



MINUTES OF THE REGULAR MEETING  
WORTHINGTON ARCHITECTURAL REVIEW BOARD  
WORTHINGTON MUNICIPAL PLANNING COMMISSION  
October 8, 2015

The regular meeting of the Worthington Architectural Review Board and the Worthington Municipal Planning Commission was called to order at 7:30 p.m. with the following members present: Richard Hunter, Chair; James Sauer, Vice Chair; Kathy Holcombe, Secretary; Mikel Coulter; Thomas Reis; Amy Lloyd; and Edwin Hofmann. Also present were: Scott Myers, Worthington City Council Representative to the Municipal Planning Commission; Lee Brown, Director of Planning & Building; Lynda Bitar, Planning Coordinator and Clerk of the Municipal Planning Commission; and Melissa Cohan, Paralegal.

**A. Call to Order – 7:30 p.m.**

1. Roll Call
2. Pledge of Allegiance
3. Approval of the minutes of the September 24, 2015 meeting

Mr. Coulter moved to approve the minutes and Mr. Reis seconded the motion. All members voted, "Aye". The motion was approved.

4. Affirmation of the witnesses

**B. Architectural Review Board**

**1. New**

- a. Porch Railings – 11 W. New England Ave. (Wacked Hair Salon) **AR 90-15**

**Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

This commercial building was constructed in 1960 and added onto and remodeled in the late 1980's, when the wood shake mansard roof and brick façade were added. The space was formerly

a dentist's office, but has been occupied by Wacked Hair Salon since 2000. The railing on the side of the property was recently hit by a vehicle and is need of repair. This request is to replace the existing wood railings on the front and side porches with wrought iron.

**Project Details:**

1. The existing building trim, porch columns and rails are wood painted a light brown color.
2. Proposed are black wrought iron rails. Four inch square black wrought iron columns would also be a possibility if desired.

**Land Use Plans:**

Worthington Design Guidelines and Architectural District Ordinance

Original porch elements should be retained to the maximum extent possible and should be duplicated in the same design and materials if deteriorated or missing. Wrought or cast iron or aluminum supports and railings should not replace original elements unless the originals were made of these materials (this typically was true primarily of post-World War II structures).

**Recommendation:**

Wrought iron rails seem out of place with the design of this building. Replacement of the columns may help.

**Discussion:**

Mr. Hunter asked if the applicant was present. Mr. Mike Beck stated his address is 11 W. New England Ave., Worthington, Ohio. Mr. Beck said the rail system by Fortin Iron Works would match the system at the corner of New England Avenue and Oxford Street. He said they would also like to replace the posts. Mr. Hofmann asked Mr. Beck if he was replacing the wood railing on the side of the building with wrought iron and Mr. Beck said yes. Mr. Coulter asked Mr. Beck why he wants to replace the wood fence with rails instead of replacing the wood. Mr. Beck said he has replaced the wood rail four times already, and La Chatelaine's trucks keep backing into his fence. Mr. Coulter said he did not believe wrought iron would stop that. Mr. Sauer suggested adding two cement bollards to the corner to prevent the trucks from crashing into the wood fence. Mr. Beck said they are also trying to bring the building up to date.

Mr. Hunter said he would have trouble voting in favor of the rails because he feels the wood is more appropriate for the architecture on this building. Mr. Hunter said he agreed that bollards would help protect the property. Mr. Beck said he would also like to update the look of the building and Mr. Hunter explained that updating the look of downtown Worthington is a problem. Mrs. Holcombe said she liked the look of the wrought iron and felt that the look matched the building. Mrs. Lloyd said she also liked the look of the wrought iron with the wood. Mr. Sauer said he did not like the idea of replacing the wood posts with wrought iron. Mrs. Lloyd agreed and said she believed just the rails should be replaced and not the wood posts. Mr. Hunter asked if there was anyone present that wanted to speak either for or against this application and no one came forward.

**Motion:**

Mr. Coulter moved:

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**THAT THE REQUEST BY WACKED HAIR SALON FOR A CERTIFICATE OF APPROPRIATENESS TO REPLACE THE RAILINGS AT 11. W. NEW ENGLAND AVE., AS PER CASE NO. AR 90-15, DRAWINGS NO. AR 90-15, DATED SEPTEMBER 25, 2015, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING WITH THE FOLLOWING AMENDMENTS:**

- That the railings will be wrought iron but the columns will stay wood;
- That (2) steel bollards, no more than 42” tall could be installed where the damage has occurred;
- The wrought iron will be the same color as the wood is today.

Mr. Reis seconded the motion. Mrs. Bitar called the roll. Mr. Hunter, nay, Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Coulter, nay; Mr. Reis, aye; Mrs. Lloyd, aye; and Mr. Hofmann, nay. The motion was approved.

b. Solar Panels – **613 Evening St.** (Joanne Leussing) **AR 85-15**

### **Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

#### **Background & Request:**

This ranch style house was built in 1958 and is not a contributing structure in the Worthington Historic District. The homeowner would like to add solar panels to the roof over the attached garage.

#### **Project Details:**

1. The owner is proposing the addition of 9 solar panels to the east (front) side and 4 to the west (rear) side of the attached garage roof at the south end of the house. The number of panels is based on the generation of approximately 90% of the owner’s power usage. Tree coverage and a vent prevent placement of more panels on the rear of the roof.
2. The panels would be black, and lay flat against the slope of the gray roof.

#### **Land Use Plans:**

##### **Worthington Design Guidelines and Architectural District Ordinance**

In 2011, Sustainable Features were added as a review element in the Architectural Review District to encourage sustainable design and building practices, while preserving the character and integrity of the Architectural Review District. It is recommended to place solar panels in a location that minimizes the visual impact as seen from the right-of-way and surrounding properties. Generally, panels should be located on roofs in the following manner: the rear 50% of the roof of the main building; the rear inside quadrant of the roof of a main building on a corner lot; or on accessory

structures in the rear yard. On sloped roofs, place panels flush along the roof unless visibility is decreased with other placement.

**Staff Analysis:**

This proposal is at odds with recommendations in the Design Guidelines to place panels in a location that minimizes visual impact. At the same time, sustainable practices were meant to be encouraged in the District. Not every property is in a position to have solar panels placed in a location that minimizes visual impact, due to orientation, tree coverage, and building design.

**Discussion:**

Mr. Hunter asked if the applicant was present. Ms. Joanne Leussing stated her address is 613 Evening St., Worthington, Ohio, and along with Ms. Leussing was her contractor Ms. Sarah Straley. Ms. Leussing said she has been involved with environmental issues for over twenty years, and in view of global warming, she would like to use energy sources that do not involve burning coal. Ms. Straley said she is representing Ecohouse Solar, the company that will be installing the panels on Ms. Leussing's home. Mr. Coulter said he likes solar panels and had just installed them on an office building. He is aware of the amount of energy that can be created using them, but he is conflicted with the panels facing Evening Street. Mr. Hofmann asked if the panels could be installed on the west side of the home, maybe near the ridge. Ms. Leussing said she has a tree on the west side of the house that creates too much shade. Mr. Coulter asked about the number of panels. Ms. Straley said with proposing thirteen panels her client would be at a 90% offset.

Mr. Hunter said he is also conflicted about installing panels on this late 1950's ranch style home, but he complimented Ms. Leussing for choosing a friendlier environmental source of energy. Mrs. Holcombe said she is concerned that even though this is not a historical home, this house will be setting a precedent in the area with solar panels. Mr. Hunter wondered if the panels would look better on a black roof, rather than the existing gray. Mr. Hofmann asked if an even number of panels could be placed on the east side of the house and Ms. Straley said yes. Mr. Coulter noticed from the picture there is a tree that will block some of the sun on the front of the garage. Ms. Leussing said that tree is in bad condition and she would like to remove it. Mrs. Lloyd said she wanted to make a comment in regards to setting a precedent. She believed there was an application to install solar panels on the roof of a garage that faced E. Granville Rd. Mrs. Bitar said that garage was set back further and separate from the house.

Mr. Myers said at the urging of Sustainable Worthington, specific language was added to the Architectural Review Board statute to allow solar panels, and that was done to prompt the exact conversation that was just had. Solar panels are now allowed within the district and they have to be balanced with the remainder of the guidelines. This follows the law, but every installation has to be on a case by case basis where you balance the design guidelines with the desire for more solar panels.

Mr. Hunter asked if there was anyone present that wanted to speak either for or against this application and one person came forward. Ms. Joanne Dole stated her address is 661 Evening St., Worthington, Ohio. Ms. Dole said she is Ms. Leussing's neighbor and she is at the meeting in

support of what her neighbor is doing and she is happy that she is taking the lead in the neighborhood by installing solar panels. Mr. Allen Eiger of the same address stated he is also in support of what his neighbor is doing, and feels it is a good precedent to set. Mrs. Holcombe said she did not disagree, but said she would prefer the panels on the rear. Mr. Eiger said solar panels should not be hidden on the back of a house, they should all be brought to the front and promoted to help create a better environment for everyone.

**Motion:**

Mr. Sauer moved:

**THAT THE REQUEST BY JOANNE LEUSSING FOR A CERTIFICATE OF APPROPRIATENESS TO ADD SOLAR PANELS AT 613 EVENING ST., AS PER CASE NO. AR 85-15, DRAWINGS NO. AR 85-15, DATED SEPTEMBER 17, 2015, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING WITH THE AMENDMENT THAT THE NUMBER OF PANELS WILL BE ADJUSTED SO THAT THERE ARE TEN PANELS ON THE EAST SIDE OF THE HOME.**

Mr. Coulter seconded the motion. Mrs. Bitar called the roll. Mr. Hunter, nay; Mr. Sauer, aye; Mrs. Holcombe, nay; Mr. Coulter, aye; Mr. Reis, aye; Mrs. Lloyd, aye; and Mr. Hofmann, aye. The motion was approved.

c. Sign Lighting – **677 High St. (Denig Jewelers Inc.) AR 86-15**

**Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

This building was originally constructed in the early part of the 1900's as a commercial building, and is a contributing structure in the Worthington Historic District. Denig Jewelers, the primary tenant in the building, would like to add lighting for its existing wall sign above the storefront.

**Project Details:**

1. Placement of 4 black gooseneck lamps is proposed above the existing wall sign, spaced evenly between the existing projection sign and light fixture in the middle, and the outsides of the sign.
2. The electric would be directly behind the light fixtures, so no exposed conduit would be installed.

**Land Use Plans:**

Worthington Design Guidelines and Architectural District Ordinance

Use traditional sign materials and lighting. Traditional sign types most appropriate for Old Worthington include projecting, wall, awning and non-illuminated window signs. Painted wood, or material that looks like painted wood, is the most appropriate material for projecting and wall signs, with external lighting.

**Recommendation:**

Staff is recommending *approval* of this application. This type of external lighting is appropriate for this location.

**Discussion:**

Mrs. Bitar indicated they are proposing replacement of the awning and painting the sign in the same colors, which would be normal maintenance. Mr. Hunter asked if the applicant was present. Mr. Scott Denig stated his address is 677 High St., Worthington, Ohio. Mr. Denig said he is trying to keep the wattage down, and just add some subtle lighting without any glare. He had hope to use only 2 fixtures, but tested the lighting and felt it was not enough. Mr. Hunter asked if Mr. Denig planned to replace the awning with the same identical style and color and Mr. Denig said, "Yes". Mr. Sauer asked about the existing electrical boxes. Mr. Denig said he could also paint the electrical box to match the brick. He plans to add some festive Christmas lights this year. Mr. Hunter asked if there was anyone present that wanted to speak either for or against this application and no one came forward.

**Motion:**

Mrs. Holcombe moved:

**THAT THE REQUEST BY DENIG JEWELERS INC. FOR A CERTIFICATE OF APPROPRIATENESS TO ADD LIGHTING FOR THE SIGN AT 677 HIGH ST., AS PER CASE NO. AR 86-15, DRAWINGS NO. AR 86-15, DATED SEPTEMBER 22, 2015, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.**

Mr. Sauer seconded the motion. Mrs. Bitar called the roll. Mr. Hunter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Coulter, aye; Mr. Reis, aye; Mrs. Lloyd, aye; and Mr. Hofmann, aye. The motion was approved.

d. Signs – **2163 W. Dublin-Granville Rd.** (National Sign/Sbarro) **AR 87-15**

**Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

Rotolo's operated its restaurant in this space since 2003, expanding to add a seating area in 2013 in the suite to the west. Recently, the restaurant was purchased by Sbarro and signage was placed on the building. This is a request for approval of the signage already in place.

**Project Details:**

1. The largest of the 3 signs is in the gable, where the 44 square foot Rotolo's sign was located. The Rotolo's sign was externally illuminated with gooseneck lamps. The Sbarro sign is about 37 square feet in area and internally illuminated. The name is red; the logo is a round white circle with the name in black and a pizza in red and green; and there is a black oval below the main name that has "DINE IN", "CARRY OUT" AND "DELIVERY" in white.
2. The small sign bands above the storefronts have 7 ½" white vinyl letters reading "PIZZA", "STROMBOLI", "SUBS" AND "WINGS".
3. Because the business has 3 wall mounted signs, a variance would be needed if they are all kept.

**Land Use Plans:**Worthington Design Guidelines and Architectural District Ordinance

While the regulations permit a certain maximum square footage of signs for a business, try to minimize the size and number of signs. Colors for signs should be chosen for compatibility with the age, architecture and colors of the buildings they serve, whether placed on the ground or mounted on the building.

**Discussion:**

Mr. Hunter asked if the applicant was present. Mr. Brian Thomas stated he is representing National Sign Systems at 4200 Lyman Ct., Hilliard, Ohio. Mr. Thomas was accompanied by his co-worker Mr. Derrick Reba, of 4200 Lyman Ct., Hilliard, Ohio. Mr. Hunter explained that Mr. Thomas would need to take several messages back to his client. Mr. Hunter said first of all, Sbarro Pizza has disrespected the City of Worthington with their conduct all the way through this. Mr. Hunter asked Mr. Thomas how long ago he received the initial work order for this sign, and Mr. Thomas said about two and a half weeks prior to the installation. Mr. Reba explained that National Sign Systems was only involved in the making of the wall signs and vinyl lettering they did not make the signs that have been placed in the windows. Mr. Hunter said he wanted the sign representatives to take the message back to their client that he is very upset with the way that the City has been disrespected. He said he will also not approve of the menu signs above the storefronts because they are not necessary. Mr. Hunter continued to say that he probably would have voted in favor of the wall sign if Sbarro would have complied with the normal process for signage approval. He said due diligence is a normal part of any business, and Sbarro should have known they were opening up a business within the Architectural Review District. He said Sbarro was contacted and blatantly ignored the process for signage approval. Mr. Hunter said he would like to hear from someone within the company that has decision making authority.

Mr. Sauer asked which signs National Sign Systems installed and Mr. Thomas said they installed the Sbarro wall sign with the illuminated channel letters and the circled pizza slice, and the vinyl

menu letters. Mr. Sauer asked Mr. Thomas when his company does business, do they understand the regulations of the community they are going to be working in. Mr. Thomas said “Yes, they work in communities all over the country.” Mr. Sauer asked the sign representatives why they ignored the City’s regulations. Mr. Thomas replied he was not aware of the regulations within the community because they were out of town when they received the job. As soon as they became aware of the regulations he applied to come before the Board. Mr. Hofmann asked why they continued to install the sign even though they were aware of the regulations of the Architectural Review District. Mr. Thomas said they had to install the sign in order to receive a paycheck, and this will be a learning lesson for them. Mr. Sauer asked if the white pizza slice sign is internally illuminated and Mr. Thomas said, “Yes, the sign is a diffused white.” Mr. Sauer said the Board normally does not typically allow illuminated signs like that. Mr. Hoffman asked if the red letters glow also and Mr. Thomas said, “Yes.”

Mr. Reis asked Mrs. Bitar what kind of recourse was available to make the store remove the window and vinyl menu lettering. Mrs. Bitar replied the illuminated window signs do not make Code requirements and must be removed. She also said the City can take enforcement action to make the store remove the banners and eliminate the lighting of the window signs. Mr. Coulter said the grand opening banner also needs to be removed. Mr. Hofmann said he agrees the illumination of the white pizza slice sign should be turned off, and felt the vinyl letters above the storefronts should be removed. Mr. Hunter explained he would like to see a representative from Sbarro come back to the Board and answer some of their questions. Mr. Hunter asked if there was anyone present that wanted to speak either for or against this application and no one came forward.

**Motion:**

Mr. Coulter moved:

**THAT THE REQUEST BY NATIONAL SIGN FOR A CERTIFICATE OF APPROPRIATENESS TO RETAIN SIGNAGE AT 2163 W. DUBLIN-GRANVILLE RD., AS PER CASE NO. AR 87-15, DRAWINGS NO. AR 87-15, DATED SEPTEMBER 22, 2015, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING WITH THE FOLLOWING AMENDMENT:**

- Window signs are to be removed immediately;
- Grand opening sign is to be removed immediately;
- The menu signs above the two doors are to be removed immediately;
- The white pie slice sign can remain but the illumination is to be turned off;
- Repainting of the gable is to be done as soon as possible to cover where the old signs were.

Mr. Reis said he would like to add a friendly amendment that the word “immediately” in the motion means “tomorrow”, Friday, October 9<sup>th</sup>, 2015.

Mr. Thomas said he would like to request the motion be tabled based upon the Board’s decision to not allow the illumination of the pizza slice. Mr. Sauer mentioned if the Board tables the motion

then nothing will be done. Mr. Thomas said he would make sure that everything the Board has requested to be taken down will be taken down tomorrow morning. Mr. Sauer asked if that would mean the pizza slice would stay illuminated and Mr. Thomas said “Yes, because he does not have the authority to make that level of a decision, but he could turn off the illumination until the next Board meeting”. Mr. Hofmann explained that when Mr. Thomas and whatever representative came with him, the Board will still not allow the pizza slice to be illuminated, so he recommended that Mr. Thomas go forward with the motion for approval. Board members did not make a motion to table. Mr. Hunter asked if there was second to the original motion and Mr. Sauer seconded the motion. Mrs. Bitar called the roll. Mr. Hunter, nay; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Coulter, aye; Mr. Reis, aye; Mrs. Lloyd, aye; and Mr. Hofmann, aye. The motion was approved.

e. Windows – **54 W. Short St.** (K.D. Yoder & Associates/Miesle) **AR 88-15**

### **Findings of fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

#### **Background & Request:**

This house was built in the early 1900’s and is a two-story Homestead style house. The new owners would like to replace the windows.

#### **Project Details:**

1. The plan for most of the windows is to replace only the sashes, with the framing and trim to remain. The new sashes would be clad wood with simulated divided light to match the patterns that currently exist on the home. The color is proposed to be Wineberry.
2. The addition of simulated divided light is proposed for the third floor windows.
3. A casement window on the west side of the house would be replaced with a double hung to match the other windows.

#### **Land Use Plans:**

##### **Worthington Design Guidelines and Architectural District Ordinance**

The Worthington Design Guidelines recommend if historic windows are too deteriorated to repair cost-effectively and replacement is justified, the preferred option is an in-kind replacement in the same material and design. New windows made of substitute materials such as clad wood can be acceptable if they provide a reasonably good match for the windows being replaced. Be sure that window designs are appropriate for the style or time period of the house. Avoid use of inappropriate window designs. Avoid enlarging or downsizing window openings to accommodate stock sizes of replacements. Also avoid permanent blocking in of windows.

Compatibility of design and materials, exterior detail and relationships, and window treatment are standards of review in the Architectural District ordinance.

#### **Recommendation:**

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Staff is recommending *approval* of the application. The proposed replacement sashes would be a good match for the existing.

**Discussion:**

Mr. Hunter asked if the applicant was present. Mr. Donald Miesle stated he is the new owner of the home at 54 Short St., Worthington, Ohio, and along with Mr. Miesle was his contractor, Mr. Jeff Welch, of 3500 Millican Ct. Mr. Miesle said he can only currently open four windows in his house, which is very disappointing right now with the weather being so nice. He would like to replace the windows with double pane windows so he can open and close the windows and have the windows insulated from extreme hot and cold temperatures. Mr. Miesle pointed to a window in the back of the house that is one of the original windows and he wants the new windows to match the window that is in the back of the house. They would like to add the red to the windows to help highlight the architecture of the house. Mr. Coulter asked why there is an awning over the back window, and Mr. Miesle said he did not know, the previous home owner installed the awning. Mr. Hunter said the installation of that may have predated the beginning of the Architectural Review Board. Mr. Hunter asked if there was anyone present that wanted to speak either for or against this application and no one came forward.

**Motion:**

Mr. Reis moved:

**THAT THE REQUEST BY K.D. YODER & ASSOCIATES FOR A CERTIFICATE OF APPROPRIATENESS TO REPLACE THE WINDOWS AT 54 SHORT ST., AS PER CASE NO. AR 88-15, DRAWINGS NO. AR 88-15, DATED SEPTEMBER 23, 2015, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING AS AMENDED THAT THE AWNINGS CAN BE REMOVED, AND THE THIRD FLOOR WINDOWS CAN BE FOUR OVER FOUR.**

Mr. Hofmann seconded the motion. Mrs. Bitar called the roll. Mr. Hunter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Coulter, aye; Mr. Reis, aye; Mrs. Lloyd, aye; and Mr. Hofmann, aye. The motion was approved.

f. Signs – **693 ½ High St. (Lesley Cross) AR 89-15**

**Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

This commercial building was constructed in the early 20<sup>th</sup> century and has had mainly retail on the first floor, with a mix of personal services and office on the second floor. The upstairs space at 693 ½ has housed a number of users, each of whom has had signage at the first floor level. This is a request for a new wall sign near the north entrance, and a projection sign near the west entrance to the second floor.

**Project Details:**

1. The 10” x 22” wall sign is proposed east of the blue door next to the Wren House. The sign would be constructed of sandblasted HDU, and would identify the business name, “Bridges Counseling of Worthington”, and logo. The proposed sign would be painted white, black and teal.
2. On the west side of the building near a second access leading to the second floor, a 12” x 24” projection sign is proposed that would be suspended from a scroll bracket. The sign design would match the wall sign.

**Land Use Plans:**Worthington Design Guidelines and Architectural District Ordinance

The Worthington Design Guidelines and Architectural District Ordinance recommend signs be efficient and compatible with the age and architecture of the building. Use of traditional sign materials such as painted wood, or material that looks like painted wood, is the most appropriate material for projecting and wall signs.

**Recommendation:**

Staff is recommending *approval* of the proposed signs. The material will look like wood, and be in character with the building and Old Worthington.

**Discussion:**

Mr. Hunter asked if the applicant was present. Mrs. Leslie Cross stated her address is 494 Mid Dr., Worthington, Ohio. Mrs. Cross said the blue door which is located next to the Wren House, goes to a general stairwell which leads to office space. Most of her clients park around the back and they have a difficult time trying to find her office. She wants to differentiate her office from the Wren House, and the signage will help with that. Board members had no questions or concerns. Mr. Hunter asked if there was anyone present that wanted to speak either for or against this application and no one came forward.

**Motion:**

Mr. Sauer moved:

**THAT THE REQUEST BY LESLEY CROSS FOR A CERTIFICATE OF APPROPRIATENESS TO INSTALL TWO SIGNS AT 693 ½ HIGH ST., AS PER CASE NO. AR 89-15, DRAWINGS NO. AR 89-15, DATED SEPTEMBER 24, 2015, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.**

Mr. Reis seconded the motion. Mrs. Bitar called roll. Mr. Hunter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Coulter, aye; Mr. Reis, aye; Mrs. Lloyd, aye; and Mr. Hofmann, aye. The motion was approved.

## C. Municipal Planning Commission

### 1. Amendment to Development Plan

- a. New Office Building – **6767 Huntley Rd.** (Carney Ranker Architects/Atlas Industrial Contractors LLC) **ADP 07-15**

Mrs. Bitar said the applicant has requested this matter be tabled. Mr. Sauer moved to table this application and Mr. Reis seconded the motion. All Board members voted, “Aye.” The motion was tabled.

### 2. Subdivision

- a. Preliminary Plat – **918 High St.** (Plank Law Firm/MK&K Realty Inc) **SUB 03-15**

### Findings of Fact & Conclusions

Mrs. Bitar reviewed the following from the staff memo:

#### **Background & Request:**

The applicant has requested Preliminary Plat approval to allow the part of the property that is occupied by CVS to be separated from the rest of the property. Also, two additional parcels at the east end of the site that house parking would be combined with the southern resultant parcel. The total area of the 3 parcels is 1.865 acres; the resultant lots would be 0.844 acres and 1.021 acres. The split would allow the property owner to potentially sell or develop the vacant lot, and separate the property taxes.

The parcels are zoned C-2 (Community Shopping Center) and were subject to Development Plan approval for any development on the site. A new plan would be needed for any change to the original development on the site. The entire site would remain in the Architectural Review District.

#### **Zoning Requirements:**

	C-2 Zoning	North Lot	South Lot
Lot Width	150'	252' & 145.54'	176.69'
Lot Area	1-acre	0.844 acres	1.021 acres
Front Setback	50'	Established	50'
Rear Setback	40'	>40'	40'
Minimum Width Each Side Yard	40'	0'	40'
Maximum % of Lot Coverage	25%	35.4%	25%

**VariANCES:**

1. Parking: After the subdivision, Lot 1 would have 39 regular parking spaces and 4 handicap spaces for a total of 43 parking spaces; 57 spaces would be required. Perpetual easements are in place for ingress and egress on the adjacent parcels.
2. Lot Coverage: The CVS building on Lot 1 is 13,013 square feet and the overall square footage for Lot 1 is approximately 36,764.64 square feet for total coverage of 35.4%.
3. Side Yard Set Back: 0' for the CVS building being directly against the proposed property line. The southern wall would be required to be fire rated to meet the Building Code, which is reportedly the case.
4. Acreage: Lot 1 is 0.844 acres; 1 acre is the required minimum.

**Land Use Plan:**Worthington Comprehensive Plan

At this intersection, the preferred traditional urban design principals — moving the buildings forward to the sidewalk, placing the parking to the rear (screened by the building), and creating an inviting streetscape with an attractive two-story building façade would apply.

**Recommendations:**

Staff is recommending approval of the application. Because the north portion of the site is fully developed, it should not matter if the rest of the site is on a separate parcel.

**Discussion:**

Mr. Hunter asked if the applicant was present. Mr. Sauer asked why the applicant is proposing the property line where it is shown. Mrs. Bitar explained that is where the lease line is with CVS. Mr. Hunter asked where the Urgent Care Center parks. Mrs. Bitar explained the Urgent Care Center has a parking easement to park on the parcels to the rear. She said a new agreement would need to be approved by the Board of Zoning Appeals with the lot split. Mr. Coulter asked if a letter has been received by CVS saying they are in agreement with what is going on. Mrs. Bitar said no, she has not received any correspondence from CVS. Mr. Coulter asked if the applicant was present.

Mr. Donald Plank said he is representing his client, the applicant, MK&K Realty. Mr. Plank said they took a look at the size of the lots in the neighborhood. His clients parcel is 1.856 acres. When they split up the parcel one side will still exceed one acre, and the other parcel will be .844 of an acre. Mr. Plank said when you take a look at the other parcels in the area, the smaller parcel will still be larger than most of the parcels in the area. He said the reason for the subdivision is to resolve discussions with CVS regarding taxes.

Mr. Hunter said he is aware that CVS had many items in their lease agreement that would prevent MK&K from doing things that should have been considered very appropriate. Mr. Hunter said he understands those items are part of the lease agreement and not deed restrictions. Mr. Plank said the lease agreement will not be affected by the subdivision of the parcel. CVS has a strong hold position as to who the tenants can be and what the parcel can be used for even though the land will be subdivided. Mr. Coulter asked if the lease agreement would still be in affect if the land was sold and Mr. Plank said yes. Mr. Sauer asked who asked to have the lot split. Mr. Plank said the

property owner has requested to have the lot subdivided. Mr. Sauer asked why someone would want to establish a property line knowing that elements of the building extend into your neighbor's property. Mr. Plank said the building elements extend over the lease line anyhow, so typically you just get easements for those encroachments. He said this is common in urban development. There is already a parking lot agreement to access the lot. Mr. Plank said nothing is really changing about using the parking lot, or the ability to have access to it, this is just a lot split issue that creates two separate tax parcels.

Mr. Coulter said he is not opposed to the lot split, but he would be more comfortable seeing a letter from CVS saying they are aware and understand what is going on and are supportive of the lot split. Mr. Plank said there is a provision within the lease that will require him to do that, and he will provide that authority in the near future. Mr. Brown said there is a recorded document on the Franklin County Recorder's website that outlines ingress and egress. Mr. Coulter said he just wants to make sure that CVS is well informed, as of Oct. 9<sup>th</sup>, 2015, with what MK&K is wanting to do. Mrs. Bitar explained she had heard previously that subdividing the property was part of the original lease. Mr. Plank said this will allow the County Auditor to come in, value the CVS property by itself, which will probably be an increased value, and they will not have to argue over the value of the vacant land. Mr. Hunter asked if there was anyone present that wanted to speak either for or against this application and no one came forward.

**Motion:**

Mr. Reis moved:

**THAT THE REQUEST BY PLANK LAW FIRM FOR APPROVAL OF A PRELIMINARY PLAT TO RE-SUBDIVIDE THE PARCELS AT 918 HIGH ST. AS PER CASE NO. SUB 03-15, DRAWINGS NO. SUB 03-15, DATED SEPTEMBER 1, 2015, WITH THE AMENDMENT THAT A LETTER WILL BE PROVIDED BY CVS STATING THEY TAKE NO EXCEPTIONS TO THE SUBDIVISION, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.**

Mr. Sauer seconded the motion. Mrs. Bitar called the roll. Mr. Hunter, aye; Mr. Sauer, aye; Mrs. Holcombe, aye; Mr. Coulter, aye; and Mr. Reis, aye. The motion was approved.

**D. Other**

Mr. Hunter asked if there was any other business to discuss. Mr. Brown asked the Board members if they had any issues setting up their new City email addresses. A few of the Board members still need to set up their email addresses. Mr. Brown said by the 1<sup>st</sup> week of November, Board members need to start using their city email addresses, because the City email addresses will be posted on the City's website.

Mr. Coulter asked when Fresh Thyme was going to change out the lights and Mr. Brown said they are still working with them to have everything finished within thirty days. Fresh Thyme is looking

at the storm water for the site, dealing with water quality and quantity. Mr. Brown said once received, he will forward that information to the City's Engineer, Mr. Bill Watterson, and the City's consultants for review.

**E. Adjournment**

Mr. Hofmann moved to adjourn the meeting at 9:00 p.m. and Mrs. Holcombe seconded the motion. All Board members voted, "Aye". The meeting was adjourned.