

A regular meeting of the Troy Planning Commission was held Wednesday, February 13, 2019, at 3:30 p.m. in Council Chambers, second floor, City Hall, with Chairman Alan Kappers presiding. Members Present: McGarry, Beamish, Snee, Titterington, Wolke and Mahan; Zoning Inspectors Brandon and Watson; and Assistant Development Directors Harris and Davis.

The minutes of the January 23, 2019, meeting were approved upon motion of Mr. McGarry, second of Mrs. Snee, followed by unanimous roll call vote.

HISTORIC DISTRICT APPLICATION, 214 W. MAIN STREET, FOR ALTERATIONS TO BUILDING; OWNER IS KEYSTONE REAL ESTATE GROUP, LTD., APPLICANT IS WHITLEY LOCKER, ALLIANCE ENGINEERING, LLC. The staff report (attached to original minutes) noted: The OHI form lists this property as a two story brick church with an unusual, rough faced, wire cut exterior, and is a well preserved example of early 20th century church design; character defining features include large windows and wood frame work, wall buttresses, stone coping, stone trim at the windows and doors, and rough faced, wire cut brick; the building was originally known as the First Evangelical Lutheran Church, was constructed in 1912, held its first service on July 28, 1912, dedicated on June 1, 1913; in 2016, the building was purchased by Keystone Real Estate Group, Ltd., and was most recently used as a church; soon, this building will become the home of a branch of Moeller Brew Barn, and is currently undergoing renovations in preparation for the opening; the application is a request for three alterations to the building –

Item 1 is for the removal of the upper and lower stained glass windows on the front of the building, and will be replaced with clear glass.

Item 2 is the removal of four windows on the rear that will be replaced with a large, glass garage door.

Item 3 is the removal of two casement windows on the upper floor of the building, and are located in the rear. The casement windows will be replaced with the same type of fixed windows that are located on the lower floor, at the rear of the building.

Staff discussed the application as follows:

ITEM #1

The applicant is requesting to replace the existing stained glass windows on the front of the building with clear glass. The clear glass would be installed in the existing window openings in order to preserve the existing architectural features of the window. Currently, there is a large stained glass window on the upper portion of the building, along with three smaller stained glass windows on the lower portion of the building. The proposed window will be constructed of 1" clear, insulated, unit glass, which will be custom, made to a pattern to fit into the existing window opening.

The owner of the building has stated that, "The windows have been covered up for decades with fogged storm glass due to the broken coming and glass in the stain glass portion of the window. The other item would be as this building was used as a former church there are Biblical depictions on some of the stain glass and we don't want to offend anyone with the change in use of the building." Pictures of the windows were included in the packet, and showed slight damage to two areas of the windows.

After completing research at the Local History Library, it was discovered that the stained glass windows are original to the building. The upper stained glass window is titled "Christ at Twelve in the Temple," and was gifted to the church by Mr. and Mrs. Levi Switzer in 1912. There is an almost identical window over the choir loft of the First United Methodist Church.

Staff also spoke with an architect knowledgeable in historic preservation. The concern from the architect is that during the time period these stained glass windows were constructed, it is quite possible that the windows were made by one of two great stained glass window artists, Louis Comfort Tiffany and John La Farge. Neither of the two artists was known for signing their work. However, someone knowledgeable in art history, specifically stained glass, could look at the construction of the windows and possibly tell if the windows are in the style of Tiffany or La Farge.

The City of Troy Zoning Code has Standards for Alteration as adopted from the United States Secretary of the Interior standards for the Treatment of Historic Properties. Section 1143.22(f)(7)(C) of the City of Troy Zoning Code, Standards for Alteration, states that deteriorated architectural features shall be repaired rather than replaced whenever possible. When asked if the property owner had received an estimate to repair the windows, an e-mail from the property owner stated that, "We haven't found anyone that will replace or fix it."

EXAMPLES OF REPAIR:

As recently as this past summer, the First United Methodist Church on W. Franklin Street repaired and restored the existing stained glass windows in their church, including the "Christ at Twelve in the Temple." The restoration and repair was performed by Studio Arts & Glass, Inc. from North Canton, Ohio. In 2011, the City of Troy issued a CDBG loan to the Troy Masonic Temple in order to repair the stained glass windows on the rear of their building. Studio Arts & Glass, Inc. also performed the repairs and restoration for this project.

After conducting a windshield survey, it was found that of the eight (8) church buildings located within the downtown; only one (1) church building was found to not have stained glass windows on the front of the building. The church building is located one parcel north of 214 S. Mulberry Street.

In 1996 in Pittsburgh, Pennsylvania, a local brewery, The Church Brew Works, began the restoration of the former St. John the Baptist Catholic Church. Included in the restoration process was the restoration of the numerous stained glass windows. These windows were not only intricate in design, but also included Biblical depictions. The Church Brew Works has become a destination spot while visiting Pittsburgh.

Salt Springs Brewery in Saline, Michigan, Urban Artifact in Cincinnati, Ohio, and Father John's Brewing Company in Bryan, Ohio, are all breweries that were once deteriorating churches that were carefully and painstakingly restored, including the stained glass windows, in order to showcase the beautiful craftsmanship that was used in the construction of these buildings.

As you can see from the research completed, stained glass windows, not only within the downtown of the City of Troy, have been restored and repaired in order to preserve the historic integrity of not only the windows, but of the buildings themselves.

The property owner has stated he is open to other options, and would be agreeable for Planning Commission to conduct a site visit to the property.

This application has been reviewed for compliance with all requirements of the zoning code except for the additional design standards imposed by the historic district regulations and has been found to comply with same.

STAFF RECOMMENDATION:

Staff recommends denial of the proposed window replacement, based on the following:

- Section 1143.22(f)(7)(C) of the City of Troy Zoning Code states that deteriorated architectural features shall be repaired rather than replaced whenever possible.
- The OHI form accurately depicts the character defining feature of this historic building is this large stained glass window.
- The proposed alterations will detract from the historic integrity of the building, affecting the street block, and the Historic District overall.
- The loss of original, stained glass windows would be a loss of historic artistry.
- The proposal does not include due diligence of repair quotes from qualified contractors.

COMMISSION CONSIDERATION:

Mr. Wolke commented that he understands Tiffany keeps a register of the work of Louis Comfort Tiffany, and the Tiffany Company could be contacted to determine if he had anything to do with the stained glass window. Mrs. Snee suggested the Lutheran Church be contacted for any history regarding the window and the Methodist Church be contacted for any history based on the similar window. The Mayor commented this building has been known as a church and the see the value of the church buildings as stained glass windows and pipe organs, and commented that when he has visited other areas and their churches that have been repurposed he noted that the stained glass windows are used and preserved as an asset. Mrs. Snee stated she was surprised to see that the architect did not recommend preserving and using the windows.

A motion was made by Mrs. Snee, seconded by Mayor Beamish, to deny the application for the removal of stained glass windows at 214 W. Main Street, based on the recommendation of staff that:

- Section 1143.22(f)(7)(C) of the City of Troy Zoning Code states that deteriorated architectural features shall be repaired rather than replaced whenever possible.
- The OHI form accurately depicts the character defining feature of this historic building is this large stained glass window.
- The proposed alterations will detract from the historic integrity of the building, affecting the street block, and the Historic District overall.
- The loss of original, stained glass windows would be a loss of historic artistry.
- The proposal does not include due diligence of repair quotes from qualified contractors. **MOTION PASSED UNANIMOUS VOTE**

ITEM #2

The applicant is requesting to replace four (4) windows on the rear of the building with a garage door constructed of commercial aluminum. The trim of the door will be white, and will have black mullions. A sample of the garage door is included in the packet. Please note the proposed garage door will not have an arch as shown in the picture. The garage door is being installed in a portion of the building that was added to the original building in the 1950's. The applicant has stated that the garage door is needed in order to move equipment into the building that was purchased with CDBG monies from the City of Troy.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed garage door installation, based on the following:

- The garage door is being installed in the addition to the building from the 1950's.
- The garage door is needed in order to install equipment for the operation of the business.

COMMISSION CONSIDERATION:

There was a discussion regarding if the door could be viewed from the back, and it was indicated that it would not generally be seen.

A motion was made by Mr. Wolke, seconded by Mrs. Snee, to approve the application to replace four windows on the rear of the building with a garage door constructed of commercial aluminum, with the door trim to be white and the mullions black, based on the sample viewed (minus the arch) and the material stated in the application and based on the findings of staff that:

- The garage door is being installed in the addition to the building from the 1950's.
- The garage door is needed in order to install equipment for the operation of the business. **MOTION PASSED, UNANIMOUS VOTE**

ITEM #3

The applicant is requesting to replace two (2) casement windows on the upstairs, rear of the building with two (2) fixed windows to match the existing fixed windows on the first floor of the building, at the rear. Once again, these windows are located in the addition to the original building.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed window installation, based on the following:

- The proposed windows on the second floor will match the existing windows on the first floor.
- The proposed windows are being installed in the addition to the original building. "

COMMISSION CONSIDERATION:

In response to Mrs. Snee, it was confirmed that the two fixed windows are being replaced with two fixed windows, and the two windows below are now fixed windows. In response to Mr. Woke, the applicant made the request so that all the rear windows match.

A motion was made by Mr. McGarry, seconded by Mrs. Snee, to approve the application to replace two casement windows on the upstairs, rear of the building with two fixed windows to match the existing fixed windows on the first floor of the building, at the rear, based the samples viewed by the Commission and as stated in the application and based on the findings of staff that:

- The proposed windows on the second floor will match the existing windows on the first floor.
- The proposed windows are being installed in the addition to the original building. **MOTION PASSED, UNANIMOUS VOTE**

OTHER DISCUSSION ON APPLICATION – Anthony Scott, Fairway Drive, owner of the property of 214 W. Main (application at the beginning of the meeting) commented that when he bought the property in 2015 it was condemnable, to save the stained glass window will cost 3 times the cost to replace it, about \$50-\$60 Thousand, architecturally the window is on two floors from the inside, he could leave it as is and no one could see it, there are small holes that cannot easily be seen, water has been running inside the building, and he would have to provide the funding to maintain the window.

Mr. Kappers noted that staff has been given some suggestions of research and Mr. Scott should continue to work with staff, and if there are actual repair estimates those should be provided to staff to be part of a future re-application. Mr. Titterington commented that the Commission was not provided a good rendering of what the building would look like based on the application.

Ms. Brandon noted that at one point Mr. Scott had talked about keeping all the architectural features of the windows, and having plain glass cut to fit into the windows. She also commented to Mr. Scott if he does intend to keep the windows as they are and replace the storm window covering, which would also have to come before the Commission before he could start such work.

HISTORIC DISTRICT APPLICATION, 117 S. MARKET STREET, FOR THE INSTALLATION OF SIGNAGE; OWNER – HEATHER DAVEY; APPLICANT, AMANDA GIBSON, BE YOU BOUTIQUE. The staff report (attached to original minutes) noted: property is zoned B-3, Central Business District; building is not listed on the National Register; application is for wall signage centered above the store front; allowed tenant space is 33 square feet; proposed sign panel is 32.5 square feet in total size with the logo portion being 14.5 square feet; sign is the exact same size and background color as the neighboring tenant and will be mounted to match the placement of the other existing wall sign to providing a balanced look; sign material is a 3mm ACM (Aluminum composite) sign with a white background, vinyl printed graphic consisting of a light gray logo (Hex #A3A3A3), white lettering, and a purple outline (Hex #650492); and staff recommends approval based on:

- The proposed sign will meet all City of Troy sign code requirements; and
- The proposed sign will not detract from the historic integrity of the building.

The applicant was present. The Commission viewed a sample of the sign material.

A motion was made by Mrs. Mahan, seconded by Mayor Beamish, to approve the historic district application for 117 S. Market Street as submitted, based on the exact materials stated in the application and the exact colors of sign with a white background, vinyl printed graphic consisting of a light gray logo (Hex #A3A3A3), white lettering, and a purple outline (Hex #650492); and based on the findings of staff that:

- The proposed sign will meet all City of Troy sign code requirements; and
- The proposed sign will not detract from the historic integrity of the building. **MOTION PASSED, UNANIMOUS VOTE**

HISTORIC DISTRICT APPLICATION, 125 S. MARKET STREET, FOR THE INSTALLATION OF A NEW PROJECTING SIGN; OWNER: WADE WESTFALL; APPLICANT: ELIZABETH SMITH, POPPIN' OFF GOURMET POPCORN. The staff report (attached to original minutes) noted: zoning is B-3 Central Business District; the building is not on the national register; allowed tenant signage is 22.5 square feet of wall signage; application is for a total of 18 square feet, 14 square feet for the projecting sign and 4 square feet for the door graphic; projecting sign to be made from black poly-metal cut to the proposed shape; logo and lettering are applied in vinyl graphics in the colors of White, and Gold Metallic (3M Satin Gold – PMS 872) and attached to the building by a custom decorative flag mount and scroll bracket by non-corrosive lag bolts; door graphic will be vinyl lettering in White centered on the door, as shown in the attached packet; applicant has provided the will be required to provide an Indemnification and Liability Insurance Policy is required for the projecting sign; and subject to the receipt of the indemnification and certificate of insurance, staff recommends approval based on:

- The sign is appropriate in scale to the building with which it is associated; and
- The colors selected for the sign are compatible with the building with which it is associated.

The applicant was present. Mr. Kappers asked about the height of the sign from the sidewalk, and was advised that the bottom of the sign will be 10' above the sidewalk.

A motion was made by Mr. Titterington, seconded by Mrs. Snee, to approve the historic district application for 125 S. Market Street as submitted, subject to receipt of the indemnification and certificate of insurance, based on the exact materials stated in the application and the exact colors of the sign with logo and lettering are applied in vinyl graphics in the colors of White, and Gold Metallic (3M Satin Gold – PMS 872) a white background, vinyl printed graphic consisting of a light gray logo (Hex #A3A3A3), white lettering, and a purple outline (Hex #650492); and based on the findings of staff that:

- The sign is appropriate in scale to the building with which it is associated; and
- The colors selected for the sign are compatible with the building with which it is associated. **MOTION PASSED, UNANIMOUS VOTE**

COMPREHENSIVE PLAN, ADD A NEW CHAPTER. Mr. Davis commented that staff is recommending that Chapter 15 - Implementation be added to the Comprehensive Plan to include three studies:

Troy Downtown Riverfront Study (2017), Downtown Parking & Traffic Assessment (2017), Sherwood Study (2017).

He further commented that they would be incorporated by reference so they can be considered, but exactly following any of the studies is not required.

Mr. Kappers asked why Complete Streets, which has been adopted, is not included, and was advised that Complete Streets is in another chapter of the plan. Mr. Kappers commented that there is a difference between a study and a policy – a policy is to be implemented and a study recommended to be followed. He commented that within "Introduction", the wording is a study "should" be referenced, and he suggested the word be changed to "may" as that would be less compelling.

Mr. Wolke asked in what format the studies have been approved in the past, and was advised that they have not been approved, rather these are studies by consultants that are given to the City for recommendations to be followed. Mr. Wolke suggested the title of Chapter 15 should be "Related Studies" and not "Implementation".

Mr. Davis commented that staff is asking these studies be included in the Comprehensive Plan as a reference only so the studies to not just end up on a shelf and forgotten, but so they will not be forgotten, but be able to be considered. Mrs. Snee asked if staff intends to look at one of the studies and see how it applies to an application presented to the Commission, and Mr. Davis stated that was true. Mr. Davis also noted that a study could be replaced or supplanted as appropriate, and they will be included the five-year rotation of the review of the Comprehensive Plan.

A motion was made by Mrs. Snee, seconded by Mrs. Mahan that the Commission approves the referenced studies being added to the Comprehensive Plan Chapter 15, with the title changed to "Related Studies" and the word "should" changed to "may" in the chapter introduction.

MOTION PASSED, UNANIMOUS VOTE

There being no further business, the meeting adjourned at 4:13 p.m.

Respectfully submitted,

_____ Chairman

_____ Secretary