

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

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



BOARD ORDER

Architectural Review Board

Wednesday, November 17, 2021 | 6:30 pm

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

**5. Tucci's at 35 N. High Street
21-174CP**

Concept Plan

Proposal: Installation of an enclosed outdoor dining structure at an existing restaurant on a 0.23-acre site zoned Historic District, Historic Core.

Location: Northwest of the intersection of N. High Street with Wing Hill Lane.

Request: Review and approval of a Concept Plan under the provisions of Zoning Code §153.176 and the *Historic Design Guidelines*.

Applicant: Craig Barnum, CLB Restaurants

Planning Contact: Sarah T. Holt, AICP, ASLA, Senior Planner

Contact Information: 614.410.4662, sholt@dublin.oh.us

Case Information: www.dublinohiousa.gov/arb/21-174

MOTION: Mr. Cotter moved and Mr. Jewell seconded, to approve the Concept Plan with the 9 amended conditions:

- 1) That a surveyed site plan shall be provided at the subsequent submittal that demonstrates how all applicable setbacks and lot coverage are met; and that the site plan shall show all applicable public right-of-way;
- 2) That the roof pitch shall be shown at a minimum 6:12 (rise:run), and maximum structure height shall not exceed 18 feet at next submittal;
- 3) That the roof material shall be standing seam metal, in a compatible color/finish to the historic building;
- 4) That the applicant shows a public entrance into the accessory structure off of N. High Street;
- 5) That the applicant shall identify evergreen foundation plantings on the south, east, and north sides of the structure and to screen the HVAC system on the next submittal;
- 6) That the applicant shall provide details at the next submittal of all window and door systems, along with colors, materials, finishes and cut sheets for the structure, noting that vinyl is not a permitted material in the district. Chosen colors shall be harmonious with the existing brick structure and suggest a feeling of permanence;
- 7) That the applicant shall provide details of a more permanent, high quality material for the gable ends of the structure, at the next submittal;



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Concept Plan

- 8) That the applicant shall provide information on all furniture, lighting, and other elements within the transparent portion of the structure, per Code requirements; and
- 9) That a Waiver Request, if necessary, for square footage of the accessory structure shall be made at the next submittal.

VOTE: 4 – 1

RESULT: The Minor Project was conditionally approved.

RECORDED VOTES:

Gary Alexander	Yes
Amy Kramb	No
Sean Cotter	Yes
Martha Cooper	Yes
Michael Jewell	Yes

STAFF CERTIFICATION

DocuSigned by:

Sarah T. Holt

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Sarah Tresouthick Holt, AICP, ASLA
Senior Planner



Staff Presentation

~~Ms. Mullinax presented aerial views of the site, and the building itself is a two-story commercial structure constructed in 1832 and is listed on the National Register of Historical Places.~~

~~In December 2009, the ARB approved a sign modification to replace two existing projecting signs with two new projecting signs for the existing business. The two projecting wall signs were: 5.90-square-feet in size with identical sign copies, and contained two colors - Emerald Green and Metallic Gold. The number and location of the previously approved signs were unchanged with this application.~~

~~The applicant proposed two projecting, double-sided, tenant signs. The signs would be hung below each of the existing decorative scroll mounting brackets along each of the facades on S. High Street and E. Bridge Street, as previously approved.~~

~~Both proposed projecting signs are identical at 4.34 square feet, 25 inches in diameter and 2 inches thick. The signs are to be constructed out of High Density Urethane (HDU) panels, which will contain 0.5-inch raised HDU individual letters on the sign copy. The existing bracket arms and light trays will be repainted black. The sign colors are black, white, and red that add character, interest, and a sense of liveliness for the pedestrian scale. There is 8 feet, 2 inches of clearance from grade to the bottom of the sign.~~

~~The projecting signs will utilize the existing, internally lit, LED lighting, which does not exceed 4 lumens. The external lighting is located within a horizontal light tray.~~

~~The application was reviewed against the Minor Project Review Criteria and approval is recommended with two conditions:~~

- ~~1) That the applicant apply for and successfully obtain approval of Permanent Sign Permits through Building Standards prior to installation; and~~
- ~~2) That the Sign-Vision Co. updates their Certificate of Liability on record with Building Standards.~~

~~Mr. Jewell moved, and Ms. Cooper seconded, to approve the Minor Project with two conditions as stated.
Vote: Mr. Alexander, yes; Ms. Kramb, yes; Mr. Cotter, yes; Ms. Cooper, yes; and Mr. Jewel, yes.
[Motion carried 5-0]~~

5. Tucci's at 35 N. High Street, 21-174CP, Concept Plan

The Chair stated this application is a request for the installation of an enclosed outdoor dining structure at an existing restaurant on a 0.23-acre site zoned Historic District, Historic Core. The site is northwest of the intersection of N. High Street with Wing Hill Lane.

Staff Presentation

Ms. Holt presented aerial views of the site; with the focus on the eastern portion. The most recent project history dealt with the Covid-19 pandemic. A temporary tent was constructed in November 2020 to allow additional patron seating to provide social distancing as many seats inside the building had to be removed or relocated. The Emergency Measures will expire February 28, 2022, per an extension from City Council. The applicant requested to keep a version of their temporary tent, permanently.

Three different Codes and sections apply to this application. The Historic Dublin Code allows this restaurant to remain, and even to be expanded. It has been at this location since 1997. The tent requested is an accessory structure and would bring the total square footage of the restaurant to $\pm 6,120$ square feet. Per the City of Dublin Code, accessory structures can reach 18 feet in height and are limited to 25% of the gross floor area of the primary structure, which would equate to 1,067 square feet. Waivers can be granted for up to 20% of any numeric value. Adding 20% to 1,067 equals 1,280 square feet, which was recommended as a condition of approval.

A comparison was made of accessory structures versus building additions. The accessory structure is permitted to be 25% of the primary building's square footage. A building addition is permitted 50% and must be attached to the primary structure whereas the accessory structures such as garages and sheds are unattached. This proposed structure will not have a continuous roof or floor and will not attach via walls. If the proposal was for a building addition, it would include an enclosed hyphen and would follow the architectural design of the primary structure.

The proposed site plan originated from an aerial view with the requested accessory structure highlighted in its existing location, at $\pm 1,869$ square feet and concurrent with the outdoor patio. The existing entry point on the north side off the public sidewalk would remain and the entry point on the south side appears closed.

Photographs of the existing conditions on N. High Street were presented. The space used to be an open-air dining patio that was fully approved in 2002 but is now covered through Executive Orders through the State of Emergency for Covid-19. Landscaping exists but a condition of approval requires more evergreen landscaping and a vinyl gable that needs to be addressed to help meet the Code and Guideline criteria. The applicant provided some inspiration photographs of both vinyl (not permitted in the district) and standing seam metal roofs.

The City's Chief Building Official identified some possible issues with going from a temporary structure to a permanent one:

- 1) Revised Engineering Calculations to ensure structure can handle a metal roof;
- 2) Information from the manufacturer regarding performance in long-term installation;
- 3) Possible Energy Compliance issues; and
- 4) Possible occupancy/egress and fire sprinkler issues.

The proposal was reviewed against the Code Criteria for the Concept Plan and Waiver Review Criteria. Approval of the Waiver was recommended with the following condition:

- 1) That the structure shown on the Preliminary/Final Development Plan shall not exceed 1,280 square feet based upon the gross floor area of the existing restaurant (4,271 square feet, per Franklin County Auditor records). Should additional, confirmed data indicate a different gross square footage for the existing building, that data may be used to recalculate the maximum structure square footage.

Approval of the Concept Plan was recommended with nine conditions:

- 1) That a surveyed site plan shall be provided at the subsequent submittal that demonstrates how all applicable setbacks and lot coverage are met. Additionally, the site plan shall show all applicable public right-of-way;

- 2) That the roof pitch shall be shown at a minimum 6:12 (rise:run), and maximum structure height shall not exceed 18 feet at next submittal;
- 3) That the roof material shall be standing seam metal, in a compatible color/finish to the historic building;
- 4) That the applicant shall show an entrance into the new addition off of N. High Street, at next submittal;
- 5) That the applicant shall identify evergreen foundation plantings on the south, east, and north sides of the structure and to screen the HVAC system with the next submittal;
- 6) That the applicant shall provide details of all window and door systems, along with colors, materials, finishes and cut sheets for the structure at the next submittal (chosen colors shall be harmonious with the existing brick structure and suggest a feeling of permanence);
- 7) That the applicant shall provide details of a more permanent, high-quality material for the gable ends of the structure at the next submittal;
- 8) That the applicant shall provide information on all furniture, lighting, and other elements within the transparent portion of the structure, per Code requirements at the next submittal; and
- 9) A Waiver request, if necessary, for square footage of the accessory structure shall be made at the next submittal.

Chair Comment

The Chair explained this is a Concept Plan so the Board establishes the parameters. This proposal could return to the ARB and look very different, depending on what the applicant faces through the process.

Board Questions

Mr. Cotter asked for clarification of the Resolution from the Emergency Order.

Thad Boggs, legal counsel, answered the Resolution that Mr. Cotter was referring to was the extension of the Executive Order. The permit for the existing structure on a temporary basis was extended, without changes. This applicant requested that the temporary structure be permitted to become permanent.

Applicant Presentation

Aaron Underhill, Underhill and Hodge, 8000 Walton Pkwy, Ste. 260, New Albany, Ohio, represented Craig Barnum, CLB Restaurants, owner of Tucci's Restaurant. This accessory structure (tent) has been extremely important to this business and added to the vibrancy of the Bridge Street District. The structure has been popular with the community as it provided social distancing required by Covid-19 standards. In addition to the Concept Plan, the applicant has a Preliminary and Final Development Plan to pursue; multiple meetings are expected. Speaking as an attorney and part lobbyist, he was surprised by the Waiver request at this stage as he anticipated that request to come later in the process and requested the Waiver be withdrawn. He preferred to discuss and gain feedback on the aesthetics of the proposal at this point.

Mr. Boggs stated he and Ms. Holt had a discussion prior to the meeting and had no objection to withdraw the Waiver request. If the Board decides to move forward with the Concept Plan with conditions, he would include a condition just to reference the future Waiver request as the proposal is evaluated further.

Mr. Underhill – Structure is significant and is much more than just a tent; it has a permanent feel. This has been a \$300,000 - \$400,000 investment, overall, which affects the owner's bottom line but were also able to hire a lot of staff, allowing the restaurant to survive during the pandemic. The intent is to keep the same structure in place, using the bones of it as a baseline. The applicant agreed the standing seam metal roof would be appropriate. They will work with Staff and the Board to determine colors that will blend with the primary structure. Permanent and more substantial windows will be added in the front. In general, the applicant agreed with all of Staff's comments and recommendations in terms of enhancements. The applicant will entertain the idea of a door along the frontage but operationally it could cause some problems.

Mr. Barnum, CLB Restaurants, owner of Tucci's Restaurant at 35 N. High Street, Dublin, Ohio, thanked Dana McDaniel, City Manager for allowing this structure during the pandemic. The structure would be great for Ohio's inclement weather by shielding the patrons that would normally be eating on the patio that otherwise would need to move inside the primary building, which is a nightmare. He owned several other restaurants in Dublin over a span of 26 years and Tucci's has been wildly successful. In 2020, a similar structure was requested with a glass roof but not approved, and thankfully so. When the pandemic hit in March, 2020, Tucci's was closed for about 2.5 months that brought a lot of hardship. The primary building was renovated to comply with social distance, requiring the removal of 30% – 40% seating capacity. Once reopened in May, the restaurant was busy from the onset. This structure was installed with 12, 8-foot concrete footers for the structure, not a tent. Acoustics and heating logistics took ±3 months. During storms, people would rather be in the outside structure, whereas other establishments that just have patios outside are empty and Tucci's is full. Energy can be seen and felt by pedestrians and drivers alike, which make it a huge amenity to the district. He is packed every single night with a wait list, and booked with Thanksgiving and New Year's Eve reservations. He proposed enhancements such as a metal roof, etc. in order to stay at this location for a very long time. The intent is for people to see it and remark that it is a beautiful structure. He believed by tearing down the structure, Dublin would have a 'black eye'. Residents and visitors overwhelmingly love what the applicant is doing. The patio is 3,000 square feet in size and the applicant would like the structure larger than it is now and 1,200 does not seem like enough square-footage within the patio. He had learned that a glass roof is not an option operationally. He requested the Board's feedback on the proposal.

Questions for the Applicants

Mr. Alexander asked if the applicant had consulted with a building professional to discuss what is existing and what the applicant would like to do within the parameters of the Code requirements. The energy analysis/requirement will impact the walls and glazing, etc. Even if the structure were to be approved by this body, the Building Department will have a laundry list of what needs to be done to be compliant and the costs are important to consider. To be compliant for a permanent structure, this proposal may come back as a completely different product for all the requirements to be met. Staff and the Board might continue to pursue the approval for this application but the applicant might find the costs are too onerous. A recommendation was made for the applicant to look into the building process and requirements at the same time he is going through the review process, if there is a limited amount of time.

Mr. Barnum – He was not overly concerned about it as he plans to be operational for another 25 – 30 years. Terminating people every year is not ideal when the patio cannot be used. This has been the first year this restaurant has been very healthy and not just from the employee/management standpoint. The

City allowed seats out in the alley this summer for many qualifying businesses to provide social distance seating during the pandemic. Sales have only decreased by 10% or 15%, not devastating. Sales with the addition of this structure have been fantastic. It is possible that there is a number out there to make this ridiculous as far as cost. The existing structure needs to remain because completely tearing it down was not logical to the applicant. The intent is to improve the existing sides and roof that makes more sense. This is an investment the applicant is willing to take, if the structure becomes even more appealing for many years to come.

Board Discussion

Mr. Alexander – The height and scale of the project proposed before was different than what has been proposed now and not comparable.

Mr. Cotter – He was supportive of moving forward.

The Chair requested reading through the conditions Staff had recommended.

Ms. Krumb – She was completely against the concept. If any other applicant in the district requested this structure the Board would not say yes. Every restaurant now is going to ask for an accessory structure. The proposal does not meet the Historic District Design Guidelines in any way whatsoever and she would not comment further on the conditions.

Ms. Cooper suggested that if the Board did not vote on the Concept now, the applicant would have the opportunity to meet with Engineering to discuss what requirements are to be met. The idea of an addition could be requested, but it may have the same problems because it would be built in the front, too, but when there is an accessory structure as this, it is way far out from what the Board would consider normal in the Historic District.

Ms. Krumb – The existing building is no longer visible.

Mr. Alexander asked if the primary building was considered a contributing structure to which Ms. Krumb answered affirmatively.

Ms. Krumb – Again, the applicants have requested to have an accessory structure in front of a contributing structure in the Historic District. There is nowhere else in our district that the Board would allow that. In addition, we are considering a Waiver to allow the applicant an even larger structure that does not even have a floor.

Mr. Underhill – This property is unique for setbacks for the existing building.

Mr. Jewell – He suggested the applicant compare the accessory structure that is there now to the architecture of the primary building that can be seen on the website in pictures taken a few years back. The primary looks great with the patio and how it impacts the activity on High Street. In agreement with Ms. Krumb, this proposal would take away everything the Board is trying to preserve in the Historic District.

Ms. Krumb – She did not know how successful the business was or if people will think the Board is wrong for tearing it down. It is a huge benefit to the applicant but the Board is reviewing the proposal from the Code perspective. The Historic District Code has just been rewritten to address more of City Council's requests as a result of the feedback from residents.

Mr. Barnum – The Board’s responsibility should also be for its residents that live in the district. Overwhelmingly, the residents love what is going on down there. There are people sitting on patios now in vinyl tents. His proposal blows theirs away and can be architecturally pleasing. The Avenue, the Pearl, and Cap City have vinyl on patios that cannot be seen through due to the plastic. His patio is professionally landscaped and will contain glass.

Ms. Kramb - Those three restaurants are not in the Historic District.

Mr. Alexander – Those restaurants have a different kind of structure relative to the building they are a part of. Yes, the Board approved those three proposals but they were secondary to the primary buildings.

Public Comment

Tom Holton, 5957 Roundstone Place, Dublin, Ohio, is a strong advocate for the Historic District and Dublin overall. The structure from Tucci’s building is temporary now and has been approved, while it does have an expiration date. The structure is in front of a building, which itself is not historic in the sense of buildings on the south side of Bridge Street. The building is considered historic, only by its age; it was built in 1955 as a flooring business. This structure is not hiding something historically interesting in itself; a site of a historic building is not being lost due to the temporary structure in front of it versus putting a structure in front of the Fire House, for example. This structure was permitted to provide more activity on High Street, which it did along with the new Bridge being opened that links the east side of Dublin with the west. Once the other businesses nearby open, Tucci’s might be the destination for a meal before or after patrons wander south on High Street; that will be good for the Historic District. The more people we can have patronizing any restaurant like Tucci’s for any meal is good for the Historic District and good for Dublin. The larger the structure to be approved, the more people local businesses would have access to.

The Chair recommended voting on the Concept Plan that included the amended conditions. If it passes, it gives the applicant the opportunity to proceed in a way the Board has stipulated the applicant should proceed. He requested to review each condition and see if a motion is made for a vote. If there is any condition the applicant would like to discuss, that input would be welcome, too.

The Chair confirmed the applicant agreed to entertain an entry off of High Street and to add landscaping. The third condition is broad but designing a structure that is compatible with the district is important.

Mr. Barnum – The goal this evening was to obtain some feedback from the Board. He would also see other recent business modifications as far as materials used and return to the Board with compelling features.

Ms. Cooper asked if the front entrance was going to be a problem.

Mr. Barnum answered a front entrance there would be problematic and did not believe it made sense. Ms. Cooper requested an explanation.

Mr. Barnum – There are already two entrances that work well. With the patio in operation, flow is desired. The suggested location on the front is where there are already tables and chairs set up and the band plays there in the summer. The side north entrance is already convenient for the back. To add a third entrance does not make a lot of sense to him but if that is the difference between approved or not approved, it could be done.

Mr. Underhill asked if it is an operational issue or an aesthetic issue because if it is aesthetics, they can resolve that but operational ones are more difficult.

Mr. Alexander – It is aesthetic but it also activates the streetscape; there is no reason the entry has to be in the middle. Access off the front could be in a corner. The goal is to get as much activity on the street as possible.

Mr. Cotter said renderings showing the materials that would be used presented at the next review would be very helpful. He was interested in knowing if there will be visibility through it, around it, or if it would be all glass, etc. The applicant should ensure the structure fits within the context of the area.

Mr. Alexander – In order to consolidate the next two approvals, providing the kind of detail Mr. Cotter is talking about, is substantial.

Mr. Underhill requested that the Concept Plan be voted on so the applicant can return to fight another day.

Ms. Holt – Engineering had requested that the right-of-way be shown on the next submittal, which may have been included in the Planning Report but not the presentation. She added the right-of-way request to the first condition of approval.

The Chair established the first motion did not need to be voted on, as the requested Waiver was withdrawn.

Mr. Underhill asked that the Board be supportive of the Concept Plan. The applicants have taken in everything that had been said.

The Chair reminded the applicants of the roof pitch issue in the second condition to which Mr. Underhill agreed they discussed earlier in the meeting.

Mr. Boggs added square footage is subject to Board approval, no matter the means it is requested. Mr. Underhill – He needed more time to discern the best way forward.

Mr. Cotter moved and Mr. Jewell seconded, to approve the Concept Plan with the 9 amended conditions:

- 1) That a surveyed site plan shall be provided at the subsequent submittal that demonstrates how all applicable setbacks and lot coverage are met; and that the site plan shall show all applicable public right-of-way;
- 2) That the roof pitch shall be shown at a minimum 6:12 (rise:run), and maximum structure height shall not exceed 18 feet at next submittal;
- 3) That the roof material shall be standing seam metal, in a compatible color/finish to the historic building;
- 4) That the applicant shows a public entrance into the accessory structure off of N. High Street;
- 5) That the applicant shall identify evergreen foundation plantings on the south, east, and north sides of the structure and to screen the HVAC system on the next submittal;
- 6) That the applicant shall provide details at the next submittal of all window and door systems, along with colors, materials, finishes and cut sheets for the structure, noting that vinyl is not a permitted material in the district. Chosen colors shall be harmonious with the existing brick structure and suggest a feeling of permanence;
- 7) That the applicant shall provide details of a more permanent, high quality material for the gable ends of the structure, at the next submittal;

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- 8) That the applicant shall provide information on all furniture, lighting, and other elements within the transparent portion of the structure, per Code requirements; and
- 9) That a Waiver request, if necessary, for square footage of the accessory structure shall be made at the next submittal.

Vote: Ms. Cooper, yes; Mr. Alexander, yes; Ms. Kramb, no; Mr. Cotter, yes; and Mr. Jewel, yes.
[Motion carried 4-1]

COMMUNICATIONS

~~The Chair stated proposed meeting dates were identified in the packets provided by Staff and asked if everyone had an opportunity to check those dates for conflicts.~~

~~Mr. Jewell moved, and Ms. Cooper seconded, to approve the proposed meeting dates for March 2022-February 2023.~~

~~Vote: Ms. Kramb, yes; Mr. Jewel, yes; Mr. Alexander, yes; Ms. Cooper, yes; and Mr. Cotter, yes.
[Motion carried 5-0]~~

~~Sarah Holt, Senior Planner, explained there were two separate Historic District Flyers created for the Board to preview. This stemmed from earlier discussions about the Penalty Code and creating a more enforceable and meaningful part of the Code for penalties. Discussions also included creating a more proactive approach. Owners entering the Historic District would be reminded via the tri fold flyer in the City's Welcome Packet that they own a historic structure(s) and there is a process for most changes to that structure, and that Staff is happy to assist and how to contact them. The second flyer, written in a letter form, will go out on an annual basis from the Planning Department to offer their services.~~

~~Hard copies of the new *Historic Design Guidelines* had been distributed to the members.~~

~~As a reminder, the Bios and edits to existing bios are due back to Ms. Holt by December 1, 2021, to be included in the compilation of the Architectural Review Board's Annual Report. Group photos were taken to also be included in the report.~~

~~The Chair adjourned the meeting at 8:15 p.m.~~

DocuSigned by:

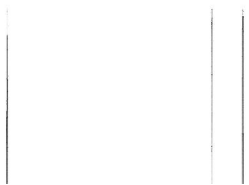
Gary Alexander

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Chair, Architectural Review Board

Sam A Wright

Administrative Assistant (I), Recorder





BOARD DISCUSSION

Architectural Review Board

Wednesday, October 28, 2020 | 6:30 pm

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

**3. Tucci's
20-175INF**

**35 N. High Street
Informal Review**

Proposal: Construction of an approximately 215-square-foot, wine room addition to an existing restaurant on a .23-acre site zoned Bridge Street District Historic Core.

Location: West of N. High Street, approximately 150 feet south of North Street

Request: Informal review with non-binding feedback under the provisions of Zoning Code Sections 153.066 and 153.070 and the *Historic Dublin Design Guidelines*.

Applicant: Thelma Hill Trust, property owner

Representative: Craig Barnum, CLB Restaurants

Planning Contact: Nichole M. Martin, AICP, Planner II

Contact Information: 614.410.4635, nmartin@dublin.oh.us

Case Information: www.dublinohiousa.gov/arb/20-175

RESULT: The Board reviewed and provided informal feedback regarding a 215-square-foot addition to a commercial building. The Board expressed support for the location, size, and architecture of the addition. The Board expressed a preference to not include wall trellises, due to ongoing maintenance concerns. Additionally, the Board requested the applicant coordinate with the City to select appropriate landscape plantings along the north façade.

MEMBERS PRESENT:

Gary Alexander	Yes
Kathleen Bryan	Yes
Amy Kramb	Yes
Sean Cotter	Yes
Frank Kownacki	Yes

STAFF CERTIFICATION

DocuSigned by:

Nichole M. Martin

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Nichole M. Martin, AICP, Planner II



~~eliminate those that are not compatible with the architectural type selected. The cupola could be eliminated, and the rear deck is too modern for a traditional design.~~

~~Mr. Kownacki stated that he likes the cupola, but included with everything else, the design is too "busy." He has no issue with board and batten, but it is becoming very vogue.~~

~~Mr. Bryan stated she agrees that the design should be simplified. She inquired if the applicant had any questions or comments.~~

~~Mr. Carr explained that the issue driving the height is the grade. To avoid having to change the grade, a 9-foot basement has been proposed. That has resulted in a front porch with five instead of three front steps. The height limit is 35 feet. Is the Board requesting that the height be consistent with the house across the street and the house on the adjacent lot?~~

~~Ms. Bryan responded that is the recommendation. Context is critical, and this home should not appear to be sitting higher than the surrounding homes.~~

~~Mr. Carr noted that the cupola is six feet taller than the peak on which it sits and has been designed to be reminiscent of an old barn; he has attempted to keep its height lower than the main ridge of the front façade. Finally, board and batten material has been used for many years, and because it has historical reference, he does not believe it is reflective of a trend. However, the same general contractor is building this home and the one on the adjacent site, so it will not be difficult to identify the ridge height of the other home.~~

~~Mr. Alexander stated that this applicant should not be penalized because two other new homes in the neighborhood have 1.5 story expressions at the front. There are a couple of other structures that do have a prominent height, and this home should be evaluated within that context.~~

Public Comments

~~There were no public comments.~~

3. Tucci's at 35 N. High Street, 20-175INF, Informal Review

Ms. Bryan stated that this is a request for feedback on the proposed construction of an approximately 215-square-foot, wine room addition to an existing restaurant on a .23-acre site zoned Bridge Street District Historic Core, located west of N. High Street and approximately 150 feet south of North Street.

Staff Presentation

Ms. Martin stated that this is a request for informal review and feedback for a property located on the west side of North High Street, zoned BSD-HC: Bridge Street District – Historic Core. The surrounding commercial development reflects a variety of architectural styles. The site is developed with a single-story building constructed in 1955, which was converted to a restaurant in 1997. The single-story restaurant building is located in the western portion of the site with a patio in the eastern portion, along N. High Street. Wing Hill is located to the south of the restaurant, and a City-owned parcel containing a pedestrian walkway is located to the north. The existing building has an irregular footprint with an L-plan, cross-gable core and additions to the rear. The construction is concrete block with brick veneer along the south and east façades. A flat roof porch defines the

main entry along the east façade. The architecture is vernacular in character and does not represent any single style. The applicant is proposing to expand the existing wine room north of the building with an approximately 215-square foot building addition. The north elevation of the building is proposed to be modified. The proposed architectural style of the addition is a lean-to shed roof addition clad in vertical cedar board and batten siding painted to match the existing structure. The applicant is also proposing two trellis accents and new landscaping to soften the appearance of the addition from the public walkway. The roof will match that of the existing building. Should a formal application be pursued, the applicant will need to work with the City to purchase a portion of the property required for the addition, and preliminary discussions have occurred. The pedestrian walkway and connectivity will be maintained with the proposed improvements.

Staff has suggested the following informal review questions:

- 1) Does the Board support the location of the proposed addition?
- 2) Does the Board support the proposed mass and scale of the addition?
- 3) Does the Board support the proposed character including the conceptual building materials and landscaping?

Applicant Presentation

Craig Barnum, Tucci's at 35 N. High Street, Dublin, OH, stated that Tucci's is a very wine-centric restaurant. The existing wine cellar is extremely small. Currently, they must keep coolers and cases of wine in the garage; the wine cannot be kept in a temperature-controlled environment. This addition to the existing wine cellar will increase the capacity up to 20,000 bottles. The addition will be made architecturally pleasing. Guests will be able to enter the wine cellar and select the wine they desire. The site is on City property, and, although not officially approved, City Council has expressed support for the proposed purchase of the property. He would like to have the Board's informal feedback before filing a formal application for the development.

Board Discussion

- 1) *Does the Board support the location of the proposed addition?*

Mr. Cotter inquired if staff anticipates a future need for a variance.

Ms. Martin responded that there may need for a waiver, but until the property is purchased, the property line is uncertain. It is a priority to maintain the existing pedestrian connectivity.

Mr. Cotter inquired if there will be a need for new HVAC in this addition.

Mr. Barnum responded that it will be necessary to add a cooling unit to be able to keep the wine cellar at 50 degrees. The existing cooling unit is insufficient for the increased capacity.

Mr. Cotter inquired if the location of the units will be the same as the existing location.

Mr. Barnum responded that at this time, he is uncertain.

Mr. Cotter stated that he does not see an issue with the proposed location of the addition.

Ms. Kramb stated that she has no objection to the proposed location, as long as the pedestrian location is maintained.

Mr. Alexander stated that he has no objection to the proposed location, massing and scale.

Mr. Kownacki stated that he has no objections. He would recommend that the mechanicals be kept away from the street view.

Ms. Bryan indicated that she was supportive of the location, as well.

2) *Does the Board support the proposed mass and scale of the addition?*

Board members expressed support of the proposed mass and scale.

3) *Does the Board support the proposed character including the conceptual building materials and landscaping?*

Ms. Krumb stated that the existing bushes will be removed. When the application returns for Board review, she would like to see the final landscaping plan and how the additional mechanicals will be screened. Currently, the large AEP power box is not screened, but it would be good if that could be screened somewhat, as well.

Mr. Barnum stated all the existing landscape is on City property and maintained by the City. There is a large volume of pedestrian traffic on that sidewalk, so it is in his best interest that the landscaping be attractive. They have worked in partnership with the City and added flowers within the area. Whatever he plants in the future would, as well, be on City property.

Mr. Alexander stated that he sees no need for a trellis. It would be difficult to maintain the painted surface behind if there are mature plantings on the trellis.

Mr. Barnum stated that the trellis element was added by the architect; he would prefer not to have it.

Mr. Alexander stated that adding two more vertical landscaping elements should be satisfactory. Board members were supportive of that suggestion.

Ms. Krumb stated that screening the electrical box is more important.

Mr. Barnum stated that those are City utilities, but he would be willing to partner with the City on the screening needs.

~~5. Gardenia Market at 16-22 N. High Street, 20-164ARB-MPR, Minor Project Review~~

~~Ms. Bryan stated that this is a request for the approval of the installation of a lattice fence and overhead lighting for an existing tenant space zoned Bridge Street District Historic Core, northeast of the intersection of N. High Street with West Bridge Street.~~

~~Staff Presentation~~

~~Mr. Hounshell stated that this is a request for review and approval for a Minor Project Review of the property at 16 and 22 N. High Street, which are located on the same parcel. In September 2019, the Architectural Review Board conditionally approved site modifications and exterior modifications to both 16-22 N. High Street. The improvements approved included a roof replacement, façade improvements, window replacements, and a new brick-paved path between the buildings leading into a courtyard space to the rear of 16 N. High Street. With the approved site plan, a condition applied to the proposed lattice fencing on the site that required the applicant to update the lattice to a more durable material such as metal or cedar wood. In 2019, the Architectural Review Board~~



BOARD DISCUSSION

Architectural Review Board

Wednesday, January 29, 2020 | 6:30 pm

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

**2. Tucci's Patio at 35 N. High Street
19-124INF**

Informal Review

Proposal: To enclose an outdoor patio area at an existing restaurant. The 0.23-acre site is zoned Bridge Street District Historic Core.

Location: Northwest of the intersection of N. High Street and Wing Hill Lane.

Request: Informal review and feedback for a potential future application for a Minor Project under the provisions of Zoning Code Sections 153.066—153.070, and the *Historic Dublin Design Guidelines*.

Applicant: Kristin Hlavin, CLB Restaurants

Planning Contact: Jennifer M. Rauch, AICP, Planning Manager

Contact Information: 614.410.4690, jrauch@dublin.oh.us

Case Information: www.dublinohiousa.gov/arb/19-124

RESULT: The Architectural Review Board provided feedback on a proposed glass enclosure over the existing patio located in front of the Tucci's building. The Board expressed concerns about the proposed design of the enclosure finding it did not fit with the architectural character and materials of the District. The members discussed the height and scale of the proposal in relation to the existing and surrounding buildings. The Board raised concerns about the loss of open area between the existing building and the street. They encouraged the applicant to investigate an alternate design that is more sensitive to the Historic District.

MEMBERS PRESENT:

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

STAFF CERTIFICATION

Jennifer M. Rauch, AICP, Planning Manager
Interim Planning Director



Mr. Hounshell responded affirmatively.

Ms. Stenberg inquired if there were any comments on the appropriateness of the four materials, part of which would be a result of grandfathering.

Mr. Keeler inquired what would be the Board's opinion if the board and batten on the westernmost section of the south façade were extended to the top.

Mr. Alexander responded that he also was struggling with the division in materials on that facade, preferring that either all stone veneer or all board and batten would be used.

Mr. Keeler stated that the preference is to have no more than three materials. With the stucco on the other side, there would be four materials. One solution would be that in place of the horizontal siding, take the stone to the front of the building, or use the board and batten siding. However, because the materials are grandfathered, they can remain as is. In regard to the windows, he appreciates Mr. Maloof's willingness to potentially change the windows. Typically, he prefers three-over-threes or four-over-fours, rather than the proposed two-over-twos. Because the window openings are small, however, that might not be possible.

Ms. Stenberg inquired if there was any additional feedback Board members would like to provide.

Mr. Alexander stated that because cultured stone is being added on that façade, the window opening sizes could be changed easily. He is curious as to why that window does not match the others being installed, in the interest of having continuity on that elevation. The Board is not opposed to what is proposed, simply suggesting changes to improve it.

Mr. Maloof responded that one would think the building at the rear was the original, and the building in front was added. However, the photo they have circa 1942 depicts the reverse – the all-block pizza shop building existed earlier. He does not know why the addition in the rear was constructed of two different materials. Regarding the horizontal siding -- he proposed materials he believed to be consistent with the Guidelines. He used a different material for the pizza shop to make it stand out from the rest of the building. Per the building's history, at one time it was a small motel, called the Shamrock Motel, and the doors led to different motel rooms. He did not realize that four materials could be an issue. The construction of the two buildings is different, and stucco and stone were added only to the block building.

The Board had no further feedback to provide the applicant.

Mr. Maloof inquired if Board had any specific recommendations, or would it be acceptable for him to proceed with his plan as proposed.

The Board indicated that they had no objection to his proceeding with the proposed plan.

2. Tucci's Patio at 35 N. High Street, 19-124INF, Informal Review

Ms. Stenberg stated that this is an application for Informal Review and feedback for a potential future application to enclose an outdoor patio area at an existing restaurant. The 0.23-acre site is located northwest of the intersection of N. High Street and Wing Hill Lane and zoned Bridge Street District Historic Core. Upon review and feedback of the Informal Review by the Architectural Review

Board (ARB), the applicant is eligible to file a formal application for review and determination by the ARB.

Staff Presentation

Ms. Rauch stated that this is an Informal Review for a potential future application to enclose the outdoor patio of the existing Tucci's restaurant. The 0.23-acre site is located between High Street and Darby Street, northwest of the intersection of N. High Street and Wing Hill Lane, adjacent to the BriHi site. The one-story restaurant building is located in the western portion of the site with a patio in the eastern portion, along North High Street. Access to the site for minimal parking is located at the rear of the building at the corner of Wing Hill and Darby Street. Right-of-way on Wing Road provides access for trash enclosures for the adjacent BriHi building. Bollards on Wing Hill at its intersection with High Street prevent vehicle entry. The Darby Street parking lot is located northwest of the site. This proposal is for removal of the masonry patio area and construction of a steel, brick, and glass paneled enclosure to allow year-round use of the space. The proposed architectural style includes a gable roof with retractable glass and metal panels to create a solarium style addition. The proposed enclosure would be between 12-15 feet in height and 1,900 square feet in area. The floor plans indicate a reconfigured interior space and modifications to the building entrances. The plans also indicate the inclusion of a series of tables and chairs located outside the proposed enclosure. Site modifications are shown on City property to the north and within the Wing Hill right-of-way to the south. Should a formal application be pursued, the applicant will need to work with the City to understand how these improvements, including the wine cellar expansion, could be accommodated or modified to meet City requirements. Staff has proposed the following questions for the Board's review:

- 1) Does the Board support the construction of a permanent patio enclosure?
- 2) If the Board is supportive of the enclosure, is the Board supportive of the proposed scale, massing, height, and location of the enclosure?
- 3) If the Board is supportive of the enclosure, is the Board supportive of the general architectural design and associated site details for the proposed building?

Applicant Presentation

Craig Barnum, 4446 Tuller Ridge Drive, Dublin, stated that he is the owner of Tucci's. [He provided the Board copies of an architectural rendering of proposed patio enclosure]. The restaurant has been in existence here since January 1988. The dining patio space has been very successful, but from October – March annually, it is necessary to lay off staff, and due to the loss of those 140 seats, sales decrease by 40%. The business is impacted significantly from having its seating capacity reduced from 260 to 120 seats for five-six months of the year. When he was in Detroit this past summer, he visited a restaurant in downtown Detroit, called the Townhouse. That restaurant has this type of structure. Because his visit was during the summer, the sides and roof of the patio enclosure were retracted, and the landscaping inside the space could be seen. He realized the same opportunity existed for Tucci's. The original structure was built in 1953, but where the patio is currently located, there was once a grocery store and post office. Although this restaurant was originally included under the Oscar's and Brazenhead umbrella, in 2010, he succeeded in separating Tucci's to be under the management of his company. At that time, Tucci's evolved from a small wood-fired pizza restaurant into a steak, seafood and wine restaurant. Due to its age, the building is in need of infrastructure remedies. In addition to the patio expansion, the

renovation would include new plumbing and HVAC. It would also include expansion of the wine cellar to the north, partially onto City property. This would enable storage of 5,000 wine bottles in a temperature-controlled area. Currently, he rents a vinyl party tent for 6-7 weeks of the year to cover the timeframes of the Memorial Tournament and his wine-tasting events. During those significant weeks, it is critical that the patio is covered. There are issues when the existing 3,000 sq. ft. patio is full on a very busy night, and a severe storm occurs. There is not space for the 142 patrons on the patio to crowd into the already full restaurant, with plates in hand. If there were a retractable roof, at a push of a button, the area would be protected from the storm. Currently, there is one bar inside the restaurant, from which it is impossible to provide good service to a very busy patio. The proposed renovation would include a second bar in the patio enclosure, as well as a pizza oven and two additional restrooms. The intent is for this renovation to have a "wow" factor. It will be very expensive, but a renovation is critical for this business to be successful. He loves being located on the west side of the river and in Historic Dublin and is excited for the future of that District. He requests the Board's input on materials, building height, etc.

There was no public comment.

Board Discussion

Ms. Stenberg directed the Board's attention to the proposed discussion questions.

- 1) Does the Board support the construction of a permanent patio enclosure?
- 2) If the Board is supportive of the enclosure, is the Board supportive of the proposed scale, massing, height, and location of the enclosure?
- 3) If the Board is supportive of the enclosure, is the Board supportive of the general architectural design and associated site details for the proposed building?

Mr. Keeler stated that he has no objection to a permanent patio enclosure. Is the proposed height 12 or 15 feet and is that measured to the peak of the roof?

Mr. Barnum stated that he is unsure, but he would prefer to have the 15-ft. height, if possible. The 8-ft. ceilings within the front portion of the restaurant are much too low; that part of the restaurant feels claustrophobic. The back of the restaurant has a couple additional feet, so is possibly 10 feet.

Mr. Keeler inquired what is the height of the existing structure.

Ms. Rausch responded that she does not have that information at hand.

Mr. Barnum stated that the building has sections of varying heights; the tallest point to the roof might be 11-12 feet.

Mr. Keeler inquired if the highest point were 12 feet, would that slope down to eight feet on the sides.

Mr. Alexander stated that the slope of the roof would control the height, and the slope is somewhat dictated by the materials and the way in which they are installed.

Mr. Barnum stated that the architect has cited different types and options for roofs.

Mr. Alexander stated that Mr. Barnum's architect might not have been provided the best option for expanding his business in this environment per Dublin City Code. There is another option that has not been explored that would provide the massing needed in context with the surrounding buildings. Because there is a two-story building adjacent to this building, he could build a second

story on his building. The proposed plan does not meet any of the Historic Dublin Design Guidelines. For instance, the Guidelines state that a new addition must be subordinate to the existing structure; this addition clearly would not be subordinate. They also require the use of traditional materials for new construction. The ratio of windows to wall is also an issue -- more solidity than glass is required. In addition, the lot coverage far exceeds the 50% coverage permitted by the zoning. If the Board follows its Guidelines for this area, it is not possible to support this. He has mentioned the need to solve the building's infrastructure problems. If built above the current roof, it will be easier to concentrate the vertical loads or vertical runs. The Board is not denying him the ability to expand his business. However, he believes the proposed plan is the wrong approach on for this site, per City Guidelines.

Mr. Barnum stated that he has been in Old Dublin for 25 years and is aware of the ARB's past strict requirements regarding awning colors, signage, etc. However, Old Dublin is gone. It has been replaced by the Library, the Pedestrian Bridge and the glass structure of the AC Marriott. The new restaurants have no streetscape, open space, greenspace or patios. He has been in Dublin for 25 years and wants to invest in the property, but he is being required to meet Code while new businesses are not.

Ms. Stenberg noted that the ARB did not approve the Library. The new buildings he has referred to are not in the Historic District Core on the west side of the river. There is a specific Code and Design Guidelines for this District, which ARB must enforce. The Board wants to see Tucci's succeed, but it is important to work out a proposal before investing significant money into the plans. A solarium-style structure is not permitted in the Code, so this iteration would be difficult to approve.

Mr. Alexander stated that several months ago, the Board reviewed a similar architectural proposal. Although he was not present for that review, the other Board members were not supportive. In fairness to other applicants, approving this application would be inconsistent.

Ms. Rauch stated that in regard to the lot coverage, the applicant would not be adding additional impervious surface. A past variance was granted for this site to exceed the Code-required lot coverage.

Ms. Stenberg inquired if the Board had any suggestions to offer for improving the proposed plan that would make it acceptable.

Mr. Keeler stated that he likens this to a portable school classroom. Placing a trailer for temporary classroom space next to a school is permitted, but when it is replaced with a permanent structure, there are many standards for the permanent structure. If a proposed structure met the lot coverage requirement, he would consider a solarium concept because the Library is essentially in the same block. Although ARB did not approve the Library structure, it has set a precedent for that specific area. He has been very critical of another applicant's proposal later on this agenda. The reason there is a difference is that this is an existing business to which an addition is proposed. They use a plastic tent part of the year, and it would be replaced with something that is very attractive. It is an improvement over a tent, and Tucci's has been a great steward of Dublin. If the Library were not in place, the situation would be different. However, this is essentially in the same quadrant; therefore, he could support it. Branching out a further distance, he would be opposed

to new buildings that would look like the Library. In this case, it would be a significant improvement, and he likes the direction that is proposed.

Mr. Alexander stated that, in his opinion, the proposed structure scheduled later on the agenda is more consistent with the Code and Guidelines. This application should be held to the same standard. The scale of the adjacent and nearby buildings is not similar to the Library, so he would not make that comparison. The buildings across the street and the adjacent Harvest Pizza shop are quite small. A two-story building would be positioned further back on the site, and would have less impact on Harvest Pizza and the small-scale buildings across the street. Its open space could also remain as open space. Open space is as important as enclosed space.

Mr. Barnum stated that prior to this meeting, he met with every City Council member, and all were supportive. They suggested that the adjacent Wing Hill Alley could be turned into a bricked, common area. His restaurant would be contiguous to that open space, where a stage for his band could be located. There would be open space where the alley currently exists. Later on the agenda, there is an application for a 10,000 sq. ft. restaurant facility. With the new addition, Tucci's would only be a 7,000 sq. ft. restaurant. Of note, this proposed structure does come apart – the windows and roof retract. In the summer, patrons will actually be sitting outside, and with the landscaping and trees within the patio space, it will definitely appear to be outside seating.

Mr. Alexander stated that this site is within the area that must adhere to the Historic Dublin Design Guidelines, which the Board is tasked with enforcing. The new restaurants further down the street have outdoor spaces that are subordinate to the primary structures, and there is open space between the buildings and leading to the Pedestrian Bridge. In these types of cases, the scale must be appropriate and not overwhelm the adjacent buildings.

Mr. Keeler noted that a two-story building, which was suggested, would seem to be a higher scale than the one-story structures across the street and the Harvest Pizza shop.

Mr. Alexander responded that the two-story building would sit further back on the site.

Mr. Barnum stated that from an operational standpoint, a second level is not an option. Servicing an upper level -- carrying food up/down between levels, would be quite difficult.

Mr. Bailey noted that even if a second level were added over the back section of the building, during summer months, customers would prefer the patio, and the vinyl tent would continue to be used.

Mr. Barnum responded that he could continue to use a vinyl tent several months of the year, but that is not an ideal or aesthetic solution. From a business standpoint, terminating staff during the late fall and winter months and rehiring and training new staff for the April through October timeframe is not desirable. Having a permanent structure will make his business more successful.

Mr. Bailey stated that he has no objection to the solarium solution. Although there is a two-story building to the left and a one-story building to the right, the proposed rendering is more reflective of the Library. He believes it is possible to achieve a design that is more in context with Harvest Pizza, for example, that also will achieve what he needs.

Ms. Stenberg stated that the Board is supportive of his finding a solution that will provide what is needed. Mr. Barnum has been in business in Dublin for many years. Although the competition in that area is high, there is great opportunity for Tucci's to continue to provide Dublin great service in the future. It is important to provide what is needed to make this a more feasible business

model. She does not have an issue with the solarium structure during the summer months, as when the windows are retracted, the massing is more in context with the area. During the winter months, it is not. She is confident there is a better design that will achieve what is needed here.

Mr. Alexander suggested that Mr. Barnum work with an architect experienced with Historic Districts, who will understand how to design a structure sensitive to the Code and Guidelines. The proposed structure has been developed from a design used elsewhere that has no relationship to Dublin's Code or the traditional buildings in this district.

Mr. Barnum thanked the Board for their feedback.

3. Property at 48 S. High Street, 19-122ARB-MPR, Minor Project Review

~~Ms. Stenberg stated that this is an application for the installation of a multi-tenant, projecting sign for existing second-story tenant spaces. The 0.25-acre site is east of S. High Street, southeast of the intersection with Spring Hill Lane and zoned Bridge Street District Historic South.~~

Case Presentation

~~Mr. Hounshell stated that this a request for a Minor Project Review for a proposed multi-tenant projecting sign at 48 South High Street for existing second-story tenants. 48-52 South High Street is located southeast of the intersection of South High Street and Spring Hill Lane. 48 South High Street is the northern part of the building with first and second floor tenants. Since 1978, the Board has reviewed several applications for signs and for exterior modifications for 48-52 South High Street. In January 2007, the ARB reviewed and approved an application for a 6-sq. ft. multi-tenant projecting sign for second floor tenants. The existing projecting sign contains three tenant panels, one for each of the tenants located in the second story of the building. The current application is proposed to replace this approved projecting sign.~~

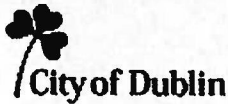
Sign Details:

~~The applicant is proposing a new 7.17-sq. ft. multi-tenant projecting sign for the second-story tenants of 48 South High Street. The sign is 36 inches in height and 30 inches in width. The sign panels are proposed to be constructed of 1-inch thick High Density Urethane (HDU) with 0.5-inch CNC routing for the copy and inline border. The background of the sign is proposed to be painted Amber Slate (Benjamin Moore CW 685). The copy and inline border are proposed to be painted Capitol White (Benjamin Moore CW 10). Each tenant will have a separate sign panel, which will be secured to the existing projecting sign on each side. The proposed sign will be located nine feet from the bottom of the sign to grade, which meets the Code requirement of a minimum of eight feet of clearance from sign to grade. The sign will be 12 feet from the top of the sign to grade, which meets the Code maximum of 15 feet.~~

~~The application has been reviewed against all applicable criteria and guidelines, and staff recommends approval with no conditions.~~

~~There were no public comments.~~

~~There was no Board discussion.~~



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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.

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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

Danielle Devlin, AICP
Senior Planner

**BOARD OF ZONING APPEALS
BOARD ORDER**

July 25, 2002



CITY OF DUBLIN

Division of Planning
5000 Shier-Kings Road
Dublin, Ohio 43016-1236

Phone/TDD: 614-410-4600
Fax: 614-761-4566
Web Site: www.dublin.oh.us

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

4. Variance 02-036V – Tucci's – 35 North High Street

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

Existing Zoning: CB, Central Business District.

Request: A variance to the following Code Sections:

- 1) 153.071(B)(2) to reduce both of the required minimum side yard pavement setbacks from five feet to zero feet;
- 2) 153.071(B)(4)(b) to increase the maximum permitted lot coverage from 80 percent to 91 percent of the total lot area;
- 3) 153.072(A)(1) to reduce the required front building setback from 30 feet to zero feet;
- 4) 153.074(C) to increase the maximum permitted size of an accessory use from 25 percent to 94 percent of the gross floor area of the primary use;
- 5) 153.080(B)(1)(b) to permit a fence forward of building line that completely encloses an area; and
- 6) 153.212 to reduce required off-street parking for a restaurant with an outdoor patio from 94 spaces to two spaces.

Proposed Use: A 3,240-square foot outdoor patio attached to an existing 3,440-square foot restaurant.

Applicant: Thelma Hill, 12921 Beecher Gamble Road, Marysville, Ohio 43040; represented by Craig Barnum, 84 North High Street, Dublin, Ohio 43017.

Staff Contact: Carson Combs, Senior Planner.

MOTION: To approve the above variances, having excluded the requested variance to section 153.201(D)(1), with 27 conditions:

- 1) That all variances apply only to improvements proposed with this application;
- 2) That all screening, shutters and doors be painted to match, subject to staff approval;

**BOARD OF ZONING APPEALS
BOARD ORDER**

July 25, 2002

- 4. Variance 02-036V – Tucci’s – 35 North High Street (Continued)**
- 3) That approval for encroachments in the alley right-of-way be obtained or that an alternative storage location be found, subject to staff approval;
 - 4) That the submitted parking location signage be revised to reflect current parking conditions, subject to staff approval;
 - 5) 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;
 - 6) That a Conditional Use approval for the proposed patio be granted by the Planning Commission;
 - 7) That the patio be installed or that all related, outstanding Code violations and non-compliance issues be immediately resolved;
 - 8) That a final occupancy be granted for the site prior to any use of the outdoor patio;
 - 9) That details and specifications for the proposed accent lighting, wrought iron fence, and benches be submitted, subject to staff approval;
 - 10) That Phase 2 be bonded prior to the issuance of permits, and that it be completed within one year from that date;
 - 11) That gates be installed to meet screening requirements, and that all fencing be installed per Code;
 - 12) 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;
 - 13) That patio furniture utilizing the fewest, uniform colors be better coordinated with the proposed fencing and existing awning, subject to staff approval;
 - 14) 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;
 - 15) 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 loading or unloading occur on North High Street;
 - 16) 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;
 - 17) That a remote parking location for all employees be utilized, and that parking information be provided to patrons;
 - 18) 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;

**BOARD OF ZONING APPEALS
BOARD ORDER**

July 25, 2002

4. Variance 02-036V – Tucci's – 35 North High Street (Continued)

- 19) That no outdoor speakers be installed for use on the exterior of the building;
- 20) 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;
- 21) 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;
- 22) 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;
- 23) 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;
- 24) 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;
- 25) That revised, final plans be submitted prior to review by either the Planning and Zoning Commission or Board of Zoning Appeals;
- 26) That the color and style of the screening on the south elevation be decorative, subject to staff approval; and
- 27) That all outdoor entertainment be curtailed by 11:00 p.m.

*Craig Barnum agreed to the above conditions.


VOTE: 5 – 0.

RESULT: This variance was approved.

RECORDED VOTES:

Brent Davis	Yes
Laurie Elsass	Yes
Jennifer Malinoski	Yes
Jeffrey Ferezan	Yes
G. Lynn McCurdy	Yes

STAFF CERTIFICATION


Barbara M. Clarke
Planning Director

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

Barbara M. Clarke
Planning Director

~~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

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.