



MINUTES OF THE REGULAR MEETING  
WORTHINGTON ARCHITECTURAL REVIEW BOARD  
WORTHINGTON MUNICIPAL PLANNING COMMISSION  
October 26, 2017

The regular meeting of the Worthington Architectural Review Board and the Worthington Municipal Planning Commission was called to order at 7:00 p.m. with the following members present: Mikel Coulter, Chair; Thomas Reis, Vice-Chair; James Sauer; Edwin Hofmann; Amy Lloyd; and David Foust. 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. Kathy Holcombe, Secretary, was absent.

**A. Call to Order – 7:00 p.m.**

1. Roll Call
2. Pledge of Allegiance
3. Affirmation/swearing in of witnesses

**B. Architectural Review Board – Unfinished**

Mr. Coulter asked Mr. Foust to discuss the photograph on display (for Halloween). Mr. Foust said the photograph was taken behind St. John's church, in the cemetery, from a glass plate negative from the Griswold. The photograph was taken between 1895 and 1900. He said things do change. The tree in the photograph is no longer there, and the building in the back appeared to be a carriage shed.

1. Pergola – **93 W. Granville Rd.** (Leslie & Matt Welch) **AR 77-17**

**Findings of fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

This two-story Colonial Revival house was constructed in the late 1800's. The 2961 square foot house is on a rare  $\frac{3}{4}$  acre parcel in Old Worthington and is a contributing building in the Worthington Historic District. The detached garage is also a contributing building.

The owners constructed a 10' x 10' pergola about 2 years ago, but never received approval. This is a request to keep the pergola.

**Project Details:**

1. The pergola was built over an existing patio at the southeast corner of the house. The owners report the structure is at least 5' from the east property line as is required by the Code. There are trees and shrubs along that side of the property.
2. Construction of the pergola was with wood, which has been left the natural color.
3. In addition to ARB approval, the owners will need to apply for a Certificate of Compliance.

**Land Use Plans:**

Worthington Architectural District Ordinance

Compatibility of design and materials and exterior details and relationships are standards for review in the Architectural District ordinance.

**Recommendation:**

Staff recommended approval of the application. The pergola is appropriate on this lot.

**Discussion:**

Mr. Coulter asked if the applicant was present. Mr. Matt Welch, 93 E. Granville Rd., Worthington, Ohio, apologized for not knowing the process for architectural review and said he just wanted to make some improvements to the property. Board members did not have any questions. Mr. Coulter asked if there was anyone present who wanted to speak for or against this application and no one came forward.

**Motion:**

Mr. Reis moved:

**THAT THE REQUEST BY LESLIE & MATT WELCH FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS TO RETAIN A PERGOLA 93 W. GRANVILLE RD., AS PER CASE NO. AR 77-17, DRAWINGS NO. AR 77-17, DATED SEPTEMBER 27, 2017, 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. Coulter, aye; Mr. Reis, aye; Mr. Sauer, aye; Mr. Hofmann, aye; Mrs. Lloyd, aye; and Mr. Foust, aye. The motion was approved.

2. Lighting – **649 High St. (The Worthington Inn) AR 45-17**

**Findings of fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

The Worthington Inn was first used as a commercial building in the mid 1800's, after being constructed as a residence in 1834. In the 1980's, the original building was restored and an addition was constructed to house guests. In 2005, approval was given to convert the inn rooms to residential condominiums. At the time, balconies and carports were added at the rear of the site to make those units more marketable. Garage doors were approved in 2015 to enclose four of the carport parking spaces. The Worthington Inn is a contributing building in the Worthington Historic District.

In recent years, Bradford Pear trees were removed from the tree lawn along W. New England Ave. by the City. The property owner had some lighting associated with those trees that helped illuminate the sidewalk, that will no longer work without the trees. This application is a request to retain light fixtures to illuminate the sidewalk and highlight the building.

**Project Details:**

1. Six canister shaped fixtures painted to match the building were installed along the south wall of the Worthington Inn. The fixtures are in two sizes, both of which used 75 watt bulbs. On the two-story part of the wall, 3 fixtures would light up and down. For the lower part of the wall, 3 fixtures would light down only. A conduit painted to match the building would provide power.
2. Fixtures with 2700K LED flood lights were installed toward the edge of the front balcony to illuminate the building.

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

Lighting: Use of fairly small lighting fixtures, and as few as possible, is recommended. Fixtures should not be overly ornate. Simple and smaller usually is better. Avoid excessive brightness.

**Recommendation:**

Staff recommended approval of this application. Painting the fixtures and conduit helps them fade into the background. The nighttime effect of the lighting is appropriate.

**Discussion:**

Mr. Coulter asked if the applicant was present. Mr. Kevin Rohyans, 634 High St., Worthington, Ohio. Mr. Rohyans said the objectives and goals of the project were to do two things, provide lighting for the sidewalk on the New England Avenue side, because that is where the main entrance is, and to for general safety reasons. He said they used to pay for the up-lighting for the Bradford Pears trees that were along New England, but the City cut the trees down. The area was very dark without lighting. Mr. Rohyans said the lighting also helps other people that use the municipal parking lot in the back. He said another goal was to light the building and they are happy with the way the lights turned out. Mr. Rohyans said the Board asked him to move the conduit over closer to the gutter and paint the conduit to match the building and he did that. He said shutting down the business to gut the restaurant is not an option and the building is 200 years old with 200 year

old brick. He would not want potential problems cutting into the brick. The fixtures they have allowed them to play with the lightbulbs so they could find the right look for the building. Mr. Rohyans said they tried bulbs from three different manufacturers and all three were a little different from one another. Mr. Sauer said he liked the resultant effect of the lighting, he liked the way the lighting looked and also liked having the conduit moved over closer to the gutter and thought this was an acceptable solution.

Mr. Hofmann said he did not think any of the Board members had any issues with the reasoning for the lighting the primary irritant was the work was done without being submitted to the Board first which was unusual given the amount work that was previously done. He said the second irritant is the building is one of the most prominent buildings downtown and he felt the execution was cheap and should still be done correctly. Mr. Rohyans said in the historic district, there is exposed conduit on the Zettler building, on the Whitney House across the street, and on the piazza in front of Dewey's Pizza and he did not understand why the Worthington Inn is being singled out and held to a higher standard. Mr. Hofmann explained the other projects came before the Board first and asked for permission.

**Motion:**

Mr. Sauer moved:

**THAT THE REQUEST BY THE WORTHINGTON INN FOR A CERTIFICATE OF APPROPRIATENESS TO ADD LIGHTING AT 649 HIGH ST., AS PER CASE NO. AR 45-17, DRAWINGS NO. AR 45-17, DATED MAY 12, 2017, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.**

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

3. Mural – **644-654 High St.** (Mike Duffey) **AR 79-17**

**Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

This property includes a building housing six merchant spaces (RIDEhome, ELLI Nail Spa, The Candle Lab, House Wine and Graeter's; A Taste of Vietnam has closed.), and the parking lot in front at the northeast corner of High St. and E. New England Ave. The rear wall of this building faces the municipal parking lot to the east, and is currently painted white, except the southern part is painted light green to match the other walls of House Wine. The meters and equipment on that part of the wall are painted to match, and there is conduit along the entire wall painted to match

the background.

This request is for approval to paint a mural on the back (east) wall of the building.

**Project Details:**

1. No other murals have been installed in Old Worthington, and there is not reference to murals in the Worthington Design Guidelines.
2. The applicant is proposing Firefly Delight, which includes a picture of a young girl looking at fireflies in a jar, a dog, soccer ball, books, etc. set on a purple background. As an alternative, a picture of the mural in the Old Worthington library that depicts an historical scene is in the packet. The applicant would like to discuss the options with the ARB.
3. By definition, murals are signs. Either proposed mural would also need approval from the Board of Zoning Appeals for a variance from the requirement for no more than 4 colors.

**Land Use Plans:**

Code Chapter 1170 - Signs

1170.01 PURPOSE AND INTENT.

The purpose of these sign regulations is to encourage the proper development and use of signage and to permit and regulate signs in such a way as to support and complement land-use objectives set forth in the Zoning Ordinance. In addition to protecting from distractions and obstructions that can contribute to traffic and pedestrian accidents, it is the intent of these regulations to control and regulate signs to prevent them from becoming a nuisance factor to adjacent properties and the community in general. To protect the general health, safety and welfare, and to protect and encourage a more attractive economic, business and overall physical appearance of the community, all signage is subject to the regulations that follow in this chapter.

1170.02 DEFINITIONS AND PROVISIONS.

“Sign” means any device, structure, material or combination of these intended to advertise or draw attention to such items as business names, organization names, real estate, buildings or structures, products, services or entertainment.

1170.03 DESIGN REQUIREMENTS.

(d) Colors. Not more than four colors, including black and white, shall be used on any sign.

Code Chapter 1177 - Architectural District

1177.01 PURPOSE.

The purpose of this chapter is to maintain a high character of community development, to protect and preserve property, to promote the stability of property values and to protect real estate from impairment or destruction of value for the general community welfare by regulating the exterior architectural characteristics of structures and preservation and protection of buildings of architectural or historical significance throughout the hereinafter defined Architectural District. It

is the further purpose of this chapter to recognize and preserve the distinctive historical and architectural character of this community which has been greatly influenced by the architecture of an earlier period in this community's history. These purposes shall be served by the regulation of exterior design, use of materials, the finish grade line, landscaping and orientation of all structures hereinafter altered, constructed, reconstructed, erected, enlarged or remodeled, removed or demolished in the hereinafter defined Architectural District.

#### 1177.05 STANDARDS FOR REVIEW: CERTIFICATE OF APPROPRIATENESS.

The Board of Architectural Review, in deciding whether to issue a certificate of appropriateness, shall determine that the application under consideration promotes, preserves and enhances the distinctive historical village character of the community and would not be at variance with existing structures within that portion of the district in which the structure is or is proposed to be located as to be detrimental to the interests of the Districts as set forth in Section [1177.01](#). In conducting its review, the Board shall make examination of and give consideration to the elements of the application including, but not necessarily limited to:

(10) Signage, which shall include, in addition to requirements of Chapter [1170](#), the appropriateness of signage to the building.

#### Worthington Design Guidelines

The City of Worthington has sign regulations, the purpose of which is to keep commercial signage from overwhelming the city's traditional architecture and its human scale. The regulations also address safety issues. The following guidelines are meant to be flexible and to work hand-in-hand with the sign regulations. They allow creativity and imagination in signage, while recommending against some practices that would not be appropriate in Worthington. Colors for signs in Old Worthington should be chosen for compatibility with the age, architecture and colors of the buildings with which they are associated. Signs must be distinctive enough to be readily visible but should avoid incompatible modern colors. Bright color shades generally are discouraged in favor of more subtle and toned-down shades.

#### **Recommendation:**

Staff recommended tabling of this application so the City and community members have time to decide whether murals are appropriate for Old Worthington.

#### **Discussion:**

Mr. Brown explained the Board members will not be discussing content of the murals. There have been many recent cases regarding First Amendment rights. The Board can look at the murals but they cannot look at the design or the content of the mural themselves. The Board is charged with discussing whether the murals are appropriate in Worthington of city wide. There are several questions needing to be addressed and those have been forwarded to City Council for discussion.

Mr. Sauer said he need some clarification. He said the Board is asked to look at buildings and projects that are coming along and they are asked whether or not the brick is appropriate, or

whether or not the stone is appropriate and whether or not a building should or should not have shutters, or whether the color of a building is appropriate, and asked to look at roofing material, whether or not windows should have divided panes, and the same for signage, whether or not the sign is appropriate, does the sign have too many colors, does the sign have the right copy, but the Board cannot judge the content of a mural. He does not understand why the Board is even asked whether or not a building should have shutters, but when a mural comes along, the Board is not asked for their opinion. Mrs. Bitar explained murals are considered free speech which is protection by the Constitution. She said the Board could look at the standards for review such as how many colors are in the mural would be appropriate, and in regards to sign regulations, what size would be appropriate, and there should not be bright colors. Mr. Brown explained the Board does not regulate the color of a house. Mr. Coulter explained to the people in the audience they were welcome to make comments about the mural, but the Board would not be discussing content. He said the Board has been advised by the Law Director not to discuss the content of the mural. What they can regulate is whether murals will be allowed, how many could be allowed, and what locations would be acceptable. There is nothing in the Codified Ordinances to tell them that type of information.

Mr. Coulter asked if the applicant was present. Mr. Mike Duffey, 645 Farrington Dr., Worthington, Ohio. Mr. Duffey said in the time passing from the last meeting to the present meeting he had not received any negative comments about the mural or in opposition to the proposal. He said at the last meeting Mr. Robinson indicated there should be a contest for the design but he rejected the idea based upon the ARB process before any other project because those projects are owner driven. If a property owner proposes something the city can say either thumbs up or thumbs down. He said he felt the community should be able to comment on the content through the public process such as the meeting they were currently at. He said he wanted to hear the public's feedback whether positive or negative and their comments would be taken into account. Mr. Duffey said the project began with discussions with the property owner back in 2015. He said they do have a petition signed by the tenants in the building such as Donnie Austin, with House Wine; Chris Anderson, with Ride Home; owners of Candle Lab; Mr. De Roberts, the owner of the building; and the Showe family, who gave their verbal okay for the project; the owner of Worthington Jewelers; and some of the residents who live nearby. Mr. Duffey said the Ohio Arts Council will likely help with the funding of the mural, and they do not plan to begin the mural until next spring. He said he would like to have some input from the community, and also an answer from the Board of whether or not the mural will be allowed. Mr. Coulter asked if there was anyone present who wanted to speak for or against this application.

Ms. Kay Keller, 670 Morning St., Worthington, Ohio, said she thought the location was a good spot for a mural. She said she personally objected to the picture of the little girl holding the jar of fireflies, but since she has learned the Board will not be able to regulate the content of such murals, she wanted to re-think her position on allowing murals at all. She believed the content should go with the look of Worthington but if the Board could not regulate the content then she

felt murals should not be allowed within the historic district. Ms. Keller felt if there were too many murals allowed, that might detract from the wonderful architecture in Worthington.

Mr. Kevin Rohyans, 634 High St., Worthington, Ohio, said he questioned the maintenance of the mural.

Mrs. Suzanne Seals, 123 E. New England Ave., Worthington, Ohio, said she agreed with what Ms. Keller just said. Mrs. Seals said she has some concerns because the downtown area is fairly small and felt if the Board could not regulate the colors, she felt the mural may have a cartoonish look which would detract from the elegance of the historic downtown area. Mrs. Seals said she also wanted to go on the record as not caring for the artwork of the little girl holding a jar of fireflies. She felt the proposed design looked frightening.

Mr. Ian Sheldon, 565 Hartford St., Worthington, Ohio, said he felt precedent matters and the Board needs to decide what their viewpoint is overall on murals since they are not allowed to discuss content. Mr. Sheldon said he did not like the look of the mural and he would have to walk passed the mural on a regular basis.

Mr. Foust explained the Board is charged with the enhancement of the village like character of the community so the precedent issue is very important. He believed more public input was needed and a program that will determine where, when and how, within legal guidelines, as to where the murals can and cannot be if they are allowed at all. Mr. Sauer said he was not convinced murals are a good thing because he was concerned about precedent. He said he does not have a basis at this point to decide what is or what is not appropriate and was also concerned the Board could not judge the content. Mr. Sauer said most people have common sense but he was concerned one individual might just say "to bad" and do anything they want. He said he knows the community cares a lot about their buildings and the environment, and the character of their community. Mrs. Lloyd said she was concerned with location of the murals, and about precedent. Mr. Hofmann said he too was concerned about location and believed boundaries should be defined.

Mr. Myers said with all respect due to Mrs. Bitar and Mr. Brown, no one has heard an attorney evaluate the issue of content, location or design. Mr. Myers felt this matter should be heard by City Council because he would like further public debate. He asked Chairman Coulter what his opinion would be if the Board could regulate content, and could say to no to someone wanting to paint a Confederate Flag, and then let City Council make the decision once they have spoken with the City's Law Director, Tom Lindsey.

Mr. Sauer agreed with Mr. Myers, and felt the community should be able to express what they want or think is a good idea. He was comfortable with City Council making that decision. Mr. Sauer said the only places he has seen murals in the past is on buildings that were trying to dress up the area, buildings that did not look so hot. Mr. Reis felt murals were neat, but not sure if they should be in the Worthington community. Mr. Coulter said generally, he is in favor of murals but he would like some guidance as to how many, and where they should be. He said the murals he

has seen have been historical in nature, but not always, and asked the Law Director if they could restrict the murals to be historic in nature, not the content, but the flavor of what could be tied back to the city.

Mr. Myers said he wanted to refer to the mural that was painted in Clintonville which is historical in nature, but he knew of many Clintonville residents who do not like the mural for reasons that have nothing to do with history. He said just defining the mural to be historical in nature might not be enough. Mr. Coulter said he had a discussion with some friends and they did discuss that particular mural in Clintonville. He said there was one individual that did not like the mural, but he did not like murals at all, but there were several other people that did like the mural and appreciated the content and the context behind it.

Mr. Duffey said he was happy to getting some feedback, and realized this could be a great challenge because there will always be a difference of opinions on artwork. Mr. Duffey said the artist is Kaitlyn Waters, she attended Granby Elementary School, and graduated from Worthington Kilbourne High School. He said he asked her to paint something family friendly and wholesome, and nothing controversial. Mr. Duffey said her response was “A perfect summer night.” The picture shows a girl in her backyard, who caught a jar of fireflies, playing with the dog, and there is a jump rope and a soccer ball, which is a common scene in Worthington. He would like some feedback from the community to see what they would want to see. Mr. Duffey referred to the mural of the settlers but said he would not want to see that. He said he grew up in Worthington and felt the mural of the settlers was boring, he would like to see something more fun. Mr. Duffey referred to the pregnant mermaid sculpture at the McConnell Arts Center which did not go through the ARB process, and gave other examples around the city that were on display, but did not represent something historical.

Mr. Brown said that he and the Law Director, Mr. Tom Lindsey, sent a two page memo to City Council members earlier in the week so they would be aware of what was being discussed at the meeting. The memo outlined the two applications that were coming before the Board, and would be later heard by City Council. Mr. Foust had a legal question and asked if the Board voted on something they have not set up all the details for would that be setting up a precedent for the future and Mr. Lindsey said if the question is one of, does voting on this application, whether yes or no, simply by the act of voting, indicate a precedent as to murals his answer would be, “No.”

Mr. Duffey requested a vote by the Board members.

**Motion:**

Mr. Reis moved:

**THAT THE REQUEST BY MIKE DUFFEY FOR A CERTIFICATE OF APPROPRIATENESS TO PAINT A MURAL AT 644-654 HIGH ST., AS PER CASE NO. AR 79-17, DRAWINGS NO. AR 79-17, DATED SEPTEMBER 28, 2017, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO**

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**AND PRESENTED AT THE MEETING.**

Mrs. Lloyd seconded the motion. Mrs. Bitar called the roll. Mr. Coulter, nay; Mr. Reis, nay; Mr. Sauer, nay; Mr. Hofmann, yea; Mrs. Lloyd, nay; Mr. Foust, nay. The motion was denied.

**C. Architectural Review Board – New**

**1. Mural – 627 High St. (Old Worthington Partnership) AR 85-17**

**Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

La Chatelaine French Bakery and Café began operation at this location in 1992. At the time, the building was renovated to look as it does today. The south building wall is painted white. This proposal is to paint a mural on the south side of the building.

**Project Details:**

4. No other murals have been installed in Old Worthington, and there is not reference to murals in the Worthington Design Guidelines.
5. The applicant is proposing a mural with a large “Welcome to Worthington Ohio” sign on the top and renderings of historic Worthington buildings and Farmer’s Market produce below.
6. By definition, murals are signs. The proposed mural would also need approval from the Board of Zoning Appeals for a variance from the requirement for no more than 4 colors.

**Land Use Plans:**

Code Chapter 1170 - Signs

1170.01 Purpose and Intent.

The purpose of these sign regulations is to encourage the proper development and use of signage and to permit and regulate signs in such a way as to support and complement land-use objectives set forth in the Zoning Ordinance. In addition to protecting from distractions and obstructions that can contribute to traffic and pedestrian accidents, it is the intent of these regulations to control and regulate signs to prevent them from becoming a nuisance factor to adjacent properties and the community in general. To protect the general health, safety and welfare, and to protect and encourage a more attractive economic, business and overall physical appearance of the community, all signage is subject to the regulations that follow in this chapter.

1170.02 Definitions and Provisions.

“Sign” means any device, structure, material or combination of these intended to advertise or draw attention to such items as business names, organization names, real estate, buildings or structures, products, services or entertainment.

### 1170.03 Design Requirements.

(d) Colors. Not more than four colors, including black and white, shall be used on any sign.

### Code Chapter 1177 - Architectural District

#### 1177.01 PURPOSE.

The purpose of this chapter is to maintain a high character of community development, to protect and preserve property, to promote the stability of property values and to protect real estate from impairment or destruction of value for the general community welfare by regulating the exterior architectural characteristics of structures and preservation and protection of buildings of architectural or historical significance throughout the hereinafter defined Architectural District. It is the further purpose of this chapter to recognize and preserve the distinctive historical and architectural character of this community which has been greatly influenced by the architecture of an earlier period in this community's history. These purposes shall be served by the regulation of exterior design, use of materials, the finish grade line, landscaping and orientation of all structures hereinafter altered, constructed, reconstructed, erected, enlarged or remodeled, removed or demolished in the hereinafter defined Architectural District.

#### 1177.05 STANDARDS FOR REVIEW: CERTIFICATE OF APPROPRIATENESS.

The Board of Architectural Review, in deciding whether to issue a certificate of appropriateness, shall determine that the application under consideration promotes, preserves and enhances the distinctive historical village character of the community and would not be at variance with existing structures within that portion of the district in which the structure is or is proposed to be located as to be detrimental to the interests of the Districts as set forth in Section. In conducting its review, the Board shall make examination of and give consideration to the elements of the application including, but not necessarily limited to:

- Materials, texture and color, which shall include a consideration of material compatibility among various elements of the structure
- Signage, which shall include, in addition to requirements of Chapter 1170, the appropriateness of signage to the building.

### Worthington Design Guidelines

The City of Worthington has sign regulations, the purpose of which is to keep commercial signage from overwhelming the city's traditional architecture and its human scale. The regulations also address safety issues. The guidelines are meant to be flexible and to work hand-in-hand with the sign regulations. They allow creativity and imagination in signage, while recommending against some practices that would not be appropriate in Worthington. Colors for signs in Old Worthington should be chosen for compatibility with the age, architecture and colors of the buildings with which they are associated. Signs must be distinctive enough to be readily visible but should avoid incompatible modern colors. Bright color shades generally are discouraged in favor of more subtle and toned-down shades.

Avoid using too many colors on a building. Late 19<sup>th</sup> century buildings should have a maximum of three different colors (the body color and two trim colors); those from earlier and later periods

should have no more than two. Consider using light and dark shades of the same color when choosing body and trim colors.

**Recommendation:**

Staff recommended denial of this application, as the proposed mural does not follow the design guidelines, the Architectural District ordinance or the Sign ordinance. A mural in full view from High St. would change the character of the community by drawing attention away from the architecture of Old Worthington and to the mural. Consideration should be given to whether murals should be allowed at all, and if so in what locations. A change to the Code and the Design Guidelines would be the appropriate way to handle murals if they are desired, rather than considering on an individual basis.

**Discussion:**

Mr. Coulter asked if the applicant was present. Ms. Annina Parini, Executive Director for the Old Worthington Partnership (OWP), said their mission is to enhance the Old Worthington experience. They are a 501c3 nonprofit organization and in order to enhance that experience one of their top priority projects is to brighten up some of the dingy white walls in the historic district. She said murals are often used to enhance the vitality and vibrancy of a built landscape. Ms. Parini said they have hired a nationally recognized and well-known Worthington artist to create a mural that can represent the essence of Worthington.

The OWP has asked to have the mural reflect the long standing tradition of the farmer's market, which their organization runs, and the local iconic buildings as well as a message of welcome. La Chatelaine has offered for their wall to have the first mural in Worthington. The artist is Michael Boudreaux who resides in the Worthington Hills area. She said the mural should last approximately twenty years and if needed, the OWP would be responsible for the maintenance of the artwork. The project started over a year ago with one of their Board members and Igloo Press studio director, Beth Decker, who was also present at the meeting. Ms. Parini said Ms. Decker had a lot of experience with the City of Columbus's Art Scene and is one of the founders of local artist co-op.

Ms. Parini said the project has been very transparent with the city, and she has had several meetings with Board members David McCorkle, Dave Nordstrom and City Manager Matt Greeson and discussed the mural at length. Ms. Parini said she asked Mr. McCorkle and Mr. Greeson what they thought the city would like to see in a mural. She said throughout the process she was never told that the ARB would need time to come up with new rules to govern murals. She said she was led to believe this was going to be treated as a sign and would need a variance for the number of colors and size and that is why she submitted her application to the Board of Zoning Appeals (BZA). Ms. Parini said the OWP's media posts have been very transparent on social media, they made announcements at the Worthington Arts Festival, and there have been over 11,000 views of the

artwork. OWP wants thousands of people to see the mural as they drive up High Street and believe this will add excitement to the community. She hoped the Board members would vote in her favor.

Mr. Brown said he was aware of the meetings with Mr. Greeson and Mr. McCorkle over the past several months and he and Mrs. Bitar met with Ms. Parini about three months ago and the mural had originally been proposed to be on the back wall of Worthington Hardware building and they thought the ARB and BZA should look at the number of colors, but they started to see a shift when the mural went from the city parking lot to the outside wall of La Chatelaine and then an application for another mural was received and possible future ones, a flag was raised. Mr. Brown said there was more concern that popped up over the past few weeks. Ms. Parini said the mural is fully funded by an Agreement they have with the McConnell Arts Center, they receive a portion of the funds from the Arts Festival. She said she did not believe this project would set a precedent for future murals. Mr. Coulter asked if there was anyone present who wanted to speak either for or against this application.

T.J. Bowen, 860 Oxford St., Worthington, Ohio, said he lives in the historic district and he is in favor of the new mural. He said he appreciated the concerns that were vocalized at the meeting and agreed there is a slippery slope but Worthington embraces diversity and that is one of the reasons his family decided to make Worthington their home. Mr. Bowen said the diversity is just not limited to political and religious diversity but also artistic diversity. He said he has always lived in communities with strong public art such as San Diego, Santa Monica, and Malibu, California, and he thinks fondly of them because the art is tied to many memories. He said he did not remember the names of the streets he used to live on, but he remembered the artwork on the sides of buildings. Mr. Bowen liked the idea of supporting local talent, and felt public art stimulated vibrancy, and promoted diversity. He felt the mural might make people passing through feel welcome to stop and take a look around and help stimulate the economy.

Mr. Rick Espy, 461 Oxford Ct., Worthington, Ohio, said people in Worthington should ask themselves, "What is the role of public art in Worthington." He said Worthington has had an arts festival every year for a quarter of a century, and art is very important to the community. Mr. Espy referred to the six different pieces of public art in the downtown area, some which had been approved and some not. He said murals are a piece of art and important to the area. He was in support of the project.

Ms. Annemarie McCallister, 117 W. New England Ave., Worthington, Ohio, said she has lived in Worthington for forty years, and her parents still live on Whitney Avenue. Ms. McCallister said she works for the City of Upper Arlington as their Cultural Arts Coordinator so the issues of public art were very familiar to her in her day to day life. She said she looked at this project as both a resident and a planner and understood the resistance that comes with it. Ms. McCallister said she researched specifically the benefits of public art. She shared a quote from "American for the Arts," which she felt was relevant for this particular mural. Ms. McCallister felt the mural was aesthetically pleasing, the mural fit within the context of Worthington, and would enhance a person's experience while walking down the street. She believed people would have their pictures

taken by the mural after taking wedding pictures at the Worthington Inn. Ms. McCallister said as a side note, there should be a vetting process because while this mural fits perfectly she agreed with some others that not all murals would. She said when they did a project in Upper Arlington, art clings on utility boxes which have a life span of three to five years they had a jury process. She said the mural was gorgeous and the project should move forward.

Mr. Aaron Brown, 345 Greenglade Ave., Worthington, Ohio, said he had the privilege of going to the Greater Columbus Arts Council Annual Awards Gala earlier in the day and asked if any of the Board members were in attendance of the luncheon and the answer was no. He said there were 2000 people in attendance and there were discussions about cities moving forward nationally and there were awards for other cities moving forward and he wished Worthington was one of those cities. He felt Worthington could win next year and be nationally recognized. Mr. Brown said he challenged the Board members to consider the power of public art and to move forward with the project.

Mr. Ian Sheldon, 565 Hartford St., Worthington, Ohio, said considering the discussion and vote of the previous mural, voting in favor of this mural would be inconsistent. He felt there needed to be further discussion of whether or not the city will allow murals before making a decision on any particular mural.

Mrs. Suzanne Seals, 123 E. New England Ave., Worthington, Ohio, agreed with Mr. Sheldon's statement and that guidelines should be established. She also said the mural was beautiful, however, the placement of the mural distracted from the historic buildings. Mrs. Seals said she did not want to see the historic area neutralized. She felt the mural should be relocated to a different location and the Worthington font should be made smaller so more blue sky shows in the background. She did not want to see a mural in downtown Worthington.

Mr. Kevin Rohyans, 634 High St., Worthington, Ohio, said he had the opposite opinion, and felt the side of La Chatelaine's restaurant would be a great location for the mural. He said he has the pleasure of walking past the wall every day. He felt the current wall looked drab and sad and thought the mural epitomized the spirit of Worthington. Mr. Rohyans said the farmers market is Worthington's number one hallmark and the mural would reflect well upon the city.

Mr. Michael Duffey, 645 Farrington Dr., Worthington, Ohio, said he would be okay with this mural being approved because he is in support of public art in Worthington. He felt the right way to get the designs people would support is through the soft diplomacy of people existing in a community and wanting to get support and the governmental process is not the right way to judge content.

Mr. Reis said he believed there is a slippery slope, but he did like the mural, and the location but murals still need to be looked at from a legal standpoint and have the City Council listen to advice and for the rest of the Board to think through this so they do not make a mistake. He felt they will ultimately come up with a direction that will be appropriate. Mr. Reis reiterated what Mr. Duffey

said, there are a lot of smart people in Worthington, and he did not feel someone would do something inappropriate but who is to stay someone would not try to do that for the sake of argument. They would not want that to happen, and would not want to have to pay money to defend something like that. He said everyone needed to think through this clearly and come up with a plan of action which would be appropriate for Worthington.

Mr. Sauer said he did not want to comment on content of the mural, he just felt the location of the mural was inappropriate. He said he could think of better areas where public art would contribute more positively in the community. Mr. Sauer felt City Council should provide guidance before moving forward otherwise what type of precedent would they be setting.

Mrs. Lloyd said she did not have a problem with the concept of murals and she did not have a problem with the proposed location. She said Ms. Parini discussed possible maintenance of the mural and she felt that was important to take into consideration when discussing the location.

Mr. Hofmann asked Mr. Myers if he heard enough input, and Mr. Myers said he would be taking this matter back to City Council. He said if they could regulate content and location the Board would support murals. He felt this was somewhat ironic with what recently happened at the Ripley House a month ago, and what if someone proposed stars and bars, that would be a fear. He mentioned other cities such as Springfield, Portsmouth, and Clintonville and said obviously those cities have a certain comfort level but he wanted to know how they got to that comfort level. Mr. Myers said he had enough to report back to City Council, along with the advice from the Law Director, Tom Lindsey.

Mr. Hofmann said there are not many places left in Worthington which would be appropriate for a mural and to have the space to paint something. Most of those spaces are private businesses which would take a tremendous amount of self-policing if they felt something would be deemed really inappropriate. He said he is less concerned with the idea of introducing a notion of artwork into the community. Mr. Hofmann asked if they should dictate murals should only be in seven specific areas and that will be it. Mr. Myers said he would like to hear further discussion from Mr. Lindsey, and maybe murals could be restricted to commercial buildings only. He felt the discussion should be with the community in front of the people that got elected, not in front of the people that got appointed. Mr. Sauer said he did not feel the murals should be restricted to only historic themes. Mr. Hofmann said they would not be setting a precedent voting on this matter this evening.

Mr. Lindsey reiterated and said the act of voting itself does not make a position as to murals themselves. One of the speakers asked if this would set a precedent and he distinguished Board member Foust's question to be different than a question of precedent. Mr. Lindsey said when you take actions involving similar matters and there is a difference between the votes between those two matters it needs to be justified based on a difference of fact between those two. The concept of content cannot be that factor of difference. He said he heard more people might generally like this mural better than they did of Mr. Duffey's mural, but the content cannot be the difference,

there would have to be some other factor. Mr. Coulter asked if there was anyone else who wanted to speak for or against this application.

Mr. T.J. Bowen, 860 Oxford St., Worthington, Ohio, said the all the arguments make sense but if someone was going to do something purposely inflammatory they would not bring the matter before the Board, they would just do it. If murals were to be hidden in back alleys and outside of plain view that would defeat the purpose. He encouraged the Board to think about that when making a decision.

Mr. Aaron Brown, 345 Greenglade Ave., Worthington, Ohio, asked Mr. Myers how City Council will be held accountable for making a decision in a timely manner so that the issue is not kicked down the road. Mr. Myers explained after every meeting with the ARB-MPC, he makes a report back to City Council. He said he had not seen the Agenda for next Monday yet, but he could add a discussion item to the Agenda because an Ordinance does not exist yet for a vote. The discussion would then be elevated to the next level as a vote or a Resolution, and some language would have to be drafted if they went that route, some sort of guidelines and that would have to be introduced and then at the next meeting voted on after a public hearing. Mr. Myers said to be totally honest, there might not be a decision made for a couple of months, but he would do his best to move the project forward, but the process is slow by nature.

Mr. Dave Nordstrom, 210 Hardy Way, Worthington, Ohio, asked if this application was denied, when would the Appeal be heard? Mr. Brown explained there is a ten day Appeal period, and he explained to Ms. Parini, the sooner the Appeal is received the sooner the Appeal can go to City Council, and they can decide if they want to set the Appeal for a hearing. Mr. Nordstrom said staff recommended a moratorium to the Board members, but he wanted everyone to know the OWP had worked for many months to make this happen. He said any vote taken tonight regarding this application would not set a precedent based upon the conversation earlier, and at some point there will be some guidelines set for murals. Mr. Nordstrom believed the mural was beautiful, he felt the location was good and wanted to see the project move forward.

Mr. Sauer asked what the basis for approval would be if they are supposed to treat the mural as a sign, because the mural would not meet any of the qualifications for a sign. Mr. Brown spoke about an application the Board heard last year regarding solar panels, and then there was a moratorium period so language could be drafted (by Mr. Myers) to help with solar panel applications coming forward. Two months ago there was the first case on Granville Street which would follow the new rules after the moratorium period.

Mr. Nordstrom told Mr. Sauer he just heard Mr. Brown explain the mural does meet the definition of a sign. Mr. Sauer said he disagreed. Mr. Foust explained to Mr. Nordstrom, in the eyes of the community, approval of this mural would set a precedent. Mr. Nordstrom said this group has been

led down a particular path, and told their mural could be treated as a sign, since the Ordinance does not exist yet.

Mr. Brown explained a memo went out earlier to City Council with recommendations to amend the Planning and Development Code and address murals and public art in the Worthington Design Guidelines.

Mr. Duffey said he was a former member of Worthington City Council and in order for a moratorium to occur City Council would have to enact that. Mr. Coulter said he was correct. Mr. Duffey said there is no moratorium right now, and the Board members have two applications before them that are timely and properly filed under current law. He said regardless with what the city does with the law five months from now or one month from now, that will not apply to the applications under consideration. Mr. Duffey said a process is good. When he was on City Council they had to deal with a situation where a developer wanted to build McMansions but the community was not pleased. Mr. Foust dealt with the overlay process and council enacted a moratorium at that time and it took an act of council in cooperation with the community to develop some structure which provided for an overlay of that area.

Mr. Coulter asked Ms. Parini if she took the angles into consideration when developing the mural and if people passing by will be able to see the entire picture. Ms. Parini said they did take the angles into consideration and the mural was shifted over a bit so the entire picture would be seen. Mr. Coulter asked Ms. Parini if she wanted to move forward with a vote and she said yes.

**Motion:**

Mr. Hofmann moved:

**THAT THE REQUEST BY THE OLD WORTHINGTON PARTNERSHIP FOR A CERTIFICATE OF APPROPRIATENESS TO PAINT A MURAL AT 627 HIGH ST., AS PER CASE NO. AR 85-17, DRAWINGS NO. AR 85-17, DATED OCTOBER 5, 2017, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.**

Mrs. Lloyd seconded the motion. Mrs. Bitar called the roll. Mr. Coulter, nay; Mr. Reis, yea; Mr. Sauer, nay; Mr. Hofmann, yea; Mrs. Lloyd, yea; and Mr. Foust, nay. The motion was denied.

2. Lighting – **773 High St.** (Worthington Presbyterian Church) **AR 78-17**

**Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

The original part of the Worthington Presbyterian Church was built in the early 1800's. Several significant additions were constructed over the years, including the southern wing in 1990, which was when the existing parking lot lighting was approved.

This proposal is to replace pole and building mounted lighting fixtures due to safety concerns.

**Project Details:**

1. There are 3 pole lights in the parking lot, one each on the north, west and south sides. The existing poles are about 20' in height and have shoebox fixtures. Proposed are 2 new fixtures for each pole. The flood light style 5000k LED fixtures would be mounted on a 36" wide "Bullhorn" bracket. Light dispersion is shown as extending all around the fixtures. A photometric plan is not included.
2. Replacement of three wall lights is proposed. Two lights are near the northwest corner of the building and one is at the southwest corner. The existing fixtures extend perpendicular from the walls and shine down. The new fixtures would be 4000k LED wall packs that would shine out and down.

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

Avoid lighting fixtures mounted high above the ground and excessive brightness. Watch for excessive "spilling" of light onto adjacent properties. Typically a view of the light source from off of the property is not desired. Use of fairly small lighting fixtures, and as few as possible, is recommended.

**Recommendations:**

The proposed fixtures for the pole lights are not typical of those approved in the Architectural Review District, and would be brighter and with the light source more easily seen than those approved elsewhere. Also, the fixtures would likely spill light onto the adjacent properties. The light source from the proposed wall packs for the building would be seen from off of the property. While staff is sensitive to the safety concerns and agrees additional lighting is warranted, the fixture styles and amount of lighting proposed is not appropriate. Staff is recommending the proposal be amended, or the following motion be denied.

**Discussion:**

Mr. Coulter asked if the applicant was present. Ms. Kathy Cable, 6984 Linbrook Blvd., Columbus, Ohio, said she is an Elder with Worthington Presbyterian Church and the Chairperson in charge of this project. Ms. Cable said there have been several safety issues in their parking lot such as homeless people sleeping in the parking lot, all of the church's copper gutters have been stolen, and church members and employees have been continually asked for money by vagrants. All of the parking lot lights are not working, so she has been working with a lighting specialist to find new lights. She said she explained to the specialist the church is located within a historical area and to keep that in mind while recommending lighting which would provide the level of safety

and security they need for the parking lot, but not degrade the look in any way. Ms. Cable said the light fixtures were “Dark Sky” approved and she explained how bright the lights would shine in comparison with moonlight. The current lights are not on timers, but the new lights could have timers for an additional four hundred dollars. She said she knew some of the neighbors were using the parking lot at night and did not think it was a good idea, and said the church is not responsible if cars get broken into.

Mr. Foust said he was fully in support of safety lighting but he was concerned about light spilling over to the neighboring properties. He said what the Board has typically approved in the past is something fully shielded or lowering the lights. Mr. Coulter said he was also concerned about light spillage and said they have dealt with commercial parking lots in the past such as the Fresh Thyme grocery store, and the buildings going up along High Street. He said he would like to see the photometric diagram to make sure there would be zero candles at the property line. Ms. Cable said they did not have a church member to draw up such a plan and the church cannot afford fifteen hundred dollars for the photometric drawing to be done. Mr. Coulter said he would rather see two shorter lights, that way the lighting would be closer to the source, which is the sidewalk alongside the building. Ms. Cable explained the building lights are working and can be left as is, only the parking lot lights were not working. Mr. Sauer asked why the existing lights did not have timers and Ms. Cable said they are the old fashion lights and her electrician told her timers would not work on her current fixtures. Mr. Sauer said his church had the same lights and they do have timers that would work on those types of lights. He also agreed the lights should be lowered, but more pole lamps might be needed. Ms. Cable asked if she could keep the existing lamp boxes and Mr. Coulter said yes. Ms. Cable said she would like to stay with what is already on the building, keep the poles the way they are, and ask their electrician to repair the lights and see if they can add timers. Mr. Sauer said he would agree with that. Ms. Cable asked for her application to be withdrawn.

Mr. Sauer moved to withdraw the application, seconded by Mr. Hofmann. All Board members voted, “Aye,” and the application was withdrawn.

### 3. Signage – 41 W. New England Ave. (Kelly Walton) AR 83-17

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

Mrs. Bitar reviewed the following from the staff memo:

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

The Snow House was built in 1814 by John Snow, who was an influential leader of the Masonic Lodge and held early lodge meetings at the house. The Federal style brick house features a symmetrical five-bay façade, and is listed on the National Register of Historic Places. An addition was later constructed to the rear. The Snow House was used as a residence until approximately 1930; was an annex to the Worthington Inn; and housed an expansion of Igloo Letter Press.

The current tenant is operating a spa on the first floor and would like to install signs for the business.

**Project Details:**

1. Small wall and projection signs (24” x 24”) are proposed near the front entrance. Both would be made of sand blasted HDU/PVC saying “Balance Beauty Spa”. A white background is proposed with gold and silver lettering.
2. A matching 22” wide x 10” high directional sign is proposed on the east side of the building, pointing to the front entrance. Apparently people have tried to gain access through the side door.

**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. While the regulations permit a certain maximum square footage of signs for a business, try to minimize the size and number of signs.

**Recommendations:**

Staff recommended approval of this application as the signs are appropriate for the building.

**Discussion:**

Mr. Coulter asked if the applicant was present. Ms. Kelly Walton, 41 W. New England Ave., Worthington, Ohio, said the letters and design on her sign may need to be darker for better visibility and the Board members agreed. Mr. Coulter asked if there was anyone present who wanted to speak either for or against this application and no one came forward.

**Motion:**

Mr. Reis moved:

**THAT THE REQUEST BY KELLY WALTON FOR A CERTIFICATE OF APPROPRIATENESS TO INSTALL SIGNAGE AT 41 W. NEW ENGLAND AVE., AS PER CASE NO. AR 83-17, DRAWINGS NO. AR 83-17, DATED SEPTEMBER 29, 2017, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.**

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

4. Parking Lot Expansion – **41 W. New England Ave.** (Kevin Rohyans) **AR 88-17**

## **Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

### **Background & Request:**

The Snow House was built in 1814 by John Snow, who was an influential leader of the Masonic Lodge and held early lodge meetings at the house. The Federal style brick house features a symmetrical five-bay façade, and is listed on the National Register of Historic Places. An addition was later constructed to the rear. The Snow House was used as a residence until approximately 1930; was an annex to the Worthington Inn; and housed an expansion of Igloo Letter Press. The commercial structure was constructed around 1920, likely as a garage/carriage house/utility shed, and was converted for commercial use. Most recently, the Candle Lab and Igloo Letter Press were located in the building. There is also a shed on the site in the southwest corner.

In 2014, the owners were approved to demolish the commercial structure and shed on the property, and construct 5 new dwelling units on the site. The Snow house was to remain unchanged and be used as a single dwelling unit, except the metal stair to the rear was to be removed. In 2016, the applicant made modifications to the Snow House and adjacent landscaping, but has not proceeded with demolition to the carriage house, which is now being used as office space.

The applicant is requesting approval to add parking to the lot east of the Snow House and in front of the carriage house.

### **Project Details:**

1. Six additional spaces are proposed for a total of 11 parking spots in front of the carriage house. The lot would remain gravel.
2. Board of Zoning Appeals approval would also be needed for this modification.

### **Land Use Plans:**

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

Close spacing of buildings and lack of land in Worthington's commercial district mean that new parking lots cannot easily be created. Screen parking with landscaping such as low bushes, especially if site conditions require that you put parking near the front of the building. Encourage sharing of parking spaces between businesses and land parcels.

### **Recommendations:**

Staff recommended approval of this application as additional parking is needed and the change would be minor.

### **Discussion:**

Mr. Coulter asked if the applicant was present. Mr. Kevin Rohyans, 634 High St., Worthington, Ohio, said the lot is fairly wide, and they are trying to utilize the parking that they have. He said people have been trying to park in the grass when there have been large weddings. The gravel lot

would allow for six additional parking spaces. Mr. Coulter asked if the parking lot is meant to be entirely for the tenants and Mr. Rohyans said yes because this is a private lot. Mr. Coulter said he agreed with Mr. Rohyans on the need to maximize the parking spaces, and appreciated the gravel lot because that will help reduce storm water. Mr. Coulter asked Mr. Rohyans if he could put up just one No Public Parking sign, instead of all the other signage, and Mr. Rohyans said in order to have a car towed the sign will need to be posted, and the signage is already in the Lease Agreement with their clients. Mr. Coulter said he would like to move forward with the parking lot issue and address the signage at a future meeting. Mr. Coulter asked if there was anyone present who wanted to speak for or against this application and no one came forward.

**Motion:**

Mr. Reis moved:

**THAT THE REQUEST BY KEVIN ROHYANS FOR A CERTIFICATE OF APPROPRIATENESS TO CREATE ADDITIONAL PARKING AT 41 W. NEW ENGLAND AVE., AND TO APPROVED TWO SIGNS FOR EACH TENANT LOCATED TWO TO EAST AND TWO TO THE WEST AS PER CASE NO. AR 89-17, DRAWINGS NO. AR 89-17, DATED OCTOBER 13, 2017, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING AND THE SIGNS WILL BE LOWERED TO 36”.**

Mrs. Lloyd seconded the motion. Mrs. Bitar called the roll. Mr. Coulter, yea; Mr. Reis, yea; Mr. Sauer, nay; Mr. Hofmann, nay; Mrs. Lloyd, yea; and Mr. Foust, abstained. The motion was denied.

1. Addition, Garage & Fence – **565 Hartford St.** (Peter Lenz AIA/Sheldon) **AR 84-17**

**Findings of fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

This 1,784 sq. ft. bungalow was built in 1920 in Old Worthington. The house is a contributing structure in the Worthington Historic District. The lot is approximately 0.20-acres and 54± feet in width. The rear of the parcel abuts the Methodist Church Parking Lot. This is a request to demolish the existing rear deck on the house and construct a new family room/garden room addition, covered porch and new deck on the southwest corner of the home. The applicant would also like add a new detached 2-car garage with an attached storage shed that would be located to the rear of the property 2-feet from the rear property line and 2-feet from the northern property line. There is also a request to install a new 6-foot decorative wood fence along the rear of the property and along the entire northern property line to the front setback line for Hartford St.

## **Project Details:**

### **1. Site Plan:**

- The proposed room addition would be constructed to the rear and south side of the existing home. The proposed addition would meet all setback requirements in the R-10 District. The proposed addition and rear deck will be approximately 10-feet from the southern property line.
- The existing home does not have an existing garage on the site. There is an existing storage shed towards the southwest corner of the lot. The site plan shows this storage shed to be removed. The proposed new 462± sq. ft. garage and an approximately 90± sq. ft. attached shed will be 2-feet from the western and northern property line. The applicant will need a Variance from the Board of Zoning Appeals to deviate from the required setbacks for accessory structures of 10-foot rear yard and 8-foot side yard requirement. Fire rated materials will be required for the detached garage and shed to meet all Building Code requirements. The proposed garage location would allow for there to be enough room to install a turnaround for cars. This would allow the property owners to safely exit the site, thus alleviating the need to back out the driveway.
- There is currently a shared driveway as you enter the site from Hartford St., the applicant is proposing a new driveway that will be separated from the neighbor's driveway to the north. The new drive is to be approximately 9-feet in width.
- There is an existing 4-foot high wood picket fence along the rear of the property, and a 6-foot shadowbox fence along a portion of the northern property line. These are to be removed.
- The new 6-foot decorative wood fence would be installed along the western property line that abuts the Methodist Church Parking Lot and along the northern property line towards the building setback line for Hartford St. The applicant has stated that the fencing along the northern property line will help screen the neighbor's trash cans/storage behind their garage from view.
- The Board has approved similar 6-foot tall wood fences that abut the Methodist Church Parking Lot in the past.
- There is existing vegetation and trees on the site, however it is unknown if the applicant plans to remove any of the existing trees or vegetation as part of this project. The applicant did not submit information related to the existing vegetation and trees on the site, clarification is needed.
- No additional landscaping has been proposed at this time.

### **2. Building Addition & Garage:**

- Proposed is a one-story family room/garden room addition with a hipped roof. The applicant is proposing a gray metal roof, however the applicant has submitted several styles of metal roofs with their application. Clarification is needed on the style of metal roof that is to be installed.
- The applicant has not submitted information related to the type and materials of the new patio doors and windows proposed for the family room/garden room addition. The

submitted materials do not seem to match with what is proposed. Clarification is needed on this item.

- Information was not submitted for the exterior materials to be used on the proposed addition. Clarification is needed.
- Information was not submitted for the materials to be used for the proposed deck. Information is needed on this item.
- The proposed 2-car garage and storage shed will be constructed of yellow pine drop siding, however the applicant listed this as an alternative. Asphalt shingles are proposed to be used for the garage roof. It is also unknown whether or not the new garage and storage shed will be painted to match the existing house. The submitted material board shows a gray color, however clarification is needed if this is to match the existing house and addition.
- Information is needed for the style, type and materials to be used for the main overhead garage door, side entry door and the door to access the storage shed. No information was provided. Clarification is needed.
- Lighting information was not submitted with this application. Information is needed for any lighting proposed on the addition and garage.

### **Land Use Plans:**

#### Worthington Design Guidelines and Architectural District Ordinance

Residential additions are recommended to maintain similar roof forms; be constructed as far to the rear and sides of the existing residence as possible; be subordinate; and have walls set back from the corners of the main house. Design and materials should be traditional, and compatible with the existing structure.

The standards of review in the Architectural District ordinance are:

1. Height;
2. Building massing, which shall include the relationship of the building width to its height and depth, and its relationship to the viewer's and pedestrian's visual perspective;
3. Window treatment, which shall include the size, shape and materials of the individual window units and the overall harmonious relationship of window openings;
4. Exterior detail and relationships, which shall include all projecting and receding elements of the exterior, including but not limited to, porches and overhangs and the horizontal or vertical expression which is conveyed by these elements;
5. Roof shape, which shall include type, form and materials;
6. Materials, texture and color, which shall include a consideration of material compatibility among various elements of the structure;
7. Compatibility of design and materials, which shall include the appropriateness of the use of exterior design details;
8. Landscape design and plant materials, which shall include, in addition to requirements of this Zoning Code, lighting and the use of landscape details to highlight architectural features or screen or soften undesirable views;

9. Pedestrian environment, which shall include the provision of features which enhance pedestrian movement and environment and which relate to the pedestrian's visual perspective;
10. Signage, which shall include, in addition to requirements of Chapter 1170, the appropriateness of signage to the building;
11. Sustainable Features, which shall include environmentally friendly details and conservation practices.

**Recommendation:**

Staff recommended tabling of this application until all the needed information has been provided.

**Discussion:**

Mr. Coulter asked if the applicant was present. Mr. Peter Lenz, 515 Hartford St., Worthington, Ohio. Mr. Coulter asked Mr. Lenz to answer the questions asked by Mrs. Bitar and to clarify what materials will be used. Mr. Lenz discussed the plans for the standing seam roof and said he plans to use a flat pan which has a two inch curve on it. Mrs. Bitar asked if there will be ridges in the lower area, and Mr. Lenz said the panel is completely flat. The standing seam roof will have connectors. Mr. Lenz said the deck is gone because the addition will take the place of where the deck used to be. A new deck will be moving in further on the lot. There will be an Anderson swinging door with a fifteen panel grill.

Mr. Coulter asked if wood panel would be solid and Mr. Lenz said no the door would be made of glass. All of the windows will be wood with vinyl coverings. Mr. Lenz explained the garage door will be craftsman style and the house itself will have drop siding which will match the remaining siding on the house. Mrs. Bitar explained the neighbor was concerned with the height of the deck and the roof of the garage. Mr. Lenz said he did not understand the concern with the height of the deck because the deck does not extend out more than three feet beyond their own garage and house. Mrs. Bitar explained the letter from the neighbor cited privacy concerns. Mr. Lenz clarified where the deck would be located, and he believed the code allowed for his client to have a six foot fence.

Mr. Coulter said Mr. Lenz did answer some of Mrs. Bitar's questions, but there were a number of questions that still needed to be addressed such as the location of the garage, some discussion about the fence, so he recommended the application be tabled and Mr. Lenz felt he had already answered all of the questions. Mr. Coulter asked if there was anyone present who wanted to speak for or against this application. Mr. Brown and Mrs. Bitar reiterated what details still needed to be addressed and Mr. Lenz said he would tie up the loose ends and present those at the next meeting. Mr. Lenz said he was on the Agenda for the Board of Zoning Appeal's next meeting.

Mr. Foust asked Mr. Lenz to ask his client to reconsider the extension of the fence along the front driveway despite if there are one or two others in town. He explained the Board has consistently discouraged fencing running up to the front of a house and he is not sure he would be in support of such fence.

Mr. Ian Sheldon, 565 Hartford St., Worthington, Ohio, asked for clarification on the fence. He said he would like some kind of separation in the driveway and asked if the Board would accept a shorter fence that went along side of the garage. Mrs. Bitar explained the neighbor has asked for some type of natural screening for that area, such as arbor vitae, and if that was possible. Mr. Sheldon said the driveway is blacktop. Mr. Coulter said the Board has approved shorter fences and asked Mr. Sheldon to discuss the details with city staff. Mr. Sheldon asked to have the application tabled.

Mr. Sauer moved to table the application, seconded by Mr. Reis. All Board members voted, "Aye," and the application was tabled.

## 2. Additions & Garage – **232 E. Granville Rd.** (Storybuilt Homes) **AR 86-17**

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

Mrs. Bitar reviewed the following from the staff memo:

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

This single-story 860 sq. ft. home sits on a property that is 50-feet wide and 260-feet deep, and is part of the Griswold Heirs Subdivision that was originally platted in 1896. There is an existing unimproved 20-foot alleyway that runs parallel to E. Granville Rd. between Morning St. and Pingree Dr., however the property owner has direct access to E. Granville Rd. No access has been proposed to the unimproved alleyway. The applicants are requesting approval to add a second story to the main house, add a 520 sq. ft. addition to the rear of the home taking the total square footage of the house to approximately 2,320 sq. ft. The applicant would also like to construct a new 480 sq. ft. 2-car garage on the site. Removal of an existing 80 sq. ft. shed is also requested as part of this application.

#### **Project Details:**

##### 1. Site Details:

- The existing house is of simple form, with a main gable running east and west. The plan is to extend the walls straight up from the existing. A survey has been submitted that shows the existing house is at least 6.8-feet from the eastern property line, and 7.4-feet from the western property line. If either wall would have been closer than 6-feet, a variance would have been required to add a second story, however a variance will be required by the Board of Zoning Appeals for the second story addition to be located in the front yard setback of E. Granville Rd.
- The applicants have also proposed a 5-foot by 12-foot front porch addition to the home. The proposed front porch addition will require a variance from the Board of Zoning Appeals to deviate from the required 50-foot front setback along E. Granville Rd. Typically front setbacks are 30-feet, however since this property abuts E. Granville

Rd., it is required to be 50-feet. The proposed front porch addition is not out of character for the corridor and would complement the home.

- There will be a new sidewalk installed that will connect the new front porch to the existing sidewalk along E. Granville Rd. This is consistent with other homes throughout the corridor, and is a welcoming addition to the site.
- The property has an existing 3-foot access easement on the neighboring property to the west for the existing driveway. This easement was recorded October 2, 1990 and is a perpetual easement. The applicants have proposed to construct a new concrete driveway with a turnaround to the proposed 2-car detached garage. The existing driveway is asphalt along the entrance with a gravel parking pad behind the existing house. The proposed turnaround would allow the property owners to safely exit the site, thus alleviating the need to back out the driveway onto a heavily traveled roadway.
- The applicants have also proposed to install a raingarden in the area adjacent to the new driveway and detached garage to alleviate any additional runoff.
- There is an existing 80 sq. ft. storage that is immediately adjacent to the current gravel parking area that was approved by the Board on July 25, 2013, this shed is to be removed.
- The applicants have also proposed to construct a new 8-foot x 16-foot deck on the rear of the proposed addition.
- A new landscaping plan has also been submitted as part of your package. The proposed landscaping should complement the home.
- The existing condensing unit is located at the northeast corner of the home. There will be an additional condensing unit installed for a total of two condensing units on the east side of the home. These units will be required to be screened on all sides.

## 2. Addition & Garage:

- The same basic roof form would carry to the second floor, except for a small front gable proposed. As previously mentioned, a variance will be needed from the Board of Zoning Appeals to permit the second story addition to be located in the front yard setback of E. Granville Rd.
- The applicants have proposed to install all new exterior siding (smart siding with a natural wood grain with a 7-inch reveal on the lap siding and board & batten siding will be a wood finish). The entire home and garage will be painted a Benjamin Moore color (Sea Pearl-White) with light gray wood shutters. The existing home currently has aluminum siding. Please see the Style Guide that was submitted with their application.
- Timberline HD Pewter (Gray) lifetime architectural dimensional shingles have been proposed for the house and garage. Please see the Style Guide that was submitted with their application.
- JELD-WEN Best Series 36" x 54" white vinyl single hung windows are proposed for the front windows. The front windows appear to have interior muttons/grids only on the upper portion of the window. JELD-WEN Better Series 24" x 36" white vinyl single hung windows are proposed for the side and rear windows, these windows will

not have the interior muttons/grids. The existing windows are vinyl, however there is no record of the Board approving window replacement at this address. Please see the Style Guide that was submitted with their application.

- The existing glass block basement windows will remain.
- The kitchen sliding door will be JELD-WEN Builders Series 72" x 80" white vinyl sliding patio door. The rear access door will be steel with a window and a solid steel door for the entry to the garage. Please see the Style Guide that was submitted with their application.
- The applicant will be utilizing the existing metal front door.
- Exterior lighting has been proposed as part of this project. The applicants are proposing a single-mounted overhead light for the front porch, a light mounted to each side of the rear patio door and a single light proposed over the detached garage door. Please see the Style Guide that was submitted with their application.
- A 5-foot x 12-foot covered front porch is part of the renovations proposed for this home. The porch will be constructed of wood decking materials. The porch roof will be a corrugated painted metal roof the color of Burnside Slate. The style of the metal roof needs further discussion, a simple standing seam metal roof might be more appropriate. Please see the Style Guide that was submitted with their application.
- The rear deck will be constructed of pressure treated lumber, and will not have a deck rail. A deck rail is not required since the deck is less than 36" above grade.
- The proposed 2-car garage will complement the materials proposed for the main house. They will be using board & batten siding that will be the same color as the house. They will be using a white Wayne Dalton 16' garage door and a solid single steel entry door for the garage. There are no windows proposed for the garage. The applicants stated that they would be willing to add an additional window to the garage. The addition of one window would be appropriate and in keeping with the surrounding garages.
- There have been several second story additions in Old Worthington over the past decade.

### **Land Use Plans:**

#### Worthington Design Guidelines and Architectural District Ordinance

Residential additions are recommended to maintain similar roof forms; be constructed as far to the rear and sides of the existing residence as possible; be subordinate; and have walls set back from the corners of the main house. Design and materials should be traditional, and compatible with the existing structure.

The standards of review in the Architectural District ordinance are:

1. Height;
2. Building massing, which shall include the relationship of the building width to its height and depth, and its relationship to the viewer's and pedestrian's visual perspective;
3. Window treatment, which shall include the size, shape and materials of the individual window units and the overall harmonious relationship of window openings;
4. Exterior detail and relationships, which shall include all projecting and receding elements of the exterior, including but not limited to, porches and overhangs and the horizontal or vertical expression which is conveyed by these elements;
5. Roof shape, which shall include type, form and materials;
6. Materials, texture and color, which shall include a consideration of material compatibility among various elements of the structure;
7. Compatibility of design and materials, which shall include the appropriateness of the use of exterior design details;
8. Landscape design and plant materials, which shall include, in addition to requirements of this Zoning Code, lighting and the use of landscape details to highlight architectural features or screen or soften undesirable views;
9. Pedestrian environment, which shall include the provision of features which enhance pedestrian movement and environment and which relate to the pedestrian's visual perspective;
10. Signage, which shall include, in addition to requirements of Chapter 1170, the appropriateness of signage to the building;
11. Sustainable Features, which shall include environmentally friendly details and conservation practices.

**Recommendations:**

Staff recommended approval of the application once the following items were addressed:

- Metal porch roof
- Mixture of lap and board and batten siding
- Side & rear windows
- Garage windows

Although the design elements are compatible with the existing house, the proposed addition of a second story would alter the character of the house, and the District. The proposal would, however, represent a significant investment in the property.

**Discussion:**

Mr. Coulter asked if the applicant was present. Mr. Scott Thompson, Story Built Homes, 6560 Worthington-Galena Rd., Worthington, Ohio, said he knew this house really needed some work and they want to bring value back to the house as well as the neighborhood, and they were also interested in the lot because of the trees. The lot is fifty feet wide and two hundred and sixty feet deep and there are two maple trees that are between seventy and one hundred years old they are trying to save. Mr. Sauer said he did not understand the elevations, or how big the windows were

going to be. Mr. Foust said the applicant needed to pick a style that historically has pieces that fit together and support the look of whatever era they choose. For example if they choose a house from the 1850's the house would have to have four over four windows, etc. Mr. Coulter explained there was a house on Evening Street, across from the elementary school, where the house was a single story home and they added a second story. He said the homeowner went back and addressed the very issues Mr. Sauer was discussing. The home came from a specific time period, and the homeowner carried the rest of the details throughout the home. Mr. Coulter said he was fine with the placement of the garage and Mr. Thompson should ask an arborist to take a look at the trees and make sure the trees would not be effected by the placement of the garage. Mr. Coulter asked if there was anyone present who wanted to speak for or against this application. There were no other speakers. The Board members explained they needed clarification as to what was being proposed, and the drawings did not appear to be drawn to scale. Mr. Thompson requested to table the application.

Mr. Sauer moved to table the application, seconded by Mr. Reis. All Board members voted, "Aye," and the application was tabled.

3. Site & Building Modifications – **571 High St.** (New England Development Company)  
**AR 90-17**

**Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

The Ashbury House was constructed in 1865 and has been added onto over the years. This Italianate structure has been used not only as a home, but also a Nursing Home, a mortuary and most recently for private offices. A new owner has acquired the property and would like to make minor modification to the building and site.

**Project Details:**

1. The proposal involves recladding the existing front porch structure with Hardie material painted to match the white trim on the building. The existing columns would remain. The light fixture that hangs down from the ceiling would be replaced with two 4" LED can style lights mounted flush. Gutters and downspouts would also be replaced to match.
2. Two spot lights are proposed in the ground to illuminate the front of the building.
3. Removal of the concrete walk to the front entry is proposed, with replacement being a brick walkway extending from the porch to the public sidewalk. Shrubs are proposed adjacent to the new walk.
4. The existing drive on the north side of the property is proposed for removal. Replacement would be with a 4' wide concrete sidewalk extending from the public sidewalk to the westernmost side building entrance.

**Land Use Plans:**

Worthington Design Guidelines and Architectural District Ordinance

- Landscaping: While the architecture is of prime importance in a commercial district such as Worthington’s, landscaping of building sites is also important.
- Lighting: Use of fairly small, simple lighting fixtures, and as few as possible, is recommended. Fixtures should not be overly ornate. Avoid excessive brightness.

**Recommendations:**

Staff recommended approval of this application as the changes to the building and site were appropriate.

**Discussion:**

Mr. Coulter asked if the applicant was present. Mr. Kevin Rohyans, 634 High St., Worthington, Ohio. Mr. Sauer asked if there used to be more trees on the property and Mr. Rohyans said yes. Mr. Sauer asked why the trees were removed and Mr. Rohyans said because some of the trees were not in good health, and there is not a tree Ordinance in Worthington. He said he had two arborists evaluate the trees before removing them. Mr. Coulter asked if there was anyone present who wanted to speak for or against this application and no one came forward.

**Motion:**

Mr. Reis moved:

**THAT THE REQUEST BY THE NEW ENGLAND DEVELOPMENT COMPNAY FOR A CERTIFICATE OF APPROPRIATENESS TO MODIFY THE BUILDING AND SITE AT 571 HIGH ST., AS PER CASE NO. AR 90-17, DRAWINGS NO. AR 90-17, DATED OCTOBER 13, 2017, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.**

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

4. Signs – **2285 W. Dublin-Granville Rd.** (Victor & Lori Orta/Diamonds Ice Cream & Tomatillos) **AR 80-17** (Amendment to AR 67-17)

**&**

**D. Municipal Planning Commission**

**1. Amendment to Development Plan**

- a. Signs –**2285 W. Dublin-Granville Rd.** (Victor & Lori Orta/Diamonds Ice Cream & Tomatillos) **ADP 08-17**

## **Findings of fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

### **Background & Request**

In 2014 & 2015, the property owner of this land at the southwest corner of W. Dublin-Granville Rd. and Linworth Rd. annexed, rezoned, subdivided, created a Development Plan, and received Architectural Review Board approval to redevelop the property as a neighborhood commercial site. As part of the approval sign criteria was established for the development.

Approval was granted in September to allow signs in plain lettering and previously approved colors for Tomatillo's and Diamonds, which are locating at the western end of the site. This application is for the owners desired sign designs instead of what was previously approved.

### **Project Details:**

1. The signs that got approved were non-illuminated red & blue individually mounted letters, which matched the sign criteria approved for the center:
  - Red, blue, green or black lettering
  - Area  $\leq$  28 square feet for these spaces
  - Maximum letter height of 24"
  - 1 ½" thick dimensional non-illuminated stud mounted letters
  - Logos allowed with ARB approval.
2. The Diamonds sign proposed now would have pink non-illuminated 11 ¼" high, 1 ½" thick HDU letters and a 2'8" high x 1'9 ¾" wide logo to the left of the letters. The proposed logo has an ice cream sundae and says "ICE cream & Gourmet Popsicles". Colors for the logo include: brown, beige, red and multiple shades of pink. A variance would be needed for having more than 4 colors per sign.
3. For Tomatillos the sign would have purple lettering with a purple panel below saying "Authentic Mexican" in white. A head of lettuce with multiple shades of green is proposed to be attached to the left. A variance would be needed for having more than 4 colors per sign.
4. The property owner cites the limited visibility of this location at the far western end of the site, and set back from the rest of the building, as a reason to allow different sign colors.

### **Land Use Plans:**

#### Code Chapter 1170 - Signs

1170.03 Design Requirements.

Colors. Not more than four colors, including black and white, shall be used on any sign.

#### Worthington Design Guidelines

The City of Worthington has sign regulations, the purpose of which is to keep commercial signage from overwhelming the city's traditional architecture and its human scale. The regulations also

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address safety issues. The following guidelines are meant to be flexible and to work hand-in-hand with the sign regulations. They allow creativity and imagination in signage, while recommending against some practices that would not be appropriate in Worthington. Colors for signs in Old Worthington should be chosen for compatibility with the age, architecture and colors of the buildings with which they are associated. Signs must be distinctive enough to be readily visible but should avoid incompatible modern colors. Bright color shades generally are discouraged in favor of more subtle and toned-down shades.

#### Development Plan Amendment Ordinance

When an applicant wishes to make modifications following approval of a Final Development Plan, and variances are included, the modification must be approved by the City Council.

#### **Recommendations:**

Staff recommended denial of this application, as the signs do not meet the criteria previously approved for the center. The ARB's goal was to provide a uniform look to the center, and variances to the sign Code were not anticipated.

#### **Discussion:**

Mr. Coulter asked if the applicant was present. Ms. Lori Orta said she was representing Christopher Construction and the businesses at 2285 W. Dublin-Granville Rd., Worthington, Ohio. The business recently was awarded best ice cream shop in Ohio by Buzz Feed and they have established some notoriety so the owner would like to keep their logo and their brand name. Ms. Orta said this business will be bringing in patrons who will visit the other businesses also. Mr. Hofmann asked Mrs. Bitar if the developer was in support of this business deviating from the already established signage guidelines, and Mrs. Bitar said yes. Mr. Gary Gitlitz said he was representing the owner of the property and the guidelines were designed so that if the tenant desired they would not have to come back to the Board. Mr. Gitlitz said he was in favor of the signs. Ms. Orta said this will be the owner's first Tomatillo's restaurant, which he plans to franchise in the future.

Mr. Mitch Perry, the designer of the sign, said the initial sign company had submitted drawings to Mrs. Bitar which were incorrect. He clarified the signs will be under twenty-eight square feet and they can be adjusted. Mrs. Bitar said she will need drawings that reflect the proper size of the signs before variances can be granted. Mr. Coulter asked if there was anyone present who wanted to speak for or against this application and no one came forward.

#### **ARB Motion:**

Mr. Reis moved:

**THAT THE REQUEST BY VICTOR & LORI ORTA TO AMEND CERTIFICATE OF APPROPRIATENESS NO. AR 67-17 TO ADD SIGNAGE AT DIAMONDS AND TOMATILLO'S AT 2285 W. DUBLIN-GRANVILLE RD., AS PER CASE NO. AR 80-17, DRAWINGS NO. AR 80-17, DATED OCTOBER 12, 2017 BE APPROVED BASED ON**

**THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING AND WITH THE DIMENSIONS LISTED ON THE COVER SHEET OF THE APPLICATION.**

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

**MPC Motion:**

Mr. Reis moved:

**THAT THE REQUEST BY VICTOR & LORI ORTA FOR APPROVAL TO AMEND THE DEVELOPMENT PLAN BY ADDING SIGNAGE AT 2285 W. DUBLIN-GRANVILLE RD., AS PER CASE NO. ADP 08-17, DRAWINGS NO. ADP 08-17, DATED OCTOBER 12, 2017, BE RECOMMENDED TO CITY COUNCIL FOR APPROVAL BASED ON THE PLANNING GOALS OF THE CITY, AS REFERENCED IN THE LAND USE PLANS AND 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. Coulter, aye; Mr. Reis, aye; Mr. Sauer, aye; Mr. Hofmann, aye; Mrs. Lloyd, aye; and Mr. Foust, aye. The motion was approved.

b. Signage – 7020 & 7030 Huntley Rd. (Milhoan Architects, LLC) ADP 07-17

**Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

This site has two multi-tenant buildings constructed in the late 1960's, both of which have 4 suites with the entrances facing the parking between the buildings. Only two of the suites have frontage along Huntley Rd. and would be permitted signs facing the street. Each suite on the site has a 1' x 6' metal panel above the entrance identifying the business name.

This is a request to install a grid panel that would allow for 4 signs to be placed on the west end of each building. Variance are needed due to the requested sign area and number of signs exceeding the allowable in the Code.

**Project Details:**

1. Both buildings have a soldier course of brick forming a rectangular panel on the west sides. The proposed treatment would consist of a white metal grid mounted inside the soldier course, with 4 white ¼" thick metal panels to be used as business signs. The sign panels would be 6'3" wide x 4' high and have black vinyl lettering in the Avant Garde style font.

The applicant is recommending each business would submit for its own permit, and go back for approval if the criteria is not met.

2. At 7020 Huntley, Zaftig Brewing Co. installed a 198 square foot vinyl sign inside that brick area, so the proposed treatment is not likely to be installed on the south building anytime soon.
3. Variances would be required for:
  - Exceeding the allowable sign area – Three of the suites would not be allowed a sign on this side of the buildings.
  - Exceeding the limit of 1 wall sign per business – 2 are proposed for each.

**Land Use Plans:**

Worthington Comprehensive Plan Update & 2005 Strategic Plan

An area plan focusing on the Proprietors/Huntley Road corridor should be developed that makes recommendations for repositioning it in the market place to make it attractive and competitive in the region. Because of the age and types of uses located here, this compact area is experiencing significant change and has the opportunity to reinvent itself. Issues such as building renovation, aesthetics, and possible road and infrastructure improvements should be addressed.

**Recommendation:**

Staff recommended approval of this application and be recommended to the City Council. The proposed design for the signs would enhance the buildings. Even if no signs were installed, the frame feature would improve the look of the building. Consideration should be given to using the metal color for the frame and sign backers, instead of using white.

**Discussion:**

Mr. Coulter asked if the applicant was present. Mr. Dustin Mondrach, 290 E. South St., Worthington, Ohio, said he was representing the building owner. They would like to dress up the buildings a little bit. Mr. Mondrach said he understood any deviation from the signage standards would have to come back to the Board for approval. Mr. Coulter asked if there was anyone present who wanted to speak for or against this application and no one came forward.

**Motion:**

Mr. Reis moved:

**THAT THE REQUEST BY MILHOAN ARCHITECTS, LLC FOR APPROVAL TO AMEND THE DEVELOPMENT PLAN BY ADDING SIGNAGE AT 7020 & 7030 HUNTLEY RD., AS PER CASE NO. ADP 07-17, DRAWINGS NO. ADP 07-17, DATED OCTOBER 13, 2017, BE RECOMMENDED TO CITY COUNCIL FOR APPROVAL BASED ON THE PLANNING GOALS OF THE CITY, AS REFERENCED IN THE LAND USE PLANS AND 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. Coulter, aye; Mr. Reis, aye; Mr. Sauer, aye; and Mr. Hofmann, aye. The motion was approved.

**C. Architectural Review Board - New (continued)**

5. Signs – **652 High St.** (Mark Rubcich/Everest Cuisine) **AR 89-17**

&

**D. Municipal Planning Commission (continued)**

**2. Conditional Use Permit**

a. Restaurant in C-5 – **652 High St.** (Sandeep Singh & Sita Pokhrel/Everest Cuisine) **CU 15-17**

**Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

Everest Cuisine is proposed for this space which was formerly occupied by A Taste of Vietnam and Rivage Atlantique. The other businesses in the building are RIDEhome, ELLI Nail Spa, The Candle Lab, House Wine and Graeter's. In 2008 the building was renovated, creating the storefront façade that exists today. The Candle Lab, House Wine, and ELLI Nail Spa signs were placed at that time, all consisting of individually mounted letters and logos. The former Rivage Atlantique was designed to match. RIDEhome was approved with a solid darker background to allow the white letters to show better. All signs are illuminated from above.

These applications are a request for signs and a Conditional Use Permit for the new restaurant.

**Project Details:**

1. The proposed front sign would be about 12' wide x 28" high (28 square feet in area), consisting of an aluminum backer board painted dark green (PMS 553) with ½" thick PVC white and gray lettering saying "EVEREST CUISINE" with "Authentic Taste of Indo-Nepal & Tibet" in smaller letters below. A circular logo with the business name and a mountain is proposed on the left side of the sign.
2. On the rear of the building, the applicant would like to place a 6'8" wide by 38" high aluminum sign on the wall above the center window. The sign would be similar to the front sign in design but more vertically oriented and with digitally printed vinyl. A variance would be needed to have an additional wall sign on the back of the building.
3. The restaurant is expected to be open as early as 11:30 am and as late as 10:00 pm, but closed between 2:30 and 4:30 pm Monday - Thursday. Some special events may lead to staying open later.

4. The proposed floor plan is the same as the previous restaurant at this location.
5. Parking would be as it is for the other businesses in this location. Patrons would typically look for a place in the lot in front of the building, and if full, would look in the municipal lots or on the streets.

**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. While the regulations permit a certain maximum square footage of signs for a business, try to minimize the size and number of signs.

Worthington Conditional Use Permit Regulations

The following basic standards apply to conditional uses in any "C" or "I" District: the location, size, nature and intensity of the use, operations involved in or conducted in connection with it, its site layout and its relation to streets giving access to it, shall be such that both pedestrian and vehicular traffic to and from it will not be hazardous, both at the time and as the same may be expected to increase with increasing development of the Municipality. The provisions for parking, screening, setback, lighting, loading and service areas and sign location and area shall also be specified by the applicant and considered by the Commission.

**Recommendation:**

The new sign on the front should match the style of the others in the building that have individually mounted text and logos. The rectangular metal backer board does not enhance the character of the site. The rear proposed metal sign seems out of character. A change to the projection sign or the use of non-illuminated internal signage on no more than 25% of the window area would be appropriate. The restaurant use at this location is appropriate.

**Discussion:**

Mr. Coulter asked if the applicant was present. Mr. Mark Rubcich, DaNite Sign, 1640 Harmon Ave., Columbus, Ohio, 43223 and Mr. Sandeep Singh, 652 High St., Worthington, Ohio. Mr. Rubcich said the sign colors will be hunter green, with white and gray. The lettering will be raised PVC with an aluminum backer and the brown logo will also be raised. He said they kept the sign simple and easy to read. The awning will also be hunter green. Mr. Coulter asked if Mr. Singh could keep the logo but have the font of the lettering be similar to the other signs in the shopping center. Mr. Singh said yes. Mr. Hofmann asked Mr. Singh if he would be willing to have a new blade sign made to be in the same spot where the current blade sign is, and Mr. Singh said yes, he would be willing to change the face of the blade sign. Mr. Coulter asked if there was anyone present who wanted to speak for or against this application and no one came forward.

**ARB Motion:**

Mr. Reis moved:

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**THAT THE REQUEST BY MARK RUBCICH FOR A CERTIFICATE OF APPROPRIATENESS TO INSTALL SIGNS AT 652 HIGH ST. AS PER CASE NO. AR 88-17, DRAWINGS NO. AR 88-17, DATED OCTOBER 13, 2017, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING AND THAT THE LOGO BE SEPARATE FROM THE NAME OF THE RESTAURANT AND BE INDIVIDUAL LETTERS OF HUNTER GREEN SIMILAR IN SIZE TO THE ADJACENT SIGNS AND BE REVIEWED BY STAFF PRIOR TO INSTALLATION, AND THE BLADE SIGN IN THE REAR BE REPLACED WITH THE NAME OF THE RESTAURANT. THE SIGN IN FRONT IS TO BE CENTERED ON LIGHT.**

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

**MPC Motion:**

Mr. Sauer moved:

**THAT THE REQUEST BY SANDEEP SINGH AND SITA POKHREL FOR A CONDITIONAL USE PERMIT TO OPERATE A RESTAURANT AT 652 HIGH ST. AS PER CASE NO. CU 15-17, DRAWINGS NO. CU 15-17, DATED OCTOBER 13, 2017, BE APPROVED BASED ON THE PLANNING GOALS OF THE CITY, AS REFERENCED IN THE LAND USE PLANS AND THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.**

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

- b. Semi-public Use in R-10 – Lighting - **6121 Olentangy River Rd.** (Congregation Beth Tikvah) CU 14-17 (Amendment to CU 04-17)

**Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

Beth Tikvah has been operating at this site as a Semi-public use in the R-10 Zoning District since 1978, with a recent addition of a Co-located Child Day Care Center, Nursery School and Preschool. Because these are Conditional Uses in R-10, any changes made to the building, property and operation must be approved by the Municipal Planning Commission. Over the years, the

congregation has added onto the building, and modified the site with changes to the parking, landscaping and fencing.

Recently the congregation applied for and received a grant from the State of Ohio Emergency Management Agency to install security and safety features. The Municipal Planning Commission approved a lighting plan in June of this year, and this application is a request to amend that plan.

**Project Details:**

1. With the previous approval, 4 pole lights with 1 LED fixture each were proposed along the drive. The fixtures would have been 12.5’ above grade, and included shields at the back to block the light source from being seen by neighbors. Dimmers and motion sensors were being explored so the lights would not be on full power all night. Average footcandles along the drive were shown as 1.79.

Now the applicant is proposing seven 8’ high poles along the drive. The fixture style is the same as before, with the color temperature being 3000k, and shielding proposed at the back so the light sources would not be seen by the residents. Average footcandles would increase to 2.74.

2. The existing parking lot lighting consists of 3 poles with double fixtures located in the center islands of the parking lot. Previously approved was reuse of the existing poles with new LED fixtures, and the addition of 2 poles, one toward the middle of the lot and one at the rear. The fixtures would all be mounted 12.5’ above grade and have a color temperature of 3000K.

The modification proposed with this application is the addition of a second pole at the rear, with both rear poles being at the corners. The fixtures would be shielded on the back. Motion detectors are now proposed that would increase the light level to 100% with motion and reduce to 50% with no motion. Average footcandles at the rear of the site would be 1.72.

**Basic Standards and Review Elements:** The following general elements are to be considered when hearing applications for Conditional Use Permits:

1. Effect on traffic pattern – Lighting in the driveway may help traffic, especially when people are parking in Shaker Square and walking to the synagogue.
2. Effect on public facilities – No effect has been identified.
3. Effect on sewerage and drainage facilities – No effect has been identified.
4. Utilities required – Electric would have a minimal change.
5. Safety and health considerations – The parking lot and driveway would likely be safer as a result of the lighting plan.
6. Noise, odors and other noxious elements, including hazardous substances and other environmental hazards – Nothing has been identified.
7. Hours of use – No change.

8. Shielding or screening considerations for neighbors – With this type of fixture and the proposed pole heights, the lighting should not go beyond the property line, and light sources should not be visible.
9. Appearance and compatibility with the general neighborhood – Low light levels are appropriate for residential neighborhoods.

**Land Use Plans:**

Worthington Conditional Use Permit Regulations

The following basic standards apply to conditional uses in any "S", "AR" or "R" District: The location, size, nature and intensity of the use, operations involved in or conducted in connection with it, its site layout and its relation to streets giving access to it, shall be such that both pedestrian and vehicular traffic to and from the use will not be hazardous, inconvenient or conflict with the normal traffic on residential streets, taking into account the relation to main traffic thoroughfares and to street intersections, parking, screening and the general character and intensity of development of the area. The provisions for parking, screening and signage shall also be specified by the applicant and considered by the Commission.

**Recommendation:**

Staff recommended approval of this application. The lighting is designed appropriately for a property in close proximity to residential.

**Discussion:**

Mr. Coulter asked if the applicant was present. Mr. Andy Shafron, 7128 Bluffstream Ct., Columbus, Ohio, said one of the neighbors was in attendance earlier at the meeting and expressed her appreciation for Mr. Shafron lowering the lamp poles. She could not stay for the entire meeting. Mr. Coulter asked if there was anyone present who wanted to speak either for or against this application and no one came forward.

**Motion:**

Mr. Reis moved:

**THAT THE REQUEST BY CONGREGATION BETH TIKVAH TO AMEND CONDITIONAL USE PERMIT NUMBER CU 04-17 TO MODIFY THE LIGHTING AT 6121 OLENTANGY RIVER ROAD, AS PER CASE NO. CU 14-17, DRAWINGS NO. CU 14-17, DATED OCTOBER 11, 2017, BE APPROVED BASED ON THE PLANNING GOALS OF THE CITY, AS REFERENCED IN THE LAND USE PLANS AND 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. Coulter, aye; Mr. Reis, aye; Mr. Sauer, aye; and Mr. Hofmann, aye. The motion was approved.

**3. Planned Unit Development**

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ARB/MPC Meeting October 26, 2017

Minutes

- a. Preliminary Plan – Alzheimer’s/Dementia/Memory Care Facility – **800 Proprietors Rd.** (The Griffin 105 Group, LLC) **PUD 01-17**

**Findings of Fact & Conclusions**

Mrs. Bitar reviewed the following from the staff memo:

**Background & Request:**

Worthington Foods was a manufacturing facility that occupied 8.75 acres at the northeast corner of Proprietors and E. Granville Roads. The property was sold in 2005 and the plant and most other buildings were demolished to allow for redevelopment of the site into 88,000 square feet of office condominiums. The northern building, which was a retail store that sold the Morningstar Farms products manufactured at the facility, was split from the larger parcel and has housed several businesses since that time. The southern 7.75 acres began to develop in 2005 with four office condominiums being constructed over the following four years, covering roughly 3 acres. For various reasons, a small piece of land on the north side and the southern ~4.75 acres were never developed. Different developers have proposed various uses over the years, including storage facilities and residential. With the former manufacturing facility and the previously proposed office, income tax generation was a significant consideration on the site. The other proposed uses did not offer that same amenity.

This is an application for a use that would also fall short of the original income tax goal, but would have some employees. The plan is to construct a memory care facility on the southern 4.84 acres. Thirty-five full time employees and 5 part time employees are planned for the first year, and that number may increase in future years.

**Project Details:**

The Preliminary Plan submittal should include the following:

- (1) A legal description and vicinity map showing the property lines, streets, existing Zoning, and land uses within 300 feet of the area proposed for the PUD;

A legal description of the 4.841 acre piece of land is included with the packet. A subdivision is needed to align the parcel lines with the proposed and existing developments. The property is adjacent to railroad right-of-way to the east; office condos to the north; and multifamily residential to the west.

- (2) Names and addresses of owners, developers and the registered land surveyor, engineer or architect who made the plan;

The Griffin 105 Group LLC is the owner and is represented by David Hodge, attorney with Underhill & Hodge LLC. Advanced Civil Design is the engineer; Faris Planning

and Design is working on the site design and landscaping; and the architect is Collaborative Design, Ltd.

- (3) Date, north arrow and total acreage of the site;
- (4) A topographical survey of all land included in the application and such other land adjoining the subject property as may be reasonably required by the City. The topographical survey shall show two foot contours or contours at an interval as may be required by the Municipal Planning Commission to delineate the character of the land included in the application and such adjoining land as may be affected by the application. Elevations shall be based on North American Vertical Datum of 1988 (NAVD88). In lands contiguous to or adjacent to the flood plain of the Olentangy River, existing contours shall be shown in accordance with the elevations set forth in Chapter;
- (5) Existing Structures, parking and traffic facilities, Easements and public Rights-of-Way on the subject property as well as within 300 feet of the area proposed for PUD;
- (6) Existing sewers, water mains, culverts and other underground facilities within the tract and in the vicinity, indicating pipe size, grades and exact locations;

This information is included on the drawings.

- (7) The location of Natural Features and provisions necessary to preserve and/or restore and maintain them to maintain the character of the surrounding neighborhood and community;
- (8) A tree preservation plan showing all existing trees 6" caliper or larger;

Many existing trees and vegetation on the site would be removed, except the 200+ year old 72" Oak tree near the Proprietors Rd. right-of-way would be preserved and maintained. Protection would be needed for the tree during construction, and a future plan for maintenance is needed. Placement of any structures, including sidewalk, under the tree canopy should be avoided.

Other trees are either in poor condition or growing into power lines and may be replaced. The vegetation at the south end of the property in the right-of-way should be replaced.

- (9) A preliminary grading plan;

The existing and proposed grades for the site are relatively flat.

- (10) Preliminary design and location of Structures, Accessory Structures, streets, drives, traffic patterns, Sidewalks or Recreation Paths, parking, entry features, site lighting,

landscaping, screening, Public Space Amenities and other features as required by the City;

Four buildings are proposed for the site, with connection by breezeway or in one case an activity room. Each of the residential buildings are proposed with interior courtyards. Preliminary sketches show an architectural character that may be compatible with the office condominiums to the north (depot style) and Worthington architecture generally. Brick and eco-friendly ultra-premium vinyl are the main materials proposed for the buildings.

Parking would be on the north and east sides of the building, with a drive connecting from Proprietor's Rd. to the railway property to the east through an access easement. The curb cut and turning radii are proposed large enough to allow trucks to pass through the site. The total number of parking spaces versus the Code requirement and the actual need is not known. Bicycle parking is shown. Trees are proposed throughout the parking area as is required by the Code.

Sidewalks are proposed adjacent to the parking areas, between the parking and buildings, and in the Proprietors Rd. right-of-way. Two areas would have curved walkways connecting the public sidewalk to the buildings. Although the area to the south is shown with a fence, having it open may allow consideration as a Public Space Amenity. Other Public Space Amenities may be needed. Additional consideration is needed for the sidewalk area to the north to ensure protection of the oak tree.

Tract coverage by buildings is stated as 23.5% in the development text.

Landscape plans with a mixture of trees, shrubs, and perennials are included for the areas around the buildings, and in the main entry to the office which would accommodate some of the visitors to the site. The entrance would have a circular drive off of Proprietors Rd. near the north end of the site, and included a curved masonry wall used for a sign. Directional signs would also be used at the other entrance and around the site.

A screen wall was installed along the rear property line when Worthington Station was planned. The existing wall would remain and the addition of a gate across the opening for the access easement is likely.

- (11) The proposed provision of water, sanitary sewer and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness of such facilities;

Existing and proposed utilities have been identified and reviewed by the City Engineer.

- (12) Parcels of land intended to be dedicated or temporarily reserved for public use, or reserved by deed covenant, and the condition proposed for such covenants and for the dedications;

No land would be dedicated.

- (13) Proposed Easements;

Proposed is relocation of the access easement to the Norfolk & Western Railway Co. property adjacent to the east, currently used by Silcott Railway Equipment Ltd. The business provides services to the railroad industry. An existing easement that runs east to west at the entrance to Silcott would be moved so the entrance is at the north end, and then heads south near the east property line.

Existing easements for the screen wall and utilities would stay in place, and new utility easements may be needed.

- (14) Proposed number of Dwelling Units per acre;

The applicant is proposing 54 private and semi-private rooms which average 399 square feet per resident, or approximately 11 units/acre.

- (15) Proposed uses, including area of land devoted to each use;

The only use would be a memory care facility.

- (16) Proposed phasing of development of the site, including a schedule for construction of each phase;

Information is needed.

- (17) Homeowners or commercial owners' association materials;

Information not needed.

- (18) Development Standards Text; and

Included in packet.

- (19) Any additional information as required by the Municipal Planning Commission and the City Council.

**Land Use Plans:**

### Worthington Comprehensive Plan Update & 2005 Strategic Plan

An area plan focusing on the Proprietors/Huntley Road corridor should be developed that makes recommendations for repositioning it in the market place to make it attractive and competitive in the region. Issues such as building renovation, aesthetics, and possible road and infrastructure improvements should be addressed. In any case it is critical that the City protect the industrial corridor as an employment center.

### Code Section 1174.05 Development Standards and Development Standards Text

Development Standards Text shall be a comprehensive narrative detailing the Development Standards for the proposed development, including without limitation the following:

(a) Design Regulations:

(1) Character. The proposed PUD shall consist of an integrated and harmonious design with properly arranged traffic and parking facilities and landscaping. The PUD shall fit harmoniously into and shall not adversely affect adjoining and surrounding properties, Roadways & public facilities.

(2) Design. Site layout, Buildings, Accessory Structures, landscaping and lighting shall be compatible with or enhance the surrounding neighborhood and community.

(3) Screening. Commercial and industrial uses, including parking facilities and refuse containers, shall be permanently screened from all adjoining residential uses.

(4) Tract Coverage. The ground area occupied by all Buildings shall be balanced with green space to soften the appearance of the development. Total Lot/tract coverage shall be set forth in the PUD documents.

(b) Traffic and Parking:

(1) Traffic. Adequate ingress and egress shall be provided as part of the PUD. The proposed PUD shall be located so that reasonably direct traffic access is supplied from major thoroughfares and where congestion will not likely be created by the proposed development. Where potential congestion may be alleviated by installation of Improvements on streets abutting the development, the developer shall be required to pay the cost of the construction of Improvements and shall dedicate or deed lands necessary for street widening purposes when so required by the City. A traffic study shall be provided by the applicant as required by the City.

(2) Parking. Parking shall adhere to the following standards:

A. Design. Parking and service areas shall be designed and located to protect the character of the area.

B. Non-residential Uses. Parking shall be adequate to serve the proposed uses, but shall in no case exceed one-hundred and twenty (120) percent of the parking requirement in Section 1171.01.

C. Residential Uses. There shall not be less than one parking space per Dwelling Unit.

D. Bicycle Parking. Bicycle parking should be adequate to serve the proposed uses.

(c) General Requirements:

(1) Environment. The City may request environmental studies for the property, and may request and receive reports and studies from any agency having jurisdiction over the

property, indicating whether there are any environmental issues that would affect the property and/or surrounding properties with the proposed development.

(2) Natural Features.

A. The Municipal Planning Commission shall not recommend a PUD unless it finds that such development preserves, restores, maintains and/or enhances: (1) Natural Features and (2) the character of the surrounding neighborhood and community.

B. The Municipal Planning Commission shall not recommend a PUD if it finds that the Natural Features on such property have been or will be removed, damaged, altered or destroyed in anticipation of development until agreement is reached between the applicant and the Municipal Planning Commission on permanent restoration of Natural Features. All healthy trees 6" caliper or larger shall be retained, or replaced with total tree trunk equal in diameter to the removed tree, and this shall be documented as part of an approved Natural Features preservation plan and/or landscape plan. In the event the Municipal Planning Commission determines that full replacement would result in the unreasonable crowding of trees upon the Lot, or that such replacement is not feasible given site conditions, a fee of four hundred fifty dollars (\$450.00) per caliper inch of trees lost and not replaced on such property shall be paid in cash to the City for deposit in the Special Parks Fund. Such deposits shall be used for reforestation on public property.

(3) Public Area Payments.

A. The City Council shall determine whether a portion of such PUD should be dedicated on the plan to a public agency for park, playground or recreational uses. Such dedication may be required only if the City Council determines that there is a need for such property and that the dedication is related both in nature and extent to the impact that the proposed development will have on the parks and recreation system.

B. Whenever commercial or industrial space is created as part of a PUD, then the developer or owner, as the case may be, shall make a cash payment to the City in the amount of one hundred dollars (\$100.00) per 1000 gross square feet of new or expanded commercial or industrial space for deposit in the Special Parks Fund. Such deposits shall be used for costs associated with the City's parks, playground and recreation areas. This section shall not apply to any PUD for which a dedication of land to the City was required pursuant to subsection (A) hereof.

C. Whenever any new Dwelling Units are created as part of a PUD, then the developer or owner, as the case may be, shall make a cash payment to the City in the amount of two hundred fifty dollars (\$250.00) per each new Dwelling Unit created for deposit in the Special Parks Fund. Such deposits shall be used for costs associated with the City's parks, playground and recreation areas. This section shall not apply to any PUD for which a dedication of land to the City was required pursuant to subsection (A) hereof.

D. The public area payment required by this section shall be made prior to the issuance of the building permit for the project.

(4) Public Space Amenities. A minimum of one Public Space Amenity as approved by the Municipal Planning Commission shall be required for every five-thousand (5000) square feet of gross floor area of multiple family dwelling, commercial or industrial space

that is new in the PUD. Public Space Amenities are elements that directly affect the quality and character of the public domain such as:

- A. An accessible plaza or courtyard designed for public use with a minimum area of two-hundred fifty (250) square feet;
- B. Sitting space (e.g. dining area, benches, or ledges) which is a minimum of sixteen (16) inches in height and forty-eight (48) inches in width;
- C. Public art;
- D. Decorative planters;
- E. Bicycle racks;
- F. Permanent fountains or other Water Features;
- G. Decorative waste receptacles;
- H. Decorative pedestrian lighting; and

City Code Section 1174.08 PUD Procedures:

(a) Pre-application. The applicant may request review and feedback from City staff and/or the Municipal Planning Commission prior to preparing a Preliminary Plan. No discussions, opinions, or suggestions provided shall bind the applicant, or the City, or be relied upon by the applicant to indicate subsequent approval or disapproval by the City.

(b) Preliminary Plan.

(1) Municipal Planning Commission. The Municipal Planning Commission shall recommend to the City Council that the application for PUD be approved as requested, approved with modifications, or disapproved. In the event the Municipal Planning Commission disapproves the application, the petitioner may elect not to have the same recommended to the City Council.

(2) City Council. Upon receipt of the recommendation of the Municipal Planning Commission, the requested PUD shall be set forth in Ordinance form and shall thereafter be introduced in writing at a meeting of the City Council, and the City Council shall fix a date for a public hearing. Such hearing may be held on but not before the fourteenth day following the fixing of the date or on any day thereafter. Notice of the public hearing shall be given by announcement of the day, hour, place and subject, one time, in a newspaper of general circulation in the City, and the hearing date and time shall be posted on the property to be considered for the PUD. During the period between the fixing of the date of the hearing and the date of the hearing, the Preliminary Plan, shall be kept on file in the office of the Planning and Building Department for public examination during regular office hours. The availability of such materials shall be indicated in the published notice of the hearing.

After receiving from the Municipal Planning Commission the recommendations for the proposed PUD and after holding the above public hearing, the City Council shall consider such recommendations and vote on the passage of the proposed PUD Ordinance. The City Council may, by a majority of all its members, adopt or reject the proposed Ordinance, with or without change.

(c) Final Plans.

(1) The Municipal Planning Commission shall review Final Plans for compliance with the approved PUD Ordinance and shall:

A. Approve the Final Plan as requested;

B. Approve the Final Plan with modifications as agreed by the applicant which do not change the essential character of the approved PUD and do not need review by the City Council;

C. Recommend the Final Plan to the City Council with changes that require an amendment to the PUD Ordinance; or

D. Disapprove the proposed Final Plan when said plan does not meet the requirements of the PUD.

**Recommendations:**

Use Considerations:

When the Development Plan was approved for this site, it was anticipated the proposed Worthington Station office condominiums would house businesses which would generate significant income tax for the City. Although this proposal is an attractive plan aesthetically and a needed use in central Ohio, the proposed use would produce just a fraction of the amount of income tax originally expected. The southern part of the property has been vacant since 2005, but has not generated a problem for the City.

Design Considerations:

- The proposed plan for the site with the building, driveway and parking layout and the proposed landscaping is designed to fit with the surrounding properties without adversely impacting the area. The entrances to the site are shown away from the intersection with E. Granville Rd. and site design appears to allow needed access to the railway while providing adequate parking for the facility. The site layout seems appropriate with buildings toward the street and parking to the rear.
- The general architectural style may be appropriate for this site. Additional detail could be required with this application, or would be expected with Final Plan and Architectural Review Board applications. As vinyl siding is not typically desired in the Architectural Review District, a sample should be provided and its use should be discussed and specifically made part of or left out of the Development Standards. Other materials should also be discussed.
- General landscaping and lighting seem compatible with the Architectural Review District.
- Location and screening of refuse containers may need refinement.
- Parking must be evaluated, included bicycle parking.
- No environmental issues have been identified by the applicant, but should be addressed if present.
- The significant natural feature is the Oak tree. Protection during and after construction is critical. Removal and installation of sidewalks or other permanent structures under the tree canopy should be avoided.
- Review of Public Space Amenities is needed.

Staff recommended tabling of the application to allow for further review and refinement of the details.

**Discussion:**

Mr. Brown said he walked through this site with the City's arborist, and the only tree worth saving was the 200+ year old oak tree.

Mr. Coulter asked if the applicants were present. Mr. David Hodge, attorney with the law firm of Underhill & Hodge, 8000 Walton Parkway, Suite 260, New Albany, Ohio, and representing his client Mr. Don Kenney, Jr. He said they were before the Board for approval of the preliminary plan and rezoning, and realize if they received approval they have their work cut out for them, including architecture, landscaping, and the site plan, etc. He said he hoped to determine if this business is appropriate for the use of the property in terms of its history and the fact the area had been vacant for the past fifteen years. The medical facility would feel like home for its patients who have memory issues, and staffed by medical professionals who will provide a safe and loving environment for their patients.

Mr. Hodge said a massive easement dissected the property, an old vacated right-of-way, which provided access for Silcott, and Norfolk Southern used it twice per year. Ohio Railway also had a right to use the easement. Mr. Hodge said he went to lunch with Mr. Solomon Jackson, who worked for Norfolk Southern, said he would check to see if the easement could be moved from a corporate perspective. They received good news, the easement could be moved, and Mr. Kenney paid the fee and the document is currently being reviewed by the Norfolk Southern legal department in Virginia.

Mr. Hodge said he also walked the site and the area definitely needed to be landscaped and the front part of the property does not have a sidewalk but they intend to extend the sidewalk to the northern end of the property. From photographs on display, Mr. Hodge discussed how the sidewalk would tie into several locations from the frontage of the property and there would be a private courtyard for residents to walk with friends and family members. He also discussed some of the public amenities on the site and said they have hired an arborist to verify the health of the old tree.

Mr. Coulter explained the proposed location is one of the main entryways into Worthington and materials will be a critical element, and the building will have to be a significant piece of architecture. He asked the applicants to pay attention to the Design Guidelines and to the materials suggested by the Board.

Mr. Don Kenney Jr., 470 Olde Worthington Rd., Westerville, Ohio, said the business plan is an Alzheimer memory care facility. Mr. Kenney said he was fulfilling a need for this type of business, and he has hired an architect by the name of Brian Kent Jones, who has built a number of homes in the New Albany area. Mr. Kenney said he chose Mr. Jones because of his work is special, and materials for the building are flexible. The plan is for fifty-four units to care for people with early

stages of Alzheimer's to the end stage of life. Mr. Sauer asked if the facility would be able to handle cantankerous patients as they are nearing the end of their life and Mr. Kenney said yes. He said he has partnered with The Kemper House in Cleveland who will also be helping with the management of the facility. The Kemper House has been around over thirty years, and is owned by Betty Kemper, whose husband developed Alzheimer's disease while under her ownership. Mr. Kenney said as the process moves forward, Mrs. Kemper will be in attendance at the meetings. He said he could not possibly do this project without her.

Mr. Myers asked Mr. Kenney if this would be a phased development and Mr. Kenney said he would like to have that as an option, but not necessary. Mr. Myers asked if this would be a restricted access facility and Mr. Kenney said yes, all of the visitors would come through the main door. Mr. Myers asked if the courtyard area was intended to be used by the patients and enclosed for their security, and Mr. Kenney said the patients will not be going outside into that area without someone being with them.

Mr. Sauer asked for clarification as to why the courtyard area should not be enclosed. Mrs. Bitar responded with two reasons. First, the city would not typically want to see a fence at the corner of a property with two major roads. That is not the prominent architectural feature that one would hope for. The other reason, without the fence, the area could be counted as a public space amenity. Mr. Coulter asked how the space would be used and Mr. Kenney responded the area would be just for sitting. Mrs. Bitar asked if they could landscape the area naturally with plants instead of a picket fence and he said yes.

Mr. Myers explained the Bike Pedestrian Committee might be looking at this area and ask for a multi-use path which would require some altering of the sidewalk and that would count as a public amenity. Mrs. Bitar reminded Mr. Myers about the 200+ year old tree that needed to be saved. Mr. Brown said he would coordinate discussions with Mr. Hurley, the Director of Parks and Recreation.

Mr. Hodge said the development text that goes along with the package has some language in it that says the architecture shall be substantially similar to the architectural concepts that were submitted as part of the package. Mr. Hodge reiterated Mr. Kenney has hired Brian Kent Jones to put together some renderings while picking up some of the old elements of Worthington. Mr. Myers said the proposal will need more details before going to City Council, and he asked the applicants to take a look at the Orange Johnson House, and the Masonic Lodge for examples. Mr. Kenney said he grew up in the Beechwold area and he's been around Worthington his entire life. He is not going to build something crazy that would not fit into the area. He said he has done some extensive research and they will put together a more detailed proposal to be presented to City Council. Mr. Coulter said they liked what Mr. Kenney has proposed. Mrs. Bitar said this project will be added to the City's website so information can be shared. Mr. Myers said he would share the proposed

business plan with council members so they will know about the upcoming project. Mr. Kenney requested to table the application.

Mr. Hofmann moved to table the application, seconded by Mr. Reis. All Board members voted, "Aye."

Mr. Gary Anagnostis, 990 Proprietors Rd., Worthington, Ohio, Ohio Railway Museum, said he had some concerns of the crossing at Silcott's gate and the proposed end of the driveway. He said every time they go over a crossing they are required to sound a certain signal which could be ten or twelve times a day, even if the gate is locked. He was concerned someone could be startled by the sound.

#### **E. Other**

There was no other business to discuss.

#### **F. Adjournment**

Mr. Hofmann moved to adjourn the meeting, seconded by Mr. Reis. All Board members voted, "Aye," and the meeting adjourned at 12:39 a.m.