

**Landmark Commission
November 20th, 2019
Meeting Minutes**

Meeting called to order:

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

Review of minutes from October 16th, 2019:

Mr. Galea made motion to approve the minutes with a change to the top of page four where he had asked if there was any benefit to getting an injunction from somebody, not a conjunction. Dr. Berkey seconded the motion.

Mr. Zuilhof stated that he has an additional change on page five where it states that he said "if someone were to encroach on city property it can be revoked at any time for any reason." He said that he believes he said or intended to say that if there is an "encroachment license."

Mr. Lawrence stated that on page four Mr. Lloyd, should say Ms. Lloyd.

Mr. Zuilhof asked if there was an agreement to amend the motion to add those changes.

Mr. Lawrence made motion to approve the minutes with the changes mentioned.

Mr. Galea seconded the motion.

1st application on agenda:

Mr. Zuilhof stated that the first item on the agenda is the application for signage at 128 E. Market Street, which was tabled at the September 18, 2019 meeting.

Mr. Lawrence made a motion to remove the application from the table.

Mr. Griffiths seconded the motion.

Mr. Horsman reminded the commission that the application was for two different signs. The wall sign was approved, the sign that was tabled was the projecting sign. The projecting sign is a preexisting structure. He stated that there were many questions related to the allowable signage size per the zoning code. Staff said that because it is a refacing of an existing structure, it is permitted by the Zoning Code, but if it were to be built new, it would exceed the allowable signage size. In the Design Review District a projecting sign is allowed to be 25% of the façade length, so if this sign were constructed new today, the allowable max would be 4.75 square feet. The proposed sign is 24 square feet.

Mr. Zuilhof asked if Mr. Horsman could clarify if the projecting sign area would be the area of the whole sign, not just one side.

Mr. Horsman stated that each side of the sign would be regulated by this criteria. The zoning is permissible due to its nature of existing, so it would be legal. The question at hand was looking at the Preservation Design Guidelines and the size in relation to the façade.

Mr. Zuilhof stated that the maximum area permitted per side is 4.75 square feet. He asked if the sign that is proposed is a 4 foot by 6 foot sign.

Mr. Horsman stated that was correct.

Mr. Griffiths asked if the sign was lit or not.

Mr. Horsman stated that the application was for internal illumination of the sign.

Mr. Griffiths then stated that his recollection of conversation regarding the signage rules is that this particular sign is on a premises that has not been in continuous use for six months, so the signage structure should have been removed per code. He asked if that is correct.

Mr. Horsman said that the sign is considered an abandoned sign and the code does state that if a sign falls under that category, the city is able to order removal.

Mr. Zuilhof stated that the total square footage of both signs together is 64 square feet and asked what would normally be the limit for square footage on a 19 foot building.

Mr. Horsman stated that the limit for the projecting sign would be the 4.75 square feet that he mentioned earlier and then the wall sign would be a 1-to-1 ratio with the façade, which would be 19 square feet for a wall sign.

Mr. Zuilhof stated that what was previously approved for the wall sign is within three feet of the maximum. The application on the agenda today is asking for five times the area than what would normally be permitted.

Gary Trent, with HT Investments, the owner of the building stated that the sign has been around for a long time. He stated that there are many buildings downtown that do not follow the rules of how big a sign can be, and they just wanted to be treated the same as the other owners downtown. He asked how the other owners downtown got their signs to be as big as they are.

Mr. Zuilhof stated that staff may not have the information at hand, but asked which signs he is talking about. He also stated that these other signs may have predated the regulation.

Mr. Horsman stated that there are some cases where the signs are preexisting, and this is why the sign on the applicants building legally, if approved by this commission per zoning code, could be refaced. So if any of those other larger signs wanted to be refaced, they would have to go before this commission also.

Mr. Trent said that there is the Segwave store and the Shore House Tavern, both of whom have large signs out front. He also stated that if they have to take the sign down, it would be unfair to the business who is trying to make money in that storefront.

Ms. Lloyd stated that is one of the reasons that the commission tabled the application. The commission wanted to hear from the owner of the building and from the owner of the business in the building. She said that the commission had questions regarding the sign right away, but the commission did not want to inhibit any advertisement for the business so that is why the wall sign was approved. She asked if the sign is something the business owner in the building really wants or is the building owner just trying to fill the space because it's there.

Mr. Trent stated that it just doesn't make a whole lot of sense to knock that sign down and put a smaller one up just because the existing one is just a little bigger than it should be. He also said that the sign structure is one of the reasons he bought the building as it is a party of history.

The owner of Balooka Balloons, Nancy, who rents the storefront, stated that because the sign is part of history, she has a hard time believing that anyone would want to get rid of it. She also said that she would much rather have the protruding sign than the sign that is flat across the wall, to advertise her business, as more people would see the protruding sign.

Mr. Griffiths stated that he is sympathetic towards the owners, but the reality is there is a new ordinance, a relatively new commission, and the commission needs to draw the line somewhere. While he understands the owner's frustrations, the ordinance clearly states that there are not internally lit signs in the Downtown District, and there are strict rules for the size of signs.

Mr. Galea made a motion to approve the application for signage that was originally tabled. Mr. Horsman reminded the commission that there are two issues at hand, the size of the sign as well as the internal illumination, so any motion made will need to specify what is being approved.

Mr. Galea clarified that his motion is for both conditions to be permitted as applied for by the applicant.

Mr. Lawrence seconded the motion.

Ms. Lloyd stated that she would like acknowledge Mr. Griffith's statement as she is also very sympathetic towards the property owners and all of the efforts they have put in. She has also been inside Balooka Balloons and loves that they have a storefront downtown, but at some extent the commission needs to start following the code. Knowing that it was and still is an abandoned sign, she will not support this motion.

Mr. Galea stated that his reason for the motion is that the way the business owner wants to use the sign will give the structure productive use, it will fit the character of the historical building, and will fit the area. He stated that he is not so convinced that the ordinance is meant to be so rigid as to always require in every instance an exact outcome. For every building downtown there is a different situation. There is always a reason why sometimes it seems people are being treated unfairly. In this situation there are unique circumstances.

Mr. Nagel stated that it seems there is some ambiguity on the code in regards to removing what is deemed to be an abandoned sign. Whether or not that means the insert or the entire cabinet. With removing an entire cabinet, if that were to be done every time someone were to go out of business, there are real costs with putting that back up every time a new business comes in or goes out. A building could also see a lot of damage doing that. He stated he doesn't love the internally lit component, but he believes their intent was that they did remove the sign, and don't think they realized that the entire structure needed to come down, and with that being said, would approve the application for both components.

With three members for the approval of the application and four members against the approval, the motion failed.

1st application on agenda:

Mr. Zuilhof stated that next on the agenda is a request to extend the deadlines imposed in case PLC19-0022, demolition of the Cooke Building at 150-162 Columbus Ave.

Mr. Horsman stated that as part of the conditions of the demolition of the Cooke Building, there were timeframes for the submittal of plans and commencement of construction and the applicant has requested additional time. There was a 90 day extension request for presenting a plan. If the extension is approved, it would be 180 days after demolition commences to present

the plans instead of 90. This would also extend the construction deadline from 180 days to within 270 days after demolition commences. The letter for why has been provided.

Mr. Richard Hogrefe, owner of H2 Property Holdings, stated that they do not want to artificially slow down demolition, due to the safety factors, as well as they want to be able to bring the sidewalks back and the parking. He stated they are going to be getting numbers on Friday for their first design and they may be able to make the deadline, but if the numbers are way off, then they will have to go back to the board. They want to make sure they are doing the best job that they can, which takes time, and so they do not want to rush the plans.

Ms. Lloyd asked if there is any idea when demolition will commence.

Mr. Hogrefe stated he will be getting that information on Friday also. If the numbers on Friday are approved, he has been told that demolition can begin within a few weeks to a month, and it would take about two months to get it all knocked down.

Mr. Zuilhof stated that he agrees that it is important to get it right and not rush.

Mr. Galea asked how much of the need for an extended deadline is driven by the possible third party partner.

Mr. Hogrefe stated that things have been moving pretty quickly with the third party partner and he has already had designs in place for the third party as well.

Dr. Berkey made motion to approve the extension as requested.

Mr. Galea seconded the motion.

One voting member abstained from the vote, the remaining six members approved the motion. The request was approved.

Staff updates:

Mr. Horsman stated that he has been working on rescheduling the training with the State Historic Preservation Office for 2020. The December Landmark meeting is December 18th at 4:00 and the Planning Commission is right after at 4:30, due to the holiday the following week. Staff have talked internally about all of the items discussed at last month's meeting regarding the Landmark Ordinance, signage, and public outreach. Staff are hoping to have something available in the coming months.

Ms. Kristen Barone, Clerk for the Planning Department, asked the commission to review the 2020 meeting schedule. The clerk then asked members with terms expiring 12/31/19, Mr. Griffiths and Mr. Nagel, if they would like to be reappointed for 2020.

Mr. Nagel stated he would like to be reappointed.

Mr. Griffiths stated he would also like to be reappointed.

Ms. Barone asked the commission members if the commission members are okay with the clerk sending the agendas via email since some members have not received them in the mail or get them in the mail with not much notice.

Mr. Lawrence stated that email was fine with him.

Mr. Griffiths stated he was also fine with that.

Mr. Zuilhof stated that there seems to be a consensus to have the agenda emailed.

Mr. Griffiths asked Ms. Lloyd if she will be at the next Landmark Commission.

Ms. Lloyd said she will be at the next one, as her last day is December 31st.

Dr. Berkey stated that last week the Old House Guild of Sandusky took possession of the Johnson House at 417 Columbus Avenue. This has taken place due to the efforts of many people including city staff, the City Manager, Landmark Commission, and City Commissioners. The house is getting worked on and getting ready for a potential buyer. This is a signal to the Landmark Commission to why it is important to stay on top of preserving the historic buildings because the damage that occurs when a building is unoccupied can be significant.

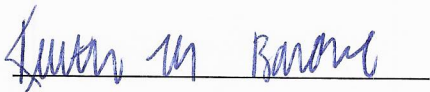
Mr. Zuilhof asked if Dr. Berkey would be willing to coordinate for the commission to see the place.

Dr. Berkey stated that he would be happy to do that if staff could assist in that.

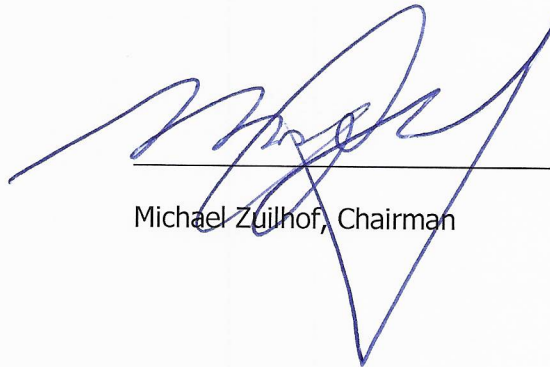
Meeting Adjourned:

Ms. Lloyd motioned to adjourn the meeting. Mr. Lawrence seconded the motion. The meeting was adjourned at 5:19pm.

Approved by:

A handwritten signature in blue ink, appearing to read "Kristen M Barone", written over a horizontal line.

Kristen Barone, Clerk

A large, stylized handwritten signature in blue ink, written over a horizontal line.

Michael Zuilhof, Chairman