



MEETING MINUTES

Architectural Review Board

Wednesday, July 27, 2022

CALL TO ORDER

Mr. Alexander, Chair, called the June 22, 2022, meeting of the City of Dublin Architectural Review Board (ARB) to order at 6:32 p.m.

PLEDGE OF ALLEGIANCE

The Chair led the Pledge of Allegiance.

ROLL CALL

Board Members present: Mr. Alexander, Mr. Cotter, Ms. Cooper, and Ms. Damaser
Board Member absent: Mr. Jewell was absent.
Staff present: Ms. Holt, Ms. Richard, and Ms. Mullinax

ACCEPTANCE OF DOCUMENTS/APPROVAL OF MINUTES

Mr. Cotter moved, Ms. Cooper seconded, to accept the documents into the record and to approve the meeting minutes from June 22, 2022.

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

[Motion carried 4-0]

CASE PROCEDURES

The Chair stated the Architectural Review Board is responsible for review of construction, modifications or alterations to any site in the area subject to Architectural Board Review under the provision of Zoning Code §153.170. This Board has the final decision-making responsibility on cases under their purview. Anyone who intends to address the Board on any of the cases this evening will be sworn in. The agenda order is typically determined at the beginning of the meeting by the Chair, who also stated the procedures of the meeting. The cases in the minutes follow the order of the published agenda. Anyone who addresses the Board will need to provide their full name and address for the record.

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

NEW CASES

1. Dublin Pop-Up Business - Signs at 63 S. High Street, 22-102MSP, Master Sign Plan

The Chair stated this application was a request for the installation of a ground sign for an existing tenant space zoned Historic District, Historic South. The site is northwest of the intersection of S. High Street with Eberly Hill Lane.

Staff Presentation

Ms. Richard – The 0.26-acre site includes a historic one-and-a-half story home with a detached garage and is surrounded by commercial properties to the north, east, and south, and residential properties to the west. [Aerial view]

In February 2022, the Historic District Taskforce put forth an initiative to improve S. High Street vitality. The intent was to incorporate rotating vendors and artists to promote vitality and pedestrian circulation in the area and the leasing opportunity on this site to do so was presented to City Council.

On July 1, 2022, the City of Dublin signed a lease for one year to allow for Pop-up shops that would be open from 4 – 8 PM on Wednesdays and 1 – 8 PM on Saturdays. These hours of operation would align with the hours of Designated Outdoor Refreshment Area (DORA) to encourage walkability of the area.

The location of the ground sign [aerial graphic] will be located east of the existing building, perpendicular to the front façade. The sign is oriented for both pedestrian and vehicular interaction. A single ground sign being proposed will be located 2 feet from the S. High Street right-of-way. With the existing building footprint currently located approximately 6 feet from the right-of-way, it would be impossible for a proposed ground sign to meet the setback requirement of eight feet. The existing house in the Historic District has long been known for its cream-colored stone and a red front door and red window trim [photograph]. The red color is carried over to the sign to create a unified look between the existing building and sign. The sign is at a pedestrian scale, encouraging visual interest and interactive elements that align with the *Historic Design Guidelines*.

The proposed ground sign is 6 square feet in size, measuring 3 feet in height and 2 feet in width, which meets the maximum permitted size per the Code of 8 square feet for ground signs. The wood-framed sign contains a total of six colors (black, white, red, light green, dark green, and a logo) with durable, high-quality vinyl letters in "Gothic" font. The middle section of the sign, will feature specific vendors based on the day, which will be consistent in color and details that can be easily removed and replaced. Staff recommended a condition to change the vendor names on the sign to black. The sign measured from grade to the top of the sign is 3 feet, 6 inches due to the foundation posts meeting the maximum allowed height of 6 feet per Code. A condition has been recommended that the applicant continue to work with Staff to ensure the landscaping is appropriately scaled to properly screen the exposed sign posts. The applicant considered incorporating red flowers similar to those within the planter boxes to further unify the building architecture and the sign. The ground sign will not be illuminated.

Results of Staff's analysis of sign options at the street level are as follows [table]:

- The ground sign is permanent, temporary sandwich board sign only up during the hours of operation.
- Neither the proposed ground sign nor a sandwich board sign would be able to meet the setback requirement.
- Both signs would interact with pedestrian and vehicular traffic.
- Both signs are limited in both material and color; however, approval of the Master Sign Plan from the Architectural Review Board could permit better materials/colors for the ground sign.

The application was reviewed against the Master Sign Plan Review Criteria and all criteria are met. Therefore, Staff recommended approval of the Master Sign Plan with four (4) conditions:

- 1) That the applicant change the color of the removable vendors portion of the sign to incorporate only black lettering;
- 2) That the applicant continue to work with Staff to ensure the landscaping is appropriately scaled to properly screen the exposed sign foundation;
- 3) That the applicant apply for and successfully obtain approval of Permanent Sign Permits through Building Standards, prior to installation; and
- 4) That the applicant remove the sign upon conclusion of the lease and associated pop-up shops.

Board Questions for Staff

Mr. Cotter – He asked for clarification. He asked if the permanent sign would be free standing or posts buried in the ground.

Ms. Richard – She answered the posts would be buried.

Mr. Alexander – He confirmed the approval was for one year.

Applicant Presentation

Emily Goliver, 6555 Shier Rings Road, Management Analyst, City of Dublin, stated Kendel Blake was also in attendance as a Management Analyst, City of Dublin. They have been working on Pop-Up Dublin for several months, which is the result of Council action and one we are implementing the recommendations from the Historic District Task Force. This is a rotating retail and art experience through December 2022 but could be extended through the full year of the lease, based on success. At the core of pop-up Dublin is Community Engagement.

Themed dates have been planned as follows: August 3 & 6 are Irish themed to coincide with the DIF; October 1 is Harvest themed and the official kick-off of fall; October 22 is for Sustainability theme to promote sustainably sourced and eco-friendly products; December 14 & 17 Holiday themed for holiday shopping; December 7 & 10 – Kids only/no parents to purchase holiday gifts for their loved ones with the help of volunteers and volunteers will be in the garage to handle the gift wrapping.

Feedback has been positive and are looking to add special days to be open on that Thursday and Friday as well. There are 52 approved vendors signed up so far. This initiative will encourage pedestrian traffic along S. High Street; the goal is to prove that retail can thrive in that area. Some of the pop-up dates will feature acoustic music to increase the draw south of Bridge Street. Pop-up Dublin is the result of heavy involvement and partnership with: Visit Dublin Ohio; the Historic Business Association; Crawford Hoving Development Partners; and the Dublin Arts Council, who have been crucial with getting Pop-Up Dublin off the ground. Time has been spent with the neighbors regarding this project. Coast Wine sent out some unsolicited advertising for the City due to the value this will bring to their business, right next door. Residents are excited and glad the City is using this home while maintaining its historical value.

Through this experience, Ms. Goliver learned about the history of this property and about Mrs. Richards and her tomato plants in the back and the red geraniums she placed in her window boxes around her house. Staff has planted red geraniums amongst others to bring that piece of history back. Anyone who grew up in Historic Dublin knows the house by its red trim.

Questions for the Applicant

Mr. Cotter – Autumn and winter days can get darker earlier and he inquired about lighting.

Ms. Goliver – Discussions were focused on the temporary nature of the sign but lighting could be explored.

Mr. Cotter – He inquired about the number of colors. He understood the reason for the colors of red, black, white, and green. The limit per Code is three colors and that is enforced to any other applicant.

Ms. Goliver – They pushed for the red, which is not normally seen in the City, but wanted to pay homage to the historic aspect of the home and site details. She offered to remove the red around the sign.

Mr. Cotter – He asked if the green needed to stay as it represents Dublin.

Ms. Goliver – Green was important as it represents the City of Dublin but also keeps the initiative of being consistent with the City's brand. She said they could make revisions to the colors.

Mr. Cotter – He wanted the number of colors to be decreased, if at all possible as the Board tries to enforce the Code, as it is written.

Ms. Goliver – This was the applicants' first ARB application and were not as versed with the Code so they did not know the logo counted as a color. They will make any changes requested by the Board.

Mr. Alexander – He questioned the time frame for making changes since the Pop-up opens Saturday and wanted to know if the sign had been fabricated.

Ms. Goliver – A sign will not be prepared in time for the opening on Saturday. The City of Dublin has its own sign shop. Next week is a little busy due to the Dublin Irish Festival but after the sign should be fabricated and installed quickly since they do both.

Public Comment

No public comments were received.

Board Discussion

The Chair stated the Board has granted some flexibility in the past for a term of one year based on the circumstances. It appears this request is similar but sign does not conform to Code. He asked the members if they felt strongly the sign should only contain three colors.

Mr. Cotter – He requested a condition where a non-conforming sign could only be up one year and be specific as to why the Board is permitting it to be installed and why it will need to be taken down.

Ms. Cooper – She asked the applicant if the colors would be limited to four.

Ms. Damaser – He liked the red border because it brought out the history of the house. She understood the green for Dublin's brand, having the four colors and the artistry makes sense. The setbacks not being conforming are made up for the fact the sign needs to be in that location.

The Chair asked the applicant if she had reviewed the other four conditions.

Ms. Goliver – She was comfortable with the conditions. They have determined that if the lease is extended for this purpose, they would return to request a permanent sign that complies with the Code.

Ms. Damaser moved and Ms. Cooper seconded, to approve the Master Sign Plan with five (5) conditions:

- 1) That the applicant change the color of the removable vendors portion of the sign to incorporate only black lettering;
- 2) That the applicant continue to work with Staff to ensure the landscaping is appropriately scaled to properly screen the exposed sign foundation;

- 3) That the applicant apply for and successfully obtain approval of Permanent Sign Permits through Building Standards, prior to installation;
- 4) That the applicant remove the sign upon conclusion of the lease and associated pop-up shops; and
- 5) That if the City opts to renew the lease past one year, applicant will return to ARB with a revised sign that better addresses the Historic District Sign Code including High Density Urethane (HDU) routed letters, minimized colors, and mounted on a permanent frame and base.

Vote: Mr. Cotter, yes; Mr. Alexander, yes; Ms. Cooper, yes; and Ms. Damaser, yes.
[Approved 4 – 0]

2. Development at 36-38 N. High Street, 22-085PDP, Preliminary Development Plan

The Chair stated this application was a request for the construction of a two-story, mixed-use building and a two-story residential building on 0.25-acre lot zoned Historic District, Historic Core. The site is located northeast of the intersection of N. High Street with Wing Hill Lane.

Staff Presentation

Ms. Holt – This application includes three separate requests: a Preliminary Development Plan; a Parking Plan; and Waivers. An aerial view showed the location of the site that includes the wall, privy, and stair system, which is surrounded by the same zoning on three sides; the fourth is Historic Residential.

The development history started with an Informal Review in October, 2021 with a key goal to retain views to preserved historic wall, stair, and privy. Building height and massing were discussed at length. At the ARB meeting on March 22, 2022, the Board approved the Concept Plan with a Demolition request with a condition that the demolition be held off until the Final Development Plan was fully approved. The Concept Plan had conditions of approval, which have all be met with this current application.

The existing conditions of both the front and back of the buildings along with the historic wall, steps, and privy were all shown as well as the detail along N. High Street and Wing Hill Lane [photographs]. The proposed site plan included: the stone wall and privy preserved; the 6,024-square-foot, 2-story mixed-use building; the 3,750-square-foot, 2-story, 2-unit residential building; parking throughout the site; bike parking in the northeast corner; five-foot sidewalks for Wing Hill Lane and N. Blacksmith Lane; and trash locations on the north side of the property. Renderings revealed the character of the mixed-use building on N. High Street from both north and south directions and drawings noted the details. The proposed materials for the mixed-use building are as follows: Rusticated limestone veneer for foundation/water tables; Brick in Belden Yukon Blend for the south portion of the building; smooth limestone cladding for window details and vertical elements; Horizontal wood siding in Sage Green Light for the north portion; Standing seam metal roof in Gunsmith Grey; and Aluminum-clad wood windows and doors from Marvin, or similar. Renderings and detailed drawings of the residential building were presented. The proposed materials for that building are as follows: the limestone for the water table is the same the mixed-use; building with Horizontal siding; Grapy and Pavestone; Accents in Roycroft Adobe and Randolph Gray; body color in Roycroft Adobe; Standing seam metal roof again in Gunsmith Gray; and Aluminum-clad wood windows from Marvin or similar.

There are a total of 44 parking spaces required on-site; 10 are provided and 34 are requested to be off-site. There are 103 spaces available at the Darby Lot and 181 spaces or 50% spaces potentially available in the library garage. Staff supports the Parking Plan.

The first Waiver is for Lot Coverage to allow 90% where 85% is the maximum permitted in this zone district, which Staff supports.

The second Waiver request is for the Juliet Balcony to be located 1.5 stories. Code requires the balconies to be installed at 2 stories in height. Staff supports this Waiver since the topography slopes down and it would provide visual interest along Wing Hill Lane.

The third Waiver is a request for No Foundation Plantings due to the limited space per the building placement. Staff supports the Waiver per the offset of the installation of ornamental trees along the sidewalk installation.

Staff supports the Preliminary Development Plan with eight (8) conditions:

- 1) That the applicant shall investigate methods for stabilizing the on-site portion of the existing wall shared with 40 N. High Street and present the least impacting option at the Final Development Plan Review;
- 2) That the applicant shall provide methods for protecting the adjacent historic stone wall during removal of the non-historic stone wall at the southeast corner/east side of the existing building at the Final Development Plan Review;
- 3) That the provision of additional sanitary sewer line/s and water line/s shall be further investigated at the Final Development Plan Review; to the satisfaction of the City of Dublin, Division of Utilities;
- 4) That the applicant shall work with Staff to address outstanding storm sewer comments to the satisfaction of City Engineering at the Final Development Plan Review;
- 5) That the applicant shall work with Staff to ensure all proposed parking spaces have adequate maneuverability at the Final Development Plan Review;
- 6) That the unidentified bollards on Sheet C-007 shall be identified on the Final Development Plan and also changed to dark bronze in color, if applicable;
- 7) That the applicant shall further explore the opportunity for, and survivability of, foundation plantings along the north property line. Should this not prove feasible, a Waiver will be sought at the Final Development Plan Review; and
- 8) That the applicant shall work with Staff to determine any possible required distances between buildings and utility poles/lines/transformers; and any required changes shall be reflected in the plans at the Final Development Plan Review.

Board Questions for Staff

The Chair - For the benefit if everyone, currently there are a lot of conditions and as the Board goes through this review, the project could still move forward even if not all current conditions are approved and

conditions could still be added to the current slate. The Board shall review each issue and view may differ from Staff's recommendations.

Mr. Cotter – Inquired about the current lot coverage.

Ms. Holt – The applicant can answer that question.

Mr. Cotter – Inquired about the trash location on the north side and the route for the garbage truck.

Ms. Holt – The site is on two different levels. Trash for mixed-use is same level as N. High Street and user would roll it out to the curb. Residential building is on the Blacksmith Lane level and would be wheeled out to that curb.

Mr. Cotter – Inquired about the existing gravel drive between the buildings.

Ms. Holt – That is for the dentist at 40 N. High Street, which spills over onto this lot.

Ms. Cooper – Did not know trash is permitted to be picked up on High Street; all trash is collected in the alley or behind on Blacksmith Lane or behind the existing building. The building is proposed to be used for a restaurant and offices and asked if 6, 96-gallon trash receptacles were going to be adequate. She asked where the receptacles would sit by using the rendering provided. The gravel drive as a whole is not part of the applicant's property and the front of the building would be significantly impacted. She did not see logistically how trash collection would work, as proposed. This sits immediately adjacent to the historic wall, staircase, and privy, which will take away from highlighting the historic nature of that part of the property. She was not aware the City of Dublin had trash collection along N. High Street.

Ms. Holt – She did not know what happens along N. High Street for trash collection and will look into that matter and address at the next stage.

Applicant Presentation

Tim Lei, Tim Lei Architects, 401 W. Town Street, Columbus, Ohio, stated he was the architect for the project.

Wes Davis, Osbourn Engineering, 130 Chestnut Street, Suite 401, Columbus, Ohio 43215, introduced himself.

Phil Moorehead, Landscape Architect, G2Planning and Design, 720 E. Broad Street, Columbus, Ohio 43215, was also available for questions.

Mr. Lei – There were several changes. There was a door with a stoop that came out on Wing Hill Lane that was part of the history of the building but service folks would not accept that so the entry was eliminated and a Juliet Balcony was added. The windows on the south side were decreased in size. A sprinkler system for fire suppression was not required for this size of a building, however there were limits on the window openings. This altered the overall aesthetic of the project so vertical elements were added, created a regularized rhythm to allow a variation in window sizes for different practical reasons. The corner on Wing Hill and N. High Street was the focal point of this project. They have brought different elements together to elevate the two-story, commercial building with a history of stone. A large part of the Wing Hill family were masons and they had a barn and animals. He wanted to bring in the masonry and agricultural elements to represent the history in a dignified way. That set the whole project. There was a smaller addition at the back. The massing was shifted on the east side. There might be a quick serve restaurant on the south side and a bakery on the north side. Ms. Holt has been urging us to use some bright color. After reviewing the catalogue of pre-approved paint colors for Historic Dublin, they decided upon something more subtle. The applicant wants it to be new but at the same time, it should be a respectful addition to the neighborhood, not necessarily wanting to jump out; little detail and accents can jump out as something unexpected and provide a sense of discovery.

There had been a big cutout on the second floor of the residential building. Changes have occurred while balancing the aesthetic with function. Each unit now has a two-car garage, which greatly improved the value but did not leave much space. Most of the living space is on the second floor as an open floor plan including the living room that faces east with a balcony, a kitchen, and dining area, with the bathroom behind. The two bedroom unit has a really nice, spacious vaulted ceiling on the second floor.

Mr. Davis – The location of the trash for this site has been a challenge given the use for the multi-use building and how that is going to operate. The gravel from the property to the north encroaches on our property other constraints include the location of the privy and historic wall have made it somewhat difficult. The applicant started looking north along the mixed-use building on N. High Street for the trash location to mitigate over to the west. The applicant will research the rules for trash pick-up in Dublin and work through that along with the uses contained within the mixed-use building.

Mr. Alexander – He asked if Dublin will pick-up non-residential trash or if that service will need to be contracted out. With gravel on a grade, it will be hard to push a full dumpster.

Mr. Davis – Grade changes have been a challenge on this site. There is a 20-foot drop from N. High Street down to Blacksmith Lane.

Mr. Cotter – He questioned the maneuverability for parking. He confirmed with the applicant that they were maximizing the number of spaces totaling five (5) to be on site.

Ms. Cooper – She asked the applicant to consider putting the waste facility on the parking lot area.

Mr. Davis – That bump-out needs to be utilized for the townhome garage. Placing a dumpster there would impede the ability to get the car out of the garage.

Mr. Cotter – Inquired about the current lot coverage.

Mr. Davis – Sub 60% but would need to verify.

Mr. Alexander – The Waiver for lot coverage concerned him. The applicant has a clean slate and can control what goes on at this site. He asked the applicant why the 85% lot coverage needed to be exceeded since more than 85% would be huge. The language in the Planning Report does not seem to meet the standards so far. Usually, Waivers are requested because a site condition exists with an issue that is imposed on the applicant, to no fault of their own and not an easy fix to remedy a situation or there is no solution so the plan can still be in compliance with Code but in this case, the applicant does not have obstacles.

Mr. Lei – Clarified 85% is not just the building but also all the impervious surface. The applicant is improving what there is, currently. 85% is a great number but the site is incredibly small with lots of limitations. If this becomes a sticking point, the applicant can explore options.

Mr. Alexander - 85% would radiate a lot of heat. Adding a floor and addition in the back is significantly increasing the density. Gravel is going to have a liner under it so water will not be able to run through, more like an impervious surface. He requested a compelling reason from the applicant as to why the lot coverage cannot come down to 85%. There are maintenance issues with permeable pavers and they are only as good as the maintenance.

Mr. Lei – He could possibly get the lot coverage down to 85%.

Mr. Alexander – He had reviewed language from the last review and one of the conditions of approval was window trims to be traditional. He understands design rationale. Moving to the building to the left and building to the back, the Board is not seeing that and he read the requirement directly from the Code.

Mr. Lei – There are two parts to the Code. One is that a proposal needs to be consistent with the neighboring building. The other part regarding detail, states the character should be a modern interpretation of historic style and not a replication. The applicant is trying to convey with this design is not to create a historic building and want to build something that makes sense as a whole. The neighboring building to the north is considered to be contributing to the Historic District in a modern style. The window trim on that building

was definitely not traditional and our building would face that building and believe our building is more traditional. He asked the Board to consider not forcing traditional elements. The applicant is trying to be sympathetic to the context, scale, material of the district, which has been demonstrated. Because we have so many different sizes of windows, when we start to make them two over two or six over six, it does not work within our vision for the elevation.

Ms. Cooper – She was still really concerned about the configuration of the internal parking and adequate waste facilities. If the size was reduced to fall within the 85% Lot Coverage requirement, more permeable areas might be found that are needed on the north side of the building. Move the waste facilities for the commercial building to the parking area below.

Mr. Lei – Last time we were here, we had 5 parking spaces on the west side of the parking lot with two parallel parking spaces on the other side of the lot. The applicant realized that was too tight. We have receded the parking into the garage. The parking space requirement is 19 feet long by 9 feet wide. The applicant has 26 feet for the drive aisle when 22 feet is required minimum. The last space on the north side is tight. One of engineering's comments was to ensure there was enough maneuvering space for that last space.

Ms. Cooper – She appreciated the attention to maneuverability but is not comfortable with the way the trash enclosure for the commercial building is proposed and particularly since we have the need get the lot coverage percentage down. That might be an area the applicant can find some space for open green space, right by the historic feature to assist with run-off from the building on the north side. She would be supportive of losing a parking space to address a proper trash disposal enclosure for a commercial use like a restaurant. The applicant is already seeking a Waiver for parking. Again, her concern is wheeling 6, 96-gallon trash receptacles out to High Street to be picked up, which is probably not even feasible or even permitted to do from a waste disposal contract basis.

Bob Lombardi, 4912 Pesaro Way, Dublin, OH, 43017, thought that North High Brewing that is a two-story restaurant and bar had quite a few of the 96-gallon trash receptacles but would ask them how they get rid of their trash.

Ms. Cooper – The aesthetic of trash management is important in the historic district. It should be concealed and not intrusive to the adjacent properties and if they are wheeled out front, it is going to take away from the dining on the porch area.

Mr. Lombardi – Trash pick-up is typically handled in the morning without customers around on the north side that is a bakery without a patio out front.

Ms. Cooper – There could be a bakery in that location now but it is unknown what could go in there, next.

Mr. Lombardi – He agreed.

Mr. Lei – Trash is very challenging for this site. If the applicant removes one parking space on the lower level, there is no easy access to go down there. At least ten feet is needed to go down the historic stair that cannot be touched and not technically safe to use, which is his biggest concern. There is no safe way to access the stair from the restaurant with snow and ice added. Yes, the trash pick-up could be better from the lower level but for the occupants to go down to the lower level with trash will be very challenging for them to do so in snow and ice. The applicant will consider options to address the concerns and return with a better solution.

Mr. Alexander – Upon reviewing the drawing, there is 29 feet between the parking and the face of the residential structure with eight or nine-foot doors. The tendency is to come in slightly diagonally, if it is a double door. He was not an advocate of the aesthetic, but makes it a lot easier to turn in there. Scale proposed is better. Ideally you want to come straight in these small spots.

Ms. Cooper – Agreed double doors allow for some space.

Mr. Lei – Double doors are proposed at 16 feet wide, one for each unit.

Mr. Alexander - The remediation for the stone wall is yet to be fully worked out.

Mr. Lei - Stone wall remediation is probably going to happen earlier than what the applicant would like; the wall is literally collapsing. A large crack that developed about a year or two ago. The root cause is due to the grading of the neighbor's parking lot to slope to our property from north to south. All the stormwater, comes over our wall, on the north side of our site but south of the neighbor's property, which includes their roof drain. Tons of water gets dumped there. The proposed solution is to remove the stone, install a drain that ties to the storm drain and rebuild the stair. The stair will be restacked as it is now with self-compacting gravel, similar to small pea gravel. Working with Ms. Holt, will get some agreement with our neighbors earlier rather than later. This is not to change the stair, just to make it safe. When the neighbor was here for their project, the Board approved taking the stair down and rebuilding it but that was on his property, relative to his project under the old Code.

Ms. Holt - Under the old Code, approvals lasted for one (1) year.

Mr. Alexander - This applicant would need to return for a Minor Project Review to show the Board the details as that is part of the historic fabric of this project.

Mr. Lei - He was concerned about the timeline for coming back.

Ms. Holt - Since part of this is on the neighbor's property, there would need to be a joint application with both property owners being party to it. The MPR can be concurrent with the Final Development Plan to not delay the process.

Public Comment

No public comments were received.

Board Discussion

Mr. Cotter - He was open to modifying the five parking spaces to gain other things.

Ms. Holt - Added condition 11.

Ms. Damaser - If the applicant reduced the on-site parking, would Staff feel comfortable transferring that parking to the remote lots.

Ms. Holt - Answered affirmatively. The goal was to have more neighborhood parking where parking is contained in organized groups around the district instead of having on-site parking.

Mr. Alexander - Approval for lot coverage at 90%. He was not comfortable with that. We just adopted a new Code and this would be a request for a substantial change.

Mr. Cotter - More and more applicants have requested to squeeze more onto properties.

Ms. Damaser - Suggested instead of saying 85 - 90%, but stating 10 - 15% it sounds huge. She agreed the lot coverage Waiver should not be granted.

Ms. Cooper - Agreed considering the applicant is not working with any existing conditions that are restricting.

The Chair - We will strike that Waiver.

The Chair - He asked the members about the Waiver for the Juliet Balcony. He requested clarification for the way the request is written as it appears the proposed bottom of the balcony would be five (5) above grade.

Mr. Lei - The meaning of the Code is that the balcony is supposed to be on the second floor only. Because the ground slopes down, the balcony ends up being about a half story up. That is why it is called 1.5 story when it is really a half story up from one story.

Mr. Alexander - If the balcony is going to be installed where it is located on the drawing, it is fine.

Ms. Damaser was good with the location of the Juliet Balcony on that façade.

Ms. Cooper was not opposed.

The Chair – He asked the members about the Waiver for No Foundation Plantings on Wing Hill Lane.

Ms. Damaser was agreeable to the Waiver given trees will be planted.

Mr. Cotter agreed with Ms. Damaser and added the sidewalks will be a benefit.

Ms. Cooper – It ties more to the overall site plan that we need to accommodate a reduction and find a better solution for addressing the trash disposal situation. There is no problem with the Waiver for No Foundation Plantings but maybe there will be an opportunity for some foundation plantings on the north side for instance if there are some changes made.

The Chair – If the applicant revises the site plan, this would give flexibility to have 5% more potential landscape. This is a good compromise.

The Chair – He asked the members about the approval of the Preliminary Development Plan with the conditions:

- 1) That the applicant shall investigate methods for stabilizing the on-site portion of the existing wall shared with 40 N. High Street and present the least impacting option at the Final Development Plan Review;

The Chair – The first one is pretty clear.

- 2) That the applicant shall provide methods for protecting the adjacent historic stone wall during removal of the non-historic stone wall at the southeast corner/east side of the existing building at the Final Development Plan Review;

The Chair – No conversation about the second condition.

- 3) That the provision of additional sanitary sewer line(s) and water line(s) shall be further investigated at the Final Development Plan Review; to the satisfaction of the City of Dublin, Division of Utilities;

The Chair – Condition 3 is fine.

- 4) That the applicant shall work with Staff to address outstanding storm sewer comments to the satisfaction of City Engineering at the Final Development Plan Review;

The Chair – Fine.

- 5) That the applicant shall work with Staff to ensure all proposed parking spaces have adequate maneuverability at the Final Development Plan Review;

The Chair – This needs to be kept in mind when designing the Parking Plan.

- 6) That the unidentified bollards on Sheet C-007 shall be identified on the Final Development Plan and also changed to dark bronze in color, if applicable;

The Chair – He asked Ms. Holt if the color had to be so specific.

Ms. Holt – Bollards were not found on the site plan. If bollards are on site, the color cannot be a bright yellow.

Mr. Lei – There are no bollards on site.

The Chair – Remove Condition 6. But then Ms. Damaser said maybe it should be left in just in case it is noted in the development text.

- 7) That the applicant shall further explore the opportunity for, and survivability of, foundation plantings along the north property line. Should this not prove feasible, a Waiver will be sought at the Final Development Plan Review;

The Chair – He asked the applicant if he was agreeable with Condition 7 and Mr. Lei answered, affirmatively.

- 8) That the applicant shall work with Staff to determine any possible required distances between buildings and utility poles/lines/transformers; and any required changes shall be reflected in the plans at the Final Development Plan Review;

Mr. Lei – Yes, as that is the next step that has to be completed.

- 9) That the trash collection shall be further evaluated at the Final Development Plan Review regarding on-street collection and the ability to integrate with the historic wall and privy system on-site;

Ms. Cooper – She liked the condition up until the verbiage of “at the Final Development Plan Review” as she had expressed repeatedly her concerns and is hoping there will be a resolution that will be aesthetically pleasing and practical.

The Chair – He asked if the language should be changed. This comes up in Condition 11 as well.

Ms. Cooper – Verbiage in Condition 11 was fine. There is not a way to integrate the trash receptacles with the historic wall and privy system on the north side of the building. This will also be an issue with access and disposal. She understood there is a drop down spot down to the parking lot area, which may present additional problems for accessing trash. She did not have a good recommendation for changing the language other than it needs to be further evaluated to be consistent with the Historic District Plan.

The Chair – The condition is open ended.

Ms. Cooper – It is the whole aesthetic of the whole downtown district, including the adjacent property proximity.

Ms. Damaser – Condition 9 states the Board does not agree to this part of the proposal at this point and needs to be included, if the Preliminary Development Plan is going to be approved today. As written, it addresses Ms. Cooper’s concern, at least until the Final Development Plan Review.

- 10) That the window and door trim shall be further evaluated at the Final Development Plan Review in order to have greater compliance with surrounding context and forms;

The Chair – The applicant has listened to the Board regarding earlier meeting discussions so the Board appreciates the changes that have been made and the plan is coming closer to their concerns.

- 11) That the configuration of the on-site parking shall be re-examined at the Final Development Plan Review in order to ensure adequate turning movements and perhaps accommodate the trash collection facilities. Should the on-site parking lose space(s) to better accommodate these goals, the Parking Plan shall be approved for the revised number of spaces; and

The Chair – No further discussion is needed.

- 12) That the remediation work for the shared wall, with 40 N. High, shall be a separate joint Minor Project Review application.

The Chair – He asked the applicant if he was agreeable.

Ms. Holt – The remediation work for the shared wall may run concurrently with the Final Development Plan.

Ms. Cooper – She asked if the adjacent property owner plans to come in with an application.

The Chair – The City has not heard from the other property owner for the shared portion of the wall; it is unknown as to what their plan is moving forward.

Mr. Lei – He asked what MPR stood for.

The Chair – Minor Project Review.

The Chair – He called for a motion for the Parking Plan and yet the conditions were separate from the Waivers and yet one of the conditions impacts a Waiver.

Mr. Boggs – He anticipated the Chair's question of whether to approve the Parking Plan and then have a condition relative to the Parking Plan in the Preliminary Development Plan.

The Chair – He asked if it made sense to do that.

Mr. Boggs – He suggested to move to approve the Parking Plan subject to the condition specified in the Preliminary Development Plan and then move forward with a Preliminary Development Plan condition.

Ms. Damaser – She asked if the Board has to approve the Parking Plan at all or if the plan could be tabled.

Ms. Cooper – The Board is not opposed to the Parking Plan, just anticipating the parking is going to change, anyway. She suggested the Parking Plan be approved at the Final Development Plan on the adjustments that have been made.

Mr. Boggs – Agreed.

Ms. Cooper moved, Ms. Damaser seconded, to table the Parking Plan.

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

[Motion passed to table 4 – 0]

Ms. Cooper moved, Ms. Damaser seconded, to approve the Waiver for the Juliet Balcony, as proposed:

1. §153.174(G)(2)(a) **Juliet Balcony** – Required: Juliet balconies are permitted only on upper floors of buildings where windows extend to the floor or where doors are present.

Requested: The proposed balcony is 1 ½ stories above the adjacent grade.

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

[Approved 4 – 0]

Ms. Damaser moved, Ms. Cooper seconded, to approve the Waiver for the Foundation Plantings, as proposed:

2. §153.173(H)(6) **Foundation Plantings** – Required: Building foundation landscaping is required along all sides of a building facing a public or private street or open space or facing a surface parking area located on the same lot but is not required for portions of the front or corner side building facades located within 10 feet of the front property line and where a streetscape or patio treatment is provided.

Requested: No foundation plantings along both buildings on Wing Hill Lane.

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

[Approved 4 – 0]

No action was taken for the Waiver for the Lot Coverage.

Ms. Cooper moved, Ms. Damaser seconded, to approve the Preliminary Development Plan with 12 conditions as identified during the meeting:

- 1) That the applicant shall investigate methods for stabilizing the on-site portion of the existing wall shared with 40 N. High Street and present the least impacting option at the Final Development Plan Review;
- 2) That the applicant shall provide methods for protecting the adjacent historic stone wall during removal of the non-historic stone wall at the southeast corner/east side of the existing building at the Final Development Plan Review;
- 3) That the provision of additional sanitary sewer line/s and water line/s shall be further investigated at the Final Development Plan Review; to the satisfaction of the City of Dublin, Division of Utilities;
- 4) That the applicant shall work with Staff to address outstanding storm sewer comments to the satisfaction of City Engineering at the Final Development Plan Review;
- 5) That the applicant shall work with Staff to ensure all proposed parking spaces have adequate maneuverability at the Final Development Plan Review;
- 6) That the unidentified bollards on Sheet C-007 shall be identified on the Final Development Plan and also changed to dark bronze in color, if applicable;
- 7) That the applicant shall further explore the opportunity for, and survivability of, foundation plantings along the north property line. Should this not prove feasible, a Waiver will be sought at the Final Development Plan Review;
- 8) That the applicant shall work with Staff to determine any possible required distances between buildings and utility poles/lines/transformers; and any required changes shall be reflected in the plans at the Final Development Plan Review;
- 9) That the trash collection shall be further evaluated at the Final Development Plan Review regarding on-street collection and the ability to integrate with the historic wall and privy system on-site;
- 10) That the window and door trim shall be further evaluated at the Final Development Plan Review in order to have greater compliance with surrounding context and forms;
- 11) That the configuration of the on-site parking shall be re-examined at the Final Development Plan Review in order to ensure adequate turning movements and perhaps accommodate the trash collection facilities. Should the on-site parking lose space(s) to better accommodate these goals, the Parking Plan shall be approved for the revised number of spaces; and
- 12) That the remediation work for the shared wall, with 40 N. High, shall be a separate joint Minor Project Review application.

Vote: Mr. Cotter, yes; Mr. Alexander, yes; Ms. Damaser, yes; and Ms. Cooper, yes.
[Approved 4 – 0]

The Chair adjourned the meeting for a short break.
The Board returned to the dais and the meeting was continued.

3. Tucci's at 35 N. High Street , 22-086PDP, Preliminary Development Plan

The Chair stated this application was a request for the construction of three building additions to an existing restaurant on 0.23-acre site zoned Historic District, Historic Core. The site is located northwest of the intersection of N. High Street with Wing Hill Lane. Material samples were available at the front for the Board to examine prior to the presentation.

Staff Presentation

Ms. Holt – Three applications submitted for this address: Preliminary Development Plan, Parking Plan, and Waivers. The location is south of the library, off of N. High Street, Wing Hill Lane, and Darby Street. A patio is proposed for the east side, a wine room for the north side which is proposed for land previously purchased from the City, and a kitchen and mechanical room addition are proposed for the southwest corner where parking currently exists [Aerial views]. The surrounding properties on all sides share the same zoning.

The COVID-19 Emergency Measures taken as part of this project history were described in the Planning Report. Previous requests pertinent to this application include: Lot coverage and parking variances granted in 2002, which at 90% Lot coverage still applies. A Concept Plan in November 2021, was a request to keep some form of the temporary structure in place. The plan was generally well-received, with acknowledgement that the details of meeting the *Historic District Guidelines* would be paramount. In January 2022, the Board informally reviewed potential design solutions. Tonight, the request is for a review of an expanded, 3-phased project previously described as part of a Preliminary Development Plan with a new Parking Plan.

Existing conditions were presented [photographs]. The applicant states the site will have lot coverage at 90%; 91% was permitted from a 2002 Variance. Site plans and phasing show a patio enclosure, hyphen connection, ADA ramps, and outdoor tables are part of Phase 1; Phase 2 will include the Wine Room addition; and Phase 3 will include a kitchen/mechanical addition and an enclosure for exterior dumpsters. There is potential encroachment into the right-of-way on the south side. The applicant indicated a pedestrian walkway along Darby Street for safety proposed in brick with bollards added.

The proposed project for Phase 1 was presented as a site plan with details and renderings for perspective and context. The patio enclosure is to accommodate inside eating with the entry on the north side, a hyphen section that connects to the original building, ADA ramps, and an outside eating area in the southeast corner. The glass and brick area represents the patio enclosure with a flat roof per the Board's direction even though that will require a Waiver. The hyphen has been lowered, inset, and clad in board and batten siding. The gate entryway is adjusted as there can be no swinging gate per ADA ramp requirements. Flat awnings were proposed between the folding and transom window to allow the folding windows to open for maximum light. The wine room addition as part of Phase 2 is proposed with a flat roof, clad in Hardie-Plank board and batten siding, and a shutter design proposed for pedestrian interest. In Phase 3, the expansion of the kitchen and mechanical room would cover two existing parking spaces, hence the need for a new Parking Plan and will also include an enclosure for currently exposed dumpsters. The Hardie-Plank board and batten siding along with the shutter design is repeated for this addition. This proposal does not appear to meet the five-foot rear setback requirement.

Materials were presented for the patio enclosure that included: Brick to match existing building; Patio brick to match existing; Existing patio furniture without umbrellas; and Hardie Plank. Proposed roof material is Thermoplastic Polyolefin/TPO in white. Staff has concerns about visibility from Bri-Hi and public realm. The following paint colors were shown: Hammered Silver for Hardie Plank board and batten; Roycroft Copper Red for window frames on patio enclosure; Roycroft Bottle Green for shutters on wine room and kitchen

expansion; windows to be Khaki finish from Kolbe; and windows and doors to be both folding and static, from Kolbe.

The entire project, including all phases was shown from all four sides with adjacent buildings included for context and colors were represented on the graphic as proposed. Part of the entry gate and fencing details for the patio enclosure were presented but the materials and colors shall be supplied at the Final Development Plan.

Two types of lighting are proposed at this stage. One to replace non-compliant security-style lighting on the existing building = WDGE in bronze. The exposed conduit is also the subject of the recommended condition of approval to paint and match to surrounding walls. The second light fixture for the patio enclosure is subject of Condition of Approval as it is not full cut off. Lumen information is needed. Staff requested lights only be installed on brick columns.

A graphic was presented to show the Parking Plan with the request for 78 off-site spaces and the two large parking areas that are available.

Off-site parking for all 78 spaces required will continually be available in the Darby Lot, used primarily, as it is directly adjacent to the site with a total of 103 vehicular spaces. The Library Garage also has spaces available within a 600-foot radius of the site where a total of 362 spaces could be available.

Waiver for Building Size to allow building of 7,841 gross square feet, where existing building is 7,256 gross square feet is currently permitted. All criteria are met, met with conditions, or not applicable. Staff supports this Waiver.

Waiver for Roof Pitch to allow a slope of ¼: 12 where flat roofs are not permitted in the Historic Core District. Staff supports it based on the positive effect to massing and scale.

Waiver to allow the use of Hardie-Plank for siding, noting that a Condition of Approval addresses the texture of the plank. Staff supports the use of this material to permit the use of smooth Hardie-Plank siding that matches the texture of real wood and is more durable.

Staff recommends a Preliminary Development Plan with 16 conditions:

- 1) That the owner/applicant shall work with the City to remedy the existing encroachment along Wing Hill Lane at the Final Development Plan Review;
- 2) That the depicted property line on the south side to encompass the encroachment shall be removed at the Final Development Plan Review;
- 3) That the applicant shall demonstrate that the new kitchen/mechanical addition meets the required 5-foot rear setback at the Final Development Plan Review. This may necessitate the use of a different door system for the dumpster enclosure, which shall not encroach into any right-of-way;
- 4) That the proposal to tie into an existing manhole or grease interceptor shall be further addressed at the Final Development Plan Review;
- 5) That the solution on conveying stormwater appropriately on-site shall be finalized during the Final Development Plan Review, to the satisfaction of the City Engineer;

- 6) That the restoration of City landscape, paving, and lighting shall be accomplished to the same or better conditions, post-construction on the north property line at the wine room. This shall be depicted on the Final Development Plan Review landscape plan and notes;
- 7) That the applicant continue to work with Staff on the pedestrian path and bollards on the Darby Street right-of-way;
- 8) That the proposed shutter details on the blank wall elevations shall be detailed at the Final Development Plan Review;
- 9) That the landscape plan, and all other plans, shall reflect the new architectural layout regarding the hyphen area at the Final Development Plan Review;
- 10) That the Thermoplastic Polyolefin (TPO) recycled rubber roofing material color shall be shown as Medium Bronze or Rock Brown, to be more in keeping with the character of the district at the Final Development Plan Review;
- 11) That all Hardie-Plank siding shall be shown as "smooth" at the Final Development Plan Review to better match the effect of real wood siding;
- 12) That the applicant shall demonstrate how the dumpster doors will be self-closing at the Final Development Plan Review;
- 13) That the plans shall be revised to include a matte finish for the windows and doors at the Final Development Plan Review;
- 14) That the proposed lighting shall meet all cut-off, lumens, and foot candle requirements. Lighting on the patio enclosure shall be limited to the brick columns at the Final Development Plan Review;
- 15) That the applicant shall indicate that all patio enclosure tables match, and continue to work with staff on the colors and materials for the chairs the Final Development Plan Review; and
- 16) That the applicant shall demonstrate the existing unpainted exterior utility chases/conduit will be painted to match the surrounding wall color/s. Color chips shall be provided at the Final Development Plan Review.

Board Questions for Staff

Mr. Alexander – He confirmed the Board is approving a Master Plan that includes three phases. If the other two phases do not move forward within a year, the applicant would need to return for the approval of those phases?

Ms. Holt – The timeline was extended to two (2) years through the new Zoning Code.

Mr. Cotter – He confirmed the present lot coverage and that the applicant is permitted to add about 600 square feet to that. A few years ago, the Board approved the wine room addition for about 200 square feet but the applicant did not go forward with it. The kitchen addition, which is now being requested is about 400 square feet.

Ms. Holt – The applicant can provide specific numbers.

Mr. Alexander – He thought the applicant was approved in 2002 for 91% lot coverage.

Ms. Holt – The BZA had approved the lot coverage through a Variance request. With this application, the request is just for 90% lot coverage.
There was a discussion amongst all to clarify lot coverage and where it was applied.

Applicant Presentation

Michael Lusk, Principle with Lusk Architecture, 6170 Riverside Drive, Dublin, Ohio, thanked everyone for the support for this complex endeavor. The operation of the hyphen has been worked out since the last meeting. He offered to go through the whole project or just open it up to questions.

The Chair – He asked the members if they had any initial questions for the applicant.

Mr. Alexander – During Covid-19 Pandemic, the two parking spaces were used for food pick up. He asked how that would be handled now.

Mr. Lusk – The parking lot to the west would need to be used for that purpose. Originally, that area of pavement was used for access into the garages. The garages are fully operational internally and access is not needed from the exterior.

Craig Barnum - Occurs on Wing Hill Lane; orders are picked up in the alleyway.

Mr. Alexander – He asked why the transoms do not have the same division in the windows as the doors below.

Mr. Lusk – The windows are set per the sizes they can be to be operational. The applicant wanted to break the scale down some as a design approach to appear industrial. The accent trim is in red and not the windows themselves, which are a khaki color. All windows and doors will be the khaki color.

Mr. Alexander – At one point, Mr. Barnum showed the Board trellises instead of shutters that you are presenting (wall of the wine room?). He said it was a minor point. The shutters do not appear operational but instead, something tacked on.

Mr. Lusk – The shutters break up the wall facade as a design feature; he was not aware of a trellis proposal.

Mr. Alexander – He asked about how the encroachment came to light as part of the existing structure on the City's property.

Mr. Cotter – He did not have any questions.

Ms. Cooper – She asked Mr. Alexander if he was requesting a change to the shutters on the wine room.

Mr. Alexander – He said he would not make it a condition of his approval. It does not seem needed but it is the applicant's design.

Ms. Cooper – There have been discussions about other windows and shutters. The appearance to her of these shutters was lacking. It brought away the aesthetics of the whole building.

Mr. Lusk – There are existing elements like that now and that is why they added more of the same aesthetic to keep it simple with more detail to be more shutter-like. The existing ones are just simply boards.

Ms. Cooper – She asked if the shutters had to be operational to be permitted in the Historic District.

Mr. Alexander – There have been some shutters approved with some misgivings.

Mr. Cotter – He confirmed there is no window behind the shutter, and therefore, he asked if that was the correct term for that design element.

Mr. Alexander – He thought the applicant was trying to make a connection to the scalloped boards in the seating area.

Mr. Lusk – On the concrete block garage, there are others that are square or rectangle, not just curved.

Mr. Lusk – He said they strived to reduce the presence of the hyphen. The parapets were lowered, initially, about a foot or less then he learned per Code the parapets had to be at least two feet tall. The applicant is open to seeing that lowered if that was the preference of the Board.

Mr. Lusk – The mechanical enclosure has been reduced significantly. There is just one unit that sits back and will not be visible as patrons walk up. The gable is now visible, in response to the Board's comments.

Mr. Lusk – We also did not show a gate there. It was not possible to center it with the front door. Operationally, a gate is going to be problematic; kids can get their fingers pinched in it. At the Final Development Plan the applicant will provide a graphics package and include signage above that gate.

Mr. Alexander – He asked about the material between the windows that the light fixtures are mounted to as there is a condition of approval to move the lights.

Mr. Lusk – It is just a Hardie-Plank material for the trim.

Public Comment

No public comments had been received.

Board Discussion

The Chair – Determined there was not much else to discuss and suggested going through the rest.

Mr. Cotter – He agreed and said he wanted the Board to have an understanding of the lot coverage and are clear on the building coverage – the 600 extra feet.

Mr. Alexander – His understanding based on Mr. Boggs' legal interpretation, if the applicant wants to go all the way up to 91% lot coverage they may.

Mr. Cotter – There needs to be a Waiver around the eating and drinking establishment is going to be too big in this building.

Mr. Boggs – He agreed. There is a Waiver required to expand the footprint of the eating and drinking establishment itself, which is loosely above the indoor areas as well as the outdoor areas. The Lot coverage is anything impervious or semi-impermeable can be up to 91%.

Mr. Alexander – Feasibly, the Board could say, no, you cannot increase that but the square footage be put back into the kitchen or someplace else. If the Board were to say, ok, we were not going to grant that Waiver for increasing the dining space, however they are limited to 91%. That square footage that was going to go in the dining space could be put someplace else.

Mr. Boggs – The kitchen, the dishwashing, and wine room, all of that is included in the eating and drinking facility as well as the dining space. Everything front of house and back of house is part of eating and drinking facility.

Mr. Cotter – Last time the Board talked about how much larger the eating and drinking area was going to be.

Mr. Boggs – It can be what it is now, with out there being a Waiver granted. Even though the use specific limitation on eating and drinking facility that was adopted with the new Code is 3,500 square feet. It is more than that now, which is fine but the additional 600 square feet the applicant is proposing for various functions of the facility, requires a Waiver because it makes it less compliant with the current Code.

Mr. Alexander – Thanked Mr. Cotter for bringing it up and for Mr. Boggs' clarification. If the applicant does not get the Waiver granted, where would the 600 feet come out of?

Mr. Lusk – Right now, if we have to address the setback for the dumpsters some of it will come out of there. They would have to review the plan.

Mr. Cotter – The wine room we did not know was coming. He was asking the Board if they were comfortable with the approximate 5% increase given the discussions they had at the last meeting. He was not so opposed but wanted to hear what the rest of the Board had to say.

Mr. Alexander – He was having difficulty based on the comments from before, also.

Ms. Damaser – She was not at the “before” meetings as she just recently became a member. Just based on this. She understood the applicant is grandfathered into their old number but it is already larger than what the current Code is compared to. Any other restaurant is going to be significantly smaller. She asked the applicant where the 600 feet would come from if the Board did not approve the Waiver for that increase.

Mr. Lusk – They may have to adjust for the 15 feet in the setback; there is 300 square feet or so there. They would look at the outdoor dining, which would be a shame to lose that space. There is not a lot of flexibility in the building footprint without it significantly impacting the schedule.

Mr. Alexander – It was hard for him to see grounds for granting the Waiver. The unusual condition the applicant has is the City is actually giving them in the interpretation of what the applicant can build. This is already a competitive advantage over every other restaurant in the area because of the size you can make it under the current Code and that interpretation. He had trouble with this Waiver.

Ms. Damaser – She found it a misnomer to be outdoor dining. Now there is four-season dining, making a massive dining room that is not consistent with the historic nature of the area.

Mr. Alexander – In the 91% lot coverage, outdoor dining is included in the use.

Mr. Boggs – The existing outdoor dining patio is considered the existing footprint of the eating and drinking facility square footage.

Mr. Cotter – The new thing is more or less the wine room and the kitchen. The other is within where the dining patio was and building on all of it.

Ms. Cooper – If the applicant backs the patio and enclosure up, they could reduce that size, slightly, in order to gain the square footage that they need without exceeding their existing square footage.

Mr. Boggs – He did not know that was the case because there is still the outdoor dining. It would require them to shrink the entire gross square footage indoor or outdoor that is part of the eating and drinking facility versus pavement pavers or other landscaping ancillary on the site.

Mr. Cotter – If everything that is counted – patio, etc. all is going to be eating/drinking regardless. Even if the applicant offers to take two tables out an area has to be eliminated. The Board has to say the applicant cannot have something they want to add on.

Mr. Alexander – Make the dining room smaller and make that area landscape.

Mr. Boggs – Agreed

Ms. Damaser – Pull up 600 square feet of pavers and put in plants and people would not eat in that area.

Mr. Alexander – He asked if the area the applicant uses in the City’s right-of-way was included in the calculations.

Mr. Lusk – That area was not included in either calculation.

Mr. A – If it was included, that takes some square footage out.

Mr. Lusk – It will add square footage on both sides, equally. He approached the dais with a diagram that represented what was currently being used. **The discussion about the diagram was not caught on record.**

Ms. Holt – No encroachment permit has been found so that cannot be included in the calculations. The setback is five feet. She asked everyone to return to their microphones so the discussion could be recorded properly.

Mr. Barnum – The wider expansion of the kitchen was part of a wish list; the main focus through this project and the discussion this evening was to focus on the patio area. They received approval a few years ago on the wine room expansion but it did not go forward because just to do that small project on that north side would be a huge cost where we would need to stage equipment for a 200-square-foot addition. They had planned to add another part to help offset the cost but Covid hit and the project never went forward. The kitchen expansion including additional prepping space does not have to happen. The business needs it but again, the focus is the patio structure to replace the one removed. The applicant went from a free-standing structure outside used during Covid to the requirement of the City to do a continuous

structure. The City is requiring the applicant to take the face of the building off to expand the floor print which he did not want to do originally. There is more expense and probably going to require the restaurant to close down. On top of that, the increase in the square footage is now going to require the applicant to sprinkle the entire facility, which is probably another \$120,000 bill. The expenses are just piling on. He ensured the Board understands the applicant was very fortunate to have that free-standing structure up during Covid for two years and does not want it called a tent as it contained 12, eight-foot, concrete footers. Since that came down June 6, 2022, the business is down 35%, which has been devastating. The clock is ticking and this has been a tremendous hardship for the business. He wanted to work with the City to get that structure out front or for this cost, he could build a brand new restaurant somewhere else. He is renovating a building that was built in 1955, that was a home, which he spent millions of dollars on previously. He is trying to build something very exciting for the district. There are other restaurants in the district that have a larger floor plan even after he makes this expansion and most of those restaurants have all season covered patios – The Avenue, Cap City, and The Pearl. He can only use his, five or six months out of the year. When that closes down this October, the business will get crushed and probably have to let people go. Storms and heat are causing a lot of pain to his business right now. The kitchen expansion can happen during phase two or three, a year or two from now. During the summer there will be some umbrella tables outside the structure and the streetscape will be tremendous. If we do not get that piece, it is still a building, it is still going to look nice and see those windows open up but that small little strip will probably only fit two-top tables out there but will add so much more vibrancy and provide a great aesthetic look from the outside as people walk and drive by. He would hate to lose that as part of the project as it would greatly enhance what they are trying to accomplish.

Mr. Alexander – Posed a hypothetical question. The loss of 600 square feet if a Waiver is not approved, would not kill a project.

Mr. Barnum – The applicant could still operate with the kitchen the way it is. The back area has been a sore spot for the last 10 years with the City to clean that back area up. They have access to the Parking Garage and the Darby Street Lot so losing those two parking spaces back there is not an issue. To clean the area back there with this addition, enclosing the dumpsters - that just helps everybody including the City and the applicant's customers that park in the west side.

Mr. Alexander – He asked what the lot coverage would be without the 600 square feet.

Ms. Damaser – She asked if he meant lot coverage or usage.

Mr. Alexander – He wants to do this differently, he wants the number that equates to the Zoning. He understood 600 square feet pertained to usage but he was interested in lot coverage and not so much the usage to compare, in terms of other projects.

Mr. Boggs – Either way, it is currently a wash.

Mr. Lusk – If the applicant did not build that addition, the area is currently impervious.

Mr. Boggs - It would not change the lot coverage.

Ms. Cooper - The kitchen would add onto the asphalt. The wine room would extend into grass.

Ms. Holt – She confirmed that assessment.

Ms. Cooper – She said they would not be expanding the building would be staying where it was approved back originally at 91%.

Ms. Damaser - Even with this proposal it falls beneath 91%. The Waiver of the usage size is the issue.

Mr. Cotter – The applicant is requesting that they can complete Phase 1.

Mr. Barnum - The wine room expansion would provide storage for all of his inventory where currently it is spread into different areas, including the garage. The wine room would be a guest amenity feature; patrons could walk in to view the bottles and that has to happen. It is not a dining room area but has to have it for security. If he has to lose something in this phase, he would rather lose the kitchen and keep the wine cellar intact.

Mr. Alexander – The Board would not change the lot coverage. These are independent issues.

Mr. Boggs – The lot coverage is not remaining the same, as the addition of the wine room would add to the existing lot coverage but even with the addition of the wine room, the applicant would be below their permitted 91% lot coverage.

Mr. Alexander – Asked if the Board could amend the earlier Variance to state if the Board were to approve this, that the applicant cannot increase the lot coverage beyond what it is now.

Mr. Boggs – He would not recommend that.

Ms. Cooper – Because it was already approved, this Board would not want to approve a new construction that was going to extend beyond 85%. That would go against the rules, standards, zoning, etc. In this case, this Board did not make that decision; that decision was made by the Board of Zoning Appeals via a Variance approval.

Mr. Cotter – The wine room has already been approved and he is okay with that.

Ms. Cooper – She was okay with the kitchen because there is already asphalt back there anyway, so nothing is being increased in terms of lot usage.

Ms. Damaser – It is the building for that usage size Variance that this Board has to worry about today and that is what is giving her heartburn. She appreciated the applicant's presentation very much which provided her with color to the issue.

Mr. Alexander – Even though lot coverage may not change, the building mass changes.

Ms. Damaser – She agreed that was her problem.

Mr. Alexander – If the Board does not approve the Waiver, is there a vehicle whereby the building mass could be increased without coming back to this Board.

Mr. Boggs – If the Waiver of the 3,500 gross square foot use limitation for eating and drinking facility is not a limitation on structure and if not approved this evening, the applicant could still move forward with the structure in the front. It is agnostic if it is structured space or outdoor space. Everything as he understood it except for this additional kitchen space.

Mr. Alexander – We all want to approve the dining. The challenge is the building getting too large. It is not just dining it is a corner here a corner there. The building has grown over time. It does not seem fair to other applicants this Board restricts. Is there a logical way to do that?

Mr. Boggs – He interpreted what the applicant said which is that if the Board did not approve the Waiver tonight to exceed the 3,500 square feet, he would move forward with everything else except for the additional kitchen space. He would get those benefits, even without the approval of the Waiver, if the Waiver is a sticking point for the Board. If the applicant wants to return later for that additional kitchen space, the Waiver would need to be requested again with a separate application.

Mr. Cotter – The wine room would need to be included in this evening's application.

Ms. Damaser – The applicant can shuffle the space how he wants. The Waiver just applies to the dining establishment usage. She inquired about the hyphen.

Mr. Barnum – Yes, the City is requiring the hyphen for a continuous structure.

Mr. Boggs – That allows the applicant to obtain more structure on the site because otherwise the applicant would be limited to 25% because it would be treated as an accessory structure. Integrating the addition into the primary it is one primary structure and can take up the footprint of the entire existing eating/drinking facility.

Mr. Cotter – Not so opposed to the Waiver and not sure the mass is being increased too much.

The Chair – He determined to come back to that. The Board agreed to work through the recommendations. The Board agreed the loss of two parking spaces on site was fine.

The Board agreed the roof pitch was fine as proposed as a Waiver.

The Waiver for the Hardie-Plank has been approved for other applicants.

Mr. Boggs – Suggested a motion be made to approve the Lot Coverage Waiver and see if it gets the votes.

Mr. Alexander – The Board knows if that Waiver did not pass, the project can still move forward.

The Chair – He asked for the applicant's input as the Board reviewed each of the 16 conditions. One condition of approval was added at the end:

- 17) That the eating/drinking facility size Waiver shall be obtained, or the proposal shall be shown equal to the existing gross square footage.

The Chair – He called for a motion to approve the Parking Plan.

Mr. Cotter moved, Ms. Cooper, seconded to approve the Parking Plan:

Off-site parking for all 78 spaces required will continually be available in the Darby Lot, used primarily, as it is directly adjacent to the site with a total of 103 vehicular spaces. The Library Garage also has spaces available within a 600-foot radius of the site where a total of 362 spaces could be available.

Vote: Ms. Damaser, yes; Mr. Alexander, yes; Ms. Cooper, yes; and Mr. Cotter, yes.
[Approved 4 – 0]

Ms. Cooper moved, Mr. Cotter seconded, to approve the Roof Pitch Waiver as follows:

1. §153.174(B)(2)(a) **Roof Pitch** – Required: Flat roofs are permitted within Historic Dublin, except for properties that are zoned Historic Core, unless otherwise determined by the Architectural Review Board to be architecturally appropriate.
Requested: To allow a ¼:12 roof pitch on the three proposed additions in the Historic Core.

Vote: Ms. Damaser, yes; Mr. Alexander, yes; Mr. Cotter, yes; and Ms. Cooper, yes.
[Approved 4 – 0]

Ms. Damaser moved, Mr. Cotter seconded, to approve the Façade Material Waiver for the use of Hardie-Plank as follows:

2. §153.174(J)(1)(a) and (b) **Façade Materials** – Required: (a) Permitted building materials shall be high quality, durable materials including but not limited to stone, manufactured stone, full depth brick, brick veneer, wood siding, glass, and fiber cement siding; (b) Other high quality synthetic materials may be approved by the required reviewing body with examples of successful, high quality installations in comparable climates.
Requested: Use of Hardie Plank as a siding material on all three additions of construction.

Vote: Ms. Cooper, yes; Mr. Alexander, yes; Mr. Cotter, yes; and Ms. Damaser, yes.
[Approved 4 – 0]

Mr. Cotter moved, Ms. Cooper, seconded to approve the Building Size Waiver/Use Standards for Eating and Drinking Waiver:

3. §153.172(C)(d)(1) **Use Standards for Eating and Drinking** – Required: Eating and drinking facilities shall be limited to no more than 3,500 square feet of gross floor area in the Historic Core and Historic South Districts, unless otherwise approved by the Architectural Review Board.
Requested: Expansion of an existing, legal eating and drinking establishment from 7,256 gross square feet to 7,841 square feet.

Vote: Mr. Alexander, no; Ms. Damaser, no; Ms. Cooper, yes; and Mr. Cotter, yes.
[Disapproved 2 – 2]

Mr. Cotter moved, Ms. Cooper, seconded to reconsider the §153.172(C)(d)(1) Use Standards for Eating and Drinking.

Vote: Ms. Damaser, yes; Mr. Alexander, yes; Ms. Cooper, yes; and Mr. Cotter, yes.
[Approved to reconsider 4 – 0]

Ms. Damaser moved, Ms. Cooper, seconded to table the §153.172(C)(d)(1) Use Standards for Eating and Drinking.

Vote: Mr. Cotter, yes; Mr. Alexander, yes; Ms. Damaser, yes; Ms. Cooper, yes.
[Approved to table 4 – 0]

Ms. Damaser moved, Ms. Cooper, seconded to approve the Preliminary Development Plan with 17 conditions as modified at the meeting:

- 1) That the owner/applicant shall work with the City to remedy the existing encroachment along Wing Hill Lane at the Final Development Plan Review;
- 2) That the depicted property line on the south side to encompass the encroachment shall be removed at the Final Development Plan Review;
- 3) That the applicant shall demonstrate that the new kitchen/mechanical addition meets the required 5-foot rear setback at the Final Development Plan Review. This may necessitate the use of a different door system for the dumpster enclosure, which shall not encroach into any right-of-way;
- 4) That the proposal to tie into an existing manhole or grease interceptor shall be further addressed at the Final Development Plan Review;
- 5) That the solution on conveying stormwater appropriately on-site shall be finalized during the Final Development Plan Review, to the satisfaction of the City Engineer;
- 6) That the restoration of City landscape, paving, and lighting shall be accomplished to the same or better conditions, post-construction on the north property line at the wine room. This shall be depicted on the Final Development Plan Review landscape plan and notes;
- 7) That the applicant continue to work with Staff on the pedestrian path and bollards on the Darby Street right-of-way;
- 8) That the proposed shutter details on the blank wall elevations shall be detailed at the Final Development Plan Review;
- 9) That the landscape plan, and all other plans, shall reflect the new architectural layout regarding the hyphen area at the Final Development Plan Review;
- 10) That the Thermoplastic Polyolefin (TPO) recycled rubber roofing material color shall be shown as gray or tan, to be more in keeping with the character of the district at the Final Development Plan Review;
- 11) That all Hardie-Plank siding shall be shown as "smooth" to better match the effect of real wood siding at the Final Development Plan Review;

- 12) That the applicant shall coordinate with Staff on the dumpster doors;
- 13) That the plans shall be revised to include a matte finish for the windows and doors at the Final Development Plan Review;
- 14) That the proposed lighting shall meet all cut-off, lumens, and foot candle requirements. The applicant shall work with Staff to reduce the number of light fixtures;
- 15) That the applicant shall indicate that all patio enclosure tables match, and continue to work with Staff on the colors and materials for the chairs at the Final Development Plan Review;
- 16) That the applicant shall demonstrate the existing unpainted exterior utility chases/conduit will be painted to match the surrounding wall color(s). Color chips shall be provided at the Final Development Plan Review; and
- 17) That the eating/drinking facility size Waiver shall be obtained, or the proposal shall be shown equal to the existing gross square footage.

Vote: Mr. Cotter, yes; Mr. Alexander, yes; Ms. Cooper, yes; and Ms. Damaser, yes.
[Approved 4 – 0]

Communications


Ms. Holt stated a joint meeting has been scheduled for Wednesday, August 31, 2022, to include the Architectural Review Board, the Planning and Zoning Commission, the Board of Zoning Appeals and City Council. She requested the members' availability for that date. Of the four members present, Ms. Cooper was the only member that will be on vacation during that time and will not be able to attend.

Ms. Holt mentioned that she had asked Engineering and Transportation and Mobility to provide a brief presentation about the S. High Street utility work at the regularly scheduled ARB meeting in August. This project is to move the utility lines and poles west, off of S. High Street and onto Franklin Street, one block over.

Additionally, Transportation and Mobility would like to present the Bird Scooter Program at the same meeting on August 25, 2022.

The Chair adjourned the meeting at 10:24 p.m.


Chair, Architectural Review Board


Administrative Assistant II, Recorder