



CITY OF DUBLIN

Land Use and
Long Range Planning
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PLANNING REPORT

PLANNING AND ZONING COMMISSION

JANUARY 21, 2010

SECTION I – CASE INFORMATION

**5. Oscar's 72 and 84 North High Street and 20 North Street
09-105Z Rezoning**

Proposal: Rezone three parcels totaling 0.67 acre from CB, Central Business District to HB, Historic Business District for a site located at the northeast corner of North High Street and North Street.

Request: Review and recommendation of approval to City Council of a standard district rezoning under the provisions of Code Section 153.234.

Applicant: Jack Eggspuehler, Owner; represented by Carolyn Temple, Aerosafe Group.

Planning Contact: Jennifer M. Rauch, AICP, Planner II.

Contact Information: (614) 410-4690, jrauch@dublin.oh.us

UPDATE

This case was postponed from the January 7, 2010 Planning and Zoning Commission meeting, which was canceled due to inclement weather. The content of this report has not been changed.

Case Summary

This is a request for review and recommendation of approval of a rezoning for three parcels within the Historic District. The applicant is proposing to rezone the 0.67 acres from CB, Central Business District to HB, Historic Business District to ensure long-term compatibility with the development pattern and character found within the Historic District. Planning recommends approval of this rezoning.

Case Background

The original construction of the three buildings located at 84 and 72 North High Street and 20 North Street occurred in 1930, 1973 and 1988, respectively. Over the years numerous architecture and site modifications have occurred (prior to zoning being in effect) or been approved since that time to change the uses, address site conditions, modify signs, allow exterior building modifications, and add an outdoor patio area. In this period changes in zoning requirements made elements of the buildings, patio and deck of 84 and 72 North High Street non-conforming.

The site has also received multiple variances for parking and landscaping requirements for the construction of a patio. The most notable was a December 17, 1987 variance for parking and

landscaping for the east parking area, was approved by the Board of Zoning Appeals with a condition that requiring the patio be open to the public as a “park” in lieu of meeting required parking lot landscaping. The variance also permitted a parking reduction from 39 required spaces to zero spaces.

On November 17, 2009 the applicant received ARB approval for a 1,038-square-foot addition and a change to the patios for 84 and 72 North High Street. The approved site plan and elevations are included for reference.

A 1987 variance was affected by the approved modifications as it related to the creation of the patio spaces, which in addition to the non-conforming nature of the buildings, patio and deck do not allow for construction or alteration without compliance with the current Zoning Code regulations, or receipt of variances. Four variances were granted by the Board of Zoning Appeals on December 17, 2009 to provide relief for a number of zoning issues related to the newly approved building addition. The variances permit a reduction in the required number of parking spaces, a zero front yard setback, an increase in lot coverage, and relief from the interior landscape requirements.

The existing patio area located along North High Street is within the right-of-way and the applicant is pursuing approval of a right-of-way encroachment by Dublin Engineering and City Council.

Site Description

Location and Character

To the north of the site is the River’s Edge 2 office building and parking. To the south of the site is the Brazenhead Irish Pub. To the west across North High Street is the Dublin Branch of the Columbus Metropolitan Library. The site consists of three parcels located at 84 and 72 North High Street and 20 North Street.

- 84 North High Street: This is a 0.34-acre rectangular parcel with a width of 85 feet along North High Street and a depth of 180 feet. The site contains a beige and brown two-story, 6,900-square-foot mixed-use building with office, retail, and restaurant uses. A deck and outdoor patio is located between 84 and 72 North High Street across the side property line.
- 72 North High Street: This 0.18-acre parcel is on the northeast corner of North High Street and North Street. The property is a flag-shaped with a 2,289-square-foot beige and brown, two-story building along North High Street with retail and office uses.

The two sites are on two levels separated by a retaining wall. The buildings are located at street level with a common pedestrian way providing access to a shared 49 space parking lot at the rear of the sites and to the adjacent buildings. The shared lot serves 84 North High Street, 72 North High Street, and 20 North Street.

- 20 North Street: The site has a 7,025-square-foot, multi-tenant building located to the east along North Street, which matches the buildings at 84 and 72 North High Street.

Surrounding Zoning and Uses

The site and properties to the south are zoned CB, Central Business District. Permitted uses in this district include retail, personal services, and business and professional offices. To the west, north, and east are properties zoned SO, Suburban Office and Institutional District.

Proposed Rezoning:

The proposal would rezone the three parcels from CB, Community Business District to HB, Historic Business District. A comparison of the uses and requirements within two districts follows:

	CB District	Historic Residential District
Uses	Residential structures (one through four dwellings), retail stores, administrative offices, personal and consumer services.	Residential uses (one through four dwellings), retail uses, eating and drinking establishments, administrative offices, medical and dental offices, personal and consumer services, institutional uses, religious uses, child care, parks and public plazas, bed and breakfast establishments, outdoor patios and dance related studios.
Lot Area	No minimum lot area is required.	No minimum lot area is required.
Lot Width	No minimum lot width is required.	60 feet minimum lot width and frontage required.
Front Yard	Right-of-way width as measured from the centerline.	No front yard setback
Side Yard	Adjacent to residential district, the required side yard is one-fourth the sum of the height and depth of the building, no case less than 15 feet.	Minimum side yard of 0 feet with a total side yard of five feet.
Rear Yard	Adjacent to residential district, the required rear yard is one-fourth the sum of the height and width of the building, except when adjacent to a dedicated alley of not less than 20 feet.	All lots shall have a minimum rear yard of five feet.
Lot Coverage	80% lot coverage of the total lot area.	80% lot coverage unless otherwise permitted by the Architectural Review Board.

SECTION II - REVIEW STANDARDS

The Planning and Zoning Commission is to determine whether the proposed rezoning will generally conform to the Dublin Community Plan and other applicable area plans, integrate in an appropriate and compatible manner with surrounding land uses, and generally adhere to other accepted planning policies and practices. After recommendation by the Planning and Zoning Commission, the rezoning application will be forwarded to City Council for public hearing and final vote. A two-thirds vote by City Council will be required to override a negative recommendation by the Planning and Zoning Commission. If approved by Council, the rezoning will become effective 30 days after passage. As determined by the Law Director, no binding conditions of approval may be appended to a request for rezoning to a straight-zoned district.

Evaluation and Recommendation based on the Community Plan

Future Land Use: The adopted Future Land Use Map in the Community Plan shows this site as Mixed Use Village Center which is consistent with the uses contained in this rezoning application. The Village Centers include targeted areas near arterials or major collectors that are intended to provide daily retail, major grocers and other conveniences to serve the Dublin community within a 3 to 5-mile radius. Village Centers incorporate moderately-sized nodes of commercial activity with a target size of 125,000 square feet of gross leasable space. Integrated office uses are encouraged in a manner appropriate to the overall area. Medium to High Density Mixed Residential uses are encouraged and should be integrated to facilitate pedestrian activity and to provide support for commercial uses.

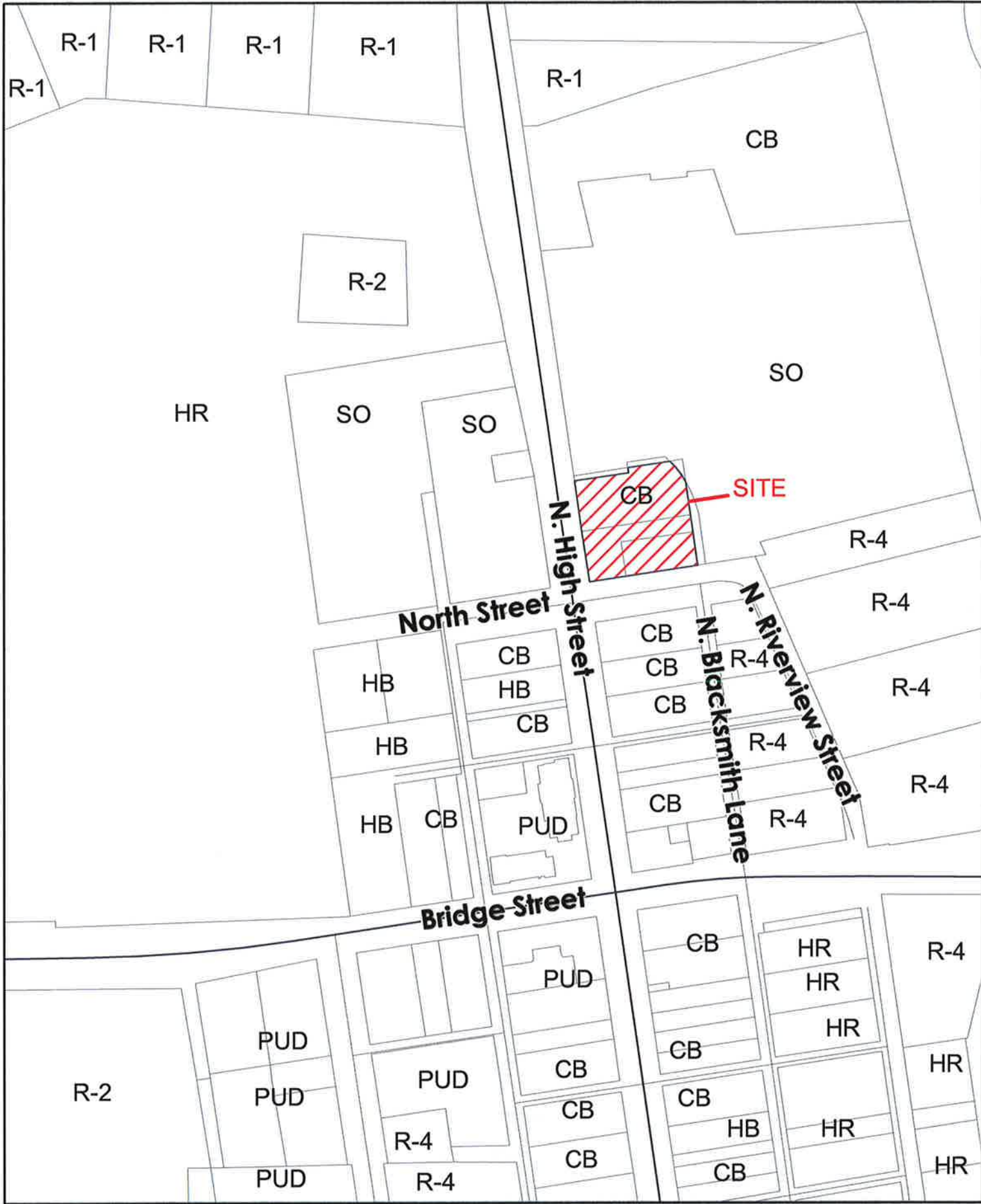
Future Land Use met: The existing uses remain commercial in nature with an intended purpose to serve the local community. No changes in use are proposed.

Area Plan: This site is part of the Historic Dublin Area Plan within the Community Plan. The main goal of this area plan is to enhance and revitalize Historic Dublin as activity center within the City that is vibrant, pedestrian-oriented and user friendly with integrated mix of uses that supports economic, civic, recreational and housing opportunities for all segments of Dublin's population.

Area Plan met: The existing uses do concentrate the services and overall design of the site to pedestrian oriented customers and provides an integrated mix of uses. The uses permitted in the HB District continue to support the recommendations made by the Area Plan.

SECTION III – PLANNING OPINION AND RECOMMENDATION: Approval

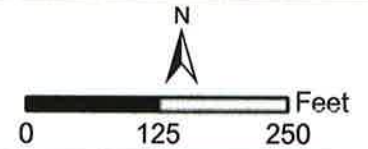
Based on Planning's analysis, the proposed rezoning meets the Future Land Use designation and meets the City's long-term goal of ensure properties within the Historic District are within the zoning classification consistent with the development located found in this area. Planning recommends approval of the request.





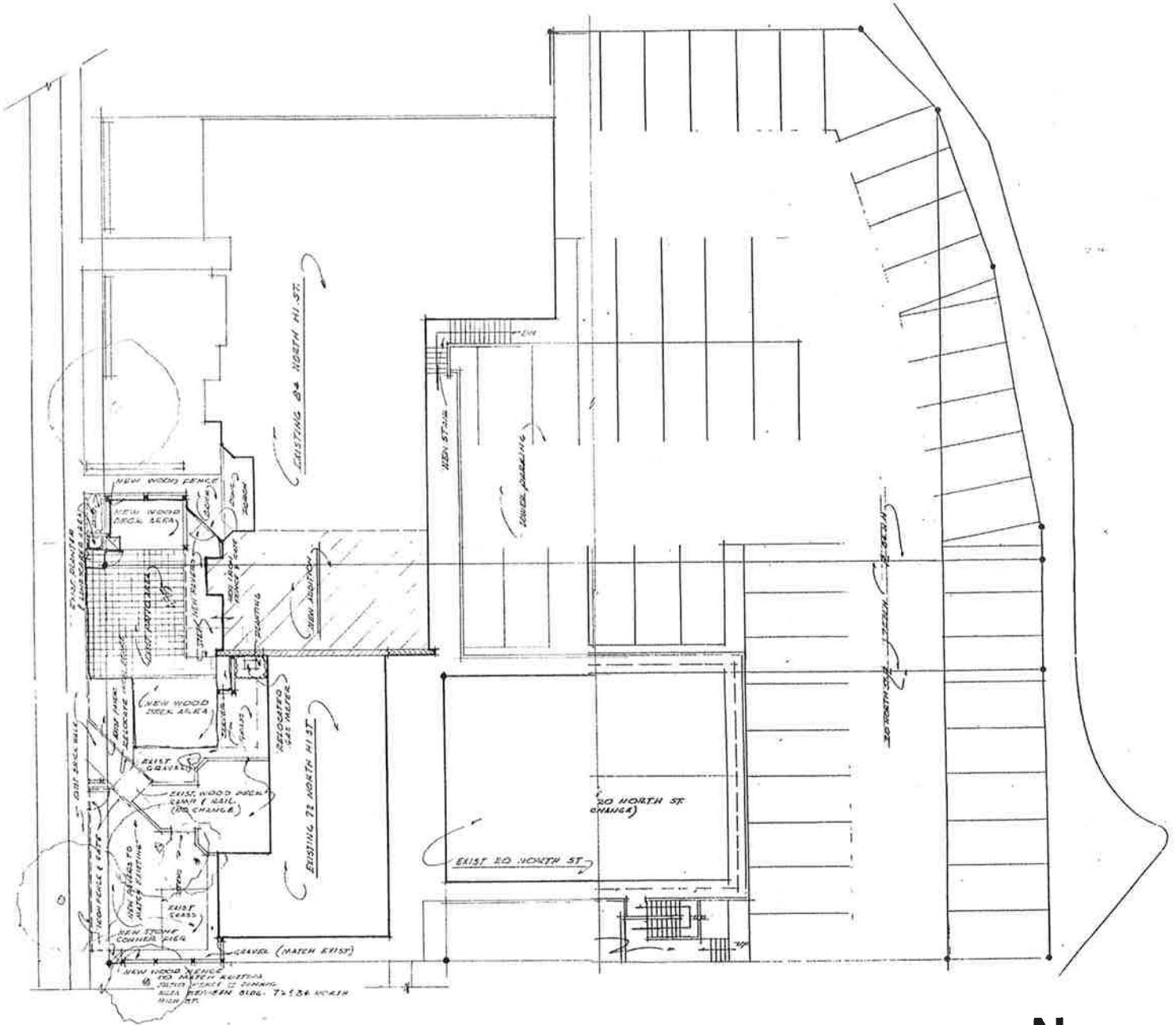
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09-105Z
Rezoning
Oscar's Restaurant
72 & 84 N. High Street, 20 North Street



APPROVED SITE PLAN

(FOR REFERENCE ONLY)



09-105Z
Rezoning
Oscar's
72 & 84 N. High Street, 20 North Street

