

**Design Review Board
April 28, 2021
Meeting Minutes**

DRB Committee Members present: Todd Boyer (Chair), Christine Iman, John Rucker, Tim Dawson, Jim Cron (absent), Nate Byrum

Participants: Zoning Official: Taylor Brill

Visitors: Eric Medici

CALL TO ORDER Mr. Boyer Called the Meeting to Order at 6:32pm.

ROLL CALL

APPROVAL OF MINUTES Motion to approve March 31, 2021 Design Review Board Regular Meeting Minutes by Mr. Rucker, seconded by Mr. Byrum. All in favor.

COMMUNICATIONS

Zoning- Ms. Brill

A Zoning Code Enforcement Technician has been hired. Peyton Koman's first day will be May 10.

Per some Council discussions, meetings may be held in person or hybrid soon. The House Bill is scheduled to expire in July, so meetings will have to go back to in person. Mr. Boyer does not have a meeting preference. Ms. Iman would be fine with meeting in person, if necessary. Mr. Byrum agreed. Ms. Brill will let the Board know about future meetings, as conversations progress.

SWEARING IN OF SPEAKERS

Mr. Medici and Mr. Dawson were sworn in by Mr. Boyer.

OLD BUSINESS

None.

NEW BUSINESS

**1. CERTIFICATE OF APPROPRIATENESS; 150 W MAIN STREET, PLAIN CITY, OHIO: SECOND STORY DECK.
APPLICANT: TIM DAWSON (APPLICATION #COA-21-9)**

Ms. Brill presented the proposal from the applicant. The deck will cover 5'8" of the sidewalk and will leave 7'8" sidewalk uncovered. It will provide an amenity for the upstairs residents. It is up to the board to decide if this structure fits in with the area.

Mr. Dawson explained that the proposed look shows that the material will be painted black with wooden structures. The vinyl at the top will match what is on the Grainery today. The structure will replace the dated awning at Main Street Treasures. It will also help people move into the upstairs apartment, which will provide some needed life to the Uptown District. The proposal is also depicted on a historical building. It is not to modernize the building, but to give it a warmth-ness. Now is the time to install this structure, prior to the sidewalk project being completed.

The public comment period was opened by Mr. Boyer.

Mr. Medici stated that he is disappointed in Mr. Dawson's grasp of the Uptown ordinances and the guidelines of the historic buildings. The awning on the Grainery is not historic, per Mr. Medici. It has barn siding and now the siding is detailed on this proposal. Mr. Medici believes that the Grainery patio disrupts the streetscape, and this proposal would as well. Mr. Medici believes that the balcony would also interrupt the parade route viewing, and the overall look and feel of the downtown. He is very against this balcony.

Public comment was closed by Mr. Boyer.

Mr. Rucker noted that he agrees with Mr. Medici due to the fact that the proposal is a significant change to the façade of the building. Ms. Iman explained that the best part of the building is the red brick with the windows. From this drawing, some of the windows will be lost. Also, if you are on the sidewalk, you would barely see the brick. Mr. Byrum added that he is torn between the guidelines of the board and what he thinks would be a strong economic impact for the district. He likes the design but isn't sure it goes with the guidelines of the Historic district. Mr. Boyer noted that he agrees the structure seems inappropriate to this existing building, since it is such a modification and covers so much of the existing façade. The scale and mass would also change the presence of the building.

Ms. Brill explained that the guidelines to be followed are vague. The section that was referenced (1327.08) has been discussed with staff and the Solicitor in terms of what the standards apply to – the building that is being deemed historic, or all the buildings in the district? As the Uptown redevelops, there will be proposals that will not match the buildings specifically and we cannot ask someone to replicate the historic nature of the building if those references are not available. There will be further proposals that ask to change the facades of the buildings to bring life to the street.

Mr. Dawson responded that he agrees with Taylor that the guidelines of the Design Review Board are being misunderstood, in terms of what they are meant to promote or deny. He understands that this design is different but asks the Board to consider ways to bring business back to the Uptown district. He also disagrees with Mr. Medici's comments about the parade seats being taken and the awning materials. The awning will be replaced no matter what due to the condition. He does not appreciate being disrespected due to his investment in the area.

Mr. Rucker rebutted Mr. Dawson's comments about the Lovejoy Plaza designs and the lack of the board – there was no Design Review Board during the building of Lovejoy Plaza and that construction is a major reason why the Board was established.

Mr. Dawson asked if anyone on the board has explored area Historical Districts. Otie's Restaurant has a rooftop bar in Historic Hilliard, which is welcoming and revitalizing to the area. This proposal would be in line with nearby Historic areas.

Mr. Rucker motioned that the Board vote on approval as submitted COA-21-9, seconded by Ms. Iman.

AYE – Mr. Byrum

NAY – Mr. Boyer, Mr. Rucker, Ms. Iman

Abstaining – Mr. Dawson

COA-21-9 is denied as submitted.

2. CERTIFICATE OF APPROPRIATENESS; 138 W MAIN STREET, PLAIN CITY, OHIO: INSTALLATION OF AN OUTDOOR BAR. APPLICANT: TIM DAWSON (APPLICATION #COA-21-10)

Ms. Brill presented the proposal for the installation of the outdoor bar area. The bar will go behind the 138 W Main Street building and is proposed to be a gazebo like bar.

Mr. Dawson explained that he will be using an actual grain bin for the bar to match the theme of the bar and restaurant and event space. The top of the grain bin will be original and rustic.

The public comment period was opened by Mr. Boyer.

Mr. Medici commented on the application. He stated that he likes the look of the bin but wonders why the drawing doesn't match the idea. He is also concerned about the music and noise coming from the area.

Mr. Boyer closed the public comments.

Ms. Iman asked if the structure will be attached to the building. Mr. Dawson responded that there will somehow be a structure under the grain bin. The cylinder at the top of the bin will be kept. A third of the roundness will be taken off and it will be put against the building. Plumbing will also be installed.

Mr. Byrum asked if there were dimensions available. Mr. Dawson responded that the grain bin is 18 feet wide, but approximately 10 feet forward. Mr. Rucker stated that he is lenient about things out of the public view and likes the idea. He is concerned about the actual nuts and bolts of how it will be installed. Mr. Boyer agreed that he is not concerned with the look, especially since a fence is going to be installed, and is fine with what is proposed. Ms. Brill stated that the owner will be referred to the Building Department for the installation. Mr. Boyer responded that yes, but the overall health of the building is important to be maintained.

Mr. Rucker motioned to vote to approve as submitted COA-21-10, seconded by Ms. Iman.

AYE – Mr. Byrum, Mr. Boyer, Mr. Rucker, Ms. Iman

NAY – none

Abstaining – Mr. Dawson

COA-21-10 is approved as submitted.

2. CERTIFICATE OF APPROPRIATENESS; 138 W MAIN STREET, PLAIN CITY, OHIO: EXTERIOR STAIR MODIFICATIONS. APPLICANT: TIM DAWSON (APPLICATION #COA-21-11)

Ms. Brill presented the exterior stair modifications. Originally a metal material was approved, but the wood spindles were installed as a temporary solution. Mr. Dawson is now requesting approval to keep the wooden stair railing.

The public comment period was opened by Mr. Boyer.

No comments received.

Mr. Boyer closed the public comments.

Mr. Rucker asked Mr. Dawson if the stairs still had to be covered, and how this would impact the current setup. Mr. Dawson responded that the covering will be attached to the building and overhang the stairs to help with the precipitation hitting the wooden stairs.

Mr. Byrum would have preferred the powder coated metal versus the wood spindles since there is so much wood already but understands the investment that the owner has put into the stairs. Mr. Dawson responded that the total cost has been large, and if the powder coated stairs would be installed, the cost would go up by \$6000-\$10,000. He also would agree to paint the railings black.

Ms. Iman added that, since the powder coated is cost prohibitive, she would prefer that the railings be painted black to create the original feel that was approved.

Mr. Boyer agrees that he is ok with exception being made for this stair rail since it has reduced visibility and is not on a front façade but does not want the wood to set a precedent. He agreed that painting it would be a good middle ground. Ms. Iman also suggested a black stain. Mr. Dawson noted that, with pressure treated wood, its best to leave it out for a season before painting. If the board will be requiring painting, he asks for one year to accomplish the painting.

Ms. Iman motioned to vote to approve the application COA-21-11, if the stairway is painted or stained black within one year, seconded by Mr. Rucker.

AYE – Mr. Byrum, Mr. Boyer, Mr. Rucker, Ms. Iman

NAY – none

Abstaining – Mr. Dawson

COA-21-11 is approved with conditions.

4. CERTIFICATE OF APPROPRIATENESS; 132 N CHILLICOTHE STREET, PLAIN CITY, OHIO: INSTALL OUTDOOR PATIO FENCING. APPLICANT: TIM DAWSON (APPLICATION #COA-21-12)

Ms. Brill presented the application for the outdoor fencing around the patio. The site is on Chillicothe Street. The material will be like the material used at the Grainery. Staff comments that this will require a Right of Way license with the Village to install which would take affect after the approval, if received.

Mr. Dawson added that the material and fencing will be identical to the Grainery, and he will be using the same supplier.

The public comment period was opened by Mr. Boyer.

Mr. Medici asked if the streetscape project would be including the buildings on Chillicothe Street? Ms. Brill responded that only Main Street has been proposed for the streetscape project at this time.

Mr. Medici commented that it would be impossible to put the streetscaping at this area if the patio is installed. Seating space would be taken from children and families and is monopolizing the sidewalk. Mr. Medici is adamantly against the encroachment onto the sidewalk and thought Mr. Dawson would prefer the street lighting in front of his building instead.

Mr. Boyer closed the public comments.

Mr. Byrum explained he was not on the board when the Grainery patio was approved, so he cannot comment on that one. He asked for a more detailed description of the patio from Mr. Dawson. Mr. Dawson explained that this will strictly be a fence around the area, with the powder coated spindles. The columns are bolted into the ground and can be removed if needed.

Ms. Iman asked if seating was the intended purpose. She is concerned with the narrow area. Mr. Dawson explained that there will be 4.5-5 feet from the building to the fencing, this will allow for the spacing of the sidewalk around. There will be four or five small tables on the patio. The purpose is to try to attract people to the restaurant. Mr. Dawson also explained the high priority of a patio area now that people feel much safer sitting outside. Mr. Dawson explained that the sidewalk is 9 feet and was extended recently by Mr. Dawson so he could apply for the Right of Way license. Ms. Brill noted that the extension accommodated for the future patio arrangement.

Mr. Rucker is not opposed to the application but is concerned about not seeing the layout. He would have preferred to see an overly with measurements, that includes the telephone pole. Mr. Dawson responded that he will not get a Right of Way license unless the sidewalk clearance is met. If approval is received tonight, Mr. Dawson will be

applying for that license. The Board would still like to see visual measurements and a basic layout. Mr. Rucker would like further details.

Mr. Byrum asked Ms. Brill if tables and chairs can be put on the sidewalk, without railings? Ms. Brill responded that the liquor license prohibits this without a railing. She also reemphasized that the Right of Way license will not be approved without proper measurements.

Mr. Dawson understands the doubt, but also asks the board to consider the rest of the work that has been done and trusts the Village to approve the Right of Way measurements. He would also like to move forward with the steel purchase before prices increase more.

Mr. Rucker motioned to vote to approve the application COA-21-12, seconded by Mr. Byrum.

AYE – none

NAY – Mr. Boyer, Ms. Iman, Mr. Rucker, Mr. Byrum

Abstaining – Mr. Dawson

COA-21-12 is denied as submitted.

5. CERTIFICATE OF APPROPRIATENESS; 132 N CHILLICOTHE STREET, PLAIN CITY, OHIO: TO INSTALL FENCING FOR LIQUOR LICENCE. APPLICANT: TIM DAWSON (APPLICATION #COA-21-13)

Ms. Brill displayed the application and proposal. Staff's review is that there are some concerns with the vacation of the alley, and who knows which section of the right of way. Staff asks the applicant to make sure that the fencing is in his own designated area of ownership. Mr. Dawson responded that he does not necessarily need to own the area that the fencing is on, as long as an agreement is in place with the owner. The fencing is for the liquor license permits.

Mr. Boyer asked Mr. Dawson for clarification on the styles of the fence. The style will be the powder coated metal fencing in black.

The public comment period was opened by Mr. Boyer.

Mr. Medici is concerned about the zoning issue created by putting a fence on someone else's property. He also commented that all dumpsters were removed, and trash is currently being stacked in the alley. If the fence is installed, it should be at the back and should hide the trash.

Mr. Dawson responded that the dumpsters were moved to the property at 160 W. Main and the trash is dumped on a nightly basis. He is not sure where Mr. Medici saw five foot of trash this week. He noted that the fence in the alley will be hinged and can be open if anyone needs to bring an alley down the alley.

The public comment period was closed by Mr. Boyer.

Mr. Rucker was ok with the request, along with Ms. Iman and Mr. Byrum. Mr. Boyer agreed that the request is appropriate.

Ms. Iman motioned to vote to approve the application COA-21-13, seconded by Mr. Rucker.

AYE – Mr. Boyer, Ms. Iman, Mr. Rucker, Mr. Byrum

NAY – none

Abstaining – Mr. Dawson

COA-21-13 is approved as submitted.

6. CERTIFICATE OF APPROPRIATENESS; 138 W MAIN STREET, PLAIN CITY, OHIO: REAR OUTDOOR STAGE. APPLICANT: TIM DAWSON (APPLICATION #COA-21-14)

Ms. Brill presented the proposal and design. The stage will be built identical in design to the smoker but larger at 20'x12'.

Mr. Dawson added that the roof will be the black metal roofing so everything matches, but it will not have the privacy fence. The stage will be 24" off the ground, like a free-standing deck. It will not be attached to the building.

The public comment period was opened by Mr. Boyer.

Mr. Medici stated that he realizes the stage is not going to be on public view. But he finds it nearly impossible to work in his office across the street because Mr. Dawson's music is so loud. The music is loud at night until 10:35pm. The music disturbs the neighbors.

Mr. Medici had a personal discussion with Mr. Smucker, who owns the property directly behind the patio. He stated that Mr. Dawson was trying to strong arm him into giving him access to the sidewalk. Per Mr. Medici, Mr. Smucker's concern was that there are tenants in the building and was told by Mr. Dawson that the music will be so loud that tenants will not be there anymore. An outdoor stage will disrupt everyone's evenings. Mr. Medici has tenants that want to put in a small table and chairs in front of his building and imagines that his businesses will be affected by the music.

Mr. Medici brought up the Village noise ordinance and noted that it may not be exceeded currently but probably would if a stage is installed. The historic district would be disturbed. The character of Plain City is in question if everything becomes a bar. Brazenhead in Old Dublin had a patio that Mr. Medici enjoyed, so he is aware that outdoor patios can be constructed properly. However, a stage is not appropriate for the area.

Mr. Boyer closed the public comments.

Mr. Rucker thinks that this stage could be an endless source of headaches for the Village. He expects constant noise complaints. Uptown is not a commercial district only. Residents are within 100 yards of the stage. But he is not sure this issue is within the purview of a Design Review Board. Maybe the stage permit would be more of a zoning issue. He is also concerned that the stage is almost already built, even though its not approved.

Mr. Byrum agrees that the noise should not be taken into consideration by the Board. He is focusing on if the stage fits within the Historic District. He does agree that it may create headaches for the Village.

Ms. Brill clarified that the noise ordinance enforcement falls to the Police Department, not the zoning department.

Ms. Iman agrees that the Board does not have a say in the noise. The structure is free standing and does not impact any existing buildings. Mr. Boyer agreed and is hesitant to approve without seeing a sketch or description of the stage. However, to be consistent with the approval of the bar, because it is hidden and in the back, he is ok with the stage from an architectural standpoint.

Ms. Iman motioned to vote on the application COA-21-14, seconded by Mr. Rucker.

AYE – Mr. Boyer, Ms. Iman

NAY – Mr. Rucker, Mr. Byrum

Abstaining – Mr. Dawson

The vote was split, and a new vote must be taken.

Mr. Dawson addressed some comments that were made. Mr. Dawson emphasized that the stage is temporary and can be taken apart. So, it is on the property, but it is portable and can be reduced. Surrounding communities have Friday night events, with loud music. Mr. Dawson rents Mr. Smucker's house and has a great relationship with him, which has allowed him to do the concrete work. He encourages the real purpose of the application, which is to approve the design of the portable stage. The intention is not to create noise complaints, but to provide life and enjoyment to downtown Plain City.

Mr. Rucker thanked Mr. Dawson for the clarification on the stage construction. Ms. Iman asked if, since the stage is portable, does the Design Review Board need to be approving the stage? Ms. Brill responded that the ordinance covers any environmental change, so the stage would fall into that purview. However, it does not need a zoning permit.

Ms. Iman motioned to vote on the approval of the application COA-21-14, seconded by Mr. Rucker.

AYE – Mr. Boyer, Ms. Iman, Mr. Byrum

NAY – Mr. Rucker

Abstaining – Mr. Dawson

COA-21-14 is approved as submitted.

ADJOURNMENT

Meeting adjourned at 8:12pm.