

21-194INF – 35 N. HIGH STREET

Summary

Installation of an enclosed structure at an existing restaurant patio.

Site Location

The 0.23-acre site is northwest of the intersection of N. High Street and Wing Hill Lane.

Zoning

HD-HC: Historic District – Historic Core District

Property Owner

Bethan Day Trust

Applicant/Representative

Craig Barnum, CLB Restaurants

Applicable Land Use Regulations

Zoning Code Sections 153.176 and *Historic Design Guidelines*.

Case Manager

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Next Steps



Upon non-binding review of the Informal Review by the Architectural Review Board (ARB), the applicant is eligible to file a formal application for a Concept Plan. The applicant requests that the Preliminary and Final Development Plans be combined; staff supports this request.

Zoning Map



1. Context Map



 <p>City of Dublin</p>	<p>21-194ARB-INF Informal Review Tucc's - Patio Addition 35 N. High Street</p>	<p>0 20 40 Feet</p>	
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2. Overview

Background

The site is developed with a single story building constructed in 1955 which was converted to a restaurant in 1997. The building is located on the western portion of the site with a dining patio in the eastern portion, along N. High Street.

The current restaurant building size is 4,271 square feet, according to the Franklin County Auditor's website, plus the outdoor dining patio. When the site was rezoned into the, then, Bridge Street District-Historic Core on April 9, 2012, specific legal exemption was given to existing buildings and businesses not meeting new size criteria (new restaurants are permitted to be no more than 3,500 gross square feet). This exemption continues today, to protect the rights of previously existing businesses and uses.

As part of the Covid-19 State of Emergency designation on March 17, 2020, the City Manager established a series of Executive Orders to permit temporary patios and structures. The applicant chose to erect a temporary vinyl enclosure for the existing patio (Certificate of Zoning Plan Approval issued on November 3, 2020), to allow for the continued serving of patrons while maintaining appropriate distancing in accordance with these allowances. At the October 25, 2021 City Council meeting, the expiration for the continued use of these temporary facilities was extended to February 28, 2022 (Resolution 61-21). As part of the extension, City Council required all permit holders to provide documentation that the temporary patio or structure would be removed by the expiration date, or that the applicant would submit an application seeking permanent approval. The applicant is presenting this Informal Review in advance of the expiration date.

Applicants who pursued the Executive Orders to construct these temporary structures were advised that these were temporary in nature and would need to be formally reviewed after the Orders were lifted. Any costs of improvements undertaken per the Executive Order was at the express risk of each owner.

Site History

In 2002, the Board of Zoning Appeals granted two variances for this property: to permit 91-percent total lot coverage (85-percent is currently allowed per Code) for the now-existing patio and to permit a parking variance allowing only two on-site spaces (Case 02-036V).

In 2005, the ARB heard an Informal Request for an enclosure of the front porch and fenced-in walkway and a lantern on the roof of the proposed addition. The request was not pursued.

In January of 2020, the applicant presented an Informal Review for an all-season, enclosed glass patio covering with a retractable roof structure. The Board expressed concerns that the proposal was not compatible with the architectural character and materials of the District. The height and scale of the proposal were discussed in relation to the existing building and surrounding context. The Board raised concerns with the loss of open space along N. High Street and encouraged the applicant to investigate an alternative design.

In February 2020, an Informal Review was conducted for construction of a 215-square-foot wine room addition. This request was not pursued.

In November 2021, the applicant requested a Concept Plan to keep the temporary, Emergency Order tent structure as a permanent structure. The structure would have been defined as an accessory structure, and therefore, had size limitations that were not favorable to the restaurant owner. The Board received the concept of enclosing the patio generally favorably, with guidance to meet both the Code and the *Historic Design Guidelines*. Since numerous possibilities exist about how to meet the Guidelines, the applicant has chosen to use the Informal Review to obtain non-binding feedback on two options.

Since the Concept Plan application in November of 2021, further discussions with the applicant and the Law Director's Office have occurred. It has been determined by the Law Director's Office that the existing patio was already approved in 2002; adding a structure over the patio does not affect that approval because the total square footage of the eating/drinking facility does not change. Further, if a new structure is integrated into the existing building, then accessory building requirements would not apply, as they did with the previous Concept Plan application. Therefore, review can be focused on meeting the design standards and Guidelines. A copy of the Law Office's memo is attached.

Review Process

Should the applicant move forward following this Informal Review, they will be required to obtain approval of a Preliminary and Final Development Plan. Since the Concept Plan was reviewed and approved with nine conditions on November 17, 2021, there is no need to repeat that process.

Site Characteristics

Natural Features

The lot is 0.23 acres, and contains trees, landscaping, and a decorative metal fence with brick piers along the northern, eastern, and southern edges of the patio. The patio currently has the temporary tent installed within these elements.

Historic and Cultural Facilities

The existing structure on N. High Street was constructed in 1955. It is not identified on the National Register of Historic Places, but is recommended contributing to the local Historic District, based on location, feeling, setting, and association integrity markers from the City of Dublin Historical and Cultural Assessment from 2017.

Surrounding Land Use and Development Character

North: Historic District – Historic Core (Commercial)

East: Historic District – Historic Core (Commercial)

South: Historic District – Historic Core (Commercial)

West: Historic District – Historic Core (Commercial/Parking)

Road, Pedestrian and Bike Network

The site has frontage on N. High Street, Wing Hill Lane, and Darby Street. A public walkway is located on the north side of the site, providing pedestrian access from Darby Street to the public sidewalk on N. High Street. Currently, pedestrian access to the restaurant is between the original structure and the temporary structure, from the north side.

Code and Guidelines

Historic District – Historic Core

The proposed use is allowed within the zoning district, and includes use specific standards. The restaurant is approved for its lot coverage and total square footage, based on the 2002 BZA Variance.

Historic Design Guidelines

The Guidelines provide guidance on best practices for rehabilitation and new construction. Specifically for new construction, the Guidelines recommend:

3. Proposal

Two separate options are presented for feedback from the ARB: a flat roof addition created by an entirely new structure, and a gabled roof addition that retains the existing tent structure. Both have differing characteristics, and each will be discussed below. Each have a hyphen to connect the structure to the existing building. In either case, the proposed patio coverage would be similar to the existing patio area.

Scale, Mass, Height



Option 1: flat roof

Option 1

Option 1 appears to have a similar footprint as the existing restaurant patio, and therefore, the existing building width. Option 1 is a flat-roofed design, which does not necessarily meet Section 5.3 of the Guidelines, which says that roofing and massing should be the same as surrounding buildings. The resulting lower roof, however, does decrease the overall massing of the addition, which responds better to the pedestrian scale on the three, pedestrian-fronting sides of the addition, per Section 5.3C of the Guidelines. This addition may still not visually meet a “subordinate addition”, as described in Section 4.12A.

A gate and sign structure is located on the north side of the of the property to function as a “street-facing entrance feature”, although an actual N. High Street entrance was a condition of approval at the Concept Plan in November of 2021. The Guidelines recommend a primary entrance fronting on the street (Section 5.5B). A wing wall arch is located on the south side of the addition, toward the back. It’s unclear the purpose of this element, and it does not meet the building width guidance provided by the Guidelines. Additionally, it may impact the public right-of-way and not meet setbacks.

The flat-roofed hyphen sits slightly above the addition at 16 feet, 2 inches tall, and is also wider than the historic building and addition, also negatively responding to the Guidelines. The hyphen houses the proposed HVAC below a suggested parapet, which is a positive response to both the Code and the Guidelines.

Additional brick columns appear to be added surrounding the addition on the north side and at the “street-facing entrance feature”. These columns also indicate lighting. These features also negatively impact the width, massing, and scale of the proposal, and potentially create a false sense of history and/or ornamentation.



Option 2: gabled roof

Option 2

Option 2 has a gabled form that more closely matches the existing historic building and surrounding buildings, better responding to Section 5.3B of the Guidelines. It’s overall massing, however, is much larger in feel and scale, not meeting Guideline 4.12A for subordinate additions. Option 2 shows a gabled roof that is 20 feet 4 inches to the top of the gable, with the hyphen partially visible behind it. A window or vent is shown in the center of the gable to help break up the massing.

Option 2 shows the same gate and sign structure as an entry feature, brick wing wall arch on the south side, and a new entry feature at the hyphen. As with Option 1, these features negatively impact the width, massing, and scale of the proposal. Similarly, the required front entry has been removed from this option.

The flat-roofed hyphen appears to be the same height and width as in Option 1, with the same concerns subordinate design. With this option, the hyphen is more visible, and therefore appears more massive, than in the flat-roofed option.

Materials

Option 1

Conceptual information is provided at this point. Brick to match the historic building is used for the corners, the water table, the entry columns/features, and the south arch. Lap siding is shown on the hyphen. Both flat roofs have a cornice element. Windows are a combination of bi-fold and awning, and the entry on the north side is a glass door flanked by glass windows.

Horizontal metal awnings are shown on all three exposed facades, including the entry on the north side and the corresponding window on the south side; these do not meet with the Guidelines described in Section 5.9, where sloping, fabric awnings are supported, one per window or door.

Brick entry columns are shown at the north side entrance. The entry feature along N. High Street appears to be wrought iron, with additional stepped columns for support and decoration. These features are a mix of traditional, modern, and "Charlestonian" elements that do not appear to blend well with either the addition or the arched brick wing wall on the south side. None of these forms are traditional to Historic Dublin.

Option 2

Similar to Option 1, matching brick is used for the corners, water table, entry columns/features and south arch. Lap siding is again shown for the hyphen. The roof, in this case, appears to be standing seam, and a contrasting cornice is proposed. Skylights are proposed on both the north and south sides of the roof, which will be visible from the public right of way. The Guidelines Section 5.7B state that skylights should be flat and low in profile and placed toward the rear of the building to minimize visibility.

The decorative gable vent or window needs to be defined at the next submittal, if this option is supported by the Board. The bi-fold doors found in Option 1 are also used in this option; however, the awning windows are not included here. The flat metal awnings are shown over all windows and doors. The same comments regarding appropriateness of materials also apply to this option.

4. Summary

Of the two submitted proposals, staff is more supportive of Option 1, which has lesser massing and height and, therefore, better pedestrian scale. It also appears to be more subordinate to the historic structure than Option 2. Improvements to Option 1 could include the use of different materials that would be thinner and less massive. Staff envisions more of a pergola-appearing structure that would emphasize the existing patio through greater transparency. A true hyphen connection could still be made to the existing structure. In order to better meet Guidelines, the hyphen should be shorter and narrower than either the existing or proposed building, as shown in Figure 4.1 of the Guidelines and discussed in Sections 4.12G and H. It could still house the HVAC systems even when reduced in size.

Regardless of approach, the Guidelines still support having a true main entrance on N. High Street. The addition of wing walls, gates, entry columns and lighting, is beyond what is supported by the Guidelines.

5. Informal Review Considerations

1) **Does the Board generally support the scale, massing, and height of the proposed options?**

The property is located in the Historic District – Historic Core. The zoning district permits additions to existing buildings in compliance with the Code requirements and the *Historic Design Guidelines*. The Board should reference the above staff comments and the Code requirements and Guidelines when considering this proposal.

2) **Does the Board support one of the options over the other?**

The *Historic Design Guidelines* will help answer this question. Each option has elements of compliance with, and difference from, the Guidelines; however, one option may stand out as being overall more compliant and desirable. The applicant seeks feedback that can then be used to create a more finalized design for the combined Preliminary and Final Development Plan, anticipated to be submitted for the March 2022 Board hearing.

3) **Does the Board support the architectural elements shown on the options?**

The options provided have many added architectural elements: wing walls, gates, columns, knee walls, lights, and awnings.

4) **Does the Board continue to support a true pedestrian entrance off N. High Street, regardless of option?**

This requirement was a condition of approval in November of 2021. The applicant has shown in both options a gateway entrance off N. High Street, although the actual entrance remains off the public pedestrian way on the north side of the building. The Board may revisit, or reaffirm, this condition of approval as appropriate.

5) **Other considerations from the Board.**

6. Discussion Questions

An Informal Review provides the opportunity for feedback at the formative stage of a project allowing the Architectural Review Board to provide non-binding feedback to an applicant regarding the proposal. Planning recommends the Board consider:

- 1) Does the Board generally support the scale, massing, and height of the proposed options?
- 2) Does the Board support one of the options over the others?
- 3) Does the Board support the architectural elements shown on the options?

- 4) Does the Board continue to support a true pedestrian entrance off N. High Street, regardless of option?
- 5) Other considerations from the Board.