

**Glendale Planning and Historic Preservation Commission**  
**Monday, October 5, 2020**  
**Meeting Minutes**

Pursuant to notice, the Glendale Planning & Historic Preservation Commission met at 5:30 pm on Monday 5 October 2020 at 80 East Sharon Avenue via Virtual Zoom session due to the Shelter in Place orders. The meeting meets all Open Meeting regulations as revised by Ohio House Bill 197.

**In Attendance:** Chairman Tom Breidenstein, Vice Chairman Tom Kerr, Secretary Dan Mayzum and members Bob Kooris, Beth Sullebarger, Randy Green, Leslie Cooper and Mayor Don Lofty. Village Administrator Walter Cordes, Administrative Assistant David Lumsden and Village Clerk Becky Terrell were also present.

Chairman Tom Breidenstein called the meeting to order at 5:30 p.m. and declared a quorum present.

**Agenda Items**

- I. **Review and approval of 31 August 2020 regular meeting minutes.** Mr. Kooris commented that the recorded vote on the application of Elizabeth Jones at 1079 Church does not reflect the votes of all members in attendance. Vice Chairman Kerr said that his vote should be changed from “no vote” to “did not vote.” Chairman Breidenstein stated that his vote should be recorded as a “yes.” The vote of Ms. Cooper is not recorded in the minutes. However, Ms. Cooper was unavailable during this discussion and could not supplement the record. Chairman Breidenstein declared that a vote on the minutes of the meeting of 31 August 2020 will be held at the next Commission meeting so that the question of Ms. Cooper’s vote can be clarified.
  
- II. **Old Business**  
No Old Business was discussed.
  
- III. **New Business**  
**Appropriateness Review of Official Applications**
  1. **885 Forest Ave, replace front walkway railing with wrought iron railing, Don & Mary Lofty.** Mayor Lofty recused himself from the topic as he is an interested party. Ms. Lofty, homeowner, was present to represent the application. Ms. Lofty stated that this is a request to replace an existing railing with a design that is more appropriate, and the new railing will be dark brown to better blend with the house. Ms. Sullebarger moved to approve the application as submitted. Mr. Green seconded the motion, and the motion passed via unanimous Planning Commission voice vote.
  2. **785 Congress Ave, front wood picket fence, Brien & Rochelle Dickson.** Mr. Dickson, homeowner, was present to represent the application. Ms. Sullebarger asked if the arborvitae hedge still exists.. Mr. Dickson noted the arborvitae had been removed previously and this fence will be installed on the same footprint. Secretary Mayzum asked if the driveway was circular [yes] and if gates would be installed at the driveway intersections. Mr. Dickson said that was still undecided, but a gate is requested at the walkway entrance. Mr. Green suggested amending the application to include the option for the inclusion or exclusion of the driveway gates to allow flexibility. Mr. Kooris asked if the maximum fence height is 4’ and Village Administrator Cordes confirmed that 4’ is the maximum height in a front yard. Mr. Dickson agreed that the fence will be 4’ high and painted white. Mr. Kooris motioned to

approve the application with the amendment that 1 walkway gate and either 2 or 0 driveway gates will be installed. Secretary Mayzum seconded the motion, and the motion passed via unanimous Planning Commission voice vote.

3. **46 Erie Ave., window replacement, Christ Church. Mr. Mick Cook** was present to represent the application. Mr. Cook stated the window replacements would occur only on the addition; the other original windows will be repaired, and the storm windows will be replaced like for like. The existing casement windows have been assessed and there is no practical way to repair them, hence the replacement request. The two replacement windows under consideration are Anderson 400 series wood vinyl clad windows, or the Anderson E series aluminum clad wood windows, and the windows would be the same size. Mr. Kooris asked to have the width of the frame no greater than ½” of the original windows. Ms. Sullebarger said she met with Ms. Maureen Base-Smith to discuss the windows and she confirmed the windows on the addition are not historic and she had no issue with either vinyl- or aluminum-clad and agreed with Mr. Kooris statement regarding the frame size. Mr. Kooris moved to approve the application with either vinyl- or aluminum-clad windows and the new window frames to be within ½” of originals. Ms. Sullebarger seconded the motion. Mr. Cook asked if the ½” requirement refers to the glass or the frame and Mr. Kooris stated that it refers to the frame. After discussion, Mr. Kooris withdrew his motion and Ms. Sullebarger withdrew her second. It was determined that the amount of glass/light needed to be better understood between the current installation and the proposal. Mr. Kooris motioned to defer action to the November meeting. Ms. Sullebarger seconded the deferral, and the deferral motion passed via unanimous Planning Commission voice vote.

#### IV. **Persons Addressing the GPHP Commission/Other Business**

No persons addressed the Planning Commission.

#### V. **Other Business**

**Public Hearing regarding petition of the property owner at 313 E. Willow Ave. for a proposed amendment to the Glendale Zoning Code to permit short-term rentals as a conditional use in the “B” district.**

Chairman Breidenstein introduced the topic and laid out the following clarifications and guidelines.

1. There is a hard stop at 7pm due to Council meeting at 7pm.
2. This request applies to amending the zoning ordinance that applies to the entire B District and not just 313 E. Willow.
3. If the rezoning is passed, it would allow for the conditional use application to be brought to the Planning Commission for review and recommendation.
4. Following Planning Commission recommendation, Council will take action regarding the conditional use application.
5. The applicant will speak first, including their representatives.
6. Residents who have applied to speak will be called upon in the order in which they applied.
7. Each speaker is allotted 3 minutes for comments and Administrative Assistant Lumsden will act as timekeeper.
8. If comments are repetitive, please do not repeat previous comments. Just indicate with whom you agree and then the next speaker can come up.
9. If there is time when comments conclude the Commission will begin deliberations.

10. If there is no time following the comments, there is an option to defer action to a later meeting.

Mayor Lofty noted for the record that he is recusing himself from participating as it will eventually make its way to Council for review and he must preserve his ability to act during Council review.

**Applicant:** Mr. Jake Cain stated that he purchased the Quinn Chapel and renovated it into a 1-bedroom house. He is based in the area and envisioned this as a second house for visiting friends and family and then as a short stay rental when not being used. Mr. Cain stated that he believes it will benefit the businesses and community and has received supportive comments. **Mr. Jeff Nye**, attorney for Mr. Cain, discussed the proposal, stating the August meeting included a proposal in the B district that would allow for a short-term rental. Village Administrator Cordes asked for the definition of “Short Term Rental” and Mr. Nye forwarded a proposed definition based on a series of existing ordinances in other communities. The hope is to formalize a set of standards in the zoning code for rental inclusion.

**Residents:** In order of application to appear before the Planning Commission

- a. **Ms. Susan Armstrong**, resident of 311 E. Willow, speaking in opposition. Ms. Armstrong cited a national issue with Airbnb properties being rented for parties and not for purposes consistent with the listings. She noted that the Cains were aware that the property was zoned residential and the fact that they began using the chapel as an overnight rental without seeking permission was a disregard for the Village, the law and the street. Most serious charge is the request to allow in the B district only is highly discriminatory as it says only Zone B can suffer the risk of the disruption that may occur.
- b. **Ms. Charlotte McKenzie** - owner of 324 E. Willow, speaking in opposition. Parents purchased home on E. Willow in the 50’s when options were limited. The B district is a small, quaint residential area with no conditional permits. The street is quiet and narrow, nestled in a safe area. There has been no consideration of the potential disruption to the neighborhood if an Airbnb rental is allowed. There are also other accommodation options in Cincinnati. Preserve the historic integrity of the Village and area.
- c. **Ms. Bonnie Fulton** – unavailable for comment.
- d. **Dr. Ruth Wilson** –resident of 315 E. Willow, speaking in opposition. She agreed with Ms. Staff’s comments. She does not want to see the B District open to commercial business and had she known, she would have opposed the Airbnb immediately. She also requested the removal of the B District designation because the clause is racist. If it is approved, it should be approved everywhere in Glendale.
- e. **Ms. Denise Patrick** – resident of 329 E. Willow, in her grandparents’ home speaking in opposition. She stated the owners deceived the residents as they were told this was a second property for family and friends and made no mention of rentals. The August shooting in a Cincinnati Airbnb demonstrates the reason for concerns. Willow is a one-way street and many residents use the street for parking and the advertisement states the venue could be used for parties, causing additional issues. She took a petition to local residents who were outraged that this change could happen. Chairman Breidenstein asked that the petition be delivered to Village Administrator Cordes or Administrative Assistant Lumsden.
- f. **Mr. Cliff Campbell** – resident of 329 E. Willow, speaking in opposition. Requested that this Public Hearing be held in person as Zoom does not facilitate all conversations. He seconded all statements about short term rentals.
- g. **Ms. Jade Staff** – resident of 920 S. Troy Ave., speaking in opposition. She stated three (3) concerns related to possible zoning change. 1) parking – street is narrow and hard for

- residents to park. No accommodation for extra cars. 2) misrepresentation – residents told this would be a second home for family and friends and not as a rental. Visit theQuinnChapel.com, which shows the primary objective is rental business and was a business from the beginning. He stated that residents were enthusiastic and that is not the case for people that live on E. Willow. 3) zoning discrimination – narrowing these rentals to B District only indicates targeting.
- h. **Ms. Tameryn Fulton** – resident of 349 Cleveland, speaking in opposition. She opposes rezoning and agrees with Ms. McKenzie and Ms. Patrick’s statements.
  - i. **Ms. Brenda Daniels** – resident representing herself and her aunt/uncle at 310 E. Willow speaking in opposition. If all of Zone B has this change then anyone on Washington Avenue is impacted as B District is not just E. Willow and it is unfair if the other residential districts are not impacted.
  - j. **Ms. Diane Agricola** – unavailable for comment.
  - k. **Mr. Bill Parrish** – resident of 1165 Cole, speaking in opposition. His concern is the history of Glendale and the systems in place to protect the history. This change could have repercussions.
  - l. **Mr. Kevin Parrish** – resident of 176 Washington, unavailable for comment.
  - m. **Mr. Clyde & Ms. Martha Stearns** – residents of 349 E. Willow, speaking in opposition; lived on E. Willow for nearly 60 years. Horrified at the thought of an Airbnb on a street so narrow that Rumpke has problems collecting trash and recycling. They oppose any effort to change from a residential street.
  - n. **Mr. Andy Temmel** – resident of 330 Cleveland, unavailable for comment.
  - o. **Ms. M. Temmel** – resident of 330 Cleveland, unavailable for comment.
  - p. **Mr. Eugene Butler** – resident of 320 E Willow, unavailable for comment.

Chairman Breidenstein noted that other residents had submitted written comments but were unable to attend the meeting. Written comments were received from Bev Rieckhoff, Charlotte McKenzie, Constance Halbauer Pridemore, Genevieve Abel, Brenda Tooson Baldwin, Cheri Cooper Harris, Dominique Covington, Tracy Tooson Poole, and Jack Buescher. Those comments were made available to the Planning Commission for review, and are hereby made part of the record of this hearing. Chairman Breidenstein asked for a motion to pause the public hearing until the November meeting as the time was approaching 7pm. At the November meeting, the hearing will reopen and start with registered speakers who did not previously speak, followed by a response by Mr. Nye and/or Mr. Cain, and then Planning Commission deliberations will begin. Mr. Parrish asked for process clarification and Chairman Breidenstein stated that the Planning Commission conducts hearings and makes a recommendation to Council based on their findings. Then Council conducts their public hearing to gather evidence, review and render a decision. Council is ultimate deciding body on the issue.

Motion to continue the public hearing to the November meeting was made by Ms. Sullebarger. It was seconded by Mr. Green and passed by unanimous Planning Commission voice vote.

- VI. **Adjournment:** At 6:59 p.m. Mayor Lofty motioned to adjourn the meeting. Mr. Kooris seconded the motion and it passed unanimously.

**Next regular meeting – Monday November 2, 2020 at 5:30 pm**

Submitted by Secretary Dan Mayzum

As assisted by Becky Terrell