it is not difficult, but it is not super visually welcoming and does not necessarily call you in because there is a large expansive wall with one open gate. She said you still have to go around to see the main opening of the restaurant. She asked if there were thoughts about bringing the patio around more, almost enticing people over from the green space at Bri Hi.

Ms. Bailey asked if currently, patrons using the valet go around the building between the restaurant and Sisters. Mr. Barnum said if they walk that way now, they have to walk to North High Street, take a right, and enter through the front of the restaurant. He said with this proposal, they would walk down the north side and cut into the sidewalk. Ms. Bailey asked what was the main route used now by the restaurant patrons. Ms. Martin said routes to Tucci's would include walking down the public walkway to the High Street public walkway and entering through the center of the patio or walk down Wing Hill and enter on the south side of the patio or walk through the dry storage area which accesses the elevated patio.

Ms. Bailey asked the envisioned future route. Mr. Barnum said if the valet remained where it is now, they could enter through Wing Street. Ms. Martin explained that the existing entrance would be maintained and indicated where the additional entrance would be near the north property line.

Ms. Bailey repeated her question about considering making the entrance more accessible since they are making modifications to the front elevation which is where you walk if you are walking the District, but if you are enjoying the green space walking through Bri Hi, it was still challenging to get to the front. She suggested coming around the side would be a little more enticing. Mr. Barnum said that they could, but there was a liquor liability consideration with gates and how large the size of the openings.

Ms. Bailey said the goal should be to get people walking the front of the building. Mr. Barnum agreed. He said hopefully the city would allow a sign saying "Entrance." Ms. Martin suggested that she could work with Mr. Barnum to see if there was a way through the landscaping to open views more while still meeting code. Mr. Barnum said he liked the existing landscaping. He said he had received comments from patrons that said the overgrown landscaping created an oasis. He said he hesitated eliminating the mature landscaping on the patio.

Ms. Bailey said she was thinking about the walkability when coming from behind Bri Hi, between Modern Male and the currently unoccupied space. She said if you do not know the area, you do not see Tucci's

until you get around to the front. Mr. Barnum said that maybe a tenant sign over there would help locate them. He said added lighting and signage in keeping with the character of the District would really be beneficial. Ms. Bailey agreed lighting would solve the problem.

Mr. Langworthy said many of the department heads periodically walk the District and they had discussed maybe looking at a design that looks more attractive, still keeping Wing Hill open. Mr. Barnum said currently, it is asphalt which is not real appealing or keeping in character of the District. Ms. Bailey said it was not so much about Tucci's property as it was about Wing Hill and how to get more people walking the whole District and stopping there.

Mr. Souders said he was fine with the shutter and the proposed colors and the continuation of the railing material. He asked if existing signs were being relocated. Ms. Martin said the existing sign on the front façade gable will be relocated lower on the gable. She said the Board approved a secondary sign on the rear elevation, and the applicant is moving forward with the approved sign.

Mr. Souders asked if a third sign would be allowed here, as was elsewhere if they had access to parking in the rear. Ms. Martin said if the new code section remains in place and is not modified, the applicant could have a third sign. She explained as the BSC code is written, they are permitted a ground or projecting sign in addition to a wall sign after the code has been approved and adopted.

Mr. Souders said he was okay with the proposed light fixtures and fans. He asked what the underside material on the front porch was. Mr. Brewer said the material for the underside of the porch had not yet been identified, but probably it would be an exterior wallboard type material. Mr. Souders suggested they look at what was approved for the underside of the porches for the Mezzo restaurant. He said he did not want cheap vinyl or tongue and groove plywood used.

Mr. Souders said he did not think stone was the right material, but he could live with it. He said how the corner is turned and how it is addressed is more important. He said he believed less is better. Mr. Souders reiterated he did not think stone was the right answer.

Mr. Souders addressed the Board, and said he was a little confused in that they spent a lot of time criticizing other buildings that went with Carpenter style and yet they all seemed to like it here. Mr. Schisler recalled previous applicants came to the Board with a building that was either a shingle or a pseudo-Gothic style, and they were trying to turn it into a Carpenter-style. He said this was a block garage behind a brick building and to him it was not trying to change. He said he preferred the material on the block garage to be brick. He said if it was a traditional historic lap siding, Victorian look or something, then he would say not to change it. He said that was not what he saw happening here.

Mr. Souders said with that explanation, he saw it as changing what it is. He said he did not have a problem with it because he liked it. He said he did not have the same opinion in that this is not a residence. He said they are changing the style of this building from a simple brick to a Carpenter style California Napa style. He said it was not part of the Historic District. Mr. Schisler said he did not see it as Napa, but he understood what Mr. Souders was saying. He said this character is not matching the front façade character. Mr. Souders said he thought it was because of the stone.

Mr. Schisler agreed, and said it was the stone and what was being done with the trestle front. He suggested the stone a wainscot that went all the way down the wall to the corner and then there was stucco or a stucco treatment above it. He said one of the things the architect needed to look at was in the roof plan, there is going to be a gable, and it is not really there now. He said there is a very short gable now and there will be a very tall gable. He said that was where the Board was saying this treatment, to just stop there was really a false front, and it would be much nicer if whatever happened across the façade went all the way down to that corner, and maybe if some of the character of the stucco remained and they intermixed either brick or stone wainscot, with wood siding on the gable.

Mr. Barnum asked if it should match the building siding where the doors are located. Mr. Schisler said he did not want to design the building. Mr. Barnum said they had to do something there because there are some windows that have been covered and it is not very pleasing. He said they would probably have to keep in character where the siding is and around the south, and probably should be wrapped around.

Mr. Schisler agreed full height stone all the way was not the right look. He said they needed to look at the character of the front and use it in the back. He said he agreed with Mr. Currie that if they are proposing heavy timber trusses are that open, the dormers could be used to open them up to create a great space.

Mr. Souders asked Ms. Bailey and Mr. Currie about the philosophy in the Historic District in terms of using this Carpenter style. Ms. Bailey said she thought the High Street part of the region has remained fairly intact with the exception of Bri Hi which is developing a look. She said the Darby Street area with the valet, Bri Hi, and now this addition is developing a very different look. She said we are going to get into very, very different looks from the back to the front, with much more Carpenter style in the back and much more original style in the front. She said it was just something to consider of what the visual experience will be for visitors to the District which will be completely different as they enter from Darby Street versus if they enter from High Street. She said it was clear a look is being developed across Darby Street.

Mr. Souders pointed out the front has a completely different look now than what was there. He said it did not bother him, but in his mind, they are setting a precedent. He said they struggle with other businesses because they try to be something they are not, even though there was not much character there visually anyway. He said he wanted everybody to be on record as understanding that they are changing something here, even though it may be better visually, it was different than what Dublin's Historic District has been.

Ms. Bailey said she agreed that it was very different. She said she did not think they are going to stop the progress of what Bri Hi started, but that they are going to have to consider how comfortable they are about modifications to the High Street view so that it matches the Darby Street view.

Mr. Souders said the Historic District entrusted the members' comments while they serve on the Board. He said regardless of their personal interests, they have a Historic District that they are obligated to preserve.

Ms. Bailey said if they were to try to preserve the High Street views of the buildings, there would be very little modification they could make to the Darby Street view of this building in her opinion. She said she saw exactly what was being said, but her bigger fear would be doing nothing to the front and doing this large change to the back, but it would look incongruent.

Mr. Schisler agreed it was not similar to the simplistic style which is a very simple brick building that may be something that was more Colonial-looking which would stay in the character better than the gables and the column. Ms. Bailey said to visually maintain the front as it is now, the Board would have to ask for significant modifications to the private seating addition proposed.

Mr. Currie said the building was not a historic structure. Ms. Martin said it was built in 1955 as a home and then converted into a business which has now evolved into a restaurant. Mr. Barnum said they opened Tucci's in January 1998. He said where the existing patio is located was a previously a parking lot.

Mr. Currie said Tucci's had its own identity now and he thought this modification crystallizes that identity and also adds the same feel to the rear if brick is used on the west elevation. He said it becomes its own

part of the Historic District. He said he could not see any way they could make it look historic. Mr. Currie said this may be changing style, but it looks like it is just giving identity to that particular place.

Mr. Souders said a consensus was needed on the brick versus stone material. He noted that two members thought brick was the better option and there were three other members voting.

Mr. Currie suggested a tabling so that they can come back with the north elevation and a redesign of the materials on the west elevation. Mr. Souders asked if Mr. Barnum would agree to a tabling. Mr. Barnum said his hope and goal was to agree there would be some changes and then move forward.

Mr. Schisler said they needed to figure out what they are going to do with the landscaping. Mr. Barnum said they discussed earlier that the four rose bushes would be left alone, but if that was the case, they would be moved to the front.

Mr. Schisler and Mr. Souders said they would like to see what the north elevation would look like.

Ms. Martin requested if the Board makes a motion to table, they include in their motion to waive the 15-day rule to assure that there is enough time for the applicant to submit information for the February meeting.

Mr. Barnum agreed to a tabling.

Ms. Bailey asked if the Board was asking the applicant to present a visual that shows the rear elevation in brick or not. Mr. Souders clarified that they were not, but that did not mean that some members might vote against it if they do not see that. Mr. Schisler said it might not hurt if they presented two options. Mr. Barnum said that was okay.

Mr. Langworthy asked if the Board wanted to see the brick before deciding or was it something that they could resolve now. Mr. Currie said he would like to see the brick. Mr. Schisler said he could see stucco as it exists, some stone, and wood treatment on the gable. He suggested they have three options, indicate which is preferred, and show how the corner is turned in all three situations.

### **Motion and Vote**

Robert Schisler made a motion, seconded by Willaim Souders, to table this request for exterior modifications in order for the applicant to address Board comments on the west and north elevation, and waive the 15-Day Rule submission requirement.

The vote was as follows: Mr. Currie, yes; Ms. Bailey, yes; Mr. Dyas, yes; Mr. Souders, yes; and Mr. Schisler, yes. (Tabled 5 – 0.)

## **2. 53 North High Street 11-074ARB**

### **53 North High Street Sign Modifications**

Eugenia Martin presented this application for a sign plan for a one-story office building with frontage on North High Street, North Street, and Darby Street. She said a ground and window sign are proposed along North High Street, and a window and directory sign are proposed along Darby Street. She said the existing, 10.5-square-foot multi-tenant ground sign located along North High Street is 5 feet in height and is externally illuminated with the addresses and names of two businesses. Ms. Martin said an unapproved additional sign panel for a third tenant was added below the approved sign. She said the applicant proposes to retain the existing sign posts and replace the existing 10.5-foot sign face to accommodate all three tenants. She explained code permits a 50-square-foot sign for office uses, but the *Dublin Historic Design Guidelines* specify a maximum area for ground signs at six square feet, and the sign will need to be revised to meet the *Guidelines*.

**ARCHITECTURAL REVIEW BOARD  
BOARD ORDER**

**FEBRUARY 23, 2005**

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

**3. Architectural Review Board – 05-015ARB – 35 North High Street – Tucci’s Wood Fired Bistro**

**Location:** 0.23-acre site located on the west side of North High Street, 250 feet north of West Bridge Street.

**Existing Zoning:** CB, Central Business District.

**Request:** Informal review of exterior modifications including removing portions of the existing building and patio to construct a new wine-tasting room.

**Proposed Use:** 4,317-square foot restaurant.

**Applicant:** Thelma Hill, 12921 Beecher Gamble Road, Marysville, Ohio 43040; represented by Craig Barnum, 35 N. High Street, Dublin. Ohio 43017.

**Staff Contacts:** Claudia D. Husak, Planning Intern and Danielle M. Devlin, AICP, Senior Planner.

**Contact Information:** (614) 410-4675 Email: chusak@dublin.oh.us and (614) 410-4649 Email: ddevlin@dublin.oh.us.

**MOTION:** No formal motion was made for this informal, pre-application review required by Section 153.177 (H)(3) of the Zoning Code. The board was in general agreement that the proposed building modifications will blend appropriately with the Historic District. The board directed the applicant to address the issues of outside storage, sensitive lighting, right-of-way encroachment, and the proportionality of the proposed lantern feature to the rest of the building.

**RESULT:** The applicant may make any necessary adjustments to the plans and submit application for formal review as required by Zoning Code Section 153.177.

**STAFF CERTIFICATION**

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Danielle Devlin, AICP  
Senior Planner

# PLANNING AND ZONING COMMISSION

## RECORD OF ACTION

JUNE 20, 2002

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

**2. Conditional Use 02-027CU - Tucci's Patio Reconsideration - 35 North High Street**

**Location:** 0.23 acre located on the west side of North High Street, 250 feet north of West Bridge Street.

**Existing Zoning:** CB, Central Business District.

**Request:** Review and approval of outdoor service facility under the conditional use provisions of Section 153.236.

**Proposed Use:** A 3,240 square-foot outdoor patio and dining area for an existing 3,440 square-foot restaurant.

**Applicant:** Thelma Hill, 12921 Beecher Gamble Road, Marysville, Ohio 43040; represented by Craig Barnum, 20 North Street, Dublin, Ohio 43017.

**Staff Contact:** Carson Combs, Senior Planner.

**MOTION:** To approve this conditional use application because the patio will match and improve the character and quality of Old Dublin, meet many Community Plan and Design Guideline recommendations, provide pedestrian amenities, and bring the site into compliance, with 26 conditions:

- 1) That all screening, shutters and doors be painted to match, subject to staff approval;
- 2) That approval for encroachments in the alley right-of-way be obtained or that an alternative storage location be found, subject to staff approval;
- 3) That the submitted parking location signage be revised to reflect current parking conditions, subject to staff approval;
- 4) That all necessary variances for the final design be approved by the Board of Zoning Appeals and that past parking variances be rescinded, or that Code requirements be met;
- 5) That a conditional use approval for the proposed patio be granted by the Planning Commission;
- 6) That the patio be installed or that all related, outstanding Code violations and non-compliance issues be immediately resolved;

**PLANNING AND ZONING COMMISSION  
RECORD OF ACTION  
JUNE 20, 2002**

**2. Conditional Use 02-027CU - Tucci's Patio Reconsideration - 35 North High Street (Continued)**

- 7) That a final occupancy be granted for the site prior to any use of the outdoor patio;
- 8) That details and specifications for the proposed accent lighting, wrought iron fence, and benches be submitted, subject to staff approval;
- 9) That Phase 2 be bonded prior to the issuance of permits, and that it be completed within one year from that date;
- 10) That gates be installed to meet screening requirements, and that all fencing be installed per Code;
- 11) That service screening on the north elevation be installed at a height of five feet, and that all proposed service screening be finished with an opaque stain six months following installation, as recommended by the Guidelines;
- 12) That patio furniture utilizing the fewest, uniform colors be better coordinated with the proposed fencing and existing awning, subject to staff approval;
- 13) That no signage be permitted on patio umbrellas, and that all furniture be stored in the proposed storage area between November 1 and April 1;
- 14) That valet parking be provided to patrons to alleviate parking concerns during patio operations once available parking at the adjacent municipal lot is removed in the future, and that no valet loading or unloading occur on North High Street;
- 15) That the restaurant and patio not operate between 8:00 a.m. and 4:00 p.m. until such time as a sufficient parking solution is demonstrated by the applicant and approved by the Board of Zoning Appeals;
- 16) That a remote parking location for all employees be utilized, and that parking information be provided to patrons;
- 17) That leases for a total of 37 off-site spaces be provided to the Board of Zoning Appeals and be maintained in conjunction with the parking variance request or as deemed appropriate by the BZA, subject to staff approval;
- 18) That no outdoor speakers be installed for use on the exterior of the building;
- 19) That additional screening, including evergreen trees and deciduous shrubs, be provided along the north property line to reduce impacts, and that any necessary construction easements be obtained, subject to staff approval;

**PLANNING AND ZONING COMMISSION  
RECORD OF ACTION  
JUNE 20, 2002**

**2. Conditional Use 02-027CU - Tucci's Patio Reconsideration - 35 North High Street (Continued)**

- 20) That landscape plans be revised to include all plant species, installation size, quantities and other necessary information, and that "seasonal color" be replaced with perennials or ground cover, subject to staff approval;
- 21) That the existing sign and planter be removed in conjunction with the patio construction, and that alternative signage in conformance with the Guidelines be brought back to the ARB for review and approval;
- 22) That one additional brick pier be incorporated on the north side of the patio, and that proposed paver details be revised, subject to staff approval;
- 23) That all plans, elevations, and details be revised to indicate all existing and proposed site features, denote the municipal parking lot, delete references to "new accessible parking," and incorporate any additional site modifications approved as part of application 02-026ARB, subject to staff approval;
- 24) That revised, final plans be submitted prior to review by either the Planning and Zoning Commission or Board of Zoning Appeals;
- 25) That the color and style of the screening on the south elevation be decorative, subject to staff approval; and
- 26) That all outdoor entertainment be curtailed by 11 p.m.

\* Craig Barnum agreed to the above conditions.

VOTE: 5-0.

RESULT: This conditional use was approved.

**STAFF CERTIFICATION**

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Barbara M. Clarke  
Planning Director

# DUBLIN PLANNING AND ZONING COMMISSION

## MEETING MINUTES

JUNE 20, 2002

1. **Presentation - 02-063ADM - Mid-Ohio Regional Planning Commission – Transit-Friendly Design (No vote or action taken)**
2. **Conditional Use 02-027CU – Tucci’s Patio – 35 North High Street (Approved 5-0)**
3. **Development Plan 02-046DP - Meijer’s Store Outlot - 6185, 6189, 6191, and 6195 Sawmill Road (Approved 5-0)**
4. **Revised Final Development Plan 02-049RFDP - Meijer Parking Lot (Approved 5-0)**
5. **Revised Development Plan 02-053RDP– Riverside PCD, Subarea B - Avery Square Kroger - 7100 Perimeter Loop Road; and Perimeter Center, Subarea F - Perimeter Center Big Bear - 6700 Perimeter Loop Road (Approved 5-0)**

Chair Jim Sprague convened the meeting at 6:30 p.m. Other Commissioners present were: Todd Zimmerman, John Messineo, and Rick Gerber. Dick Ritchie and Ted Saneholtz were absent. Cathy Boring arrived at 7:05 p.m. Staff members present included: Bobbie Clarke, Gary Gunderman, Carson Combs, Anne Wanner, Corey Theuerkauf, Mitch Banchefsky, Paul Hammersmith, Barb Cox, and Libby Farley.

### Administrative Business

Mr. Gerber made the motion to accept the documents into the record. Mr. Zimmerman seconded the motion, and the vote was unanimous in favor. (Approved 4-0.)

After discussing consent agenda items, Mr. Sprague announced the order of cases as: Cases 1, 5, 3, 4, and 2. [The minutes reflect the published agenda order.] Mr. Sprague explained the meeting procedures and that no new cases would be introduced after 11:00 p.m.

### Land Use Map

Bobbie Clarke presented a proposed revision to the Community Plan Land Use Map. City Council directed that the land use on Brand Road should be downgraded from high density residential use, to medium density at one to two units per acre. Also, the Glacier

Ridge Metro Park area was updated to reflect the latest adopted park master plan. The Ballentrae area was updated, and Dublin's boundaries were adjusted to reflect new annexations. She asked if the Commission had any other areas for correction or more study. She promised to have a proposal back to City Council in July. She said Anne Wanner did all of the mapping work. She asked for a recommendation motion.

Mr. Gerber said the revised map was acceptable and in line with what the Commission had discussed at its last meeting. Mr. Zimmerman agreed. Mr. Gerber made a motion to approve this revised Future Land Use Map. Mr. Zimmerman seconded, and the vote was as follows: Mr. Gerber, yes; Mr. Zimmerman, yes; Mr. Sprague, yes; and Mr. Messineo, yes. (Approved 4-0).

Mr. Sprague thanked Ms. Wanner for her work. He said it was a large, often thankless task.

## **2. Conditional Use 02-027CU – Tucci's Patio – 35 North High Street**

Carson Combs said this is a conditional use for an outdoor service facility, an outdoor dining patio. He said a patio proposal was disapproved on February 7, 2002, based on non-compliance and property maintenance issues. Since that time, the applicant has been working to bring the site into compliance. An application for screening was approved by the Architectural Review Board (ARB), and it has been installed. He said the ARB recommended approval of this request for a patio with 22 conditions. He showed several slides.

Mr. Combs said the proposed patio involves removing the front parking and installing the patio or returning areas to grass or openspace. The patio will have a brick pier and wrought iron enclosure with landscaping. He said the existing side patio, an enclosed brick structure, is to be used for outdoor storage. To meet screening requirements, a wood privacy fence is proposed. There will be a slight encroachment of the right-of-way for the alley and which will require approval from City Council. The mechanicals will be screened to meet Code.

There will be pedestrian seating along the sidewalk. He said the brick will match the public sidewalk and will provide general circulation routes. A small special event area may be used for outdoor entertainment. The ARB required additional buffering to the property to the north. The current signage will be removed. A signage proposal will be taken to the ARB for approval.

There will be accent lights on the tops of the brick piers. He showed a slide of two proposed patio table types with umbrellas and the chairs which are similar to Oscar's and Brazenhead's.

There are parking spaces shown by color signage where to park for each restaurant. This should be updated based on recent changes. They should be used for Tucci's plus the other two restaurants. He said the applicant has parking agreements with other property owners in this quadrant, including the Krema and the IOOF parking areas. There are over 300 potential parking spaces available in this quadrant during the evening hours.

Due to the nature of the current Code, this project requires a variety of variances for side and front yards setbacks, increasing lot coverage, and parking. The removal of asphalt will bring the site closer to the lot coverage requirement in the Code. He said the staff report notes that the enclosed area is 3,230 square feet of patio, but it is really 1,225 square feet of area actually utilized for seating. This proposal has a parking deficiency of 35 spaces, but the applicant exceeded this based on shared parking. The redevelopment plan for the City's temporary parking lot on the corner has not been determined.

He said the restaurant will be open only for dinner hours due to a lack of daytime parking, and the applicant has agreed to have employees park off site.

Balancing parking in an historic district with development is important. He said staff feels that the district needs to be improved as much as possible. Mr. Combs said staff recommends approval with 25 conditions, 22 of which were carried over from the ARB:

- 1) That all screening, shutters and doors be painted to match, subject to staff approval;
- 2) That approval for encroachments in the alley right-of-way be obtained or that an alternative storage location be found, subject to staff approval;
- 3) That the submitted parking location signage be revised to reflect current parking conditions, subject to staff approval;
- 4) That all necessary variances for the final design be approved by the Board of Zoning Appeals and that past parking variances be rescinded, or that Code requirements be met;
- 5) That a Conditional Use approval for the proposed patio be granted by the Planning Commission;
- 6) That the patio be installed or that all related, outstanding Code violations and non-compliance issues be immediately resolved;
- 7) That a final occupancy be granted for the site prior to any use of the outdoor patio;
- 8) That details and specifications for the proposed accent lighting, wrought iron fence, and benches be submitted, subject to staff approval;
- 9) That Phase 2 be bonded prior to the issuance of permits, and that it be completed within one year from that date;
- 10) That gates be installed to meet screening requirements, and that all fencing be installed per Code;
- 11) That service screening on the north elevation be installed at a height of five feet, and that all proposed service screening be finished with an opaque stain six months following installation, as recommended by the Guidelines;
- 12) That patio furniture utilizing the fewest, uniform colors be better coordinated with the proposed fencing and existing awning, subject to staff approval;
- 13) That no signage be permitted on patio umbrellas, and that all furniture be stored in the proposed storage area between November 1 and April 1;
- 14) That valet parking be provided to patrons to alleviate parking concerns during patio operations once available parking at the adjacent municipal lot is removed in the future;

- 15) That the restaurant and patio not operate between 8:00 a.m. and 4:00 p.m. until such time as a sufficient parking solution is demonstrated by the applicant and approved by the Board of Zoning Appeals;
- 16) That a remote parking location for all employees be utilized, and that parking information be provided to patrons;
- 17) That leases for a total of 37 off-site spaces be provided to the Board of Zoning Appeals and be maintained in conjunction with the parking variance request or as deemed appropriate by the BZA, subject to staff approval;
- 18) That no outdoor speakers be installed for use on the patio;
- 19) That additional screening, including evergreen trees and deciduous shrubs, be provided along the north property line to reduce impacts, and that any necessary construction easements be obtained, subject to staff approval;
- 20) That landscape plans be revised to include all plant species, installation size, quantities and other necessary information, and that "seasonal color" be replaced with perennials or ground cover, subject to staff approval;
- 21) That the existing sign and planter be removed in conjunction with the patio construction, and that alternative signage in conformance with the Guidelines be brought back to the ARB for review and approval;
- 22) That one additional brick pier be incorporated on the north side of the patio, and that proposed paver details be revised, subject to staff approval;
- 23) That all plans, elevations, and details be revised to indicate all existing and proposed site features, denote the municipal parking lot, delete references to "new accessible parking," and incorporate any additional site modifications approved as part of application 02-026ARB, subject to staff approval;
- 24) That revised, final plans be submitted prior to review by either the Planning and Zoning Commission or Board of Zoning Appeals; and
- 25) That the color and style of the screening on the south elevation be decorative, subject to staff approval.

Craig Barnum, the applicant and owner of Oscar's and Tucci's, said they are spending over \$100,000 on this patio. He agreed with the conditions listed above. He agreed to a valet service, although no one used it when they tried it several years ago.

Mr. Gerber wanted the non-compliance issues resolved quickly. Mr. Barnum said Conditions 4, 5, and 7 will depend on the City. He said the other items will be handled quickly.

Mr. Combs clarified the valet parking condition. He said if and when Dublin redevelops the corner site (temporary parking lot), using the patio for dining will require a valet service.

Mr. Gerber said he thought the outdoor patio was a great idea and he hoped that the applicant would meet all the conditions and get it built.

Mr. Barnum said this will create a lot of energy in Old Dublin and add a lot to the district. He thanked the City for installing the crosswalk near the Brazenhead.

Mr. Zimmerman said the Commission previously requested that this site be brought into compliance prior to the filing another application. They have not had an occupancy permit since 1998 (four years ago) and so, "as soon as possible" needs to be defined. Mr. Combs said they have brought everything into compliance on the site except for items that would be impacted by the patio construction. He said if this doesn't go forward, Code Enforcement staff will take over and start court proceedings. After a Code Enforcement notice, the owner has 30 days to comply.

Mr. Zimmerman asked where the ADA parking will be relocated. Mr. Barnum said there would be three parking spaces in the rear. Mr. Combs said no handicap spaces were indicated on this proposal, but it may be appropriate to add such parking in the temporary municipal parking lot.

Mr. Zimmerman asked about Condition 18: That no outdoor speakers be installed for use on the patio. He asked if that was hardwired speakers. Mr. Zimmerman wanted to add "...or any other part of the site" to Condition 18. Mr. Barnum agreed.

Mr. Barnum said one or two piece quiet bands might perform in the event area. There are no residences on this side of the street. Loud music interferes with diners' conversation. He agreed the performances would not last past 11 p.m.

Mr. Combs said the staff report referred to prohibiting permanently affixed speakers that would play background music at all hours of the day. Mr. Sprague agreed to that restriction.

Mr. Combs said everything will be constructed now except for the existing porch with a light cream painted wood railing to match the arbor. It will be constructed during the second phase.

Mr. Barnum said valets would probably park in the Dublin School parking lot. He said the valet service itself would be located at the alley on the south side of the patio, not on High Street. He suggested one-way alley traffic. Mr. Gerber was concerned about valet parking congestion on High Street. Mr. Barnum said it would definitely not be located on High Street.

Mr. Gerber asked about ADA and the zero lot line situation. Mr. Banchefsky said he will check. Mr. Sprague said historical structures are exempted if it is significantly burdensome to comply.

Ms. Clarke said the site has to be made handicap accessible, but the ADA parking requirement is a percentage of the number of spaces in the lot. Mr. Gerber suggested a condition that this comply with the Americans with Disabilities Act.

Mr. Gerber suggested a condition that would halt the outdoor music if it generated neighborhood complaints. Ms. Boring thought this would be too restrictive and asked if it would be legal. Mr. Banchefsky said it would be very difficult because it is vague. Ms.

Boring said Dublin had a noise ordinance that could be enforced. Mr. Gerber asked if there would be entertainment other than small quiet bands. Mr. Barnum said no.

Ms. Boring suggested adding signage to let people know where the school parking lot was located. Mr. Combs said there has been an adopted parking lot sign used in the past. Ms. Boring asked that staff explore better ways to inform the public of available municipal parking.

Ms. Boring preferred that Condition 7 read: “That they qualify for a final occupancy permit.” Mr. Combs said there was a difference between a building permit and a certificate of occupancy. The latter deals with verifying that the improvements were constructed according to the plans. Before getting final occupancy for the site, they cannot use the patio.

Ms. Boring said Condition 18 should be added: That no outdoor speakers would be installed on the exterior of the building, and all outdoor entertainment should be curtailed by 11 p.m.

Mr. Gerber suggested adding to Condition 14: “...that there will be no loading or unloading on High Street with respect to valet parking.”

Mr. Gerber made the motion for approval because the patio will match and improve the character and quality of Old Dublin, meet many Community Plan and Design Guideline recommendations, provide pedestrian amenities, and bring the site into compliance, with 26 conditions (22 of them are repeated verbatim from the ARB action):

- 1) That all screening, shutters and doors be painted to match, subject to staff approval;
- 2) That approval for encroachments in the alley right-of-way be obtained or that an alternative storage location be found, subject to staff approval;
- 3) That the submitted parking location signage be revised to reflect current parking conditions, subject to staff approval;
- 4) That all necessary variances for the final design be approved by the Board of Zoning Appeals and that past parking variances be rescinded, or that Code requirements be met;
- 5) That a conditional use approval for the proposed patio be granted by the Planning Commission;
- 6) That the patio be installed or that all related, outstanding Code violations and non-compliance issues be immediately resolved;
- 7) That a final occupancy be granted for the site prior to any use of the outdoor patio;
- 8) That details and specifications for the proposed accent lighting, wrought iron fence, and benches be submitted, subject to staff approval;
- 9) That Phase 2 be bonded prior to the issuance of permits, and that it be completed within one year from that date;
- 10) That gates be installed to meet screening requirements, and that all fencing be installed per Code;

- 11) That service screening on the north elevation be installed at a height of five feet, and that all proposed service screening be finished with an opaque stain six months following installation, as recommended by the Guidelines;
- 12) That patio furniture utilizing the fewest, uniform colors be better coordinated with the proposed fencing and existing awning, subject to staff approval;
- 13) That no signage be permitted on patio umbrellas, and that all furniture be stored in the proposed storage area between November 1 and April 1;
- 14) That valet parking be provided to patrons to alleviate parking concerns during patio operations once available parking at the adjacent municipal lot is removed in the future, and that no valet loading or unloading occur on North High Street;
- 15) That the restaurant and patio not operate between 8:00 a.m. and 4:00 p.m. until such time as a sufficient parking solution is demonstrated by the applicant and approved by the Board of Zoning Appeals;
- 16) That a remote parking location for all employees be utilized, and that parking information be provided to patrons;
- 17) That leases for a total of 37 off-site spaces be provided to the Board of Zoning Appeals and be maintained in conjunction with the parking variance request or as deemed appropriate by the BZA, subject to staff approval;
- 18) That no outdoor speakers be installed for use on the exterior of the building;
- 19) That additional screening, including evergreen trees and deciduous shrubs, be provided along the north property line to reduce impacts, and that any necessary construction easements be obtained, subject to staff approval;
- 20) That landscape plans be revised to include all plant species, installation size, quantities and other necessary information, and that "seasonal color" be replaced with perennials or ground cover, subject to staff approval;
- 21) That the existing sign and planter be removed in conjunction with the patio construction, and that alternative signage in conformance with the Guidelines be brought back to the ARB for review and approval;
- 22) That one additional brick pier be incorporated on the north side of the patio, and that proposed paver details be revised, subject to staff approval;
- 23) That all plans, elevations, and details be revised to indicate all existing and proposed site features, denote the municipal parking lot, delete references to "new accessible parking," and incorporate any additional site modifications approved as part of application 02-026ARB, subject to staff approval;
- 24) That revised, final plans be submitted prior to review by either the Planning and Zoning Commission or Board of Zoning Appeals;
- 25) That the color and style of the screening on the south elevation be decorative, subject to staff approval; and
- 26) That all outdoor entertainment be curtailed by 11 p.m.

Mr. Barnum agreed to these conditions. Mr. Zimmerman seconded the motion, and the vote was as follows: Mr. Messineo, yes; Mr. Sprague, yes; Ms. Boring, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 5-0.)

**PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**February 7, 2002**

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

- 3. Conditional Use 01-010CU - Tucci's Patio - 35 North High Street**  
**Location:** 0.23 acre located on the west side of North High Street, 250 feet north of West Bridge Street.  
**Existing Zoning:** CB, Central Business District.  
**Request:** Review and approval of an outdoor service facility under the conditional use provisions of Section 153.236.  
**Proposed Use:** A 3,240 square foot outdoor patio and dining area for an existing 3,440 square foot restaurant.  
**Applicant:** Thelma Hill, 12921 Beecher Gamble Road, Marysville, Ohio 43040; represented by Jack Eggspuehler, 20 North Street, Dublin, Ohio 43017.  
**Staff Contact:** Carson Combs, Senior Planner.

**MOTION:** To disapprove this application due to the outstanding violations, parking problems, and non-compliance with past conditions of the Architectural Review Board and Board of Zoning Appeals, resulting in a general failure to comply with applicable development standards.

**VOTE:** 4 – 1.

**RESULT:** This conditional use was disapproved.

**STAFF CERTIFICATION**

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Gary Gunderman  
Assistant Planning Director

# DUBLIN PLANNING AND ZONING COMMISSION

## MEETING MINUTES

FEBRUARY 7, 2002

1. Rezoning 01-096Z - Bishop's Run (Tabled 5-0)
2. Preliminary Plat 01-118PP - Llewellyn Farms South (Approved 5-0)
3. Conditional Use 01-010CU - Tucci's Patio - 35 North High Street (Disapproved 4-1)
4. Revised Development Plan 01-103RDP - Dublin Community Golf Course (Clubhouse) - Subarea W - 5805 Eiterman Road (Approved 5-0)
5. Development Plan 01-104DP - Dublin Community Golf Course (Maintenance Facility) - Subarea U - 6665 Shier-Rings Road (Tabled without discussion 5-0)

### 3. Conditional Use 01-010CU - Tucci's Patio - 35 North High Street

Carson Combs said this is a conditional use for a patio addition to an existing restaurant in Old Dublin. The site is 60 by 166 feet, which currently houses a 3,440 square foot restaurant in a converted house. This addition would remove the parking between the structure and North High Street. He showed several slides.

Mar. Combs said the existing porch and handicap access ramp would remain, but the railing would be removed and replaced with wrought iron to coordinate with the patio elements. The area to the side will be used as storage for the umbrellas, tables and seating during the off-season. A section of privacy fence will help enclose that area. The north side of the building, next to Louise's Needlework, is proposed to incorporate a staff access and to relocate the mechanicals.

He said ten spaces will be removed for the proposed patio addition. The brick paver patio will be enclosed with brick piers. The proposed plan creates a formal access with a bubbling fountain in the center. A side entrance provides access to the temporary municipal parking lot on the corner. It will have a brick treatment with accent lighting and wrought iron fencing.

Mr. Combs said a 144 square foot special event area is proposed to be used for events such as St. Patrick's Day and the Tournament.

Mr. Combs said the moving and screening of the mechanicals will bring them into Code compliance. The architectural details will be finalized through the Architectural Review Board.

He said a number of variances will be needed for this plan from the Board of Zoning Appeals. The applicant has leases for parking at the Oddfellows Lodge and at the Grandma's Fruitcakes/Krema Peanut Butter site.

Mr. Combs said this proposal meets many of the goals set forth within the Old Dublin Plan, as well as the specific criteria of the design guidelines. It provides pedestrian amenities and enhances the overall appearance of the street. However, this proposal does take away some parking spaces that are currently existing in the district and that it's a factor.

Mr. Combs said the handicap spaces shown within Dublin's temporary parking lot are not part of this application.

The parking requirement for a restaurant is one space per fifty square feet. The patio requires an additional 25 parking spaces. Given the offsite leases, it leaves a net positive of one parking space. Staff is recommending that those leased parking spaces be limited to after-hours, which is the current status of operation based on past variances approved. Also staff is requesting that they provide the ARB and BZA with those specific lease agreements. Staff suggests using remote employee parking, to leave parking for District patrons.

Mr. Combs said that staff is recommending that no umbrella signage or outdoor speakers are permitted, consistent with past ARB approvals.

Staff recommends approval with ten conditions:

- 1) That all noted property maintenance issues, Code compliance problems, and ongoing non-compliance with ARB and BZA Board Order conditions be met prior to Architectural Review Board review, to the satisfaction of staff;
- 2) That all final design details for the proposed outdoor patio be approved by the Architectural Review Board;
- 3) That all necessary variances for the final design be approved by the Board of Zoning Appeals and that past variances be rescinded, or that Code be met;
- 4) That the restaurant and patio not operate between 8 a.m. and 4 p.m. until such time as a sufficient parking solution is demonstrated by the applicant and approved by the Board of Zoning Appeals;
- 5) That a remote location for all employees be provided and utilized, subject to staff approval;
- 6) That available parking location information be provided to patrons similar to that provided at the Brazenhead;
- 7) That valet parking is provided to patrons to alleviate parking concerns during patio operations if available parking at the Municipal lot is removed in the future, subject to staff approval;
- 8) That leases for proposed off-site spaces are provided for ARB and BZA review, subject to staff approval;
- 9) That no outdoor speakers be permitted for the proposed patio, and that all existing speakers be removed; and
- 10) That no seating be permitted within the designated storage area, and that no signage be permitted on patio umbrellas.

Mr. Combs said non-compliances with past ARB and BZA requirements exist, and are listed within the staff report. He said the main outstanding issues include parking lot landscaping, street trees, repair of brickwork, shutters, handrails, mullions on the picture window, screening of rooftop and ground-mounted mechanicals, and provision of a revised and complete landscape plan prior to the conditional occupancy. He said some issues have been outstanding since 1997 or 1998. The site is still under conditional occupancy.

In June 2001, Code Enforcement sent a letter to Historic District property owners regarding necessary property maintenance. This property owner was told to fix gutters and downspouts, splash blocks, holes in the structure, screening broken windows, brickwork, litter problems, etc.

Mr. Messino asked if any of these issues affected the integrity of the structure. Mr. Combs said the safety issues have been forwarded to the Building Department.

There was additional discussion on the specific violations on the property.

Mr. Banchefsky said the scope of this conditional use review is limited to: A) The proposed use is not a conditional use of the zoning district or the applicable development standards cannot be met, B) The proposed development is not in accord with the appropriate plans for the area, or C) The proposed development will have undesirable effects on the surrounding area and is not in keeping with the existing land use character and physical development potential of the area.

He said it would seem to him that the Commission would have the discretion, if so inclined, to turn this down based on non-compliance of applicable development standards. Approval could be conditioned on compliance in the future.

There was more discussion of the occupancy permits and the outstanding violations.

Mr. Sprague said a letter submitted to Mr. Combs from the property owner, Thelma Hill, had been provided to the Commissioners tonight.

Richard Taylor, architect representing the applicant, presented a color version of the proposed plan and elevations.

Craig Barnum, co-owner of three restaurants in Old Dublin, said this restaurant opened in January 1998. He apologized for the violations. He said during the opening, they were over budget by about \$50,000 and therefore, were unable to do some of the things required. They have recently spent \$50,000 on interior improvements. He said the new patio will resolve the violations.

Mr. Sprague asked about the handicap parking. Mr. Barnum said they could place it on the north side, down the alley on the cement slab, near the garage area or use the municipal lot net door.

Mr. Combs said staff had discussed other options with the applicant for handicap parking which the applicant felt were cost prohibitive. He said staff feels it is best to leave the handicap spaces where they are now, in the southeast corner of the temporary municipal lot.

Mr. Barnum said there are currently over 500 parking spaces available in Old Dublin. He provided a list of those parking spaces to the Commission.

Mr. Eastep said the violations should be fixed now. Mr. Barnum asked that he get approval and then, with the renovation and patio, he would correct the violations.

Ms. Boring said it was offensive that Mr. Barnum repeatedly complained to Council about its lack of effort to keep Old Dublin neat, yet this property had many violations.

Mr. Barnum said there were many things the City had not done to fulfill its responsibility. He gave the example of requesting a pedestrian crosswalk on Darby Street, and it still has not been done two years later. He said they would correct all their violations on this site.

Craig Sonksen, owner of Grandma's Fruitcakes/Krema Peanut Butter Company, asked if the City had received any complaints regarding these violations.

Frank Ciarochi replied the only complaint he could verify dealt with Historic Old Dublin in an E-mail to Councilman Greg Peterson last fall.

Mr. Eastep made the motion to disapprove this application due to the outstanding violations, parking problems, and non-compliance with past conditions of the Architectural Review Board and Board of Zoning Appeals, resulting in a general failure to comply with applicable development standards. Mr. Messineo seconded the motion and the vote was as follows: Mr. Sprague, no; Mr. Zimmerman, yes; Ms. Boring, yes; Mr. Messino, yes; and Mr. Eastep, yes. (Disapproved 4-1.)

The Commission further requested that the site be brought into compliance prior to filing another application.