



MEETING MINUTES

Architectural Review Board

Wednesday, August 25, 2021

CALL TO ORDER

Mr. Alexander, Chair, called the August 25, 2021, meeting of the City of Dublin Architectural Review Board (ARB) to order at 6:31 p.m. and noted this was the first meeting of the ARB in the new Council Chamber located at 5555 Perimeter Drive. This meeting was also live-streamed on the City's website; public participation and comments were received via an online form and relayed to the Board by the meeting moderator.

PLEDGE OF ALLEGIANCE

The Chair led the Pledge of Allegiance.

ROLL CALL

Board Members present: Mr. Alexander, Ms. Cooper, Ms. Kramb, and Mr. Cotter
Board Members absent: Mr. Cotter left at 7:45 pm due to a schedule conflict.
Staff present: Ms. Martin, Ms. Holt, Mr. Ridge, and Mr. Hounshell

ACCEPTANCE OF DOCUMENTS/APPROVAL OF MINUTES

Ms. Kramb moved, Mr. Cotter seconded, to accept the documents into the record and to approve the July 21, 2021, meeting minutes.

Vote: Ms. Cooper, yes; Mr. Alexander, yes; Mr. Cotter, yes; and Ms. Kramb, yes.

[Motion carried 4-0]

CASE PROCEDURES

The Chair stated that the Architectural Review Board is responsible for review of construction, modifications or alterations to any site in the Review District or area subject to Architectural Board Review under the provision of Zoning Code §153.170. The Board has the decision-making responsibility on these cases. Anyone who intends to address the Board on any of these cases will be sworn in. The agenda order is typically determined at the beginning of the meeting by the Chair and also stated the procedures of the meeting. The first case, Emerald Aesthetic – Sign at 119 S. High Street, 21-123MPR, Minor Project Review, was pulled from the Consent Agenda to be deliberated.

The Chair swore in anyone planning to address the Board on any of the cases reviewed.

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NEW CASES

1. Emerald Aesthetic – Sign at 119 S. High Street, 21-123MPR, Minor Project Review

The Chair stated this application was a request for the installation of ±5.5-square-foot sign for an existing tenant space zoned Historic District, Historic South. The 0.18-acre site is west of S. High Street, ±115 feet north of the intersection with John Wright Lane.

Staff Presentation

Mr. Hounshell presented an aerial view of the site and photographs of the existing conditions. There is an existing projecting sign for Magnolia Salon Boutique that hangs from a bracket on the front elevation perpendicular to S. High Street, which was approved by the ARB in October of 2020. At that time, an old, unused sign post, located on the site, was removed. The front elevation was shown with the construction work in progress on S. High Street. The applicant proposed a 2.7-square-foot sign to hang below the current sign for the second floor tenant. The proposed tenant sign is 10.25 inches in height, 38 inches in width, and made of 3-inch deep, double-sided high definition urethane (HDU) with 0.5-inch relief for the logo and copy. The combination of the two signs are considered as one in the Code at 7.97 square feet in size. The background will be painted 'Slow Green' to match the primary sign, and the copy, logo, and border will be painted black, meeting the three-color maximum requirement. The total sign area is not required to meet the minimum 8-foot clearance from grade as it is set back from the sidewalk, and not projecting over the sidewalk/right-of-way at 50.75 inches from grade.

The application was reviewed against the Minor Project Review Criteria. The Minor Project is recommended for approval with the following condition:

- 1) That the applicant apply for and successfully obtain approval for a Permanent Sign Permit through Building Standards, prior to installation.

Board Questions for Staff

Mr. Alexander inquired about the process of how that particular bracket was approved and the determination for the location for the placement of that sign. The sign is partially obstructed from view and the bracket detracts from the sign. The suggestion to change the bracket and make it hang farther from the building for better visibility is just a suggestion for the applicant. The Board was to focus on the secondary sign.

Mr. Hounshell - The Magnolia sign was approved by Building Standards without a specific design for the bracket.

Ms. Krumb agreed the primary sign is not in the best location but inquired about the wall sign.

Mr. Hounshell - There is a temporary wall sign facing S. High Street, which will be removed when the secondary sign is added.

Applicant Presentation

Lisa Minor, owner of Emerald Aesthetics, said she has been a tenant since April, 2021. She recalled there was a different bracket there that had to be changed because it did not meet standards and agrees this is not the best placement for the existing, primary sign. The tenant sign was created from what was left of the eight-square-foot total permitted with similar colors to the primary sign, which happened to complement the tenant's business colors. With the installation of the tenant sign, adjusting the overall sign placement could be considered.

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Board Discussion

Mr. Alexander stated the proposed sign is acceptable and any change would be done voluntarily from Ms. Minor. The bracket could be changed to one that would complement the signs more and project out further towards the street. The issues of the application presented in the fall of 2020 had to do with the ground sign, not the bracket.

Ms. Kramb said the issue before was that the sign could not infringe on the sidewalk and placement would be acceptable, if the sign projected out another two inches.

Mr. Cotter said he was fine with the sign, as proposed.

Ms. Cooper affirmed the Board is fine with the sign as proposed, including the current bracket.

Ms. Kramb moved, Ms. Cooper seconded, to approve the Minor Project without conditions.

Vote: Mr. Cotter, yes; Mr. Alexander, yes; Ms. Cooper, yes; and Ms. Kramb, yes.

[Motion carried 4-0]

2. Kuraly Residence at 179 S. Riverview Street, 21-109MPR, Minor Project Review

The Chair stated this application is a request for exterior modifications to a single-family home on a 0.36-acre site zoned Historic District, Historic Residential. The site is west of S. Riverview Street, ±400 feet south of the intersection with Pinneyhill Lane.

Staff Presentation

Mr. Hounshell presented an aerial view of the site and photographs of the four adjacent properties to provide context. This two-story, single-family structure with a three-car attached garage was built in 1997. In July 2021, the ARB gave non-binding feedback during an Informal Review of exterior modifications to the existing home. Board Members were generally supportive of the proposed modifications. The applicant requested review and approval of a Minor Project for the proposed exterior modifications to an existing single-family home, which includes new roof material, new paint, a redesigned front entry feature, new doors, and additional exterior modifications. The scope of the project remains the same as what was proposed for the Informal Review in July 2021. Enclosing the entire front porch area with board and batten siding made of Cedar after the columns had been removed and painted 'Natural Choice' - a darker cream color. The same darker, cream-colored Cedar will be used on the gable of the two-car garage. The two returns on the two-car garage will be removed. The existing garage doors on the two-car and the one-car will be replaced. The current location of the front door will not change. Chestnut-colored shutters will be added to the double-hung windows over top of each other in the middle of the elevation. Six new bronze lighting features were proposed for beside the front door and both garage doors. The roof is to be replaced with black asphalt shingles. A proposed materials board was shown for all the elements. The horizontal siding on the house will be painted 'Seaweed Wrap' – a dark green and all trim will be painted 'Pearly White' – a lighter cream color.

The application was reviewed against the Minor Project Review Criteria. The Minor Project was recommended for approval with the following condition:

- 1) That the applicant install functional/operable shutter hardware with the construction of the shutters, subject to Staff approval.

Board Questions

Mr. Cotter asked about lighting for the inside of the alcove.

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Mr. Hounshell answered affirmatively.

Applicant Presentation

Taylor Pfeffenberger, His & Hers Architects, 7422 Silverlea Court, Columbus, OH 44325, stated there is currently a light inside the alcove but may change that out to match the others. She did not have anything to add.

Board Questions

Mr. Alexander asked the applicant if she was going to use real Cedar for the board and batten siding.

Ms. Pfeffenberger - The house is clad in Cedar, which is to remain; board and batten will be 1-inch by 12-inches at her best recollection for size.

Mr. Alexander also wanted to know the size of the strip as part of the board and batten siding; the dimensions should be solidified and provided to Staff.

Mr. Alexander requested clarification on the colors.

Ms. Pfeffenberger - Colors identified in this latest proposal will be used.

Mr. Cotter asked for the color that will be used on the inside of the alcove.

Ms. Pfeffenberger - clear-coated White Oak for brightness.

Public Comment

There were no public comments received.

Mr. Cotter moved and Ms. Kramb seconded, to approve the Minor Project with the following condition:

- 1) That the applicant install functional shutter hardware with the construction of the shutters, subject to Staff approval.

*The applicant, Taylor Pfeffenberger, agreed to the condition of approval.

Vote: Mr. Alexander, yes; Ms. Cooper, yes; Mr. Cotter, yes; and Ms. Kramb, yes.

[Motion carried 4-0]

3. The Apothecary at 30-32 S. High Street, 21-110CP, Concept Plan

The Chair said this is a request for renovations, additions, and associated site improvements to two existing buildings on a 0.25-acre site 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, located at 30-32 S. High Street, comprised of two lots, each currently occupied by one main building. Both buildings were built in the 1840s, listed on the National Register of Historic Places (NRHP) and have been vacant for about ten years.

In 2018, a minor development proposal was approved by the ARB for both sites but expired without construction. In June, 2021, this proposal was informally reviewed by the ARB. The discussion included: many ideas; the previous approval; preserving the privy; parking; and the consideration of an addition of a pavilion in the back of Lot 30. A Concept Plan, Parking Plan, and Lot Coverage Waiver are being considered at this time.

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The proposed site plan included: the pavilion at 500 square feet; a preserved privy to be relocated as a folly directly opposite the pavilion; the fire hydrant on S. High Street; and nine, on-site parking spaces in two different locations. The Parking Plan includes 32 off-site parking spaces. Context and Massing Studies from the applicant were shown from: S. High/Spring Hill; 27 S. High; S. Blacksmith; and Spring Hill/S. Blacksmith. Proposed front and rear elevations - The west side/front will be essentially the same; the additions behind are not visible; the large addition for Lot 30 is tucked behind with a perpendicular gable to the original structure; a new main side door for Lot 30; and the storefront system for Lot 32 will remain. The east side/rear - additions stair-stepping down the natural slope; window walls for the back; decks, terraces, and entry features; and the pavilion behind Lot 30. Proposed side elevations – South/Lot 32 include: additions stair-stepping down the natural slope; a small entry addition; additional windows; and a patio at grade. Proposed side elevations – North/Lot 30 include: a large addition with a shed dormer; the relocated side entry at the hyphen connector between the old building and the new building; raised terrace and entry area; and a pavilion [shown.]

The proposed materials include:

Aluminum-clad windows and doors

Standing seam roofs (either galvanized or black, depending on location)

Stone veneer to recall the existing stone wall

Lap siding

Board-on-board siding

Board-and-batten siding (concerns about 2 kinds of board siding?)

Parking Plan to permit 32 off-site parking spaces to be combined with the 9 spaces on-site, to fulfill the minimum parking requirement of 41 spaces. There are three public lots within the 600-foot radius: Franklin Lot; Town Center Lot; and Darby Lot, and when combined have 196 parking spaces available. Staff supports this plan.

A Waiver for lot coverage is to allow $\pm 89\%$ for Lot 32. In the Code for Historic Zoning Districts – General Development Standards, the lot coverage permitted for each lot is 85%. Lot 30 coverage is under the requirement at $\pm 71\%$.

The City received one comment from the public. The concern was for lot coverage and stormwater issues. Engineering was contacted. "*Overflow and potential clogging*" was passed along to the Utility Engineer for investigation. The property is less than an acre in size and very near the Scioto River. There are no on-site requirements for water quality and quantity.

Staff recommended approval of the Parking Plan, without conditions.

Staff reviewed the Waiver against the criteria and recommended denial with the following findings:

- 1) The proposal is voluntary in nature, with no supporting information to explain why it is necessary for the project.
- 2) The ARB adopted new Code Amendments in February of 2021 to address issues of concern with lot coverage in the district in order to maintain better compatibility for new projects with their surrounding lots.
- 3) The site is small, and parking, ADA access, grading, and tree preservation are a challenge. By using the Code maximum (or less) lot coverage, the applicant has a better opportunity to meet these criteria. This, in turn, could minimize impacts on the historic stone walls and existing trees.

Staff reviewed the proposal against the Concept Plan Criteria and recommended approval with six conditions:

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- 1) That preservation of the trees identified as the 24-inch Maple, the 30-inch Ash, and the two large pines south of 32 S. High, shall be explored in earnest with Staff;
- 2) That all windows, except the storefront system, at 32 S. High Street, be wood-clad, sash windows. The applicant is to revise the curtain wall at the back of the property of 32 S. High Street to be more compatible with the surroundings and the Historic Design Guidelines;
- 3) That the pavilion shall be designed in a manner to better meet the *Historic Design Guidelines*, specifically addressing: height requirements; massing and enclosure concerns; roof details; and color, at the next submittal;
- 4) That the applicant demonstrates a mortared-appearing product to be used, on the new addition foundation that is compatible with historic foundations, with the next submittal;
- 5) That the addition at 30 S. High Street shall be clad in siding to match the original, or if indeterminate, horizontal wood siding rather than board-and-batten. The applicant shall work with Staff and the Architectural Historian throughout the discovery process to determine the best material; and
- 6) That the applicant provide a plan for the conservation of archaeological resources, including an entity willing to take the items, with the Final Development Plan submittal.

Board Questions for Staff

Mr. Alexander stated the ARB will be reviewing this application, again; every aspect of the project does not have to be determined now.

Ms. Holt stated Preliminary and Final Development Plans to be reviewed by the ARB are next.

Mr. Alexander asked if there was time to work out issues.

Ms. Holt reiterated this application is a Concept Plan.

Mr. Alexander asked if the engineer had an issue with the potential stormwater run-off.

Ms. Holt - Not mentioned in that review.

Ms. Krumb said the stone walls were absent from the presentation.

Ms. Holt - More of the stone wall is going to be preserved with the current layout proposed. The mechanicals were relocated from on the lot line right where the wall currently sits to outside the lots.

Ms. Cooper asked what sections of the fence would be disturbed.

Ms. Holt - During the Preliminary Plan, grading plans will be shared.

Ms. Krumb emphasized the importance of the stone walls.

Ms. Holt – A linear measurement could be requested to be included with the next submittal, based on the proposed grading.

Mr. Alexander asked to see the additional slides Ms. Holt eluded to, earlier in her presentation.

Ms. Holt presented the four elevations on Lot 30, which included the different materials proposed that may be included in the conditions of approval:

West – Board and batten, galvanized roof, and aluminium windows.

East – Lap siding, galvanized roof, aluminium windows, and dry-laid stone.

North – Lap siding, galvanized roof, aluminium windows, and dry-laid stone, for the new section and board and batten for the original portion.

South - Lap siding, galvanized roof, aluminium windows for the new section and board and batten for the original portion.

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Lot 32, which included the different materials proposed that may be included in the conditions of approval:
West – Board on board, aluminium windows, and a canopy system to be determined.
East – Lap siding, black roof, and aluminium windows.
North – Lap siding, black roof, aluminium windows, board on board, and dry-laid stone.
South - Board on Board, black roof, aluminium windows, and lap siding.

Pavilion, which included the different materials proposed that may be included in the conditions of approval:
West – Board on board, black roof, and aluminium windows.
East – Board on board, black roof, aluminium windows, and dry-laid stone for the chimney.
North – Board on board, black roof, aluminium windows, and dry-laid stone.
South - Board on Board, black roof, and aluminium windows.

Board Questions for the Applicant

Dan Morgan, 5584 Windwood Drive, Dublin, OH 43017 said he did not have a presentation but was present to answer questions and to acquire feedback.

Mr. Cotter asked how the pavilion is to be used. The City received a public comment about noise concerns. Mr. Morgan - Lot 32 is to be a wine bar; Lot 30 is going to be a cigar bar. To have a smoking area, it needs to be open on three sides. The pavilion will be open from noon until close and will have nicer furnishings. Glass walls/doors will slide closed to secure everything from the weather. There will likely be speakers and conversation.

Ms. Cooper asked if there was a concern with the tree preservation requirement. Mr. Morgan – This site has a 14-foot drop-off from High Street to Blacksmith Lane. When a parking lot is added on a historic district property, requires accessible entrances to the structure; the entire site will be graded. When the tree drip-line is disturbed, the tree dies. This was mentioned in the City's Arborist's report. Most are scrub trees, but a schematic landscape plan will be provided. The terraces in the back of the lot are more guarded follies, lushly landscaped to create outdoor rooms; and trees will be planted back on the site.

Mr. Cotter inquired about the lot coverage Waiver. Mr. Morgan - In the 2018 proposal, the two lots were combined. They will need shared parking, access, and trash receptacles. The applicant is at 80% for lot coverage and requested the Board's feedback on the lot coverage. Ms. Kramb asked Mr. Morgan if the plan is to legally combine the lots. Mr. Morgan - Not the intention. Ms. Kramb stated the Board will review the lots separately.

Mr. Alexander asked if gravel could be used for the terrace on Lot 32, and if the size could be reduced due to the lot coverage issue. Mr. Morgan answered affirmatively to the use of gravel. Ms. Cooper stated Lot 32 has the privy contributing to the lot coverage.

Mr. Alexander stated parking and getting to the back of the structures is a challenge.

Mr. Morgan said he did not have concerns about stormwater.

Mr. Alexander asked if the aluminium window system was going to be all aluminium or aluminium clad wood windows. Mr. Morgan - Still working on the type of window to be used.

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Mr. Alexander stated the Guidelines address the scale of openings and additions in context with the original structure. The shed dormer and chimney on the addition helped to reduce the size and mass of that elevation. The large glazed areas appear to be contrary to the rest.

Mr. Morgan – There is flexibility for changing those windows; alternatives could be discussed as the design matures.

Mr. Alexander said the next door owners of those businesses need to be made aware of the shared parking as it will impact them. He asked the applicants to address public comments:

1. Sound transmission concerns with certain activities.

Owners: Mark Corwin, 365 Avon Court, Dublin, OH 43017 – Loud music while relaxing and enjoying a few drinks with cigars in the Pavilion would be distracting. If rented for a small party, low-level music would be required. Live music would be conducted inside the actual bar but for now, speaker music is more realistic.

Ms. Holt stated one condition of approval was omitted from the presentation but was included in the packet materials.

Board Discussion

The Chair started the deliberation with the first condition of approval – the preservation of trees.

Ms. Kramb requested the decision-making process for what could be saved or not and the reasons why to be demonstrated.

Mr. Alexander did not share the same concern as the consultant on massing. The pavilion is similar to the size of the detached, two-car garages further down the alley. The grade change on elevations show the differences in height; the pavilion is so much smaller in terms of height.

Ms. Kramb stated the massing needs to be reduced as compared to the main structure on the site but agreed the size is the same as the two-car garages. The pitch of the roof could be brought down lower to appear smaller but keep similar square footage. The pavilion does not look like a detached outbuilding. The design should replicate a building, not a park structure.

Mr. Cotter had to leave the meeting.

Mr. Alexander said the chimney breaks the façade into three pieces. He asked Mr. Morgan if this was a condition of approval, if he would continue to work on revising.

Mr. Morgan described each of the existing foundations.

Ms. Kramb suggested altering the condition stating the applicant will rehabilitate the existing, historic foundations.

Mr. Morgan agreed.

Ms. Kramb stated any new foundation additions and new materials are to be compatible and appear new, and not replicate the old.

Mr. Morgan – Good direction.

Mr. Alexander defined the above comments during the discussion just apply to the Concept Plan and not the Parking Plan or Waiver.

Summary of the Board's Comments

Ms. Kramb, Ms. Cooper, and Mr. Alexander were all fine with the Parking Plan.

Ms. Kramb stated she did not think the Board could waive the Lot Coverage as these are two separate parcels.

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Ms. Cooper reiterated the Waiver only pertains to Lot 32. With the lot coverage recently amended in the Code, the Board must abide.

Mr. Alexander said he could not see hardship; the paved patio is large. Permeable material used for the patio was suggested and would still put the lot coverage over the requirement. The parking lot and building alone on Lot 32 cover more of the ground than Lot 30. If it was just building, privy, walks, parking lot, that caused the overage, he could support it and would see the hardship. Lot 32 – 9% coverage for the patio is not acceptable.

Ms. Kramb suggested since preservation of trees was included, a condition should be added for the stone wall; it is not mentioned anywhere and wants the message, to save as much as possible, to be clear.

Mr. Morgan's comments were not recorded.

Ms. Cooper asked, if some of the stone wall needs to be relocated to construct the foundation or flatten the parking, etc., she requested confirmation that would be allowed.

Ms. Kramb clarified the stone wall has to remain on the property. The applicant needs to demonstrate preserving as much of the wall as possible.

Mr. Alexander stated wall preservation will come into play at the Preliminary Plan stage.

Ms. Cooper wanted to clarify what the applicant is required to demonstrate the wall preservation when returning for further review.

Public Comment

Four public comments were received online during the deliberation portion.

1. Susan Diaz, 180 S. Riverview Street, stated the proposed changes look wonderful; so excited to finally see this lovely, old property restored and improved.
2. Kathy Lannan, 37 S. Riverview Street, stated as a property owner behind Lots 30 & 32 S. High Street, she took issue with the engineer's assessment that there is no stormwater issue at Blacksmith Street and Spring Hill Lane. Debris needs to be raked from the drain after almost every rainfall. This issue needs to be paid attention to.
3. Kathy Lannan added there will be much more stormwater runoff than in the past; trees and grass are to be replaced by paved parking and roof areas.
4. Alexander Vesha, 38 S. High Street, as a neighbor to Lots 30 & 32 S. High Street, which are a blight to an otherwise charming area begged the Board to please allow these people to rehab this space. The parking lot proposal was not a concern; everyone north of these lots have their parking entrance on S. Blacksmith. The request was for getting these buildings renovated. The only possible complaint should come from the variety of wildlife currently inhabiting this space.

Ms. Kramb asked that a condition be added: When the applicant returns, they have further investigated with engineering about the stormwater; information is needed to be shared with the Board and the public, realizing that could be part of the normal process for the next step.

Ms. Holt – That is a normal requirement. The guidance Staff received from engineering today, was the Utility Engineer was going to take a quick and immediate look at the clogging situation that might be causing some of the issues the neighbors are talking about. Rules cannot be changed re: water quality and quantity requirements.

Ms. Kramb stated the Board will have the opportunity to review the grading and drainage plan as part of the next stage.

(Mr. Morgan not audible.)

Mr. Alexander requested Ms. Holt follow through with the engineer and get the information to the appropriate parties. Anyone from the audience was invited to speak.

Tom Holton, 5957 Roundstone Place, Dublin, OH, suggested when the Planners look into the stormwater runoff, the residents at 19 and 25 or 27 S. Riverview Street, had significant runoff about 10 years ago from 66 S. High Street with the large parking lot behind the pizza place that is currently there. Certainly not from

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Lots 30 & 32, that is essentially landscaped or grass. From the paved parking lot behind the stone building, the stormwater would runoff into Blacksmith Lane into yards due to the significant slope from Blacksmith Lane. The City significantly elevated the curb (± 12 inches) on Blacksmith Lane along the back of those yards; now the water runs down to Eberly Hill to the backyard of the Lannans' property. He assumed engineering will say they fixed it, and they did, but the problem still occurs.

Ms. Martin stated there were no further comments. Staff is working closely with the City Engineer, this is of the utmost priority to address any maintenance issues that are on the City side. The applicant is required to and will gladly address stormwater on-site. Staff will reach out to everyone to ensure everyone has been heard.

Ms. Kramb wanted to ensure the applicant was aware that they will need to demonstrate the demolition step going forward as they are demolishing parts of these historic buildings. Information will need to be submitted to the Board to approve the demolition, which will include demonstration that the historic windows being replaced, are not replaceable/that the applicant cannot rehabilitate the windows. All of this is contingent on the passing of the motions this evening.

Mr. Alexander stated the Code has changed and the demolition criteria is lengthier since the applicant last appeared before this Board.

Mr. Morgan - They had started that process.

The Chair stated there are three motions to be voted on.

Mr. Morgan questioned the third condition. The Board had recommended revisiting the scale of the pavilion, not to redesign the whole structure and requested verbiage in writing.

The Chair stated there was a difference of opinion to what extent the pavilion is to be redesigned. When the applicant returns to the Board for review, there will be two more Board Members present to weigh in. Ms. Kramb stated the condition was broad enough.

Ms. Kramb moved, Ms. Cooper seconded, to approve the Concept Plan with seven conditions, as revised:

- 1) That preservation of the trees identified as the 24-inch Maple, the 30-inch Ash, and the two large pines south of 32 S. High, shall be explored in earnest with Staff;
- 2) That all windows, except the storefront system, at 32 S. High Street, be wood-clad, sash windows. The applicant is to revise the curtain wall at the back of the property of 32 S. High Street to be more compatible with the surroundings and the Historic Design Guidelines;
- 3) That the pavilion shall be designed in a manner to better meet the *Historic Design Guidelines*, specifically addressing: height requirements; massing and enclosure concerns; roof details; and color, at the next submittal;
- 4) That the applicant demonstrates a mortared-appearing product to be used, on the new addition foundation, is compatible with historic foundations, with the next submittal;
- 5) That the addition at 30 S. High Street shall be clad in siding to match the original, or if indeterminate, horizontal wood siding rather than board-and-batten. The applicant shall work with Staff and the Architectural Historian throughout the discovery process to determine the best material;
- 6) That the applicant provide a plan for the conservation of archaeological resources, including an entity willing to take the items, with the Final Development Plan submittal; and

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- 7) That the applicant shall demonstrate the preservation, to the maximum extent possible, of the stone wall, at the next submittal.

*The applicant, Dan Morgan, agreed to the seven conditions of approval.

Vote: Mr. Alexander, yes; Ms. Kramb, yes; and Ms. Cooper, yes.
[Motion carried 3-0]

Ms. Cooper moved, Ms. Kramb seconded, to approve the Parking Plan to permit 32 off-site parking spaces to be combined with the 9 spaces on-site, to fulfill the minimum parking requirement of 41 spaces.

Vote: Mr. Alexander, yes; Ms. Kramb, yes; and Ms. Cooper, yes.
[Motion carried 3-0]

Ms. Martin stated the Waiver is important at this stage, as the site layout is predicated on it. If the motion was made in the affirmative and failed, it would be disapproved and the applicant not eligible to bring back another Lot Coverage Waiver. Ms. Martin and the Board agreed the applicant could table the Waiver this evening, if he wanted to.

Mr. Morgan requested to table the Lot Coverage Waiver as written to move along in this process.

Ms. Cooper clarified that earlier in the Board's conversation, there was not enough information demonstrating the applicant needed the Waiver to make a determination at this time. She asked if the Waiver could be stricken as a request.

Ms. Martin affirmed the Waiver should be tabled.

Ms. Kramb moved, Ms. Cooper seconded, to table the following Waiver at the request of the applicant:

1. §153.173A – Historic Zoning Districts – General Development Standards - Requirement: 85% of lot coverage is permitted. Requested: 89% lot coverage.

Vote: Mr. Alexander, yes; Ms. Kramb, yes; and Ms. Cooper, yes.
[Motion carried 3-0]

4. Penalty Code Amendment, 21-110ADMC, Administrative Request – Code Amendment

The Chair said this application is a request for an Amendment to Zoning Code §153.999: Administration and Enforcement - Penalty for unauthorized demolition of and alteration to properties within the Architectural Review District and outlying historic properties listed on Appendix G.

Staff Presentation

Mr. Ridge stated there was an opportunity to address outdated penalties associated with violations to Chapter 153; and specifically, unauthorized modifications to or demolition of historic sites/structures. The current penalty is as follows:

Any violation to Chapter 153 is subject to a Minor Misdemeanor and a fine of \$100.

- Each day during which a violation or noncompliance occurs constitutes a separate offense.

The proposed regulations increase the minimum charge to a 4th-degree misdemeanour, maintaining the current language that "Each day of noncompliance constitutes a separate offense." The amendment establishes a new section, which addresses violations specific to properties requiring a Board Order from the Architectural Review Board (ARB). Historic properties and those identified on Appendix G would be involved. Additionally, the first offense is subject to a 4th-degree misdemeanor with a fine of \$250 and possible jail time of ≤30 days. A second offense, within 5 years of the first, is subject to a 2nd-degree

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misdemeanor with a minimum fine of \$500, a maximum fine of \$750, and maximum jail time ≤90 days. The current penalty and the proposed amendments were summarized in a table [shown.] The process for each of these offenses will be reviewed in the Mayor's Court.

Staff requests the Architectural Review Board review the proposed amendment to Code Section 153.999 – Penalty (21-113ADMC) and make a recommendation of approval to the Planning and Zoning Commission for consideration at a future meeting.

Board Questions for Staff

Ms. Kramb stated if an element or structure is demolished, the Board cannot charge the offender every day for something that does not exist anymore. The offender would still be out just \$250, which is cheaper than following the law. She asked if there was a way to increase the amount. Yes, it is better than the current \$100 but \$250 is still not worth chasing after an offender. She did not believe this increase was enough to keep people from offending in the first place.

Ms. Martin stated Staff felt similarly regarding the monetary values but they are determined in the Ohio Revised Code by class of offense. The community does not get to decide the monetary values. The main point here is to increase the offense from a minor misdemeanor to a misdemeanor that has a degree associated with it and it becomes a criminal offense with potential jail time, appearing on a criminal record. A large portion of those days may be suspended but with suspension of some jail time, the court can impose conditions and those conditions can be particularly helpful when a property had been altered without authorization. Demolition is very problematic.

Board Discussion

Ms. Kramb said it would be at the judge's discretion. If 30 days of jail time could be imposed, the offender could negotiate a penalty more to his/her liking.

Ms. Martin stated the Law Director's office, in advancing the case, would make a recommendation to the seriousness of the offense to have the appropriate penalty imposed.

Mr. Alexander stated the legal language for this offense is very broad.

Ms. Cooper said one of the other benefits of the new language and penalty, as vague as it may be, could be used in a letter to be a deterrent. The Law Director should determine the appropriate language. The case that prompted this action, involved a homeowner that demolished a structure without first requesting approval. The City believed that action was bold, and questioned whether the property owner knew he was permitted to do that or not.

Ms. Holt stated, at the Board workshop last month, solutions were sought to avoid this from happening in the future. One of the solutions was the Code Revision being reviewed tonight; another was a flyer that the Planning Department would send out on an annual basis, reminding Historic District property owners that they are subject to special rules in addition to the other zoning laws. Taking this step of giving notice to people of the requirements they have to follow in the Historic District is a proactive solution. The flyer is getting finalized right now. A flyer will also be included in the City's Welcome Packet, alerting new property owners to their responsibilities to uphold as business owners or residential property owners.

Ms. Cooper stated it is important that we welcome new property owners and advise them about who to reach out to for guidance.

Ms. Kramb inquired about another solution discussed, whereas Staff puts together an extensive inventory of all of the additional outbuildings or structures that count under the use provisions so when a letter is sent, it is specific to what is on their particular property such as an outhouse, chicken coop, springhouse or shed, etc.

Ms. Holt said that project will not be started until the first general flyers have gone out so the City is not surprising people about their property and Staff has a process in mind.

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Mr. Alexander asked if the City has documentation on the significant number of stone walls, (some may not be original). That distinction should be included.

Public Comment

Tom Holton, 5957 Roundstone Place, Dublin, OH, stated he did not know how to apply a date of installation for the stone walls.

There was a site on Riverside Drive, where the log cabin was discovered and taken apart by the City. The house was later demolished. There was a smoke house, intact and in very good condition (unsure of date) on the same property. According to the property owner, during the excavation for the new build, a contractor backed into the smoke house and destroyed it. Under these rules, the property owner would have been responsible, even though they did not do the damage, themselves. That is a real case he wanted to point out.

Ms. Kramb moved, Ms. Cooper seconded, to recommend approval to the Planning and Zoning Commission for the Administrative Request for an Amendment to the Penalty Code.

Vote: Ms. Cooper, yes; Ms. Kramb, yes; and Mr. Alexander, yes.

[Motion carried 3-0]

5. Historic Paint Colors, 20-130ADM, Administrative Request

The Chair said this informal review application is a proposal to establish pre-approved paint colors for the Architectural Review District and outlying historic properties listed on Appendix G.

Staff Presentation

Ms. Martin stated this was a re-introduction of this particular Administrative Request; it was brought before the ARB, August 2020. At the time, Staff and the Board discussed paint colors, the Historic District Code Amendments, and the *Historic Design Guidelines*.

The ARB decided it was best to prioritize the Code Amendments and the *Historic Design Guidelines* as an immediate need. After the adoption of those two documents in Feb 2021, the ARB had another opportunity to look at the Historic District paint color document. There are now new members on the Board, and all have had time to reflect. The Historic District Code provides an opportunity for the ARB to establish a set of approved paint colors. The intent is to create clarity, streamline the process, and make it user-friendly for both residential and commercial property owners, provided they are able to select a paint color that is on the list and architecturally appropriate for their structure. This evening, Staff is requesting the Board's affirmation on how this document should be reorganized, specifically, in regard to time period versus organizing the list by architectural style, which was the way it was presented at the August 2020 meeting. The way the document was structured [shown] was reviewed. The document was intended to be a companion document to the Historic District Code and the *Historic Design Guidelines*. That intent would continue to remain the same. The architectural design section of the *Historic Design Guidelines* that were ultimately adopted, de-emphasized architectural styles while acknowledging them, as well as acknowledging all building types. The paint color document was predicated on the original structure of the guidelines that prioritized architectural styles to provide a road map. That document no longer emphasizes architectural styles and the companion to the paint colors document, no longer exists. The paint colors document includes architectural styles through a period of time, and also includes history about what would be traditional to an architectural style or indicative of that period of time, due to technology and trends. Body, trim, door, shutter and outbuilding color recommendations are listed for a particular style period of time. The document specifies paint colors from historic paint palettes obtained from three different manufacturers. A property owner would not be required to purchase paint from one of these manufacturers but would be required to use the color code, in order to purchase an alternate brand. Staff has considered what some of these opportunities may be to reassess the structure of this document and organize it by

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time-period. Acknowledging certain architectural styles that are prevalent at certain times, makes sense. Staff worked with their historic preservation consultant to establish this timeline. Staff is requesting feedback from the Board as to how this document could be a backbone by which to potentially structure recommendations. The primary recommendation could be based on a year or decades but within that recommendation acknowledging that within a 40-year span, these three architectural styles occurred and these were some of the trends associated with those architectural styles, prevalent at the time and these are paint color palettes that a property owner could refer to.

Ms. Martin presented the following Discussion Questions:

1. Does the Board affirm the direction to restructure the proposed Historic District Paint Colors document by time period?
2. What is the appropriate amount of context or additional detail that should be included in this document for each era (i.e. text regarding popular trends of the time)?

The existing document contains a fair amount of background information that potentially, for someone who is less well-versed in historic preservation, may find useful in considering which paint colors would be appropriate. The added information could also be perceived as overwhelming or not helpful to the task at hand.

3. How would the Board like to review specific colors from these palettes to determine acceptability in Historic Dublin?

There are a number of colors identified. Some of which the Board may or may not be comfortable with. Some of the 20th, mid-century styles used a more vibrant and eclectic color palette. We have acknowledged over time, that one of the greatest assets of Historic Dublin is how eclectic the community is. How should the City account for that variability in these paint colors?

4. How would the Board like to continue to advance this project? Should a working group, similar to the collaboration on the *Historic Design Guidelines*, be established by the Board to review any changes prior to a subsequent review?

The working group could include Ms. Martin and two Board Members to discuss how to shepherd the project forward and bring it to the Board in a manner that would be approvable. Is that something the Board would be interested in or is the preference for Staff to propose changes the Board would reassess?

5. Are there other considerations or alternatives identified by the Board?

Board Discussion

Ms. Krumb stated she was a big advocate to go to time periods, (back in the summer of 2020) because there are so few high-style examples of architecture in Dublin. Most is of a vernacular/eclectic mix; no clear academic style. To ask someone to pigeon hole their house to a certain architectural style is nearly impossible. Whereas, it is very easy to find out what paint colors existed during certain decades. That is a very easy way determine the correct colors. It is rather easy to determine the age of a building, within a decade that translates to the correct paint colors used at that time. Making this process as simple as possible, is necessary. A little background was provided to Ms. Cooper, who is new to this project. In that first document, there was a lot of language pertaining to why a certain color probably would have been used. Too much time was spent on that part of the process; everything got put on pause.

Ms. Cooper said the approach that Ms. Krumb advocated for, about identifying colors that were representative or popular or attributed to that time period, however you want to describe it, seems fine. There are always exceptions. If this document is just for an applicant to come in and say they want to

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repaint their house; they no longer want Sage Green they want Colonial Cream, or whatever, and do not want to come to the ARB to say that is what they intend, because the colors are on an approved list. She understood and believes that is an appropriate goal. It is still appropriate for property owners to propose different colors and not be bound by something because it exists. The concern is that people will still have the opportunity to come in.

Ms. Kramb said any property can come before the ARB and request a color.

Mr. Alexander said Staff takes care of it, but if the homeowner essentially appeals, the Board would review. The system should simplify what the ARB is doing, once everything is established.

Ms. Cooper said there are no color swatches from 1810 and whatever is available is probably faded.

Mr. Alexander said the pre-approved list from before is enormous.

Mr. Cotter's input was relayed that there should be flexibility in the process.

Ms. Cooper said these numbers and swatches change all the time by the companies. The names get more and more creative.

Ms. Kramb stated the same numbers are not reused but new colors are created. Most of these colors on a list may not exist anymore by the same name or were discontinued.

The Chair stated there needs to be some closure to this process.

Ms. Cooper asked if there have been a lot of issues with this in the past - people trying to understand why they cannot paint their house a particular color and have to go before the ARB.

Ms. Martin – yes, from time to time. The process is more daunting than the question. By in large, residents are cognizant that they live in the Historic District and are aware of the process.

Ms. Kramb stated the biggest complaint heard from residents is they have to come up with drawings of their house noting where color A is going to be, etc., which is time-consuming. They probably have to hire someone to do it; spending \$1,000 to show the ARB they are putting paint of a certain color on the north façade, for example. The process needs to be easier for residents.

The Chair stated the Board is comfortable with the structure Staff proposed.

Ms. Kramb liked the timeframe that showed the styles and the types this group discussed while revising the *Historic District Guidelines*. The styles do not have to be duplicated, by providing a description; the Guidelines provide that information. Less is better on the history of the paint. There are a significant number of generalities that are common. This guide should be as broad as possible and note that the City wants contrast between the trim color and the main color.

Ms. Kramb stated "trim was darker" is a broad enough statement. Terms such as "lighter", "darker", "complimentary", "not identical", or "typically the trim is not the same color as the wall" could be used.

Ms. Cooper agreed.

The Chair summarized the Board seeks a limited amount of text. Mr. Cotter's comment was relayed "less text is better".

Ms. Kramb restated she loved the bar timeline that showed styles and types. Text could be provided such as "yellow pigment was not available during this era"; do not select a yellow tone. In another era, "red pigment was not available". That is enough detail needed for color selection.

Mr. Alexander proposed a sub-committee could work with staff and make a recommendation. It would be challenging for the five Board Members to put paint colors together. He suggested Ms. Kramb should be on that committee; she is a historian.

Ms. Kramb suggested Staff work with the Ohio History Connection's Building Doctor Program. Tutorials can be provided on painting old houses and recommend colors specific to Ohio.

The Chair stated Staff is requesting direct input from the Board with this process as soon as possible. If there is not going to be a sub-committee, then Board Members could meet at the office.

Ms. Kramb agreed that could be an easier solution as long as every member is not expected to meet with Staff and not during an ARB meeting. There are not color swatches for each and every color but possibly color swatches for color tone for comparison.

Ms. Martin stated the proposal was to present a wide variety of color. All the ones submitted in August 2020 or ones Staff was recommending for approval, although Staff was seeking specific direction on whether or not the Board was comfortable with all of those colors.

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Ms. Kramb indicated the only colors Staff should be concerned with are the funky, end of the spectrum colors (pinks, purples, pastels). White and cream do not need review for approval.

Ms. Martin is agreeing with Ms. Kramb's analysis. Staff and the Board can look at specific colors, such as the Frank Lloyd Wright PPG rich colors of the Heritage Palette.

Ms. Kramb said her house is painted in a Frank Lloyd Wright, Cherokee Red, which might not be acceptable in the Historic District.

Ms. Martin said that is very important because Frank Lloyd Wright, Cherokee Red is one of those identified on page 11 of the draft. Some of the colors can be removed from the list altogether because if you really want to use Cherokee Red or use Safe Harbor (bright teal) maybe that does warrant a case by case review. A sub-list of any colors could be provided, only to be used for a front door, for example. Painting all the trim on a house could not be painted bright teal. Staff seeks a sense from the Board, what kind of guardrails are desired and the number of options to offer. Staff wants to have enough flexibility to make this an asset for the people that reside in Historic Dublin as well as the Board, given the increase in volume of applications. Staff is not comfortable making a recommendation on behalf of the Board.

Ms. Kramb asked if the Board would be agreeable with the extreme colors that are acceptable in that genre of colors.

Ms. Martin suggested that maybe Cherokee Red would look good on an accessory building.

Ms. Kramb thought there should be a limit. The Board does not need to review colors in the tan, white, and cream categories.

Ms. Martin stated the colors in the packet are the first cut but are not currently listed clearly by date; this list requires revision.

Ms. Kramb suggested a working session outside of this setting, where the members determine the limits on the extremes. For example, Harvest Gold that was used in mid-century housing - would the Board be comfortable with a resident painting their whole house that color or not. Or can it be permitted on just the trim. Staff could identify those and provide to the members.

Ms. Cooper stated Staff is still seeking pre-approved colors so a resident does not come before the Board. Ms. Kramb was concerned that if the Board limits the list by only the tan and white spectrum for the people that want to avoid coming to the Board, every house would be those colors and the result would be bland and boring. There should be a little bit of flexibility.

The Chair stated everyone is stating similar ideas and relayed Mr. Cotter had said he was willing to help with the color choices and supports where Staff is going with this project.

Summary of the Board's Comments

The Chair stated Staff already has some colors selected and the Board will allow Staff to organize the list in a way they have established; they are on the right track. When Staff is ready for the Board Members' assistance, they will help, in an environment outside of the ARB meetings.

Public Comment

There were no public comments received.

COMMUNICATIONS

[Hearing none] the meeting was adjourned at 9:07 p.m.

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Gary Alexander

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Chair, Architectural Review Board

DocuSigned by:

Laurie Wright

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Administrative Assistant II, Recorder