

**DESIGN REVIEW BOARD
MINUTES OF MEETING
JULY 9, 2014**

MEMBERS PRESENT: Pete Griffin, Martin Pratt, Scot Draughn, Larry George and Tim Greenway. Scott Failor arrived at 6:35 and was not present for first agenda item. Michael Lasocco was absent.

OTHERS PRESENT: Dave Ritter, Brian Potter, Tony Eufinger, John Eufinger, Bob Parrott, Donald Buerger, James Pullins, Eric Phillips, Luke Streng, Code Enforcement Officer Derek Hutchinson, Secretary Barb McCoy.

APPROVAL OF MINUTES: The minutes from June 11, 2014 were approved as presented.

CITIZEN COMMENTS: None.

ADMINISTRATION COMMENTS: Barb McCoy announced that she will be retiring from the City of Marysville with her last working day of September 24, 2014.

REVIEW RULES OF PROCEDURE:

Mr. Pratt stated according to Greg DeLong's staff report, when Planning Commission amended the Code by removing all of the application requirements, a council member requested any applications being modified should be approved by the applicable Board or Commission at a public meeting. Therefore, the Rules of Procedures for Design Review should be changed to add #14 – **“Prior to any official application updates/changes associated with the Design Review Board; staff shall present the updates to the Board during a regularly scheduled meeting for review and approval.”**

Voice vote was unanimous to approve the revised Rules of Procedures.

OLD BUSINESS: None.

NEW BUSINESS:

**Certificate of Appropriateness – New Signs – 211 N. Main Street – David Ritter/
Thrivent Financial**

Dave Ritter stated the color for the signs is Pantone Grey 431 and Red 186. The windows are tinted and the lettering is 22"x68" on the windows.

Mr. Griffin made the motion to approve the Certificate of Appropriateness with the following notes:

- Colors of sign to be white and Pantone Grey 431 and Pantone Red 186
- Per Section 1143.02 of the Planning & Zoning Code, the applicant shall obtain a Sign Permit

- Sign permit expires 6 months after issuance if sign is not installed
- Exterior Plan approval for a period not to exceed 2 years from approval date. If sign is not completed within 2 years after approval, the Certificate of Appropriateness becomes null and void

The question put, stood:

| | | |
|-----------------|----------------|---------------|
| Mr. Draughn Yes | Mr. George Yes | Mr. Pratt Yes |
| Mr. Griffin Yes | Mr. Greenway | |

The agenda item was approved as presented.

Certificate of Appropriateness – New Signs – 107 N. Main Street – Potter’s Carpet & Floors

Mr. Pratt stated the sign has been reduced to 10’x2’, 20 sq. ft. in a corrected picture that Mr. Potter presented. Mr. Griffin asked why moving. Mr. Potter stated it is a much more updated showroom with new heating, cooling and windows.

Mr. George made the motion to approve the Exterior Plan/Landscape Plan with the following noted from City Planner Greg DeLong’s staff report:

- The wall mounted ID sign shall not exceed 20 sq. ft.
- Per Section 1143.02 of the Planning & Zoning Code, the applicant shall obtain a Sign Permit
- Sign permit expires 6 months after issuance if sign is not installed
- Exterior Plan approval for a period not to exceed 2 years from approval date. If sign is not completed within 2 years after approval, the Certificate of Appropriateness becomes null and void
- If wall mounted sign is removed from building, the façade of the building shall be restored to a condition which matches the condition of the remaining exterior facade

The question put, stood:

| | | |
|-----------------|----------------|----------------|
| Mr. Draughn Yes | Mr. George Yes | Mr. Pratt Yes |
| Mr. Griffin Yes | Mr. Greenway | Mr. Failor Yes |

The agenda item was approved with the above noted.

Certificate of Appropriateness – Demolition of existing structures – 702 and 714 E. 5th Street – Filed by James R. Pullins for Spider Holdings (NAPA)

Mr. Pratt stated a request from the Union County Historical Society was received asking for an extension for the review of these two structures for demolition. If used the date of June 13 as receipt of the request, the 20 day period to submit the report was July 3, 2014. An extension of time is needed for

additional research. The letter requested the hearing be rescheduled from the July meeting to the August meeting.

Tony Eufinger stated he objects to the extension. He stated he represents the owner of the property, John Eufinger, and there is a concern that further delay may hamper another purchase in another section of the City.

Mr. Pratt stated the Code does permit extensions based on the need for additional research.

Mr. Parrott stated according to Chapter 1136.13, Within 20 days of sending the application to the Historical Society, the Historical Society shall provide information of the Board verifying any architectural or historic significance of the structure. However, reasonable extensions may be given if the Historical Society requests them based on the need for additional research. The following is the letter submitted to the City:

Martin E. Pratt
801 Lone Rise Drive
Marysville, Ohio 43040
June 27, 2014

RE: Application for Certificate of Appropriateness in the Historic Design Review District for Demolition of buildings at 702 and 714 East Fifth Street Filed by John M. Eufinger

Dear Mr. Pratt:

On June 13, 2014, John M. Eufinger filed an application to demolish the buildings located at 702 and 714 East Fifth Street in the Historic District of Marysville. This application was emailed to me as President of the Union County Historical Society by the City on June 13, 2014 and sent by mail on June 16, 2014. Section 1136.13 (a) of the City Code provides that "within twenty (20) days of sending the application to the Historical Society, the Historical Society shall provide information to the Board verifying any architectural or historic significance of the structure. The review may also include recommendations on alternative uses that may preserve the structure. Reasonable extensions may be given if the Historical Society requests them based on the need for additional research."

If the email date of June 13, 2014 is used, the 20 day period to submit the report is July 3, 2014. I hereby request an extension of time from your board based on the need for additional research. I request that the hearing on this matter be rescheduled from the July meeting to the August meeting. This is based on the following reasons:

1. The applicant seeks to demolish two buildings. This requires the historical and Architectural research for both buildings. This is double the amount of research to fulfill our duty under the City Code.
2. At the last hearing of the Design Review Board, the history and architecture of the building was questioned in detail and any lack of preparedness will likely be used by the applicant in favor of demolition.
3. The Union County Historical Society has no paid staff or researchers and no funding is provided by the City for the research to be done in compliance with the Code. The research is undertaken by volunteers of the Society which restricts the ability to complete large amounts of research within a short period of time.

4. The Code requires that the "Board shall conduct a thorough investigation of the application for demolition." In order to have a full investigation, the Historical Society needs a proper amount of time to complete its research.

5. The City has appealed the decision of this Board concerning the property at 222 South Main Street. The hearing on the appeal is scheduled in front of the BZA for July 14, 2014. The Historical Society is involved in defending this Board's decision at the BZA which is occurring within the same time period as the two new applications for demolition. Without a staff or full-time employees, it is very difficult to handle all matters concerning the potential demolition of three buildings in the Historic District at the same time.

6. The City and the applicant have questioned this Board's finding as to what constitutes a historically significant structure. Until this matter is resolved on appeal, by the BZA or by a Court, it makes little sense to have additional hearings with the same issue. By placing this matter on the following month's agenda, the decision of the BZA will have been made.

7. The application involves a request to demolish two buildings in the Historic District. Demolition is permanent and irreversible. Such a matter should not be rushed for the sole convenience of the applicant and should be done carefully and cautiously.

I need to bring two other matters to your attention. First, the application has been certified by Barb McCoy as complete. I do not agree with that. Section 1136.13(a) is very specific as to what an applicant must include in the application. It says the applicant is required to include with the application a report or testimony from a historic preservation professional, architect, and/or consultant which verifies the historical significance or non-significance of the proposed structure to be demolished; and, verifies the applicant has considered alternative historical uses of the structure including the preservation of the structure by a governmental or non-profit organization." Neither of these have been done and included in the application. I feel the application is defective on its face before any decision on the merits. Second, I did want to let you know that I requested last week to go through the buildings sought to be destroyed and was told by the owner, John Eufinger, that they do not have keys to the buildings. In the last hearing, the present condition of the interior of the buildings was an issue. I do not know if this will be raised again, but I am unable to verify any of this since access to the structures has been denied.

If you have questions, let me know.

Sincerely yours,

Union County Historical Society

Robert W. Parrott

President

937-642-2950

rwparrott@embarqmail.com

Mr. Pratt asked how many people are capable of the research. Mr. Parrott stated probably two.

Mr. Failor asked how long for the extension. Mr. Parrott stated until next month's meeting.

Mr. Failor stated a special meeting could be scheduled. Mr. Parrott stated he is sure this business transaction has been in works for quite some time. They had the choice when to submit for their application. The Historical Society does not have full time employees.

Mr. Failor asked if he is ready to discuss the project tonight. Mr. Parrott stated he could, but by the code it does not say applicant has the right to be heard.

Mr. Pratt stated there is a conflict in the Code. The Certificate of Appropriateness is required to be approved within 45 days unless the applicant and Design Review Board agree. Mr. Parrott state he would rather not report this evening.

Mr. Pratt stated the applicant has had their say. The Board now has a say. They may not agree with the Code. A couple arguments have been made. Need to look at this as individual case.

Mr. Failor stated they could make a special meeting for July 30 and asked if that would work. Mr. Pratt asked the applicant if that helps.

Mr. Pullins, owner of the NAPA store, stated he purchased the business in 1990 which has been at its present location since 1956. Bruce Daniels asked him to vacate so he could put in something more stylish for the uptown area. It took him a while to come up with the right location. This is a win/win/win situation. The two properties do not look so presentable. Would like to precede as soon as possible before Mr. Daniels changes his mind about his deal. He is going to allow NAPA 6-8 months to move. He stated he is not trying to open a can of worms.

Mr. Eufinger stated if for discussion today, he has pictures of the interior and exterior. He has a history of structures from the public library and research on previous owners. Union County Historical Society recently purchased another property for \$80,000 so they may have the resources to pay for the research.

Mr. Griffin, Mr. George and Mr. Greenway all stated they are for the special meeting on July 30th.

Mr. Failor made the motion to table this agenda item until the special meeting of July 30, 2014. Question put, stood:

Mr. George Yes Mr. Pratt Yes Mr. Griffin Yes Mr. Greenway Yes Mr. Failor Yes Mr. Draughn Yes

This agenda item will be on the agenda for the special meeting of July 30 for the DRB.

It was requested all additional information for the special meeting be submitted to City staff by July 28 so staff may forward to Board members.

Certificate of Appropriateness – Construction of 5,000 sq. ft. building – 702-714 E. 5th Street – Filed by James R. Pullins for Spider Holdings (NAPA)

Mr. Failor made the motion to table this agenda item until the special meeting of July 30, 2014. Question put, stood:

Mr. George Yes Mr. Pratt Yes Mr. Griffin Yes Mr. Greenway Yes Mr. Failor Yes Mr. Draughn Yes

This agenda item will be on the agenda for the special meeting of July 30 for the DRB.

Eric Phillips, Union County Economic Development Director, stated from an economic development standpoint, you have to look at the \$1.2 million investment Mr. Daniels will be putting into the uptown area. It is important to look at the history, but also for the future of the City to look at the economic improvements in the historical district.

COMMENTS OF INDIVIDUAL BOARD MEMBERS:

Mr. Pratt encouraged residents to see the local talents from our youth this weekend for Willa Wonka and the following weekend for Encore's production of Legally Blonde.

ADJOURNMENT:

The meeting was adjourned at 7:00 p.m.