



CITY OF MEDINA
Community Development Department
132 N. Elmwood Ave. Medina, OH 44256
330-722-9023

MEMORANDUM

DATE: March 7, 2024
TO: Historic Preservation Board
FROM: Andrew Dutton, Community Development Director
SUBJECT: H22-19 Revision to Condition #7

At the November 11, 2022 meeting of the Historic Preservation Board (HPB), application H22-19, James Gerspacher requesting a Certificate of Appropriateness for the demolition of two principal structures and the construction of a hotel at 253 and 257 South Court Street, was approved with the following conditions:

1. "Option 1", as shown on page A2.1 of the application, shall be the approved front building elevation.
2. Specific paint colors of all applicable details shall be submitted to the HPB for approval.
3. An example(s) of window tint shall be submitted to the HPB for approval.
4. An example(s) of the pedestrian ramp railing shall be submitted to the HPB for approval.
5. An example(s) of fencing on the north side of the building utilized for privacy screening shall be submitted to the HPB for approval.
6. An updated landscaping plan shall be submitted to the HPB for approval.
7. ***There shall be a resolution between the applicant and the owner of 241 South Court Street for the restoration repair of any scarring due to the demolition of that wall.***

To satisfy the above Condition #7, the owner of the property, Legacy Hotel of Medina LLC drafted an agreement taking responsibility for damage to 241 South Court Street during demolition. However, Legacy Hotel of Medina LLC has stated that the owner of 241 South Court Street, MRR Properties LLC, has not agreed to sign the document. As indicated in the attached memo from City of Medina Law Director Greg Huber, the HPB does not have the authority to require that an applicant enter into an agreement with an adjacent property owner.

The HPB will need to either revise Condition #7 or remove Condition #7 and leave the issue of damages between the property owners. A potential revision to Condition #7 could state: The applicant shall repair any unreasonable damage to the building at 241 South Court Street caused by the demolition of buildings at 253 or 257 South Court Street.

Please let me know if you have any questions regarding the above.



MEMO

TO: Andrew Dutton, Community Development Director

FROM: Gregory A. Huber, Law Director

DATE: February 12, 2024

RE: Hotel approval, condition; demolition

I reviewed your email on the 241 South Court Street demolition that was reviewed by the Historic Preservation Board. In my opinion, the City's Preservation Board cannot properly pass a resolution requiring that the applicant and the owner of 241 South Court Street come to any agreement regarding restoration or repair as a result of the demolition. The Historic Preservation Board can require that the applicant pay the costs of any reasonable restoration costs required by and/or proximately caused by the demolition.

Making the applicant reach an agreement with the 241 South Court Street owner places the whole project in jeopardy if the owner simply decides to not sign an agreement. As I understand it, Mike Rose has indicated that he is not signing any agreement. The resolution as it currently stands, goes a little too far. This issue needs to be revisited by the Historic Preservation Board so that the previous resolution may be properly amended.

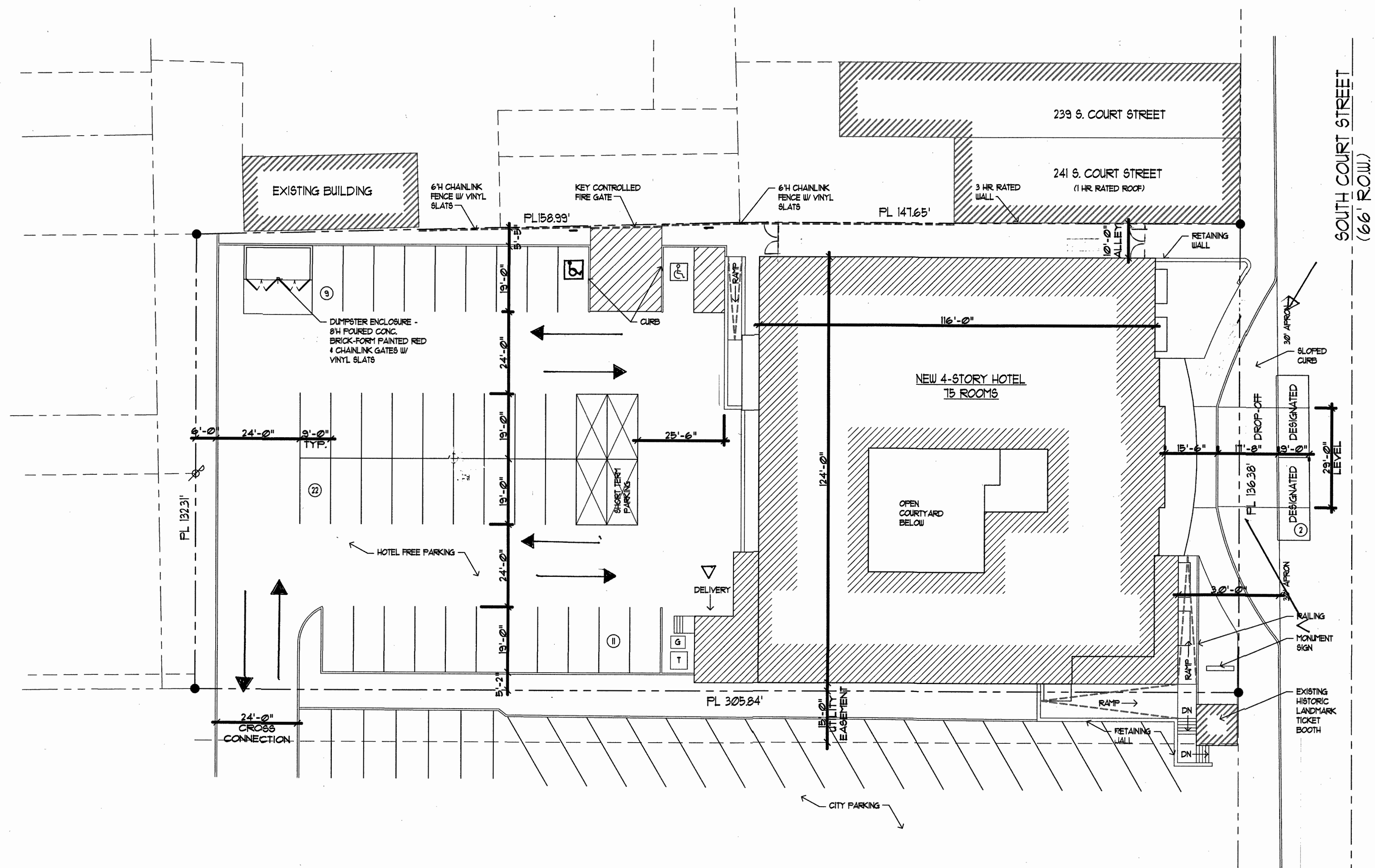
If you just have any questions, please do not hesitate to contact me.

Very truly yours,

Greg Huber

H22-19 Approved Plan - For Reference

DATE
10/13/2022
MEDINA, OHIO



SITE PLAN
SCALE = 1" : 20'
NOTE:
NOT A SURVEY. ALL DIMENSIONS TO BE VERIFIED IN-FIELD

A NEW HOTEL 257 S. COURT STREET

20-02
S

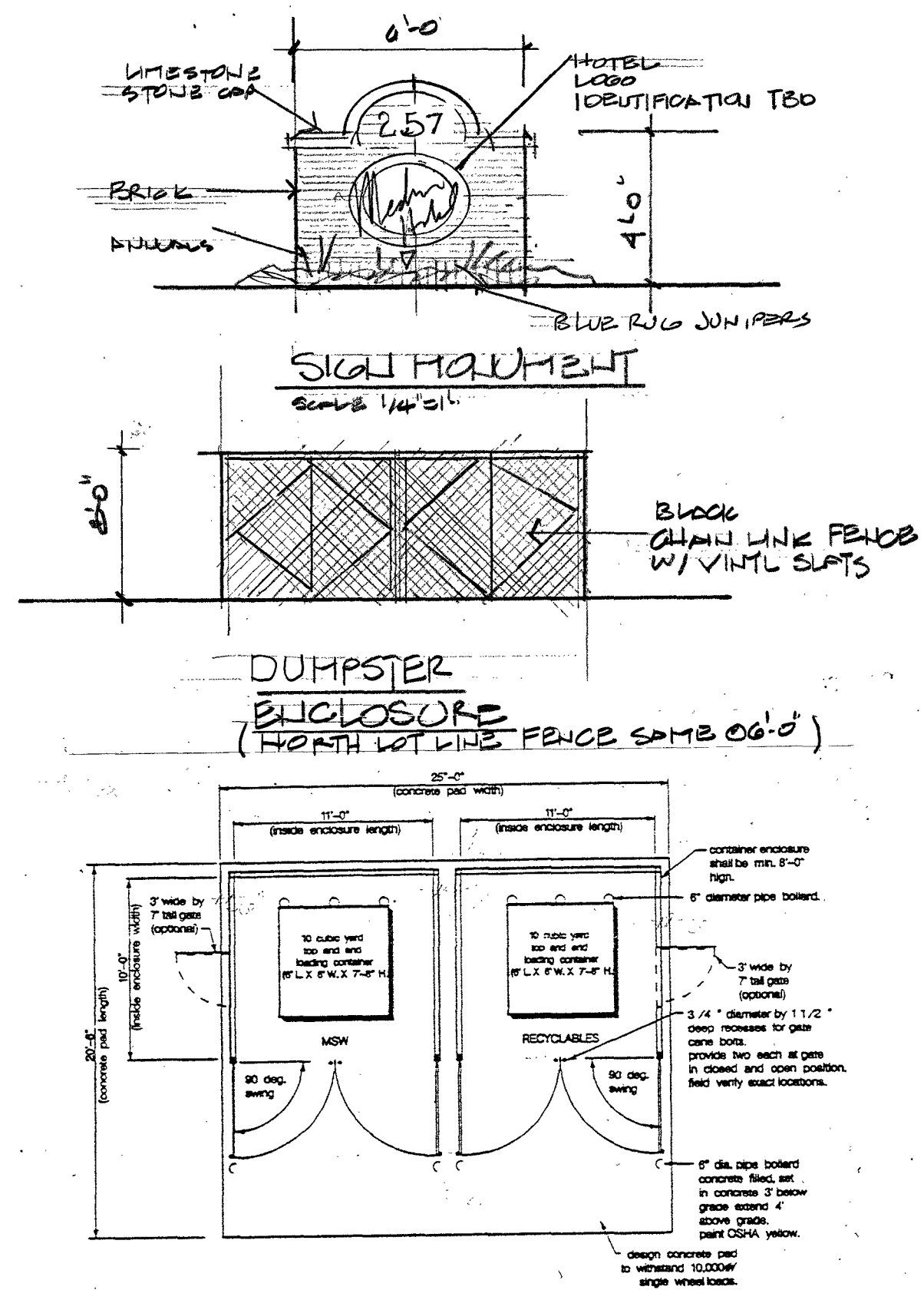


PLANT MATERIAL LIST

KEY	QTY.	SIZE	COMMON NAME	SCIENTIFIC NAME	SPACING	REMARKS	
JP	SEE DUG.	15'	SEAGREEN JUNIPER	JUNIPERUS CHINENSIS	AS SHOWN	---	
BBD	SEE DUG.	24"	DUF. BURNING BUSH	EUONYMUS ACATA 'COMPACTA'	AS SHOWN	---	
BBL	SEE DUG.	32"	STD. BURNING BUSH	EUONYMUS ALATUS	AS SHOWN	---	
CL	SEE DUG.	6'-1"	CLEVELAND FEAR	PYRUS	AS SHOWN	2" CAL.	
HL	SEE DUG.	6'-1"	SUNBURST HONEY LOCUST	GLEDITSIA SKYLINE	AS SHOWN	2" CAL.	
SP	SEE DUG.	6'-1"	ALBERTA SPRUCE	GLAUCA CONICA	AS SHOWN	2" CAL.	
NOTE A	HOSTA	SEE DUG.	8"-12"	HOSTA	FORTUNEI 'AUROE MARGINATA'	AS SHOWN	---
FL	SEE DUG.	12"	FLOWERING ANNUALS	DAYLILLY, RED IMPATIANTS COREOPSIS, SWEET WILLIAM'S ASTER, GERANIUMS	AS SHOWN	---	
ORN GRASS	SEE DUG.	18"	ORNAMENTAL GRASS	ELYMUS ARENARIUS	AS SHOWN	---	
BB	SEE DUG.	6'-1"	VIOLA BLUE SPRUCE	P. GLAUCA 'VIOLA'	AS SHOWN	2" CAL.	
NOTE A	PHLOX	SEE DUG.	6"	CREEPING PHLOX	PHLOX SUBULATA- WHITE AND PINK	AS SHOWN	---
BRJ	SEE DUG.	15'	BLUE RUG JUNIPER	WILTONII	AS SHOWN	---	

NOTE A PER PLANNING COMMISSION'S RECOMMENDATION- IF PHLOX OR HOSTA ARE NOT AVAILABLE AT TIME OF PLANTING OWNER CAN SUBSTITUTE DAYLILLY, RUDBECKIA, COREOPSIS, ASTER, CONE FLOWER, SEDUM OR GERANIUMS

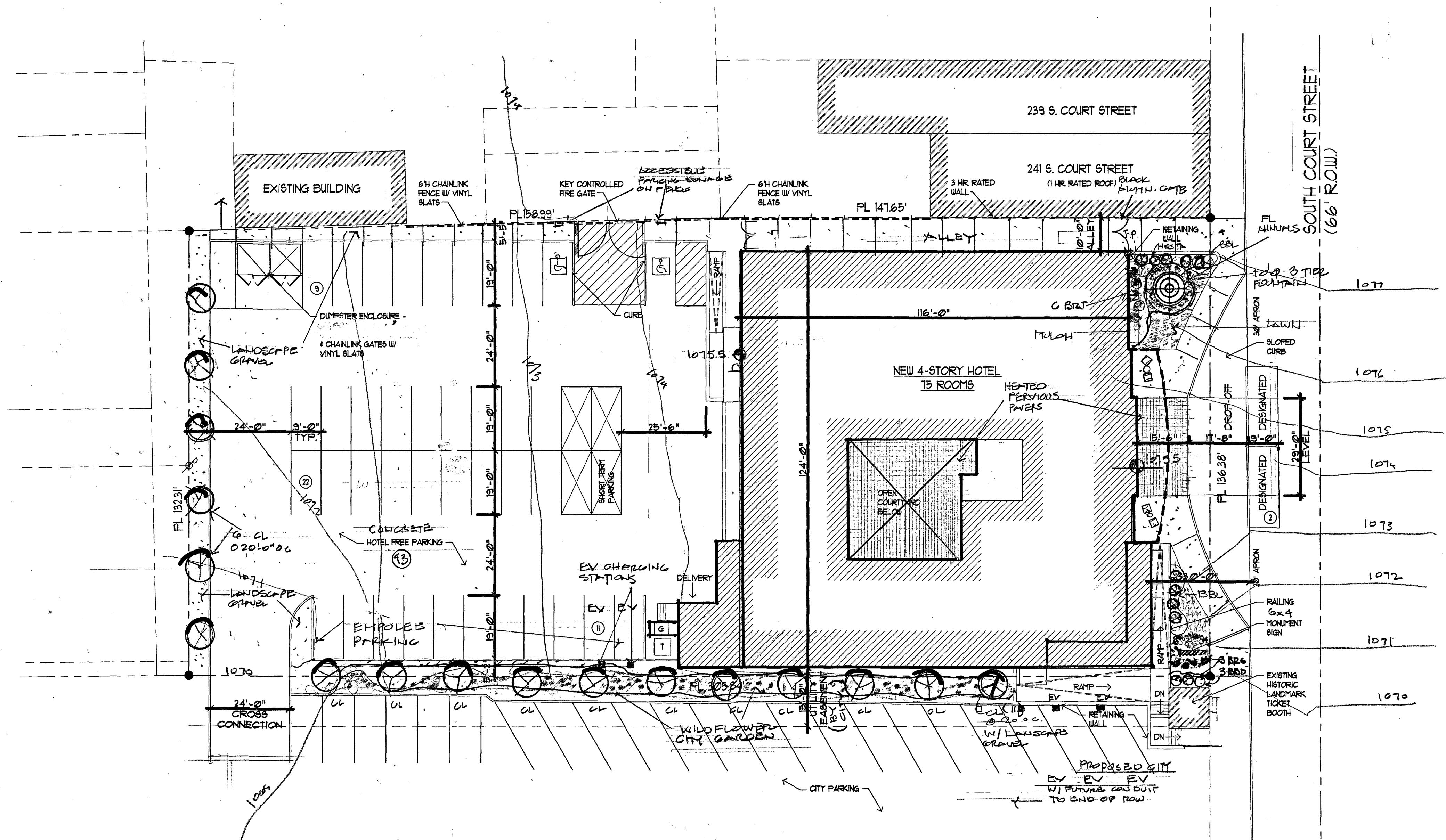
SITE IRRIGATION
WILL COMPLY WITH CITY REQUIREMENT OF LANDSCAPE SITE IRRIGATION SYSTEM



MSW & RECYCLABLES
CONTAINER ENCLOSURE PLAN
SCALE: 1/8" = 1'-0"

H22-19 Approved Plan - For Reference

FLOWERING DOGWOOD OPTIONAL BASED ON AVAILABILITY



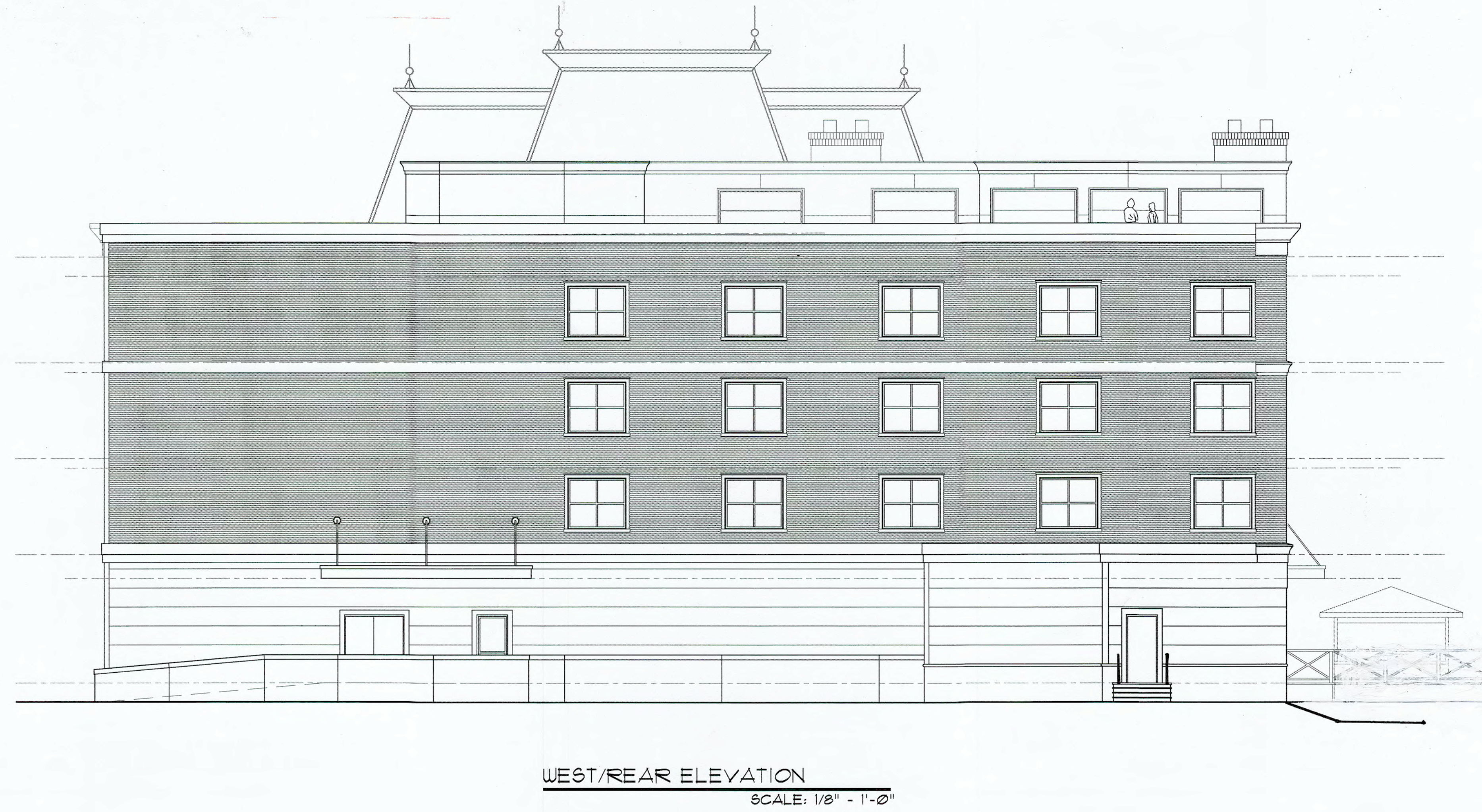
LANDSCAPE
SITE PLAN
SCALE = 1" : 20'

NOTE:
NOT A SURVEY. ALL DIMENSIONS TO BE VERIFIED IN-FIELD

ILLES ARCHITECTS INC.
3697 FOREST RIDGE CIRCLE
MEDINA, OHIO 44256
PH: 330.725.6262

H22-19 Approved Plan - For Reference

DATE
10/13/2022



MEDINA, OHIO

A NEW HOTEL 257 S. COURT STREET

20-02

A2.1

ILLES ARCHITECTS INC.
3697 FOREST RIDGE CIRCLE
MEDINA, OHIO 44256
PH: 330.725.6262

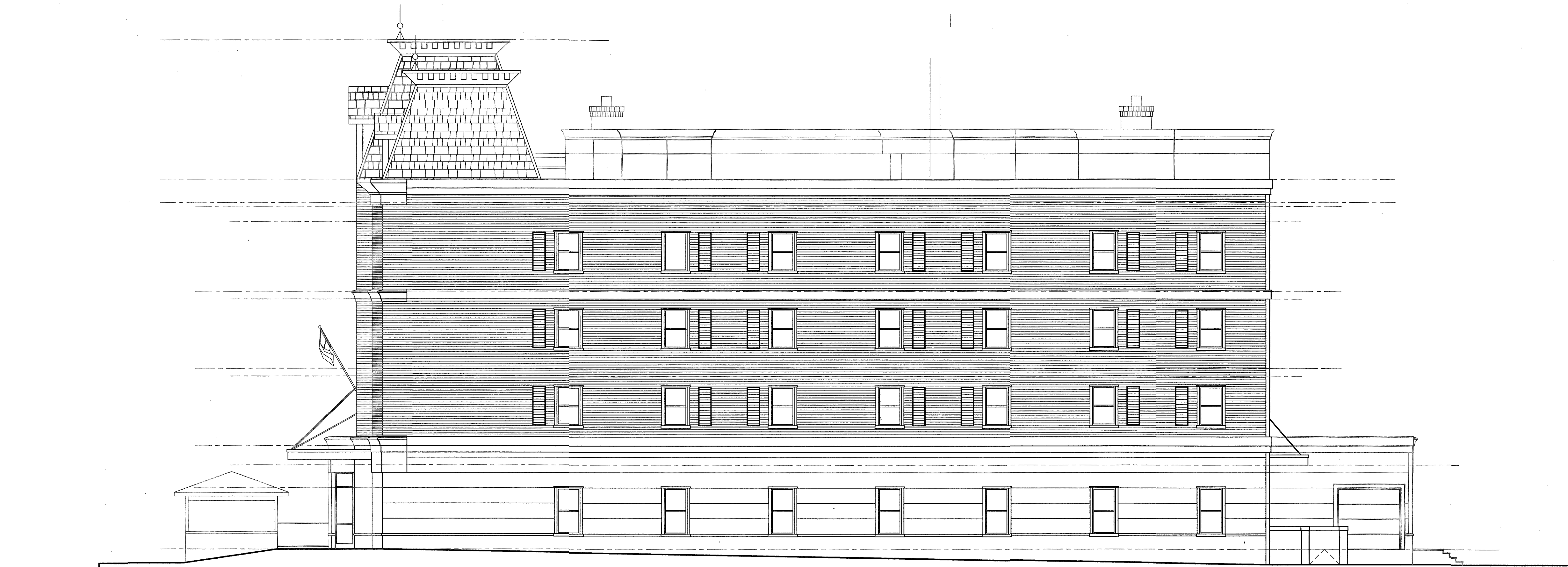
H22-19 Approved Plan - For Reference

DATE
10.13.2022

MEDINA, OHIO



SOUTH/SIDE ELEVATION
SCALE: 1/8" = 1'-0"



NORTH/SIDE ELEVATION
SCALE: 1/8" = 1'-0"

A NEW HOTEL 251 S. COURT STREET

20-02

A2.2

ILLES ARCHITECTS INC.
3697 FOREST RIDGE CIRCLE
MEDINA, OHIO 44256
PH: 330.725.6262

H22-19 Approved Plan - For Reference

