

HISTORIC AND ARCHITECTURAL PRESERVATION COMMISSION (HAPC)

MEETING MINUTES

WEDNESDAY, September 11, 2024

6:00 P.M.

I. Call to Order

The September 11, 2024 meeting of the Oxford Historic and Architectural Preservation Commission was called to order at 6:00 p.m. by Brad Spurlock.

Those members present: Corey Watt, Alex French, Rémah Dinç, Alia Levar Wegner, and Brad Spurlock

Those members excused: Dana Miller, Sean Wagner

Staff members present: Sam Perry, Community Development Director

Staff members excused: None

II. Approval of Agenda

Ms. French made a motion to approve the agenda. Ms. Dinç seconded the motion. All were in favor.

III. Public Comments

There were no comments from the public.

IV. Approval of Minutes of July 15, 2024

Mr. Watt made a motion to approve the minutes as written. Ms. French seconded the motion.

Mr. Spurlock, Ms. Dinç, and Ms. Wegner abstained since they were not in attendance. All were in favor.

Mr. Spurlock asked Ms. Wegner to introduce herself to the Commission.

V. Discussion

a. 101 West Church Street, Terry and Kathy Dudley

Mr. Perry started his presentation noting that tonight's topic is a discussion that was requested by the property owners, and no vote will be made tonight. Mr. Perry emphasized this is not a pre-application either because no plans were submitted.

Mr. Perry gave a brief history of the property explaining there were plans submitted by Norm Butt, Architect. The plans showed demolition of the existing building and the proposal of a new four-story building. Mr. Perry explained the application was the first one after the new code was in place in 2019 which required a calculation of how much it would cost to bring the building to a purposeful use. Mr. Perry also mentioned the building had a fire which resulted in some damage, therefore this calculation included the cost of repairing the fire damage as well.

Mr. Perry expanded on the code using the wording “purposeful use” because this means a lower standard than the highest and best use. The “purposeful use” includes the property being restored, brought back, or modified to the point of being useful while meeting the minimum building code requirement. However, the Ohio Building Code has some exemption for historical buildings that do not meet the most recent standards, but they can be modified or adaptively reused. This case did not get to this point because the intent was to repair the fire damage and restore as it was before, added Mr. Perry. A calculation of the cost of the repair was prepared and submitted to the City and was determined accurate. This calculation was utilized as evidence to approve the demolition since the cost of the restoration was more than 50% of the appraised value of the building, explained Mr. Perry. The Commission then reviewed the proposed plans for the new building and approved them. Mr. Perry explained when a COA is approved the applicant has one (1) year to obtain a building permit. A building permit was not submitted and issued within the one-year period, and Mr. Dudley requested an extension for the COA before its expiration date, which was not approved, stated Mr. Perry. Mr. Perry also pointed out there is an active code violation case with the compliance deadline of September 18.

Mr. Perry explained to the Commission that Mr. and Ms. Dudley have a few potential options which include:

1. Re-submit the same plans
2. Change the design of the new building
3. Recategorize the building
4. Relocating the historic portion of the building

Mr. Perry added there could be other options, but these were the ones he discussed with the property owners.

Mr. Watt emphasized the importance of the difference between an intact building and the façade when it comes to re-classification of a historic building.

Ms. Dinç wanted to know the square footage of the building and how much of the façade is original. Mr. Perry said approximately 30-40% if looking at from the street.

Ms. Dinç asked the applicant whether his intent is to demolish the entire building. Mr. Dudley said yes.

Mr. Dudley wanted to know if he needed to start from the beginning and have another bidding process for the repair, or the existing one could be used. Mr. Perry explained there are some factors that need to be taken into consideration, such as the inflation and the value of the property. Mr. Perry further explained Mr. Dudley does not need to start from the beginning and the same contractor could be used since the scope of the work has not changed but the cost would need to be reevaluated.

Mr. Dudley noted his goal is to demolish the existing building and build a new one with a parking garage. Mr. Spurlock inquired if Mr. Dudley meant to use the same plans or a brand-new design. Mr. Dudley stated he is looking into that.

Mr. Watt pointed out when Mr. Dudley’s proposal was approved only himself and Mr. Miller

were part of the Commission at that time. Therefore, the rest of the Commission members may not have seen the approved design. The architect who did the design plans retired as well, added Mr. Watt. Ms. Dinç wondered if the architect kept the rights to the drawings or gave them to Mr. Dudley. Mr. Perry noted this is a private matter between Mr. Dudley and the architect, Mr. Butt.

The Commission explained to Mr. Dudley that the Commission uses the Design Guidelines to make a decision and provide feedback to the applicant. Mr. Perry illustrated this by using the example of building heights.

The Commission expressed its desire of preserving the historic portion of the building if possible. When a Commission makes a decision, they base that on considering multiple factors, such as the residents would like to see the historic character of the town preserved, the Comprehensive Plan, and the Design Guidelines explained Ms. French.

Even though Commission members expressed the desire of keeping and incorporating the historic façade in the new design, Mr. Spurlock suggested to Mr. Dudley that he could submit the plans he already has to get the feedback of the Commission at a pre-application meeting.

Mr. Perry recalled there was a 3-2 vote on the demolition and a 4-3 vote on the approval. Mr. Perry mentioned two Commission members are not present at tonight's meeting. Mr. Wagner is a property owner in the Historic District who could provide additional information and suggestions to Mr. Dudley, and Mr. Miller was on the Commission when the previous discussions took place, explained Mr. Perry. Therefore, a pre-application meeting would provide additional feedback for Mr. Dudley, concluded Mr. Perry.

Mr. Dudley inquired about what is required to re-classify a building. Mr. Perry used the former bookstore's example at 110 E High to explain the process to Mr. Dudley. Ms. Dinç also added a few comments on the process.

Ms. Dinç asked Mr. Dudley whether he has the desire to save the historic portion of the building if he would have the support from the community. Mr. Dudley stated no because the rafters are gone, and there is black mold throughout the structure. Mr. Dudley would rather put the money toward a new building that is safe and up to code.

Mr. Spurlock asked Mr. Dudley whether he wanted to relocate the building. Mr. Dudley expressed he did not want to do that. Mr. Spurlock then summarized there are three options left: (1) resubmit the same plans, (2) resubmit new plans, (3) change the designation of the building. Mr. Dudley thought that option #3 would be very difficult to accomplish. Mr. Perry agreed with Mr. Dudley.

Mr. Watt would like to see the incorporation of the historical façade on Beech Street into the new building, if possible, rather than replicating it.

Mr. Dudley summarized his understating of the conversation – the drawings have to be approved before demolition can start.

Ms. French would also like to see as much of the historic portion preserved as possible. Ms. French

mentioned to Mr. Dudley that he could bring the original drawings to a pre-application meeting for review and feedback, thus giving a chance to those Commission members who were not serving on the Commission to review the plans.

Mr. Spurlock noted as he reviewed the original demolition approval there was substantial evidence submitted that nothing could be done with the building. Mr. Spurlock would also want to see the building saved, however, he thought this is not going to be feasible. Mr. Spurlock further explained if Mr. Dudley resubmitted evidence that the building needs to be demolished, he is more inclined not to incorporate a façade but build a new building. Mr. Spurlock thought that trying to incorporate portions of the old structure and building a new structure in the back the flow of the building would look awkward. Mr. Spurlock said it is up to Mr. Dudley whether he would resubmit the original plans or bring a new set of plans.

Mr. Dudley inquired about what it involves moving a historic building. Mr. Watt thought there should be some grants available for projects like this. Mr. Perry explained there are grants however, the leading time is very long. Mr. Perry also quoted a relevant provision from Code Section 1152.08 which allows HAPC to approve a COA for the moving of a structure to a property outside of the historic district if it is non-contributing. Mr. Spurlock explained that he was involved in a moving of a historic building in Hamilton, and it was very costly.

Ms. Dinç stated she would like to see the restoration of the two contributing facades and not a rehabilitation of it, and the addition to the back.

Ms. Wegner agreed with Ms. French on reviewing the original plans thus creating an opportunity to provide more concrete feedback on the design and restoration.

Mr. Perry noted this discussion will not delay the enforcement of the property maintenance code. That is a separate process.

Ms. Dudley wondered what portion of the building there is to keep since a lot of the old parts are gone inside and walls have been removed. Mr. Watt and Mr. Perry mentioned Sigma Chi and Phi Gamma Delta fraternities. Phi Gamma Delta had a fire in 2013, and they kept the historic part but remodeled the inside, explained Mr. Perry. Mr. Perry extended his commendation to Mr. Dudley acknowledging the high-quality work he does in his buildings. Ms. Dinç, as a Historic Preservationist, offered some insight on the methods they use to determine what the historic structure looked like.

Mr. Spurlock thanked Mr. and Ms. Dudley for coming to the Commission and asking for their feedback.

Mr. Dudley also thanked the Commission for the opportunity to have the discussion.

VI. Administrative Decisions (Previously Decided)

HAPC-2024-11, 35 E Church Street, CERTIFICATE OF APPROPRIATENESS, fill in ramp, extend existing patio, Robert Humphrey, Applicant/Agent

HAPC-2024-12, 35 E High Street, CERTIFICATE OF APPROPRIATENESS, window

replacement facing the alley, Stan Miller, Applicant/Agent

VII. Adjournment

Mr. Watt made a motion to adjourn the meeting. Ms. French seconded the motion. All were in favor. The meeting adjourned at 7:15 pm.