

CITY OF LEBANON PLANNING COMMISSION MINUTES

DATE: May 17, 2016

TIME: 7:00 p.m.

Members present were Richard Fair, Michael Murphy, Mayor, Amy Brewer, Tom Miller, Kevin Glardon, and Pat Clements, City Manager. Also present was Samuel L. Hill, City Planner, Mark Yurick, City Attorney, Stephen Kaiser, City Council Member.

CONSIDERATION OF MINUTES

The first order of business was the consideration of the minutes for the meeting of March 15, 2016.

Without objection the minutes were approved.

CERTIFICATE OF APPROPRIATE (COA) – 12 & 14 South Street – Lebanon Public Library – Demolition – PUBLIC HEARING

The next item of business was an application submitted by Julie Sanvidge, on behalf of the Board of Trustees for the Lebanon Public Library, for the proposed demolition of the structures located at 12 and 14 South Street.

Ms. Deena Schlimm, Court Reporter for the Warren County Court of Common Pleas, was present to swear in the witnesses providing testimony and to transcribe the case.

Mr. Murphy indicated it has come to his attention that a client of his company is affiliated with the library and for that reason recused himself from the review and discussion of this application.

After staff summarized this agenda item, the public hearing was opened at 7:10 p.m. Mr. Bruce McGary, Assistant Warren County Prosecutor, introduced himself as the representative/spokesperson and legal counsel for the Lebanon Public Library. Mr. McGary went through the development review process as outlined in the Official Zoning Code and presented three witnesses to provide with sworn testimony to meet the library's burden of proving the structures at 12 and 14 South Street have no historic significance. Mr. McGary provided a plethora of evidence that he requested to be admitted into the record for the board to review in making their decision. Mr. McGary submitted a binder filled with the exhibits to the Planning Commission and Mr. Yurick. Next, Mr. McGary called Ms. Julie Sanvidge, Director of Lebanon Public Library, to the podium to testify to information provided in the application she put together and submitted for review and approval. After being sworn in and providing testimony, Mr. McGary asked Ms. Sanvidge if the library board consulted with any experts for independent analysis of professional opinion on the historic significance of the properties. Ms. Sanvidge indicated the library engaged Deanna Heil, Registered Architect. Ms. Sanvidge also indicated Mr. Mike Taylor, Pinnacle Architects was engaged for design of the proposed future parking lot expansion for the library. Mr. Fair had questions regarding the exhibits as he indicated it was hard to follow along as some of the items and page numbers mentioned were not found. Mr. McGary and Ms. Sanvidge tried to clarify the locations and information presented. Mr. Fair had a question about the proposed concept plan mentioned during Ms. Sanvidge's testimony. Mr. McGary had no further questions for Ms. Sanvidge so he called Mr. Mike Taylor, Vice President Pinnacle Architects, to be sworn in. Mr. Taylor testified to his credentials as a professional and registered architect in the State of Ohio and provided information on his background working with/in communities which have historic districts and historic boards. Mr. Taylor provided testimony on the future proposed parking lot expansion. Mr. Taylor also testified the demolition of the two structures would enhance the Downtown in his professional opinion based

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on the safety enhancements to the site. Specifically, relocating the main entrance to the library from Main Street to South Street would eliminate traffic issues and potential conflict points near the library entrance. The proposal provides a boulevard entrance off and providing adequate parking for patrons and effective signage. Mr. Taylor also indicated the existing electric poles in the alley cannot be moved due to the high cost associated with relocation of the City's infrastructure and other entities such as telephone and cable equipment. Mr. Fair disagreed with Mr. Taylor indicating the project would enhance the safety and telephone poles cannot be moved. Mr. Yurick interjected and stated the board is not approving the site plan and wanted to make sure the board understood this information was being provided on a conceptual basis. Mr. Fair stated he disagreed with the statements being made but understood the Planning Commission is only reviewing the application for demolition of two structures. Next Mr. McGary called Ms. Deanna Heil, Owner and partner of City Studios Architecture, to be sworn in. Ms. Heil spoke to her credentials as a professional architect who specializes in historic preservation. Also, Ms. Heil gave testimony to her onsite inspection conducted (April 29, 2016) on the interior and exterior portions of the subject properties. Ms. Deanna indicated the interior portions of the buildings had some intact historic features such as window trim, wood baseboards, doors and door casings; however, alterations have been made to the interiors such as additional walls to accommodate office space, suspended acoustic tile ceilings, newer kitchens, bathrooms and fixtures. Seeing no additional persons wanting to speak on record, the public hearing was close 7:58 p.m. Mr. Miller indicated he voted no on the previous demolition submittal for the structures along Sycamore Street because it was inconsistent with the historic preservation policies. Mr. Miller added while he appreciates the additional information on the proposed parking lot he is still of the opinion the criteria for approval is not being met based on the historic preservation policies. Mayor Brewer thanked the library for the extensive presentation and thanked staff for the staff report. Mayor Brewer added when staff provides a report it's highly researched and there is an expertise that she values and supports. Also Mayor Brewer indicated she respects and values the expertise that the Warren County Historical Society provides. The fact the Historical Society was in support of the previous demolition work session and has not shown any opposition to the application speaks volumes. Mayor Brewer continued, "If there is any organization besides City staff to oppose demolition of a historic building, I would think it would be the Historical Society. So, you have the credibility of the City staff, the extreme credibility of the Historical Society and the research of the library in presenting the information this evening. As a person who lives in a historical building in the Central Business District, I absolutely value those buildings and the preservation of those buildings; however, I do believe the library has met the criteria for demolition of these properties." Mr. Glardon asked if anyone has proven the buildings are not structurally sound to this date. Staff indicated that information has not been provided and deferred the question to the applicant. Mr. McGary responded no that information has not been provided as the application is for demolition of properties not contributing to a historic district. Mr. Glardon indicated he understands but for his own personal review he was curious. Mr. McGary responded no. Mr. Miller mentioned under Ch. 1132.08 (J) (4) (c) (iii) of the Official Zoning Code, the application is consequential to the historic preservation standards and does not meet the criteria for approval so his vote will be no. Mr. Fair indicated he will vote for approval of the demolition for two reasons: 1) Planning Commission set precedence by approving a COA to demolish the other six or seven residential structures on the block (along Sycamore Street). 2) The staff report; he cannot go against the research done by staff. Based on those reasons, Mr. Fair indicated he will vote in favor of the demolition but reiterated he is disappointed with the process and disappointed we as professional cannot come together and iron things out without going through a court case. After the discussion, a motion was made by Mayor

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Brewer and seconded by Mr. Glardon to approve the COA application for the demolition of the structures at 12 and 14 South Street, subject to the following conditions:

1. A subdivision plat to consolidate the two separate lots as well as a site plan for the parking lot expansion shall be submitted and approved prior to any permits for demolition being issued.
2. All City and County permits shall be approved prior to demolishing the structures.

The roll call was as follows: Mr. Fair, Yes; Mr. Miller, No; Mayor Brewer, Yes; Mr. Glardon, Yes.

CERTIFICATE OF APPROPRIATE (COA) – 100 Mound Street – Exterior Modifications

The next item of business was an application submitted by Darren Hoelle, on behalf of David Gully, to remove a dilapidated deck and replace it with a new 400 square foot deck with a pergola and 6 foot cedar privacy fence at 100 Mound Street. After staff summarized this agenda item, a motion was made by Mayor Brewer and seconded by Mr. Miller to approve the COA application at 100 Mound Street, subject to the following conditions:

1. The property owner is required to contact the Department of Planning and Development and discuss any future improvements, renovations, and/or refurbishment to the structure prior to beginning any related work.
2. All required City and County permits shall be approved prior to beginning work on the structure.
3. Any variation from the approved plans will require additional review and approval by Planning Commission prior to any work being conducted at the site.

Upon calling the roll, the motion was unanimously approved.

CERTIFICATE OF APPROPRIATE (COA) – 45 E. Mulberry Street – Exterior Modifications

The next item of business was an application submitted by Mr. Richard Krehbiel, on behalf of 45 Mulberry LLC, to replace the existing metal stairs on the south wall elevation with access to the second story and extend the balcony overhang above the second story at 45 E. Mulberry Street. After staff summarized this agenda item Mr. Murphy asked staff if the building is a contributing property to the Lebanon Commercial District as the staff report indicated it was an intrusion and not contributing to the district. Staff indicated that was a misprint and the structure is in fact a contributing structure to the district for its historic architectural qualities. Mr. Muphy and Mr. Miller added this is a good improvement to the property. Mayor Brewer thanked Mr. Krehbiel for the investment in the community and enhancing the historic district. After the discussion, a motion was made by Mr. Miller and seconded by Mayor Brewer to approve the COA application at 45 S. Mechanic Street, subject to the following conditions:

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1. The property owner is required to contact the Department of Planning and Development and discuss any future improvements, renovations, and/or refurbishment to the structure prior to beginning any related work.
2. All required City and County permits shall be approved prior to beginning work on the structure.
3. Any variation from the approved plans will require additional review and approval by Planning Commission prior to any work being conducted at the site.

Upon calling the roll, the motion was unanimously approved.

SUBDIVISION – Hurin Corwin Addition – 10 S. Mechanic Street

The next item of business was a subdivision plat (Hurin Corwin Addition) submitted by Tim Tepe, on behalf of Helpeth Ministries, Inc, to consolidate two separate lots of record at 10 S. Mechanic Street, yielding a 0.2883 acre lot. After staff summarized this agenda item, a motion was made by Mrs. Brewer and seconded by Mr. Miller to recommend approval to the City Council for the subdivision plat at 10 S. Mechanic Street, subject to the following conditions:

1. The replat shall be recorded within sixty (60) days from the date of approval by Lebanon City Council, as listed in Section 1117.04 (a)(4) of the Subdivision Regulations.
2. A reproducible Mylar of the recorded plat shall be provided to the City of Lebanon.

Upon calling the roll, the motion was unanimously approved.

SUBDIVISION – St. Patrick’s Episcopal Church – 232 E. Main Street

The next item of business was a subdivision plat (St. Patrick’s Episcopal Church) submitted by Richard Wolford, on behalf of St. Patrick’s Episcopal Church, to consolidate three separate lots of record at 232 E. Main Street, yielding a 0.5859 acre lot. After staff summarized this agenda item, a motion was made by Mrs. Brewer and seconded by Mr. Glardon to recommend approval to the City Council for the subdivision plat at 232 E. Main Street, subject to the following conditions:

1. The replat shall be recorded within sixty (60) days from the date of approval by Lebanon City Council, as listed in Section 1117.04 (a)(4) of the Subdivision Regulations.
2. A reproducible Mylar of the recorded plat shall be provided to the City of Lebanon.

Upon calling the roll, the motion was unanimously approved.

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OTHER BUSINESS

Staff noted the following cases are on the agenda for the June 21, 2016 meeting:

1. St. Patrick's Episcopal Church – Parking Lot Expansion
2. El Picante – Building Footprint Expansion
3. Lebanon United Methodist Church – Parking Lot Expansion (Conditional Use)

Mayor Brewer asked staff for an update on the property at 576 Columbus Avenue (Former Famous Recipe Restaurant). Staff indicated the letter provided by the agent outlined improvements to the dilapidated structure and property for future sale. Staff also informed the board a demolition permit has been submitted and approved to demo the former Bowling Alley/Skating Rink building currently owned by Lebanon Ford.

There being no further business, the meeting was adjourned.

SECRETARY – PLANNING COMMISSION

CHAIRMAN – PLANNING COMMISSION