

**Landmark Commission
September 18th, 2019
Meeting Minutes**

Meeting called to order

The Chairman called the meeting to order at 4:30PM. The following members were present: Mr. Jon Lawrence, Ms. Nikki Lloyd, Chairman Michael Zuilhof, Mr. Joe Galea, Mr. Alan Griffiths, and Dr. Tim Berkey. Mr. Greg Voltz, Ms. Angela Byington, and Mr. Thomas Horsman represented the Planning Department; Mr. Trevor Hayberger represented the Law Department. There were 7 voting members present.

Review of minutes from 7/17/19

Mr. Galea moved to approve the minutes from July 17th, 2019; Mr. Lawrence seconded the minutes. All members were in favor to approve minutes.

1st application on agenda

Mr. Zuilhof stated that the first item on the agenda is an application for exterior signage at 128 E. Market St.

Mr. Horsman stated that the applicant is proposing two pieces of signage for the newly opened Balooka Balloons store on E. Market St .The first is a double sided sign that will reuse the projecting signage frame that currently exists. Staff is unaware when that sign was originally installed, however it at least dates back to the 1990's as can be seen in the photo shown for Faroh's Finest Chocolates. This sign would be internally illuminated with LED lights, but the main face will be opaque and only the balloon logos and text will be illuminated. The sign will be 4' x 6' in size. The second sign is a wall panel sign that will be made of aluminum composite material and will be 2' x 8' in size. The sign conforms with zoning regulations. The projecting sign face does exceed current size regulations, however, the zoning code allows for refacing existing legally non-conforming signs. The Sandusky Preservation Design Guidelines state that internally illuminated signs are inappropriate for the Downtown Historic District, so as a general rule, staff would recommend against internally illuminated signage. However, there have been others that have been approved in the past and this sign has similar characteristics to those that have been approved. Staff supports the Certificate of Appropriateness with the condition that the sign is operable and that the internally lighting be kept dim so that the light is not an overpowering presence on the street.

Mr. Griffiths asked if anyone knows prior to this, how long the building and sign were not being used?

Mr. Horsman said he was not sure.

Mr. Griffiths asked if it was more than 6 months.

Mr. Horsman said yes.

Mr. Griffiths stated that in reviewing our Design Review Guidelines, signs are supposed to be removed within 30 days of a business closing. He stated that this is not something that has been enforced to the degree it should have, but something that should start being enforced. So the existing sign should come down first before the commission considers new signage. He stated it is pretty clear that the Preservation Guidelines recommend against illuminated signs in the Downtown District. Even though there has been previously approved illuminated signs in the past, after looking at the guidelines, that was probably not an appropriate decision. New signs should respect size, scale, and design of an historic building, sign and placement is

important, new signs should not cover up significant features, sign material should be compatible with those of historic building, and new signs should be attached carefully. An illuminated sign does not meet any of those criterion. This commission should not be approving illuminated signs for the Downtown District, nor should we be approving applications that propose to reuse the existing infrastructure on the basis that the infrastructure should have been removed.

Dr. Berkey stated that he has spent some time looking at what other cities do. When other cities have Historic Districts, they develop more specific language that pertains to signage. In fairness to businesses and investors, it gives clear expectations so that it is clear to them before investing in signage.

Ms. Lloyd stated that she agrees with Dr. Berkey and Mr. Griffiths. She said that the owner came in months ago ready to rehab the storefront and was denied due to guidelines, and she believes one of the things the owner wanted to do was remove the sign. She stated that if the owner was here, she would want to ask them if they are trying to redo the sign because the sign is there, or if the sign was removed, would they want to add a sign that is protruding from the building.

Mr. Griffiths asked if the commission wants to schedule a time for the applicant to be here since there are some questions.

Mr. Galea made motion to table the entire application for when applicant is available to answer questions. Dr. Berkey seconded motion.

Ms. Lloyd stated that she would like to change the motion to approve the wall sign and table the part of the application regarding the protruding sign, since it will be another month before the commission meets again.

Mr. Hayberger advised for the members to vote for or against the first motion before making another motion.

All members voted against tabling the entire application.

Ms. Lloyd made motion to approve the wall sign and table the discussion on the protruding sign. Mr. Griffiths seconded the motion.

Mr. Griffiths then stated that the commission should add that in the meantime, staff will communicate with the owner the concerns with the original application and make recommendations.

All members voted to approve motion. Motion carries.

2nd application on agenda

Mr. Zuilhof stated that the second application on the agenda is the application for demolition of the 1850- built portion of the Cooke Building, formerly known as the Union Building. He stated that the 1850 building's front is on Columbus Avenue.

Mr. Horsman stated that this building has been a significant structure in Sandusky's history, as you can see it in many photos of downtown Sandusky. However, the Cooke Building itself is not an individually designated historic structure, neither on the National Register or Mobile Landmark. It is at commission because it is a contributing building to the National Register Downtown Historic District. The City of Sandusky Commission did an engineering report. The report was extensive and detailing the issues with the building including the failing structure. Upon reviewing the report, staff does feel that the structural issues are significant, and because of safety issues, staff does recommend demolition of the building. As part of staff's recommendation for approval of the demolition, staff also proposes the following conditions: 1) New development on the site must consist of a building of at least 3 stories tall or alternatively, a building that has a façade that approximately matches the height of the current Cooke

Building, 2) New development must conform with the Sandusky Preservation Design Guidelines, 3) The property may not be utilized as a parking lot, neither permanent nor temporary, 4) A redevelopment plan must be approved by the Landmark Commission within 90 days from the date of demolition commences, and 5) Construction of a Landmark Commission approved building must commence within 180 days from the date demolition commences.

Mr. Griffiths asked Mr. Hayberger if the committee is able to extend conditions to a demolition certification.

Mr. Hayberger stated that this is considered an extraordinary relief and that in those scenarios the city can use conditions for the relief sought, as long as they are reasonably related to a governmental interest.

Ms. Lloyd stated that she will be abstaining from the next two items on the agenda.

Applicant Jeff Foster of Payto Architects, located at 1220 W. Sixth St, Cleveland OH, on behalf of the owner's, stated that the National Parks Service considers the two buildings one property. From a conditions report, conditions are applicable too. He stated they have faced the same neglect over the years. He stated that they have looked at a lot of options to save the building, but there is nothing reasonable that can be done. Jeff stated that they want to maintain a three story scale, they want to maintain the street scape, and they want to maintain the current character of the building. The second and third floors of the building would be a combination of residential and office space. They would also like to have some in block parking for residential and commercial tenants, as this is one of the few built out blocks left in downtown Sandusky. Or it could be used as an indoor courtyard in the future if vehicle space is not needed. He said that they are comfortable with the timeframe given in the staff report. He said that in his opinion the building should not sit through the winter as the radius corner is a danger to folks around it and a hazard to the building itself.

Mr. Galea asked who occupied the building before current ownership. He is aware that the 1st floor was retail occupancy.

Mr. Foster stated that the 2nd floor was residential and commercial occupancy. He said that the 3rd floor had not been occupied in decades. There was no heating, cooling, or ventilation on the 3rd floor. He said that the 2nd floor should not have been occupied.

Mr. Galea asked if Mr. Foster is able to take any guesses on if any preventative maintenance had occurred in the building.

Mr. Foster stated that at first glance it was clear that the building had not been maintained, but once they started construction, it was obvious that no maintenance had taken place. Mr. Foster stated that the building was also, not built well to begin with.

Mr. Griffiths asked Mr. Foster if he had any concerns with structural integrity of the building over the course of time and with the weather.

Mr. Foster stated that the primary concern they have is with the radius corner, as within a week of construction, that had already settled an inch and a 1/2. When that settled, it lodged all the way up to the roof. Wind and weather will cause that to fail.

Mr. Nagel asked what all did the feasibility analysis include. Did it include a comprehensive physical condition assessment, selective demo. He stated he was trying to figure out how much information they had and why this is coming out this far down the road. He said that in his experience there is a lot of selective demo upfront, especially on buildings with this age and dollar value.

Mr. Foster stated that right after purchasing the building they assessed the corner where they found settlement on the first floor. They did not remove the storefront from an element of safety, and knowing how close it is to pedestrian way. He then stated that as they started construction documents and design, they started demolition on the second floor. The

catastrophic issues occurred after construction began and demolition of the tenant spaces. He stated that they did do the due diligence that a professional typically would.

Mr. Nagel asked if the columns that were failing were not uncovered until after construction already started.

Mr. Foster replied yes.

Mr. Griffiths asked if there were any objections to the conditions given by staff in the approval of demolition. He stated that the first condition states that new development on the site must consist of a building at least 3 stories tall or alternatively, a building that has a façade that approximately matches the height of the current building. The second condition states that new development must conform with the Sandusky Preservation Design Guidelines. He said he would regard that as mute in the new application by definition has to apply to those guidelines as it is in the Historic District.

Mr. Horsman stated that is correct.

Mr. Griffiths stated that the third condition states that the property may not be utilized as a parking lot, neither permanent nor temporary. He asked to confirm staff's intention if the entire space cannot be used as a parking lot, as the plan is to have some parking in there.

Mr. Horsman stated that the intent is that the entire site cannot include a parking lot. It does not include what the applicant is proposing.

Mr. Griffiths moved to accept staff's recommendations, excluding condition two and amending condition three to say that the entire property may not be utilized as a parking lot.

Mr. Zuihlof stated that the trouble with that is that we don't even want part of the empty lot used for parking.

Mr. Horsman stated that the intention is for prior to construction of the building to not use the space for parking.

Mr. Griffiths asked if we could make a motion for new language for condition three.

Dr. Berkey seconded the motion.

Mr. Zuilhof stated that it is important in his opinion to move cautiously. It is a pretty old building, is part of our heritage. This is an irreversible decision. He said that we shouldn't approve this if we aren't certain. He stated that we are in a much safer situation now than before since there is no longer anyone in the building and the building is blocked off. He then stated that he can support demolition of this section of the building.

Dr. Berkey stated that he supports the motion. He then stated that the city has done a good job communicating big plans and the challenge with this decision is that he doesn't think it is going to go over so well with the public. He said that he is not sure who is all aware of this meeting and the commission needs to consider what the reactions of others are going to be. He asked how can the commission partner with owners to recreate some of the processes the city has used before to engage people. Couldn't the commission have joint meetings with public input? He stated that these owners listen, they respect history. In the new building, how could they put history back into it, as they take some history away.

Mr. Galea stated that he appreciates Dr. Berkey's comments, his observation is spot on. He stated that these things need to be communicated better. He said that this is a good opportunity to develop procedures for community feedback. He said that it is important to keep in mind the evidence and not put preceding votes in consideration for the next one.

Ms. Lloyd abstained, all other members were in favor of the motion. Motion carries.

3rd application on the agenda:

Mr. Zuihlof stated that the next item on the agenda is the application for demolition of the 1866 portion of the Cooke Building.

Mr. Feick (from the audience) asked if this is a closed meeting. Is the public not allowed to talk?

Mr. Zuilhof stated that this is not a public hearing. The commission can allow public input.

Mr. Feick said that he didn't hear him say does the public have any input.

Mr. Zuilhof stated that this is the normal course of business.

Mr. Feick said so that means that the public is not allowed to have any input?

Mr. Zuilhof stated that public input is not on the agenda typically. He stated that sometimes we do have public hearings.

Mr. Horsman stated that there are some slight difference in this building. There is a significant concern about the corner structure, as the applicant stated. He said that he did reach out the engineer and spoke with him over the phone to get some clarification about the report. He stated that the engineer did indicate with the exception of the corner of this building, that the back end did seem in a slightly better structural state. However, he said that 1) it was still to a bad point of deterioration, 2) the amount of reconstruction inside would be significant, and 3) that portion of the building he was not able to see as much of the underlying structural issues as in the other building. However, the primary concern in the Sixmo report was this corner and the immediacy of its potential to catastrophically fail. Based on all of the reports and evidence, staff does give a recommendation for demolition of this structure.

Mr. Zuilhof stated that the buildings are different in his opinion. He stated that the construction quality is different. The materials are different, the conditions are different, and the nature of the problems are different. This building is the icon, with the curved front.

Dr. Berkey stated that he heard from others that the arched windows are big to them.

Mr. Foster stated that there is stone on the exterior, but the interior is brick, and is in the same condition as the other building. He stated that the stucco is falling off and that the stone will deteriorate as the rest of the materials do. He said that this building is the one that has the imminent risk, not the other one.

Mr. Galea asked if the option for the decorative/round corner that is sagging is to rebuild it entirely.

Mr. Foster stated that yes the plan is to completely rebuild that corner.

Mr. Nagel stated that the immediate risk is the collapse of that corner, yet the temporary shoring as all been on the other building. He asked if there was/is a plan for temporary shoring on that corner.

Mr. Foster stated that they have had teams of people out there to try to figure that out. Three different structural engineers have not been able to figure out how to safely to do it.

Mr. Nagel asked who the masonry restoration contractor that has been involved.

Mr. Foster stated that he cannot remember who that is.

Mr. Lawrence asked if the two buildings could be separated safely. Could one building safely be demolished and the other not.

Mr. Foster stated that they have not looked at that. The corner building was built onto the outside wall of the Union Building.

Mr. Zuilhof stated that there is no party wall that he saw. They are separate walls. He said he doesn't know what the engineer report said and asked if anyone else had any recollection on that.

Mr. Nagel stated that he thinks he is correct on that.

Mr. Zuilhof stated that he would like to ask the engineer to clarify some things. Some sections of the report are clear on which building he is talking about, but some are not.

Mr. Horsman stated that when he spoke with the engineer about the two separate buildings/applications, he said the report would be consistent for both buildings.

Mr. Zuilhof said that he hopes we do consider the option of tabling.

Mr. Griffiths states that his impression of the comments from the architect is that there has been an extensive and collaborative process. He stated that delaying the process only serves to render many more reports to come. He asked if they could be reminded of the timeline of the process and issues.

Mr. Foster stated that they began construction in March and stopped work in August.

Mr. Nagel stated that if issues were discovered in March, this application should have been on the agenda sooner. He stated in Landmark Commissions he has been in, that they don't allow you to apply for a building permit or allow you to start construction until what you are replacing it with has final approval. He said his fear is that this is going to cost more than what they thought and then the public is not going to get what they thought they were.

Mr. Foster stated that the reason they were not here in April is because they tried everything they could to save the building. He stated that he would love to give the full design now, but when finalizing, will only do what the budget allows. The owner has always delivered what they said they were going to.

Mr. Zuilhof stated that even if this is approved, that doesn't stop the applicant to explore possibilities. He states that the possibility exists that it may cost less to do the repairs needed.

Mr. Foster said that if they have to preserve the current building, that there is no way they can provide the current plan.

Mr. Hogrefe then stated that they have taken every attempt to save this building. He said that the state said this is not worthy of preserving, this was not worthy of the tax credits to preserve. To keep the federal would be very difficult. He said that they do not feel they would be able to satisfy the federal government with a partial restoration to the building. He stated that he does not want to keep delaying and the building continue to sit there. He said that the most important time in Sandusky is now and that we need to keep pushing. He said that they have pushed with every project as quickly as they could. He stated that they are willing to deliberate, listen to the city, and community members.

Mr. Zuilhof stated that this makes him wonder if we should amend our ordinance to require a public hearing when we apply for demolition of a landmark building.

Mr. Griffiths stated Mr. Nagel brings up a good point about our process for the demolition of buildings and the requirement for in the future for guidelines and plans. He stated that he intends to raise a short discussion in new business that might address some of those issues.

Mr. Zuilhof stated that as a reminder that we could motion to invite input, but we do not require it at this point.

Dr. Berkey stated that he would like to move using the same language and conditions for the 1850 building. Mr. Griffiths seconded the motion.

Mr. Zuilhof asked if there was any additional discussion. He stated that it made him think when Dr. Hogrefe brought up European buildings. We are still in secondary development and in some cases tertiary development here in Sandusky. When you look at the beautiful buildings in European cities, they came in different times, in times of economic prosperity. The buildings that last are typically expensive. We are probably not into the final phase in our city. What we will get is a sound safe building if we demolish this building. He stated that he would be more comfortable if we slowed this down just a little bit. He stated that his objection is not that we are making the wrong decision, but that we have not exhausted all of the possibilities. But nothing is keeping us from exploring all of the possibilities if we do pass this.

Mr. Zuilhof and Mr. Nagel voted no. Ms. Lloyd abstained. All other members voted yes. Motion carries.

4th application on the agenda:

Mr. Zuilhof stated that next on the agenda is an application for exterior renovations to the Chesapeake Lofts building at 401 W. Shoreline Dr.

Mr. Horsman stated that Mike Meyer, on behalf of the Chesapeake Lofts Condominium Association, has submitted an application for a Certification of Appropriateness for exterior alterations. He stated that the Chesapeake Lofts was the former factory for the Hinde and Dauch Paper Company. He stated that the building is not in the Downtown Historic District, but it is listed on National Register of Historic Places. The issue at hand is the parapet at the top, as there is currently foam that has been placed as a temporary solution decades ago, and is now failing, and allowing water to leak into the building, and causing some structural issues. The applicant is proposing to reconstruct the portion of the parapet in three different phases. The applicant does plan on restoring the original "Hinde and Dauch Paper Company" wording on the south parapet. Staff does recommend approval of the certificate of appropriateness. He stated that staff did have discussion with the applicant to make sure that the buildings historic integrity is maintained. We included the condition that the metal panels be painted to blend in with the surrounding masonry of the building and that its obtrusiveness is minimized.

Mr. Zuilhof asked if there were any questions. He asked if the applicant was here to discuss the application.

Mike Meyer, president of the board of the Homeowners Association of the Chesapeake Lofts, stated that Dave Sabo is the architect and Larry Villers is the engineering consultant with R.L. Seiler & Associates. He stated that this is something that would be completing some restoration of the building that started 15 years ago when going from a factory to the loft homes. He stated that they have 195 loft units. This would enhance the structure of the building.

Mr. Sabo stated that they started looking at different options about a year and a half ago. He said that they looked at some more drastic options, some encapsulating. They decided to do some forensic investigation. He stated that some of the conditions of the brick caused some structural concerns for the encapsulating options. The solutions that Larry came up with were a little more restorative versus encapsulating.

Mr. Villers stated that the spray foam was applied to hold many of the brick in place because the mortar was deteriorating. He said what they discovered when they removed the foam from

the existing structure was that the foam was holding the moisture in and accelerating the deterioration of the mortar.

Mr. Zuilhof asked if there were additional questions.

Mr. Griffiths stated that he wondered if they could comment on the functionality of the metal panel and if there are ways to make it less visible along the water front.

Mr. Villers stated that they could color match the metal panel, but that the purpose of the metal panel is to enhance the snow and water runoff from the structure. He said that very little of the metal panel will be noticeable at ground level. He stated that they could color match the metal panel to blend in with the masonry structure.

Mr. Zuilhof asked if they are flashing the brick to be tuck pointed into the mortar and not cutting the brick.

Mr. Villers responded no.

Mr. Zuilhof asked what metals they are using.

Mr. Villers stated that they are using a painted galvanized surface metal.

Mr. Galea moved to approve the application subject to staff conditions as specified in the report. Mr. Lawrence seconded the motion.

Mr. Zuilhof asked if there was any further discussion. Nothing else was discussed.

All members voted to approve. Motion passed.

5th application on the agenda:

Mr. Zuilhof stated that next on the agenda is an application for exterior renovations to 221 E. Water Street.

Mr. Horsman stated that Ed and Steve Windau submitted an application to restore windows on their building. The places they are proposing to add windows to are historic places for windows. This building is not individually listed, but it is considered a contributing building to the Downtown Commercial Historic District. The application is to paint the existing window frames that are aluminum a black color and the replacement windows would be black as well. He stated that staff gives recommendation of approval. He then said that the applicants are available to answer any questions.

Mr. Zuilhof asked if there were any questions or comments. Nobody spoke up.

Mr. Lawrence made motion to accept the proposal as presented. Ms. Lloyd seconded the motion.

There was no further discussion.

All members voted to approve the application.

6th application on the agenda:

Mr. Zuilhof stated that the next agenda is an application for exterior renovations to 216 Columbus Ave.

Mr. Horsman stated that this application was submitted to install a garage door on the façade for what will be CLAG Brewery, which is under construction. The garage door will be similar in style and color to what is currently at Small City Taphouse, right next door. It will be smaller in size. This building is not a contributing building to the National Register Historic District, but it is

within in the Downtown Historic District. Staff has no issues with the application and recommends approval. He stated that the applicant is available to answer any questions. Mr. Nagel stated that there are 3 panels that are existing that are proposed to be modified. He said that he did notice behind the one that something is boxed out behind there. He asked if there is a reason that garage door doesn't take up that entire area.

Charles Swann, of 1525 Rome Greenwich Rd, Greenwich OH, stated that there is a column there that supports the building.

Mr. Zuilhof asked if the applicant understands that this is not approval for a fence, just a garage door.

Mr. Swann said correct this is just for a garage door.

Mr. Zuilhof stated that there has been some controversy lately in town as to the standards for outdoor fences.

Mr. Horsman stated that he wanted to clarify that any fencing or patio space would need an encroachment from the division of engineering. It would also need a Certificate of Appropriateness through the landmark ordinance.

Mr. Zuilhof stated that some of the fences we have today predated the landmark commission approval requirement.

Mr. Galea moved to approve the application for certificate of appropriateness, and stated that he does not see any conditions, so he recommends approval without conditions. Mr. Griffiths seconded the motion. All members voted to approve the application.

Staff updates:

Mr. Horsman stated that he is still working with the State Historic Preservation Office to nail down a timeframe for selecting a date for a training session. It is taking some time to get a response from them.

Mr. Zuilhof asked if it is mandated by the ordinance.

Mr. Horsman stated that it is. He said that it is provided free of charge to all local governments. He stated that secondly, staff did just complete submission for certified local government evaluation with the State Historic Preservation Office. That happens every couple years. It is a listing of Certificates of Appropriateness that have been given and the activities of the commission. He stated that staff will then get a report back with the adherence to the regulations for the certified local government.

New business:

Mr. Griffiths stated that last year commission tweaked the ordinance to clarify some language to include the design review guidelines. There are a number of things that have come up consistently that commission may want to visit from a regulation/ordinance standpoint or policy standpoint. For example, the issue of lighted signs, confirming the process for new builds in our historic districts, looking at enforcement, and whether commission should be considering issues like performance bonds, etc. for demolitions, and reviewing landmark ordinance. He requested that the commission carve time out at a future session/s to have a conversation as a commission about some of these topics.

Dr. Berkey stated that he feels a need to take a step back a bit and ask what the purpose of the commission is. He stated that the commission has been reacting to proposals, but he thinks the commission has the responsibility to be proactive. Looking at the condition of some of the historic buildings, he would like to carry on discussion as well and be willing to work with Alan on some of these ideas.

Ms. Lloyd stated that she agrees. She asked Tom if he would like for the commission members to send him their ideas so that he could put an agenda together.

Mr. Horsman said that would be helpful. He stated that staff are also currently examining some things to that nature. A few of those things would be increasing public awareness about regulations to property owners. Looking at when properties change hands through the auditor, trying to find if there is an automated process that staff can initiate, where staff can send notifications to them about processes and regulations and such. Staff has also been talking about taking a more comprehensive look at the design guidelines. They were adopted in 2007, so there is probably some need to look at those again. Particularly in regards to signage.

Mr. Hayberger advised for the commission members to send those to Tom individually instead of replying to all, to avoid getting into a public meetings issue.

Mr. Zuilhof stated that he sent an email about a month ago about landmark issues and because there is now a relatively new landmark commission that maybe the commission does need to review policies with respect to certain buildings in particular be less reactive and more proactive regarding code enforcement. In the past if a building had problems, you send the inspector. It is very difficult sometimes politically to enforce. So how does the commission be fair and treat everyone fairly.

Mr. Horsman stated that staff has had some preliminary discussions about additional landmark sites in Sandusky that commission may want to examine designating. He stated that the commission may also want to consider working with other organizations like Old House Guild.

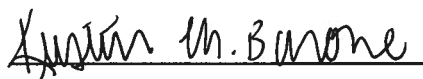
Mr. Zuilhof stated to keep in mind that a landmark does not have to be commercial or residential structure, it can be other things. He asked if anyone wanted to motion to ask staff to set a work session at the next meeting or another time.

Mr. Griffiths made motion to move. Ms. Lloyd seconded the motion.

There was no further discussion. All were in favor of the motion.

Dr. Berkey stated that he has an announcement, that the Old House Guild is having a dedication of their historical marker on the 27th at 11:00am at the Cooke-Dorn Museum.

Mr. Galea motioned to adjourn. Meeting adjourned at 6:30pm.



Kristen Barone, Clerk



Michael Zuilhof, Chairman