

A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall on Wednesday, April 13, 2022 at 3:30 PM with Chairman Alan Kappers presiding. ATTENDING: Members – Titterington, Ehrlich, Wolke, McGarry, Oda, Kappers and Westmeyer; Zoning Inspectors Eidemiller and Bruner.

APPROVAL OF MINUTES: Mr. Kappers noted that the 3-23 minutes reflected the wording: “Mr. Kappers indicated that the application is so amended.” under the Public Hearing on the DR-O application for Lincoln Center. He commented that he does have the authority to amend the application, and asked that the wording be: “Being present, the applicant consented to such an amendment, and Mr. Kappers indicated the application is so amended.” Upon motion of Mr. Westmeyer, seconded by Mayor Oda, the minutes of the March 23, 2022 meeting were approved as amended by unanimous roll call vote.

DOWNTOWN/RIVERFRONT OVERLAY (DR-O) DISTRICT, 224 S. MARKET STREET, SUITE C, FOR PROJECTING SIGN – FIRST READING; OWNER – INNISFREE ENTERPRISES, LLC; APPLICANT – LEVEL MB CONSTRUCTION BY MIKE TWISS.

Staff reported:

“PROPOSAL:

A request by the applicant, Mike Twiss, Owner of Innisfree Enterprises LLC, for the installation of 7.5 square feet projecting sign at the property located at 224 S Market Street STE C, Parcel ID: D08-004860. The applicant is requesting the projecting sign using the Downtown Riverfront Overlay District. The property is located in the B-3, Central Business District.

The OHI form lists this property as a two-story brick commercial building with an Arts & Crafts, Mission High style and built in 1929. A well preserved and maintained building with original features intact. Including a symmetrical façade with a central entrance placed within a round arched recess. The property is not listed on the National Historic Register

DISCUSSION:

This multi-tenant building is permitted to have a total of 75 square feet of building signage with each individual tenant calculated separately based on the frontage they occupy. The applicant is proposing to install a 7.5 Square Foot projecting sign using the DR-O. This sign measures 30” x 36” or 7.5 square feet. The sign will be constructed of 2” square tubular steel frame with a 2” thick logo etched into composite. The colors include Black, White, and Pantone 186 Red lettering.

The Sign Code permits a total of one projecting sign per principal structure resulting in the Downtown Riverfront Overlay request. Zoning Code 1143.25 (j) states: “The Planning Commission and/or City Council may consider more or less stringent signage requirements based upon the development while considering requirements from other sections of the Codified Ordinances of Troy, Ohio.” With the creation of the Downtown/Riverfront Overlay District, the intent is for the district to be applied when the conventional zoning requirements are inappropriate or the underlying zoning district is unduly restrictive or prevents the reuse of buildings or properties in downtown Troy.

Utilizing the criteria intended to justify a DR-O application; you will find the proposed project will have a positive effect on the district as projecting signs encourage pedestrian scaled advertising/wayfinding along the streetscape. The MKSK study identifies the need for “pedestrian friendly environments” and the additional projecting sign achieves this intent.

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 those requirements.

DR-O CRITERIA:

As stated in section 1143.25 of City of Troy Zoning Code, Planning Commission shall review all DR-O applications and shall grant, modify, or deny/and or recommend the denial, or modifications of such application based upon the following criteria:

1. To prevent hazards to the health and safety of the public and of all occupants of improved real property.
2. To assure adequate light, air and convenience of access for all properties.
3. To promote the delivery of public services such as utilities, streets, refuse collection, emergency medical services, fire and police protection.
4. To provide for creatively designed single-use and mixed-use Planned Developments, and to preserve their character and vitality through ongoing regulatory supervision.
5. To assure, through an appropriate site plan review that the general, district and supplementary regulations of this Zoning Code are being followed in the design of each new site improvement or redevelopment.
6. To minimize adverse effects on traffic safety caused by development and certain land uses.
7. To minimize adverse effects on the environment resulting from development and certain land uses.
8. To facilitate the efficient and economical development and use of land and public facilities.
9. To allocate to each site development, rather than to the public, the maximum feasible portion of the infrastructure and operating costs which arise as a result of that development.
10. To fairly balance the interest of property owners and occupants in continuing their nonconforming land uses against the community interest in achieving full compliance with this Zoning Code.
11. To protect floodways and flood plains from development which increases the general risk of flooding or puts occupants of the development at risk.
12. To preserve and enhance property values.
13. To protect public and private water supplies, both in quality and quantity.
14. To promote the economic vitality of business and industry.
15. To direct particular land uses to the parcels of land best suited for them physically and in terms of access to highways and public services.
16. To enhance the predictability and profitability of private investments made in the City.
17. To continuously improve the aesthetic character of all parts of the City.

RECOMMENDATION:

Staff recommends approval of the proposed sign with the condition that the sign shall be approved using the DR-O process. This conditional recommendation is due to:

- With the DR-O, the projecting sign encourages a pedestrian friendly environment as recommended in the Comprehensive Plan and;
- The projecting sign relates harmoniously to the exterior building material and color, while expressing a simple clear message.

NEXT STEPS:

This is the first step in the DR-O process which is the first reading of the proposal to the Planning Commission. A second reading (public hearing) will be held at the next scheduled Planning Commission meeting. The second reading will provide an opportunity for the public input on the project. Planning Commission can only act after the second hearing as required by the DR-O process and a decision will be requested by the Planning Commission at the second meeting. “

Discussion: Staff commented that projecting signs are becoming more of a trend, and this will be looked at in the next sign code update.

HISTORIC DISTRICT APPLICATION FOR 201 E. WATER STREET, OVERFIELD TAVERN, REMOVAL AND REPLACEMENT OF THE SECOND STORY LEDGE LOG AND FIRST STORY SILL LOGS, EXTERIOR REPAIRS AND REPLACEMENT LOGS, AND FOUNDATION REPAIRS ON THE SOUTH ELEVATION (FACING WATER STREET); OWNER/APPLICANT: OVERFIELD TAVERN MUSEUM, BY CHRIS MANNING. Staff reported:

“BACKGROUND:

The OHI form lists this property as a hand-hewn log cabin built in 1808. The building has previously been used as a tavern, courthouse, Masonic lodge, and now a museum. Character defining features include 9/9 double hung, sash windows, chimney on the east side of the building, and a dog run, log wing to the rear with a frame second story. This building is on the National Register of Historic Places, and has been recognized as an Ohio Historic Landmark.

Between 1995 and 2000, the Overfield Tavern underwent major restorations, which includes the installation of poplar siding that was subsequently painted red, and the painting of hewn logs with white latex paint, along with several interior modifications. The Overfield Tavern Museum conducted an Architectural Assessment Report in 2019. The assessment report identified an accelerated rate of deterioration of the poplar siding located on the west elevation (S. Mulberry Street). Continued exposure of the hewn logs located on the south and east elevation has led to extensive dry rot, that has made the building susceptible to insect damage and birds. Phase 1 of the revitalization efforts have been completed with the replacement of the wood shingled roof to an imitation wood shingle known as Enviroshake that was previously approved by the Planning Commission in February of 2020.

On the August 25, 2021 Planning Commission Meeting, the applicant requested the review of the temporary exterior alterations to the building that included the removal of the poplar siding on the west façade along S. Mulberry Street and partial removal of the white latex paint on the front façade (Water Street) and east façades. The request was made to provide more accessibility to the structural engineer for a full inspection known as phase 2a of the project. The request was approved with the following conditions:

- Overfield Tavern Museum will provide an update of the findings from the structural engineer by December 21st, 2021.
- This approval is not permitting the final design or material replacement of any elements of the building, rather to provide access for the structural engineer to conduct a complete structural inspection.
- The removal of the white latex paint is conducted using the gentlest method possible, following the Secretary of Interior Standards for the Treatment of Historic Properties.

In October 2021, Midwest Maintenance Inc. removed the existing new-growth poplar siding on the west elevation facing Mulberry Street and the coating of white latex paint on the south elevation facing Water street, revealing the extent of the damage to the log walls. The structural engineer assessed the extent of the damage identifying which logs will need repaired or replaced.

The west elevation logs that were protected by the wood siding are in relatively good repair with minimal repairs needed. The south and east elevations that were covered in latex paint need substantial repairs, including replacement logs.

DISCUSSION:

Chris Manning, Executive Director of the Overfield Tavern, is requesting the Planning Commission to consider the exterior alterations/repair of the Overfield Tavern south elevation (facing Water Street). The request is for the removal and replacement of the second story ledge log and first-story sill logs (including the sill log that was replaced with modern lumber in 1998), additional exterior log replacements and repairs, and foundation repairs.

The replacement logs will consist of old-growth oak and poplar beams recovered from historic barns in the region. These logs will be of the same species as existing and properly seasoned on site prior to installation. Additionally, the logs will be hand-hewn and over 100 years old as they have superior quality and durability over modern farm-raised wood and represent similar tooling techniques as the existing logs. The logs will be rechinked and daubed with an appropriate mortar mix. Five "dutchman repairs" also known as "piecing-in" are also being requested. This technique involves the cutting of rotten areas of the wood and stabilization of the adjacent logs, ultimately installing replacement seasoned wood with the similar grain style. These techniques are in conformance with the Secretary of Interior Standards for the Treatment of Historic Properties and the National Park Service Preservation Brief: "The Preservation and Repair of Historic Log Buildings".

Additionally, the south elevation will include a foundation repair that consists of removal of the stone foundation and replacement with a 36" concrete footer. The stones will be salvaged and added to the exposed foundation above the average grade level that will provide for the original stone appearance above the ground level. This will help prevent moisture from continuing to undermine the sill logs and lead to long term stability. These repairs are similar to the foundation work that was required in 1998. All requested work will be reviewed by the Miami County Department of Development should this request proceed forward.

RECOMMENDATION:

Staff recommends approval of the requested removal and replacement of the second story ledge log and first-story sill logs, exterior repair and replacement logs, and foundation repairs on the south elevation (facing Water Street) with the following conditions:

1. The exterior repairs and foundation work are reviewed and approved by the Miami County Department of Development.
2. The chinking and daubing mortar repairs and replacement will include historically appropriate mixtures and match existing;
3. The Sidewalk replacement will be in accordance with the Engineering Department Construction standards, following a final inspection of the concrete work.

Staff recommends this conditional approval due to the materials used in repairs are historically appropriate and follow the Secretary of Interior Standards for the Treatment of Historic Properties and the National Park Service Preservation Brief: "The Preservation and Repair of Historic Log Buildings". "

A motion was made by Mr. Wolke, seconded by Mrs. Ehrlich, to conditionally approve the application for 201 E. Water Street as submitted, based on the conditional approval recommendation of staff and based on the following findings of staff that:

1. The exterior repairs and foundation work are reviewed and approved by the Miami County Department of Development;
2. The chinking and daubing mortar repairs and replacement will include historically appropriate mixtures and match existing;
3. The Sidewalk replacement will be in accordance with the Engineering Department Construction Standards, following a final inspection of the concrete work.

Staff recommends this conditional approval due to the materials used in repairs are historically appropriate and follow the Secretary of Interior Standards for the Treatment of Historic Properties and the National Park Service Preservation Brief: "The Preservation and Repair of Historic Log Buildings".

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION FOR 116 S. MARKET STREET, ÉCLAT FACIAL STUDIO, INSTALLATION OF BUILDING SIGN AND WINDOW SIGN; PAINTING OF FRONT FAÇADE; OWNER: WADE WESTFALL; APPLICANT: KARIN GAUDIN. Staff reported: property is zoned B-3, Central Business District; property owner has approved the application being submitted; this multi-tenant building is permitted to have a total of 66 square feet of building signage with each individual tenant calculated separately based on the frontage they occupy; application is for a total of 33 square feet of building signage (building sign 30 square feet, window sign 1 square foot); sign will be constructed of 3m metal composite with 1/8" 3-dimensional white lettering; building paint color of Benjamin Moore 2102-50 "Rose Bisque" behind the building signage and trim surrounding the store front; applicant has painted the store front, and City staff has worked with the owner for a historic review submittal with applicant charged double for the modification without approval; and staff recommends approval based on the findings of:

- The proposed sign will meet the City of Troy Sign Code requirements;
- The proposed sign will not detract from the historic integrity of the building and streetscape;
- The proposed paint alteration does not detract from the historic integrity of the building and streetscape, and similar paint colors exist in the historic district.

A motion was made by Mayor Oda, seconded by Mr. Westmeyer, to approve the historic district application for 116 S. Market Street as submitted, based on the exact colors, design, size and materials as stated in the application, and based on the findings of staff that:

- The proposed sign will meet the City of Troy Sign Code requirements;
- The proposed sign will not detract from the historic integrity of the building and streetscape;
- The proposed paint alteration does not detract from the historic integrity of the building and streetscape, and similar paint colors exist in the historic district.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION FOR 16 S. CHERRY STREET, SUITE A, SHARONELAINE PHOTOGRAPHY, INSTALLATION OF A WINDOW SIGN, OWNER- GAUDIN PROPERTIES, LLC, APPLICANT – SHARON LANGE. Staff reported: property is zoned B-3, Central Business District; property owner has approved submittal of the application; property is on the National Register of Historic Places and was constructed around 1870; building is permitted a total of 57 square feet of building signage with each tenant calculated separately based on frontage occupied; application is for .765 square foot of signage which is the exact area permitted; sign to be constructed of white vinyl; and staff recommends approval based on the findings of staff that

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

Discussion. Mr. Westmeyer commented that the sign includes a phone number and website, which the Commission has indicated should not be part of signage in the historic district. The Mayor stated she had no objection to that information being on the sign.

A motion was made by Mr. Westmeyer, seconded by Mr. Titterington, to approve the historic district application for 16 S. Cherry Street, Suite A, subject to the website and phone number not being on the sign, otherwise based on the exact colors, design, size and materials as stated in the application, and based on the findings of staff that:

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

Voting: Yes – Kappers, Titterington, Ehrlich, Wolke, McGarry; No – Mayor Oda.

MOTION PASSED

HISTORIC DISTRICT APPLICATION FOR 8 NORTH MARKET STREET, FOUR ACRE CLOTHING CO., INSTALLATION OF BUILDING SIGN AND WINDOW SIGN; OWNER – BETTY LANGER; APPLICANT ANDREA WROCKLEDGE. Staff reported; zoning is B-3, Central Business District; property owner has approved submittal of the application; 28 square feet of signage is permitted for the building; application is for a 16 square foot metal building sign, a 7 square foot building sign, and a 4.1 square foot window sign; the building signs would be constructed of alumicore; all signs would include black and white; and staff recommends approval based on the findings of:

- The proposed sign will meet all City of Troy Sign Code requirements;
- The proposed sign will not detract from the historic integrity of the building as the signage does not cover contributing features;
- The sign colors are commonly found throughout the historic district.

Discussion. In response to questions, staff confirmed there are three signs – one is vinyl on the brick, one above the archway, and one on the window. There was a discussion about the QR code on the window sign, with it noted that QR codes have not been addressed by the Commission, but perhaps should be addressed in a sign code review. Mr. Westmeyer commented that having a QR may resolve the requests of applicants to have phone number, websites, etc., on signs. It was noted that this application also includes a website.

A motion was made by Mr. Titterington, seconded by Mr. Westmeyer, to approve the historic district application for 8 North Market Street as submitted, for all three signs, subject to the website being removed from signage, but the QR code permitted, and based on the exact colors, design, size and materials as stated in the application, and based on the findings of staff that:

- The proposed sign will meet all City of Troy Sign Code requirements;
- The proposed sign will not detract from the historic integrity of the building as the signage does not cover contributing features;
- The sign colors are commonly found throughout the historic district.

MOTION PASSED, UNANIMOUS VOTE

VACATION OF 30’ WIDE PUBLIC WALK BETWEEN 1291 AND 1285 YORK LANE, PETITIONED BY THOMAS & ROMA CRESS AND DOUGLAS RICH & MELANIE HARRIS. Staff reported that property owners Thomas & Roma Cress , owners of 1291 York Lane (IL 3386), and Douglas Rich & Melanie Harris, owners of 1285 York Lane (IL 3387), have petitioned for the vacation of the 30’ public walk located between the two properties; if approved, the 30’ wide walkway would be divided between the abutting property owners, as shown on the vacation plat; the City does have buried infrastructure (water and sanitary sewer) in this space, it is not known if there are other utilities; all easements shall remain in accordance with Chapter 723.041 of the ORC; and staff recommends approval.

Staff advised that that the City does not need this area to maintain the ditch to the back of the property, and has no other need of the property.

A motion was made by Mr. McGarry, seconded by Mrs. Ehrlich, that the Troy Planning Commission recommends to Troy City Council that the petition for the vacation of the 30’ public walk between 1291 York Lane and 1285 York Lane be approved.

MOTION PASSED, UNANIMOUS VOTE

VACATION OF 3’ ALLEY OF RECORD BETWEEN INLOTS 380 AND 381 AT 121 PUBLIC SQUARE NE, PETITIONED BY THE FAMILY ABUSE SHELTER OF MIAMI COUNTY, INC. Staff reported that the property at 121 Public Square NE is being sold and a title search has indicated that there is an unimproved 3’ alley of record located under the building structure; it is likely that this “alley” has existed on record since the mid-1800s and was the access to a privy; through a great deal of research, it appears that the alley was not previously vacated and the alley of record had apparently not been an issue when the current building was constructed over it decades ago or during prior sales of the building; the property owner now needs to have the alley formally vacated in order to complete the sale of the property; the City does not have buried infrastructure in this space, it is not known if there are other utilities; all easements shall remain in accordance with Chapter 723.041 of the ORC; and staff recommends approval.

Mrs. Ehrlich advised that she is on the Board of the Family Abuse Shelter of Miami County, and would abstain from voting to avoid the appearance of a conflict of interest.

A motion was made by Mr. Titterington, seconded by Mr. Westmeyer, that the Troy Planning Commission recommends to Troy City Council that the petition for the vacation of the 3’ alley of record between Inlots 380 and 381 at 121 Public Square NE be approved.

Voting: Yes – Kappers, Titterington, Oda, Wolke, McGarry; Abstain – Ehrlich.

MOTION PASSED

DEDICATION OF RIGHT-OF-WAY ALONG FENNER ROAD AND EDGEWOOD DRIVE (HARSON INVESTMENTS PLAT).

Staff reported that the developer has submitted a replat for the property located along the north side of W. Market Street between Fenner Road, Edgewood Drive and I-75; the replat can be approved administratively; however, the replat also included the dedication of 1.385 acres of IL 6503 for the property at 1415 W. Market Street and such right-of-way dedication requires Council approval; and staff recommends approval. It was noted that the dedication of the right-of-way is required for roadway improvements associated with the development of the parcel.

A motion was made by Mr. Westmeyer, seconded by Mayor Oda, that the Troy Planning Commission recommends to Troy City Council that the dedication of 1.385 acres of Inlot 6503 as public right-of-way be approved as submitted.

MOTION PASSED, UNANIMOUS VOTE

OTHER: Staff advised that the property at 213 E. Main Street is still pending receipt of the Historic District Application discussed at the previous meeting.

There being no further business, the meeting adjourned at 3:55 p.m. upon motion of Mr. Westmeyer, seconded by Mayor Oda, and approved by unanimous voice vote.

Respectfully submitted,

_____Chairman

_____Secretary

