



MINUTES OF THE REGULAR MEETING
WORTHINGTON ARCHITECTURAL REVIEW BOARD
WORTHINGTON MUNICIPAL PLANNING COMMISSION
October 11, 2018

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; Edwin Hofmann; David Foust; Amy Lloyd; and Richard Schuster. 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. Commission members Thomas Reis, Vice-Chair; Kathy Holcombe, Secretary, were absent.

A. Call to Order – 7:00 p.m.

1. Roll Call
2. Pledge of Allegiance
3. Minutes of the September 27, 2018 meeting were not distributed, and will be voted on at the next meeting on October 25, 2018.
4. Affirmation/swearing in of witnesses

B. Architectural Review Board

1. Relocate Condensing Units; Add Generator – **59 Short St.** (Alex & Deidre Serrano)
AR 92-18

Mrs. Bitar reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background & Request:

This house was constructed in 1839, and is listed as a vernacular style building in the Worthington Historic District nomination. The 1 ½ story house sits at the southeast corner of Short and Oxford Street. When air conditioning was added, the condensing units were installed on the west side of the house facing Oxford St. Now, the owners would like to move the units and install a generator.

Project Details:

1. The request involves relocating (or replacing) the two gray condensing units to the east

side of the garage, which is at the southeast corner of the property. Also, a new beige generator is proposed south of the condensing units. The generator would be about 3' from the south property line and 6' from the east property line, and the condensing units are proposed north of the generator.

2. Arbor Vitae are proposed around the equipment for screening. The plants would be ~36" tall at planting.

Land Use Plans:

Worthington Design Guidelines and Architectural District Ordinance

Keep functional items such as trash containers and mechanical equipment well screened with fences or plantings.

Recommendation:

Staff recommended approval of the application. The proposed location for the mechanical equipment was appropriate, being away from the streets and screened with landscaping.

Discussion:

Mr. Coulter asked if the applicant was present. Mr. Alex Serrano, 59 W. Short St., Worthington, Ohio. Mr. Serrano said they wanted to move the air conditioning units out of view from the street. He said they buried the power line a couple of years ago to the house from the power pole. Mr. Coulter asked if Mr. Serrano had talked with his mechanical contractor about the length of the line set. Mr. Serrano said yes, the move is possible, but will be expensive. The generator will be easier because of the large gas lines. He said they have a garage and would like to keep the lines inside the structure because he did not like burying the lines underground, and he would work with the city to discuss the connection between the garage and the house. Mr. Serrano said as they were digging to bury the power line they started digging up bricks and determined there was a corner of an old building. He said he went back through the property deeds and there is a deed from the City School District giving back the corner of land and they figured out there used to be a school in that spot. He said he would love to excavate the area someday and see if there was really a one room school house in the back. Mr. Coulter asked if there was anyone present who wanted to speak for or against this application and no one came forward.

Motion:

Mr. Foust moved:

THAT THE REQUEST BY ALEX & DEIDRE SERRANO FOR A CERTIFICATE OF APPROPRIATENESS TO MOVE THE CONDENSING UNITS AND ADD A GENERATOR AT 59 W. SHORT ST. AS PER CASE NO. AR 92-18, DRAWINGS NO. AR 92-18, DATED SEPTEMBER 27, 2018, 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. Hofmann, aye; Mr. Foust, aye; Mrs. Lloyd, aye; and Mr. Schuster, aye. The motion was approved.

C. Municipal Planning Commission

1. Conditional Use Permit

- a. Wireless Telecommunications in S-1 – **6675 Worthington-Galena Rd.** (Sure Site Consulting Group, LLC/Worthington Christian Schools) **CU 15-18**

Mrs. Bitar reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background & Request:

Grace Brethren Church was constructed on this site in the 1960's, and Worthington Christian Schools started operating there in 1973, eventually growing into the church space. The applicant would like to install a Sprint small cell telecommunications facility on one of the school buildings.

Project Details:

1. The proposed location for the antenna is on the roof near the southeast corner of the two-story building on the north side of Worthington-Galena Rd. There is existing roof top equipment in that location, and there are trees that partially screen the roof from view.
2. An antenna would be mounted on a pole with the total height being about 9' above the flat roof.
3. Connection to an existing electrical service would be made.

Land Use Plans:

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.

Worthington Code 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
2. Effect on public facilities
3. Effect on sewerage and drainage facilities
4. Utilities required
5. Safety and health considerations
6. Noise, odors and other noxious elements, including hazardous substances and other environmental hazards
7. Hours of use
8. Shielding or screening considerations for neighbors
9. Appearance and compatibility with the general neighborhood

1179.07 REQUIREMENTS FOR SPECIAL DISTRICT.

(a) Wireless Telecommunications Facilities are conditional uses in the "S-1" district of the City if combined with another use or located on the same parcel as a permitted use for the zoning district in which it is located.

(b) The following requirements shall apply if the Wireless Telecommunications Facility is attached to an existing structure or building.

(1) Maximum height. No portion of any Wireless Telecommunications Facility shall extend more than twenty feet above that portion of the building or structure on which it is located.

(2) Equipment shelters. Any Equipment Shelter associated with a Wireless Telecommunications Facility not located within an existing building shall be effectively screened by a wall of not less than six feet in height or solid landscape screening utilizing evergreen plantings not less than six feet on center and a minimum of six feet in height at time of planting.

Recommendation:

Staff recommended approval of this application, as the proposed small cell facility would be in a location that will not impact the neighborhood, except that service improvement is expected for Sprint customers. There will be no effect on traffic patterns, and sewerage and drainage facilities; the effect on utilities would be minimal; and the effect on public facilities would be positive. No safety or health considerations or noise, odor or noxious elements have been associated with this use in this location.

Discussion:

Mr. Coulter asked if the applicant was present. Mr. Jerry Weaver, representing Sure Site, 3659 Green Rd., Cleveland, Ohio 44122. Mr. Hofmann asked if this would be a 5G antenna and Mr. Weaver said the antenna was capable of handling 4G and 5G. Mr. Myers made reference to the memo and Section 1179.07 and he was aware there were special design guidelines developed in regards to small cell wireless and he just wanted to make sure that all of those design guidelines were addressed, and that the Board is aware of the guidelines that are applicable to small cell wireless. Mrs. Bitar said she felt this proposal exceeded the guidelines and would be much more hidden and not in the right-of-way. Mr. Myers said this would be watched very closely, and he was not sure if the guidelines were legal or not because the Federal Communications Commission just passed a rule which basically abolished the great compromise that they were able to execute between the industry and the state that Worthington was one of the leaders that was allowed to have some aesthetic control over small cell wireless as opposed to "carte blanche put them wherever you want to." He said it could be years before they know, but he wanted the Board to be aware because they will be seeing more of these in the future.

Mr. Brown explained Verizon submitted an application to place three of the small cell towers in the right-of-way about six months ago and he has been working with them before City Council adopted legislation. He said you will probably see some in the right-of-way in the coming months. Mr. Myers asked Mr. Brown to send the guidelines out to the Board members. Mr. Brown explained he could send them out to the Board, but the Board members would not see anything to be placed in the right-of-way. He said what was adopted by City Council, the way it sets up the time frame the proposal is submitted to the Department of Service & Engineering and starts the

clock ticking for 90 days or 120 days depending on if it is a completed application and then staff would review for compliance with what was approved by City Council and then could go forward at that time. This body does not approve small cell towers located in the public right-of-way. Mr. Coulter asked if there was anyone present who wanted to speak for or against this application.

Mr. Tom McCauley, 209 Heischman Ave., Worthington, Ohio, said he was concerned with height, which is now not a problem, the light that might be placed on top of the tower, and when he read the memo he was concerned about getting a great big tower in his back yard. He said he probably would not be able to see this from his house so he did not have any objections and he had already spoken with his neighbors and they did not have any objections either. Mr. Myers asked if there would be a light on top of the tower and Mr. Weaver said no.

Motion:

Mr. Hofmann moved:

THAT THE REQUEST BY SURE SITE CONSULTING GROUP, LLC FOR A CONDITIONAL USE PERMIT TO LOCATE A WIRELESS TELECOMMUNICATIONS FACILITY ON THE WORTHINGTON CHRISTIAN SCHOOLS PROPERTY AT 6675 WORTHINGTON-GALENA RD., AS PER CASE NO. CU 15-18, DRAWINGS NO. CU 15-18, DATED SEPTEMBER 27, 2018, BE APPROVED BASED ON THE PLANNING GOALS OF THE CITY, AS REFERENCED IN THE LAND USE PLANS AND ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

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

D. Other

1. Amendment to Planning & Zoning Code – Dog & Cat Daycare & Overnight Boarding in C-1 Zoning District **APZ 01-18**

Mrs. Bitar reviewed the following from the staff memo:

Findings of Fact & Conclusions

Background & Request:

The City received a request (attached at the end of this memo) to locate a franchise of Preppy Pet Columbus LLC, which is a business that has overnight boarding, day care and grooming for dogs, at 5787 Linworth Rd. in the C-1 Zoning District. The property is at the northwest corner of Linworth and Godown Rds., and was formerly home to Cannell Graphics. The parcel is bordered by a Time Warner Cable Midwest facility on the north side, which is also in the C-1 Zoning District, and railroad tracks to the west. Across the street to the east and south are single family residential houses in the City of Columbus.

The proposed combination of uses is not currently defined in the Code, and the C-1 Neighborhood

Commercial district does not currently contain uses that allow care and boarding of animals. The business owner is asking for the Code to be modified to add a definition that would accommodate the business as an allowable use in the C-1 Zoning District.

Planning and Zoning Code:

The current Code has two similar definitions:

“Dog and Cat Day Care Center” is currently allowed as a Conditional Use in the C-2 and I-1 Zoning Districts.

1123.762 DOG AND CAT DAY CARE CENTER.

“Dog and cat day care center” means an acoustically controlled facility for the care, schooling, or grooming of healthy, group-socialized cats and/or dogs. “Acoustically controlled” shall mean that the decibel level of sound emitted from animals in this facility shall not exceed forty-five decibels at any time when measured at the property line. A dog and cat day care center shall be limited to 4,000 square feet and forty boarding animals maximum. Outdoor exercise yards and the storage of vehicles for animal transport are prohibited. Ancillary sale of pet care products including food shall not occupy more than ten percent (10%) of the gross floor area of the structure.

Veterinary Care Centers, as defined below, are currently allowed as a Conditional Use in the C-2 and C- 3 Zoning Districts, and as a Permitted Use in the I-1 Zoning District.

1123.761 VETERINARY CARE CENTER.

“Veterinary care center” means an acoustically controlled facility directly managed by a veterinarian for the care, schooling, grooming or treatment of healthy, group-socialized cats and/or dogs. “Acoustically controlled” shall mean that the decibel level of sound emitted from animals in this facility shall not exceed forty-five decibels at any time when measured at the property line. A veterinary care center shall be limited to 4,000 square feet and forty boarding animals maximum and may include indoor runs for overnight boarding of group-socialized animals, so long as the space devoted to such overnight boarding occupies less than fifty percent (50%) of the net usable area of the facility. Outdoor exercise yards and the storage of vehicles for animal transport are prohibited. Ancillary sale of pet care products including food shall not occupy more than ten percent (10%) of the gross floor area of the structure.

The difference in the definitions is overnight boarding, which is only allowed when the facility is directly managed by a veterinarian. Both definitions do not allow outdoor exercise areas, and limit the building size and number of pets in the facility in the same way. A veterinarian would not be involved with Preppy Pet Columbus LLC.

Staff Analysis:

1. One way to accommodate the proposed use would be modifying the definition of Dog and Cat Day Care Center as follows:

1123.762 DOG AND CAT ~~DAY~~ CARE CENTER.

“Dog and cat ~~day~~ care center” means an acoustically controlled facility for the care, schooling, or grooming of healthy, group-socialized cats and/or dogs. “Acoustically controlled” shall mean that the decibel level of sound emitted from animals in this facility shall not exceed forty-five decibels at any time when measured at the property line. A dog and cat ~~day~~ care center shall be limited to 4,000 square feet and forty boarding animals maximum, and may include indoor runs for overnight boarding of group-socialized animals, so long as the space devoted to such overnight boarding occupies less than fifty percent (50%) of the net usable area of the facility. Outdoor exercise yards and the storage of vehicles for animal transport are prohibited. Ancillary sale of pet care products including food shall not occupy more than ten percent (10%) of the gross floor area of the structure.

Because Veterinary Care Centers with overnight boarding are already allowed in the C-2 and I-1 Zoning Districts, this change should not impact those districts. By leaving Veterinary Care Centers as the only use allowable in the C-3 Offices and Institutions District, any such facility would be directly associated with a veterinarian’s office, and therefore may be more appropriate for that district.

The revised definition of Dog and Cat Care Centers would then need to be added to the C-1 Zoning District. The use should be a Conditional Use, with approval by the MPC necessary. The C-1 properties in the City are typically small, and in addition to the parcels on Linworth Rd., are located in various spots along N. High St., and at the Worthington-Galena and Huntley Rds. intersection. A map highlighting the C-1 properties in red is included at the end of this memo.

2. A second way to accommodate the use would be rezoning the property as a Planned Unit Development (PUD). Although the PUD process is typically intended for larger or multi-use developments, it is also a way to allow a particular use on a specific parcel.
3. There are potential nuisance problems with this use such as noise and bad smells, but limiting the size, number of animals, and not allowing outdoor exercise may help eliminate those issues. Existing facilities in the City with overnight boarding in close proximity to residential have not had reported or noticeable issues. The Code Review Committee reviewed the change and was only concerned with the possible impacts.

Land Use Plans:

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.

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6. Noise, odors and other noxious elements, including hazardous substances and other environmental hazards
7. Hours of use
8. Shielding or screening considerations for neighbors
9. Appearance and compatibility with the general neighborhood

Recommendation:

If the MPC feels the proposed use should be accommodated, either of the two presented options would likely allow the use without having a negative impact on the community. Both would allow a business and property to be scrutinized based on location.

Discussion:

Mr. Coulter asked if this business was required to be licensed by a state agency and Mrs. Bitar said she did not know. Mr. Tim Webber, 381 W. Dublin-Granville Rd., Worthington, Ohio, said he is the Realtor for the location, and the applicant had to leave for an emergency situation. He said his client would like to use the building for overnight pet boarding, doggy day care and any other allowable use for pet industry. Mr. Schuster asked if that would include breeding and Mr. Schuster said no, but the business does offer adoptions at some of its other locations. There are currently seventeen other locations with five more locations in the works. Mr. Webber said they also offer grooming.

Mr. Myers asked Mrs. Bitar to clarify the change in the language would be the same for both the non-vet clinic and the vet clinic. Mrs. Bitar said the only difference would be that the City allows animal care centers in C-3 which is the office district. She said this use is more of a retail type use and not something the City would want to have on C-3 so they talked about just merging the definitions but the City already has a couple of animal care centers in C-3 so they do not want to open that up to the more retail use in the office district. Mr. Foust asked if this would be a Conditional use then residents who live nearby could still voice their opinion and Mrs. Bitar said, "Correct." Mr. Coulter asked if there was anyone present who wanted to speak for or against this application and no one came forward.

Motions:

Mr. Foust moved:

THAT THE REQUEST TO MODIFY THE ZONING CODE DEFINITION OF DOG AND CAT DAY CARE CENTERS, AND INCLUDE THE USE AS A CONDITIONAL USE IN THE C-1, C-2 AND I-1 ZONING DISTRICTS, AS PER CASE NO. APZ 01-18, BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL BASED ON THE PLANNING GOALS OF THE CITY, AS REFERENCED IN THE LAND USE PLANS AND

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. Hofmann, aye; and Mr. Foust, aye. The motion was recommended to City Council.

C-1 Zoning District in Red:



D. Other

Mr. Brown reminded the Board that Monday, October 15th, 2018, the apartments on E. Wilson Bridge Rd. which were tabled at the City Council meeting on September 17th, will be back on the docket again for consideration. The two sticking points are the additional two units to the acre and a tree fee the applicant is requesting a waiver for. Mrs. Bitar asked how much the tree fee was. Mr. Brown responded approximately \$250,000.00 dollars.

Mr. Brown said the other thing he wanted to bring up was a discussion concerning windows. He and Mrs. Bitar had a discussion last week and felt the need for the Board members to be more consistent with their decisions about windows and that staff would work with one or two Board members to get a better understanding on the types of windows, materials and styles that might be appropriate in the Architectural Review District, and appropriate for the time period of the building.

E. Adjournment

Mr. Hofmann moved to adjourn the meeting, seconded by Mr. Foust. All Board member said, "Aye," and the meeting adjourned at 7:39 p.m.