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ARCHITECTURAL REVIEW BOARD

MEETING MINUTES

SEPTEMBER 21, 2011

AGENDA

- 1. J. Lui Restaurant & Bar**
11-048ARB
(Approved 5 – 0)
50 West Bridge Street
Site Modifications
- 2. Aboxa Fudge, LLC**
11-052ARB
(Approved 4 – 1)
123 South High Street
Sign Modifications

Chair William Souders called the meeting to order at 6:30 p.m. Other Board members present were Robert Schisler, and Carl Karrer. Tom Currie arrived at 6:36 p.m. and Tasha Bailey arrived at 6:40 p.m. City representatives present were Eugenia Martin, Justin Goodwin, Steve Langworthy, Jonathan Lee, and Libby Farley.

Motion and Vote

Carl Karrer made a motion, seconded by William Souders, to accept the documents into the record. The vote was as follows: Mr. Souders, yes; Mr. Schisler, yes; and Mr. Karrer, yes. (Approved 3 – 0.)

Motion and Vote

Robert Schisler made a motion, seconded by William Souders, to approve the August 24, 2011 meeting minutes as presented. The vote was as follows: Mr. Karrer, yes; Mr. Souders, yes; and Mr. Schisler, yes. (Approved 3 – 0.)

Motion and Vote

Robert Schisler made a motion, seconded by Carl Karrer, to approve the 2012/2013 meeting dates as presented. The vote was as follows: Mr. Souders, yes; Mr. Karrer, yes; and Mr. Schisler, yes. (Approved 3 – 0.)

Communications

Eugenia Martin reported the Building Doctor Clinic was held on September 8, 2011 and September 9, 2011. She said 22 people attended the presentation and the Historical Society representatives were very pleased with the four sites they visited (143 South High Street, Mr. Jacob's property on North High Street, Mr. Currie's residence, and 119 South High). She said the Historical Society representatives commented the most outstanding thing in the District was the number of standing seam metal roofs. She said she would bring some extra Building Doctor Clinic informational packets to the next meeting for interested Board members.

Ms. Martin said nametags for the Board members have been ordered. She thanked those members who remembered to bring their Zoning Code Books for updating. She told Mr. Karrer if he could not locate his, another would be supplied.

Ms. Martin reported City Council had requested the Board begin working on their Annual Items of Interest List and it will be an item to discuss at the next meeting. She said she would email the list of this year's Annual Items to the members.

Ms. Martin said in reply to Mr. Currie's request, information regarding the art piece, "Statesman of the Plains" installed at the lower plaza of Bri Hi Square was included in the Newsletter. She said the Bri Hi Square Development had installed as the temporary piece, which would be on display for two years. Mr. Currie asked who had been consulted regarding the art piece. Ms. Martin said there were conversations through Sara Ott and the City Manager's office with Mr. Dioun in regards to the temporary art piece.

Steve Langworthy explained City Council had delegated to the Dublin Arts Council, the authority to decide the appropriateness of artwork. He said it was collaboration with the Dublin Arts Council, Sara Ott, and Mo Dioun. Mr. Langworthy pointed out Mr. Dioun had paid for the installation of the art piece.

Robert Schisler asked if the plaza was City property. Ms. Martin said it was a public plaza. She said the footprints of the buildings and the buildings themselves are owned by Bri Hi Square and the surrounding properties are public property.

Mr. Schisler asked how the Board knew when they resolved something such as District signs. Ms. Martin said signs were ongoing with the Bridge Street Code and she could not give a final date because it depended upon when the code is adopted. Ms. Martin said each time a revision is made to the draft for the Bridge Street Code, copies of it will be provided to the Board and if there needs to be a discussion, the Board can always do that.

Justin Goodwin said that staff was diligently working on the next, and hopefully final, draft of the Bridge Street Code which will be distributed for review within the next few weeks. He said Planning has tried to incorporate as much information as possible received from the Board regarding signs in the Historic District.

Mr. Souders clarified review of signs in the Historic District used to be part of what the Board did, and now it was part of the Corridor. Ms. Martin explained there are sign regulations for each district within the Bridge Street Corridor Code.

Mr. Souders asked why the Board could not finalize their part now, and give it to Planning to incorporate into the overall code. He asked if the Board is still responsible for the Historic District, why they cannot finalize their part of it. Ms. Martin said Planning has taken the Board's information from their last discussion and is working on revising the draft to reflect the feedback.

Mr. Souders asked if the Board was done. Ms. Martin said they were 90 percent done. She said the Board will probably still want to review the revised draft to make sure that what they have said has been captured.

Mr. Souders said if it was done, it could be taken off the Annual Items of Interest list. He asked where the Board stood on the next two high priority items on the list. Ms. Martin said regarding the update to the *Historic Dublin Design Guidelines*, funds have been requested for approval from City Council to hire a consultant. Mr. Souders asked if the Board was done contributing to the update. Ms. Martin said she expected it to continue into next year.

Ms. Martin said the Inventory of Historic Places still remained on the list. Mr. Souders said in order to get something accomplished; they needed that to be a goal to finish by the December meeting.

Ms. Martin suggested at the October meeting, the Board could review the current list. She said she would email the list and would include the status of the items. She said after the Board reviews and

approves the 2011-2012 list, it could be taken to City Council in November for them to review and approve. She asked the Board members think of additional items they want to do to incorporate into the list.

Mr. Souders recalled they had a list of 8 or 10 things of which they identified the top three. He noted they had items 4 through 10 remaining as hot topics. Ms. Martin said there were a couple of other items discussed which could be completed this year, such as how to conduct a site, visit which could be done in October or November, depending upon which cases were on the Agenda. Mr. Souders said he would like to check something off the list, since it had been the same for the five years he had been a Board member.

Mr. Souders briefly explained the rules and procedures of the Architectural Review Board. He swore in those who wished to address the Board, including the applicants, Rose Lykins and Jiechun Liu, and representative, Ryan Keener, Bass Studio Architects, 36 King Avenue, and City representatives.

**1. J. Lui Restaurant & Bar
11-048ARB**

**50 West Bridge Street
Site Modifications**

Justin Goodwin presented this application requesting site modifications of an existing 3,700 square foot restaurant and 430 square feet of outdoor dining space, located at the north side of West Bridge Street, near the intersection of Bridge and Franklin Streets, with access from Bridge and Darby Streets. He said two additional outdoor dining tables are located on the private walkway, immediately outside of the designated dining patio space. He said the applicant is proposing to expand the existing patio by 86 square feet to accommodate the two tables, and to construct a 21-foot by 28-foot pergola structure above the patio which would include a retractable canopy for shade. He presented renderings of the proposed project.

Mr. Goodwin said the pergola would be approximately 10 feet in height and the canopy shade fabric will replace the existing umbrellas currently located on the patio which will open the view to the front façade of the building. He said it will come closer to the right-of-way, creating more of an architectural presence along Bridge Street. He said the applicant proposes to paint the pergola to match the existing trim of the building. He said the pergola will be constructed of a mixture of materials, including natural cedar, an engineered wood product for structural integrity, and some aluminum lath members at the top. He said this mixture of materials is intended to increase the durability of the structure over time. He said the applicant proposes to use a Sunbrella fabric for the canopy in a tan, beige, and burgundy striped pattern.

Mr. Goodwin said Planning's analysis of this application suggests the application will meet all of the review criteria and Planning recommends approval with two conditions:

- 1) All pergola materials, including the mechanical canopy track and hardware, be painted to match the existing building trim, and that all pergola materials be prepared and primed as necessary to ensure consistent appearance when painted; and
- 2) No seating for dining purposes is provided outside of the designated patio area.

Robert Schisler referred to the graphic of the patio area and asked if the patio extension was proposed on the sidewalk side of the landscape area, where the sign is located. He asked if the intent was that seating would be allowed on the sidewalk side. Mr. Goodwin clarified that the patio would be expanded approximately four feet toward the front property line and would not extend past the sign.

Tom Currie asked if the canopy was on the bottom of the pergola and how did it work. Mr. Goodwin explained the mechanical track would be affixed to the joist of the pergola itself and would be on the bottom side of the pergola. He said there are tracks on at least two joists and the canopy would roll back and forth.

Mr. Currie asked how quickly the canopy would unroll, and how would rain run off the canopy.

Ryan Keener, Bass Studio Architects, 36 King Avenue, representing the applicant, Jiechun Liu, said water would be shed from the sides of the awning itself, away from the patrons underneath. He said he did not know how long it took for the canopy to roll out.

Mr. Currie asked if there would be any radiant heat in the floor panels or heat lamps to use the patio during the Spring and Fall. Mr. Keener said it was not part of this application. Mr. Goodwin said if the applicant was interested in adding heat lamps to the patio area, review and approval by the Board may be required.

Tasha Bailey pointed out the public sidewalk in front of J. Lui's was very tight, and she confirmed the proposed improvements would not impact the sidewalk.

Motion and Vote

Tom Currie made a motion, seconded by Tasha Bailey, to approve this application because the proposed site modifications meet the requirements of the Zoning Code as well as the *Historic Dublin Design Guidelines*, with two conditions:

- 1) All pergola materials, including the mechanical canopy track and hardware, be painted to match the existing building trim, and that all pergola materials be prepared and primed as necessary to ensure consistent appearance when painted; and
- 2) No seating for dining purposes is provided outside of the designated patio area.

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

2. Aboxa Fudge, LLC 11-052ARB

123 South High Street Sign Modifications

Eugenia Martin presented this request for sign modifications for two businesses on the west side of South High Street, just north of John Wright Lane. She indicated where the existing sign post is located and said the existing, externally illuminated sign is approximately 6 feet high. Ms. Martin said the existing Party Panache sign was about two square feet in area, and it was approved in 2007 with the Our Cupcakery sign at 119 South High Street. She explained the applicant moved to 123 South High Street and did not obtain approval from the Board for approval of the sign relocation or obtain a sign permit. She said as part of this application, the applicant is requesting Board approval for the relocation of the sign to this location and will apply for a sign permit.

Ms. Martin said the proposed double-sided cedar wood sign is three square feet in area. She said the sandblasted background was painted white, the border and 'Fudge' text are painted brown, and the 'Aboxa' text is Matter Root Red, which is the same color as the Party Panache sign. Ms. Martin said the details submitted do not indicate the distance of separation between the Aboxa Fudge and the Party Panache signs. She said Planning recommends approval with two conditions:

1. The applicant will be required to obtain a sign permit for both tenant panels before installation; and
2. The space between the existing and proposed tenant sign panels not exceed five inches.

Tasha Bailey noted this was a freestanding sign. Ms. Martin explained signs are to be located eight feet behind the right-of-way line, and this sign was grandfathered in its current location because the applicant

was not changing the post or moving the sign. She said the sign can stay in its current location as long as the post does not change.

Ms. Bailey asked what the current Guidelines around sign posts were. Ms. Martin said they could be a ground projecting sign which would be similar to this case or a ground sign similar to that of J. Lui's, depending upon the setback of the building from the public right-of-way.

Ms. Bailey asked if consistency in the post structure, size, or material was listed for ground projecting signs. Ms. Martin explained the Guidelines to not go to that detail.

Robert Schisler asked why the hanging signs would not have the eight-foot height requirement from the bottom of the sign to grade. Ms. Martin said the eight-foot clearance requirement would be based for a projecting sign which was on the building. She pointed out this sign was a ground projecting sign and it was not anticipated anyone would be walking under the projecting sign.

Mr. Schisler asked why, if the grandfathered sign was changed, it did not have to meet the new Code. Ms. Martin explained the entire sign would have to end up moving back farther to meet Code. She said because the post is non-conforming in its current location, the applicant has the ability to use that current location.

Mr. Souders said as long as the overall content met Code, that was consistent with what he was used to in other jurisdictions. Ms. Bailey said that the frame did not meet the Code anymore.

Ms. Martin explained Code stipulates signs cannot exceed six square feet in area, and combined together, the two signs do not. She said the Aboxa Fudge sign was three square feet in area and the Party Panache was two square foot, so the condition that they cannot be separated more than five inches is what will keep them within that six foot box.

Ms. Bailey asked if there were guidelines on the bracket arm where the sign hangs. Ms. Martin said the applicant is not changing the bracket arm. Ms. Bailey said if a new business erected a new projecting sign tomorrow in this part of the District, the Guidelines would tell them where the post had to be. Ms. Martin said if the business wanted a ground projecting sign, it has to be outside of the right-of-way and would have to follow the Guidelines and Code.

Ms. Bailey said her concern was as you go through the District, there are certain areas where businesses are set back farther, and they will need a ground mounted projecting sign set away from the business, versus the projecting sign on the building. She said if they do not have consistency and the posts are different, then the District begins to lose a little of the planned look.

Ms. Martin said it adds character to the District at the same time because creativity is allowed with the businesses being able to change the shape and location of the signs. She showed pictures of signs at 114, 138, and 126 South High Street. The signs had wood posts and projecting arms, but *What's the Point* had a different type of bracket. She said it ends up adding character to the District at the same time.

Ms. Bailey said that was fair. She asked if there were requirements around the posts as far as size, structure, and materials. Ms. Martin said typically, a post should be a wood type material or something comparable. She said the Guidelines do not get that descriptive as saying it has to be a 6 by 6 or an 8 by 8 post.

Mr. Currie asked if street numbers could be added when there was the opportunity. Ms. Martin said the street numbers do not necessarily need to be on the sign. She said it was up to the individual business where to locate the street number and it can be on the building for fire emergency purposes.

Mr. Currie asked if locking hardware would be used. Ms. Martin said it would have to be locking hardware. Mr. Currie said he preferred the distance between the two signs to be the same as between the top of the sign and the arm so it would be at equal intervals. He said he also would make both signs the same size, to avoid the Aboxa Fudge sign from looking like an afterthought rather than one building with two occupants.

Mr. Currie suggested he would make the signs the same color, with a red background and white lettering. Ms. Martin pointed out that the colors were complimentary to each other.

Ms. Bailey said the reason she struggled with this post in comparison to the others shown is that the arm is so low that it looks like something is missing from the top. She said it looks asymmetrical. Ms. Martin reiterated that it was grandfathered in as the way it was and as long as no changes are made to the post, they can proceed with what is there. She said any changes have to meet Code.

Mr. Schisler asked if there was a temporary sign now on the building. Ms. Martin said a temporary sign was on the window.

Carl Karrer suggested the reason the location of this sign was grandfathered was that all the front area from the street to the building front is pavement and they did not have the flexibility of locating it where others have in landscaped areas. He said he agreed with grandfathering that location for the sign. He asked if there was a requirement that this type of sign be vertical, as they tend to lean. He said that that the vertical post should be vertical. Ms. Martin said that Planning will work with the applicant to get the post straightened.

Mr. Souders noted the photograph of the post presented was different than the drawing. He said the drawing should be resubmitted to Planning to reflect what the actual condition is. He said it did not have the extension on the backside, and at the top of the post on the drawing, it is squared-off and the sign appears in the photograph to be longer than the bracket arm. He said he agreed with the drawing in that the sign needs to be not as long as bracket arm. He said three square feet is okay as long as it looks like the cross section relative to the arm, however if the three square feet are taken out beyond what appears to be in the photograph, extending beyond the end of the bracket arm, then he could not agree with that.

Ms. Martin explained the grandfathered part included the post and the bracket arm. She said the Aboxa Fudge sign is going to be the same width as the Party Panache. She said Party Panache is going to be reusing the sign, so the Aboxa Fudge sign will be the same as the Party Panache. Ms. Martin reiterated if any changes are made to the post and/or bracket arm, which is effectively the frame of the sign, they will be required to meet Code.

Mr. Souders said he was clear with that.

Motion and Vote

Robert Schisler made a motion, seconded by Tasha Bailey, to approve this application because the proposed sign modifications meet the requirements of the Zoning Code as well as the *Historic Dublin Design Guidelines*, with three conditions:

1. The applicant will be required to obtain a sign permit for both sign tenant panels before installation;
2. The space between the existing and proposed tenant sign panels be equidistant to the distance from the arm bracket, not to exceed five inches; and
3. The sign post be plumb.

Rose Lykins, the applicant agreed to the conditions.

The vote was as follows: Mr. Karrer, yes; Mr. Souders, no; Mr. Currie, yes; Mr. Schisler, yes; and Ms. Bailey, yes. (Approved 4 – 1.)

Additional Communications

Tom Currie asked if the Sells Middle School greenhouse had been installed. Eugenia Martin said she did not know, but she would check and report back to the Board.

Mr. Currie said he would like in place of the aerial view showing the sites, to have a picture of the front of the buildings in the meeting packet. Ms. Martin said that could certainly be done.

William Souders referred to the ATM at Bri Hi Square, and asked if any decision had been made regarding the ADA concerns. Ms. Martin said that Mr. Mo Dioun was to have met with his consultants to look at how it could be addressed. She said she did not think that Jeff Tyler, Dublin's Chief Building Official, had heard anything back about the alternatives being considered.

Mr. Souders asked how the City interpreted what was too great of a slope. Steve Langworthy said they all went to look at it and determined the way the ATM was submitted was not ADA compliant.

Mr. Souders asked if the ATM could be installed inside the building maybe in a public lobby. Mr. Langworthy said there was no place for it because the interior of the building will be occupied soon.

Tasha Bailey requested an update on the North Riverview development project. Mr. Langworthy said the applicant, Jerry Bird, has indicated he would like to go ahead with a submission. He said Planning was trying to determine what Mr. Bird needed to submit because they think the most important part was to get the demolition approval in front of the Board for determination. He said Mr. Bird needs to get that squared away before he proceeds into the rezoning aspect. Mr. Langworthy said with the new regulations, the Board is to submit a recommendation on the rezoning.

Robert Schisler asked about the status of the landscaping and steps under the bridge. Mr. Langworthy said it would begin very soon. He said Fred Hahn, Director of Parks and Open Space, said they were getting ready to prepare the opening.

Ms. Martin reported the landscaping was to come back to the Board for approval, and to the best of her knowledge, that had not moved forward. Mr. Souders recalled the landscaping was for the pavement pattern they were discussing. Mr. Schisler recalled a labyrinth was proposed that had nothing to do with Dublin's German or Irish character.

Ms. Bailey asked if the steps came down off the alley. Ms. Martin explained there is an existing flight of stairs coming off of North Blacksmith Lane and that another flight of stairs will come down just west of the bridge abutment so you can go from the bridge, straight down to the river.

Ms. Bailey asked if the statue erected at Bri Hi came before the Board or was that an independent decision. Ms. Martin said information on the two-year temporary art piece was included in the Newsletter.

Mr. Langworthy confirmed City Council had placed the decision on pieces for Arts in Public Places in the hands of the Dublin Arts Council. He said Council did not want a Board or Commission saying what was art or whether it was appropriate art. Mr. Souders said he agreed with that and asked if there was anything in terms of approval for the location.

Mr. Langworthy said it passed through Planning who looked at the location for the pieces, particularly the simulation of the workshop, to make sure there were no clear zoning problems or issues. He said they checked to make sure it is in a safe location.

Ms. Bailey confirmed the re-roofing of the Karrer Barn did not come before the Board. She asked if the same material was being used. Ms. Martin said it was a replacement of like material. She said they will be putting up another metal roof which will be the same color. Mr. Langworthy said it was a like-for-like replacement.

Ms. Martin said there will be re-roofing activity seen on the Heritage House as well. She said the roof will be cedar shakes and the gutters and downspouts will be replaced as well.

Mr. Karrer said the roof on the barn was also cedar shakes. Ms. Martin said there had been lots of discussion on that because you could see the cedar underneath, but there has been a metal roof for so long and that is what it is being replaced with.

Mr. Souders adjourned the meeting at 7:33 p.m.

As approved by the Architectural Review Board.