

CITY OF AURORA
OHIO
Landmark Commission
Meeting Minutes
May 19, 2016

The Landmark Commission met in a scheduled meeting Thursday, May 19, 2016 in the Council Chambers at City Hall. The meeting was called to order at 6:34 p.m. by Chairman Jeff Clark.

ROLL CALL: Present: Lauren Broderick
Jeff Clark, Chairman
Jason Coleman
Tim Holder
John Kudley, Vice Chairman
Also Present: Ronald Lowe – Architectural Advisor
Meredith Davis, Asst. Director, Planning, Zoning, & Building
Richard Fetzer, Historical Society Advisor
Marie Lawrie, Secretary

AMENDMENTS TO THE AGENDA:

MOTION: To add John Kudley, 520 W. Pioneer Trail – Deck and Sean Barbina, 59 S Chillicothe Rd – Windows to the agenda

Mr. Holder moved, Ms. Broderick seconded, and the motion carried on a 4-0-1 roll call vote.

Yeas: Mr. Holder, Ms. Broderick, Mr. Clark, Mr. Coleman

Nays: None

Abstentions: Mr. Kudley

APPROVAL OF MINUTES:

MOTION: To adopt the minutes of the April 21, 2016 meeting

Ms. Broderick moved, Mr. Holder seconded, and the motion carried on a 5-0 roll call vote.

Yeas: Ms. Broderick, Mr. Holder, Mr. Clark, Mr. Coleman, Mr. Kudley

Nays: None

OLD BUSINESS:

GEAUGA LAKE HISTORIC MARKER

WORDING

John Kudley provided copies of the application he prepared to order the Geauga Lake historic marker. The deadline for the application is July 1, 2016. Wording can be slightly adjusted by the Ohio History Connection, if they deem necessary. The site plan was reviewed.

Side A:

Known as "Giles Pond," Geauga Lake was home to early settlers Charles Squires and Sullivan Giles. The railroad came to town in 1856 stopping at "Pond Station." Giles took advantage of this scenic location in the 1880's, establishing picnic grounds, a dance hall, ball diamonds and campgrounds for those seeking a country getaway. Geauga Lake Park was established in 1887 introducing its first ride in 1889. A roller rink, photo gallery, billiard hall, and bowling alley were soon added. In 1888, the Kent House Hotel was built on the southeast side of the lake. The lake was also once the home of Sea World of Ohio. In 2007 the melodic sounds of the carousel and the echoing screams from the "Big Dipper" roller coaster ceased with the closing of the park.

Side B:

Geauga Lake began as a cluster of "summer cottages" occupied by those enjoying "Giles Pond." Residential growth began in earnest with the formation of two allotment companies: the Geauga Lake Orchard Company (1915) and the Western Reserve Land Company (1920). In 1921, the Geauga Lake Improvement Association was chartered to protect the residents' access to the lake. During the era of Prohibition this rural setting was the site of speakeasies and dancehalls such as the "Magnolia Club." During WWII, with gas rationing, the GLIA'S lakeside clubhouse doubled as a community church with services held by Reverend J.R. Hutcherson. The 1945 post war era housing shortage and improved transportation brought a transition to the community with year round housing. Today, the GLIA continues to be the guardian of the adjacent area.

MOTION: To issue a Certificate of Appropriateness for the wording of the Geauga Lake Historical Marker

Mr. Holder moved, Mr. Coleman seconded, and the motion carried on a unanimous call vote.
Yeas: Mr. Holder, Mr. Coleman, Ms. Broderick, Mr. Clark, Mr. Kudley
Nays: None

NEW BUSINESS:

EBENEZER SHELDON, ESQ. HISTORIC MARKER

WORDING

John Kudley provided copies of the application he prepared to order the Ebenezer Sheldon, Esq. historic marker. The deadline for the application is July 1, 2016. Wording can be slightly adjusted by the Ohio History Connection, if they deem necessary. The site plan was reviewed. An update of the work accomplished thus far at the site of the Deed House was reported.

Side A:

Ebenezer Sheldon was born on February 20, 1754 in West Suffield, Connecticut. As a young man he worked the family farm and was greatly influenced by events leading to the American Revolution. On April 19, 1775, Sheldon answered the "Lexington Alarm" and joined colonial minutemen surrounding British held Boston. During the Revolution he served as captain in the Connecticut Militia. Following the Revolution, Sheldon experienced financial hardships, sold the family farm, and sought a new beginning in the Western Reserve. In 1799, he established a homestead in Aurora, Sheldon returned to Connecticut and in the spring of 1800 brought his wife Lovee and five children to Aurora. When Lovee caught sight of the family's log cabin she "shed a few tears over the cheerless prospects" of life in the wilderness.

Side B:

Ebenezer Sheldon was land agent for the Big Beaver & Cuyahoga Land Company. In the 1799 lottery for lands in the Western Reserve, the company drew Township #5 in Range #8 (Mantua), Township #5 in Range #9 (Aurora). As agent Sheldon was responsible for the surveying, mapping and deeding of the land in Aurora. Sheldon's original homestead was located on the Aurora-Mantua border. Native Americans living near Aurora Pond led by Chief Sogamon had great admiration for Sheldon but did not care very much for his "squaw" because of her unwillingness to provide "spirits." Sheldon was the township's first Justice of the Peace, one of the first township trustees, and a founder of the Congregational Church. Sheldon's "Deed House" was relocated to city owned Pioneer Park in 2016.

MOTION: To issue a Certificate of Appropriateness for the wording of the Ebenezer Sheldon, Esq. Historic Marker

Mr. Holder moved, Mr. Coleman seconded, and the motion carried on a 5-0 roll call vote.

Yeas: Mr. Holder, Mr. Coleman, Ms. Broderick, Mr. Clark, Mr. Kudley

Nays: None

JOHN KUDLEY, 520 W PIONEER TR

REAR ELEVATION DECK

John Kudley, homeowner, was present to answer questions. He was seeking approval to extend the rear elevation deck of his home to 21' x 18'. There was discussion pertaining to the post holding up the short overhang roof on the existing deck. The post will remain in tack. The deck extension will not have a roof over it. The deck will not be visible to any neighbors. When asked if the deck would have lattice work underneath to keep out vermin, he stated he was undecided at this point.

MOTION: To issue a Certificate of Appropriateness for the deck extension

Ms. Broderick moved, Mr. Coleman seconded, and the motion carried on a 4-0-1 voice vote.

Yeas: Ms. Broderick, Mr. Coleman, Mr. Clark, Mr. Holder

Nays: None

Abstentions: Mr. Kudley

MISCELLANEOUS:

 Other Historical Markers

Mr. Kudley announced that 2 other historical markers would be receiving new posts. The Silver Creek Cheese Factory located on state route 82 and the Aurora Treadway Inn located at state route 82 and state route 43. Additionally, the signs at the Service Center and the Aurora Inn have been refurbished.

 Sean Barbina, 59 S Chillicothe Rd – Windows

Mr. Barbina currently lives in 28 Pioneer Trail, which is the Sears and Roebuck house. He is under contract to purchase 59 S Chillicothe Road, the Riley house. He has repairs to do on the structure and needs to update the electric. He was seeking a general approval to replacement windows for the lower level. He would like to order black trim windows. He would paint the remaining windows with a matching black trim. He will return to a later meeting with a window sample. Maintenance will be done to the porches that need support. Any exposed wood on the exterior will be painted. A few slate tiles need to be put back on the roof. He plans to keep the round gutters and downspouts in place. A large tree on the north side of the driveway will be removed. The tree is leaning and at the end of its life cycle.

There was a discussion pertaining to the driveway of the home. There is an easement in place with regards to the residence at 55 S Chillicothe Rd. He plans to create a new driveway on the south side of the house for his own use. He will need to get a permit from the City to put in a new driveway. He may put a garage on that same side in the future. He was advised to come back to the Landmark Commission with a comprehensive plan for the changes he plans to make to the exterior of the house, keeping in mind that the approval would be valid for one year. He intends to use his property as a residence.

 Overlay District Presentation

Jennifer Syx, President of InSITE Advisory Group LLC along with Jordan Warfield, Project Manager, and Program Coordinator presented an updated draft of the Overlay District. The purpose of the overlay district is not to flood the historic district with commercial uses, but to manage growth, and impose some new regulations in this area. The document has been revised so that a restaurant is less intrusive if located next to a residential use. Updates to the document were made with the resident in mind, who would like to enjoy their residence without being sandwiched between two commercial uses.

Section 4 - District Boundaries was updated with the intention of connecting the two commercial districts. This resulted in reducing the area by approximately 17 parcels. Based on concerns from the previous meeting, along with walking the historic district, it seemed to make more sense to have a northern and southern boundary with commercial properties. This smaller area seemed more manageable.

Section 5 Permitted Uses was revised to state that all permitted uses will require a Conditional Zoning Certificate. Additional wording was added to ensure that all commercial uses will comply with fire and safety requirements. Mr. Kudley requested that banking be removed from the list of permitted uses.

Section 8 Design Guidelines was revised. Signage was updated to ensure the quality and characteristic of the district. The revisions were meant to eliminate a sea of signs. Signs will be required to be attached to the main structure or attached to a light pole. A monument sign must be within 15 feet of the main structure, reflecting similar style and color. No sign will be permitted larger than 12 square feet. Typically one sign would be permitted on the property. Ms. Broderick asked what authority the Board would have if a commercial use came forward with a sign that contained a logo. Ms. Davis stated that legally, a logo cannot be overruled. However, the Board can ask for changes even when a logo is included with the sign package. There has been some success in the past with companies that have logos where it pertains to the size of the logo, or with using only certain aspects of the logo. Ms. Broderick asked the advisors to look into whether this overlay, being a separate district, would have any additional leverage where it pertains to signs. This district would have its own sign code in addition to the City sign code. Mr. Lowe asked if it was possible to eliminate all signs with the exception of a very small wall sign on the building. That idea will be discussed as the document is further revised. Ms. Broderick suggested that the district offer a choice between just 2 or 3 sign styles, with a limited choice of colors. If a logo is involved with the commercial use, said logo could be on the building sign only. Or if it was permitted on the monument sign, it would be limited on size. Smaller signs will be considered.

Parking was revised. To protect the residential environment, on-site parking will be extremely limited. Shared parking will be encouraged, which includes the library parking lot as well as City Hall and the Kiwanis Moore Park. Existing driveways and walkways will remain. Any new parking areas on a property will need to comply with underlying setbacks. It is not appropriate to locate a new parking area where it is visible from the street or where it will significantly alter the proportion of built area to yard area.

Mr. Clark was not in favor of rear parking for a commercial use. He stated that backyard parking is as problematic as front yard parking would be. Ms. Davis stated that in a future revision wording will be added that will require year round vegetative screening around all rear yard parking areas on neighboring sides. The City Arborist will review the landscape plans for such and comment on historically appropriate vegetation. Fencing would not be used as appropriate screening.

Mr. Kudley stated that he would like the document to specifically state that no front yard parking will be permitted. Mr. Holder agreed. Sean Barbina, a resident on hand to speak about his upcoming project at 59 S. Chillicothe Rd stated that he was not in favor of the rear yard parking next to a residential use.

Mr. Clark considered that a resident could put a residential-looking addition on the front of their home and double the size of their primary structure to use as a commercial use. It was explained that any addition would have to meet the zoning setbacks and would go before Landmark Commission as well as Architectural Board of Review for approval. The proposed guidelines of Section 8 will give the Board discretion about what fits in with the district.

Mr. Holder stated that the idea is on the right track. He would be interested in seeing some revisions. At this point, Mr. Holder took leave, as he was late for an appointment. The time was 7:42 p.m.

Mr. Kudley stated that as a commission, a project could be held up for a limited amount of time. Although he was not yet in agreement with every item on the document, he was in favor of the direction it was moving. The idea behind giving more enforcement to the Landmark Commission was favorable.

Lighting was discussed. Hours of operations would be up for approval as part of the conditional zoning certificate. Hours of operation will need to be appropriate for a residential area. Landmark would not likely approve a restaurant in the district to be open until 2:00 a.m. The recommendation of Landmark Commission would go to Planning Commission along with the request for a conditional zoning certificate for all commercial uses.

Ms. Broderick would like to be reassured that lighting will not be intrusive. She requested that lighting be limited or described in more detail in the document to assure that a residential feel is promoted. Strings of lights in trees, excessive patio lights, etc. would not be desirable for this district. The document states that Lighting should create an identity for the District. She was questioning what that might mean exactly. More definition of permitted and prohibited lights is needed. She stated that rear parking would likely include light posts for evening hours as well as security needs. These points will be considered for the next revision.

Mr. Clark stated his opinion that the Board would be naive to think that restrictions that they include in the document will stand. With changing administrations comes changing objectives. He did not feel that this document will give the amount of control to Landmark Commission that it is intending to. Mr. Kudley stated this document will give the Landmark Commission some control over maintenance issues within the Historic District. He does not agree with all aspects of the document at this time, but appreciates the level of control it attempts to give the Board, which is something that they do not presently have. Mr. Clark is strongly in favor of a maintenance code for the City as a whole.

A table was added to Section 10 – Design Review Process to explain the process for approval. Mr. Lowe recommended more work to the flow chart. He found it difficult for a resident to follow.

Mr. Lowe recommended reducing the amount of permitted uses to keep the residential characteristic of the district. If the permitted uses were reduced, some of the lighting and parking issues would be resolved. Offices, bed and breakfast, etc. are desirable over book stores, antique stores and other uses that might be less compatible with an R-3 district. He would like to see more strict guidelines. Century plaques are permitted now. Why not limit a sign to that same size and attach it to the structure?

There was a discussion about home based businesses. They are legal in the City of Aurora with a conditional zoning certificate. That business must be harmonious to the neighborhood it will be located in and shall not create a hazardous traffic situation. Code section 1153 has further details.

Mr. Clark originally requested his home to be excluded from the Overlay District. He stated that he is not in favor of the overlay district, but would want to be included if this district is approved by the voters. He contacted Nathan Bevil, Community Planning and Preservation Manager of the Ohio History Connection, State Historic Preservation Office. They discussed in general terms the plans for an overlay district. He reported that Mr. Bevil found the idea problematic; stating the architecture of the district might suffer. He described a domino effect meaning that real estate buyers will come in and buy the properties, speculate on the types of businesses that can operate out of the homes and sell them for a profit. He saw a benefit in that you might get a 20 percent federal tax credit for rehabilitating a structure listed in the National Registry. He was uncertain if the houses in the district would qualify as a commercial structure with the underlying residential use in place and an overlay on top. Mr. Clark further stated that Mr. Bevil has not seen this type of district successfully implemented anywhere in Ohio. He was aware of one successful district in New Jersey. Mr. Bevil told Mr. Clark that he sees it most successful when it happens organically, slowly over time. Mr. Bevil suggested letting the district evolve slowly by way of granting one variance at a time. Ms. Davis informed Mr. Clark that this is not allowed in our use code. Mr. Bevil would be willing to attend a Landmark Meeting to be of assistance. Mr. Bevil also advised that the Board contact Heritage Ohio for guidance. They specialize in revitalizing small towns.

Mr. Clark referred to the Master Plan. In the section that deals with the historic district, he did not find any references to an overlay district recommendation. One place mentions neighborhood commercial on a map. He felt that there were many other good ideas suggested in the Master Plan for the district including improving sidewalks, streetscaping, expanding the Landmark District, lowering the speed limit, walking tours, and enhancing green space. He felt this plan was not a part of any of the suggestions. He recommended following the Master Plan to see if those ideas would revitalize the area first. He felt real estate values will increase in the district if we make the area a more attractive place to be. He felt it was the duty of Landmark to increase the value of the historic homes. He wasn't sure this was the right way to proceed. He was in agreement with all the details of the plan

and review process, but he stated new sidewalks and streetscaping will greatly improve the district without the overlay district.

Mr. Kudley stated that improvements such as sidewalks and streetscaping come out of tax payer funds. Improvements to individual properties come from the homeowner's funds. Putting in sidewalks and streetscape does not guarantee that the homeowner will take care of his private structure. Mr. Kudley weighed the options of watching homes go in disrepair by homeowners verses offering an incentive to repurpose the structure and invest in maintenance according to the guidelines in the document, while keeping the residential look of the area.

Mr. Clark fears the district will receive an overlay zoning due to a commercial use of a single property and fears what would happen to the district if that specific business fails. He suggested that the property taxes are abated and go into improvement for your house. Ms. Davis explained that the issue is more than maintenance. Value is at stake as well. The district is headed in this direction already. The City would like to give these residents the opportunity to legally have a commercial use in their home, so long as it meets the overall objectives of the overlay district.

Ms. Broderick stated that she was in favor of limiting the uses before going forward. It will be easier to manage in terms of enforcement. All the feedback given pertaining to lighting and parking and signs tie in directly with the use. A bed and breakfast has a completely different feel as a neighbor than a tavern would. A restaurant/tavern would bring more lighting, parking, traffic, and usage. She understands that the idea of more commercial use is attractive to many people and organizations; however, to a resident who will use their property as a home, it will not benefit them. She fears these residents will be forced out over time. She is not sold on the intent and purpose of this overlay.

Sean Barbina, 28 Pioneer Trail, stated that houses will sell when they are priced appropriately. He recently sold his house, which is known as the Sears & Roebuck historic home. He is under contract to purchase 59 S Chillicothe Rd, which is also a historic home. He questioned the map outlining the overlay district, asking why there are residential properties included on the south border and on the east border if they plan is to have the two commercial districts as borders. He was in favor of fixing sinking sidewalks to accommodate more residents during parades and City functions. He stated that the historic district is not a downtown. He asked why the City is starting down this path to overlay.

Ms. Syx stated that the overlay district is not to benefit a single property that is having a hard time selling. It is an intentional plan to prepare for economic growth with restricted uses in that area to prevent further deterioration. The goal would be to help those homes that can be successful home offices achieve that conditional use. The intent is to maintain a residential feel and maintain that character while allowing for growth.

Ms. Davis explained that the residential properties included to the south just past the commercial lots are large enough to benefit from the overlay zoning in the future. The district was physically walked and researched resulting in some properties being eliminated. The City understands that it is a residential use. It is the intent to keep the underlying neighborhood intact with limited commercial use opportunities.

Mr. Barbina further stated that the document does not have wording that describes the necessary egress, ramps, and railings for a commercial building. He was concerned that some of these items would be waived by the City at the expense of customer safety. He felt that growth would encourage houses to be torn down rather than revitalized. He mentioned that residential homes do not have floors rated for office file cabinets. Lead paint needs to be abated for a commercial building, whereas it does not as a residence. The houses in the district also have asbestos wrapped pipes. He encouraged the City to research other avenues. He further stated that he was not a fan of government strictly regulating residents. This document demonstrates one more layer of adding allowance and also restrictions to those allowances. It seems like more work.

Ms. Davis stated that a walkable district is very important to the administration and City sidewalks are being installed. The sidewalk plans will go forward separate of the document for the overlay district. She asked Mr. Barbina to submit his comments in writing.

There was discussion about the process of adding an overlay to the existing zoned area, including the fact that the voters would decide whether to approve the additional zoning layer for the area, but not the guidelines outlined in the document. Those guidelines would go before Planning Commission and Council. Council could at a later date amend the guidelines without going to the voters on a ballot. Ms. Davis explained that the goal was to work toward acceptable guidelines to pass on to the Planning Commission. Previously, the administration hoped to have it on the November ballot, but it is evident that it will take time to complete. The goal is to get approval and community support in time for the May ballot.

Ms. Broderick asked what the intention is, if a homeowner has a sizable outbuilding and wants to run an approved commercial use out of that structure. The homeowner might be able to do so, however; it could not be used by a third party. Also, two businesses could not be operated out of one property. Ms. Broderick mentioned that historically, people had a home business, such as a saddle shop in an outbuilding and lived on the property in the main house.

Ms. Davis thanked everyone for their input and asked that everyone review the updated draft.

ADJOURNMENT:

Mr. Clark adjourned the meeting at 8:44 p.m.

Jeff Clark - Chairman

Marie Lawrie - Secretary