

A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall on Wednesday, August 24 2022, at 3:30 PM with Chairman Alan Kappers presiding. ATTENDING: Members – Wolke, Oda, Titterington, Westmeyer, McGarry, Kappers, Ehrlich; Development Director Davis; and Development Department staff.

APPROVAL OF MINUTES: Upon motion of Mr. McGarry, seconded by Mrs. Ehrlich, the minutes of the August 10, 2022 meeting were approved as amended by unanimous roll call vote.

HISTORIC DISTRICT APPLICATION, 320 W. FRANKLIN STREET FOR EXTERIOR ALTERATION OF THE COVERED PORCH; OWNER/APPLICANT: KENT FRAUENBERGER. This application was tabled at the August 14, 2022 meeting.

Remove From Table. Upon motion of Mr. McGarry, seconded by Mr. Westmeyer, this application was removed from the table by unanimous vote.

Staff's report was the same as presented at the August 14 meeting.

Present were the applicants and their contractor Ben Denlinger.

Discussion:

-Mr. Denlinger commented: the porch foundation was not limestone as it had been replaced at some point with a more modern block and wrapped in lattice work; only the house has a limestone foundation; the old piers had failed with the porch sinking 5" and it had to be raised; the porch had pulled away from the house by 2.5"; only because the porch is attached to the roof has kept it from falling; the porch deck was rotten and would fail in some places when stepped on; the pillars were actually hollow and it was found the pillars had rotted and could not be reused; the significant details of the decorative spandrels and balustrade are going to be reused; and as the porch base was not sandstone and the base is covered by the stairs and the lattice will be replaced, he did not believe the concrete base would be a problem. Mr. Denlinger stated it was he and not the Frauenbergers who was responsible for not submitting a historic district application to the City and he did not give the Frauenbergers the form from the County that advised permit holders to also contact the City for any other permits needed as he had retained that paperwork.

-In response to Mr. Titterington, staff confirmed that the porch has been removed, with only the roof remaining. Mr. Titterington commented that his concerns include that there will be a 1903 era building with a basically new porch; that it seems the information changes as to what is remaining to be used with it now being said the posts will not be reused; and he questioned how staff would consider this application to be a modification and not a demolition with the small amount of original materials that will be reused. He further noted that since late 2021, Council has established a moratorium on demolitions. Mr. Titterington noted that the Director of Law had determined this application appeared to be a modification, but with the new information about the pillars not being reused, he questioned if that could result in a different determination.

-Mr. Denlinger referred to the code and said he interpreted it to be an alteration as the end result would be the porch would be restored with a porch that has new wood, is level and plumb, is not sinking or falling, with the architectural details re-installed will be the same appearance.

-In response to Mr. Wolke as to how the porch will look any different, staff said it will not, particularly if there is good craftsmanship to replicate the double pillars.

-Mayor Oda asked Mr. Frauenberger why he did not request a Certificate of Appropriateness (COA) from the Commission for the work he planned. Mr. Frauenberger stated his reading of the code was that he was replacing like for like with the final appearance the same. Mayor Oda commented that being faced with this now after much of the work has been done opens the City to others doing their own interpretation without contacting the City. Mr. Frauenberger commended he cannot dispute how that could open the City up to similar actions, but he has saved every feature that could be saved, he is fixing a dangerous porch where the wood would fall when stepped on, and the end result will be a porch that looks the same other than not looking like it needs to be repaired. Mayor Oda commented that she has no doubt about it looking better, it is that the process was not followed, and she is concerned about running the risk of other owners not following the process, and the process is to protect neighborhoods. Mr. Frauenberger commented that maybe there needs to be more action on behalf of the City to make the rules clearer and see that the rules are provided to property owners within the district.

-Mr. Titterington commented that he does not support spoon feeding property owners; he believes 99% of property owners come to the City to see what process may need to be followed; but his issue and frustration is that when the procedures are self interpreted, the City does not have the opportunity to work with property owners in determining what needs to be submitted and the owners then following the process, not putting the owners and the City in this position of work done without a COA and having to answer to the public and those who monitor such work.

-In response to Mayor Oda, staff indicated that had an application for a COA been presented, staff would have asked about the work, reviewed the OHI form, and would have made the same recommendation to the Commission that has been made that the application be approved.

-Mr. Kappers asked if the staff could have reviewed the application in advance, and it was interpreted as a demolition, would that have carried more weight; Mr. Wolke noted that the Director of Law had determined the work was a modification.

-Mr. Wolke noted that the contractor should have come to staff about the work to be done; the contractor did not and said so; the work has proceeded, when the work is done it will not look different from the porch appearance prior to the work starting.

MOTION: A motion was made by Mr. Wolke, seconded by Mr. Westmeyer, to approve the historic district application for 320 W. Franklin Street as submitted, for the exact materials and colors as stated in the application, and based on the findings of staff that:

- The contributing features are going to be reused with the exterior alteration, and;
- The alteration does not detract from the historic integrity of the streetscape, and;
- The alteration meets Zoning Code 1143.22 (f) (7) (C)

MOTION PASSED, UNANIMOUS VOTE

PETITION TO VACATE 14' WIDE ALLEY BETWEEN 725 W. FRANKLIN ST. (IL 826) AND 735 W. FRANKLIN ST. (PART OL 91):

OWNERS/APPLICANTS: PAMELA HOBBS AND TYLER WEBER. The staff report noted: the existing right-of-way is currently not utilized by the City; the City does not have buried infrastructure (water and sanitary sewer); the locations of other utilities that may exist such as cable, phone, electric, or gas are unknown; all easements shall remain in accordance with Chapter 723.041 of the Ohio Revised Code; vacating the alley will not adversely impact any of the neighbors; the City has no use for the property; the vacation petition has been signed by both abutting property owners; and staff recommends approval of the petition. A motion was made by Mr. Titterington, seconded by Mr. McGarry, to recommend to Troy City Council that the 14' alley of record between 725 West Franklin Street (Inlot 826) and 735 West Franklin Street (Part Outlot 91) be vacated as petitioned.

MOTION PASSED, UNANIMOUS VOTE

FINAL PLAT APPROVAL, FOX HARBOR SUBDIVISION SECTION 9; LOCATED WEST OF THE KINGS CHAPEL NEIGHBORHOOD AND SOUTH OF W. MAIN STREET; APPLICANT - BRUMBAUGH ENGINEERING AND SURVEYING LLC, ON BEHALF OF HARBOR WEST LAND CO.

Details are:

- Fox Harbor Subdivision is located west of the Kings Chapel neighborhood, just south of West Main Street (SR 41)
- Section Nine is an area of 5.901 acres
- There will be 21 building lots on 4.780 acres
- Right-of-way to be dedicated is an area of 1.121 acres -- Executive Drive Liette Drive and Darla Circle
- The zoning is R-4 Single-Family Residential which requires a minimum lot size of 9,000 square feet. Actual lot sizes range from .207 acres (9,016 square feet) to .326 acres (14,200 square feet)
- Fees-in-lieu of dedicated green space will be paid to the City
- The Final Plat is in general conformance with the approved Preliminary Plan

Staff recommended that the Commission recommend approval of the final plat of Fox Harbor Subdivision Section 9 as submitted.

A motion was made by Mr. Wolke, seconded by Mrs. Ehrlich, that the Troy Planning Commission recommends to Troy City Council that the final plat of Fox Harbor Subdivision Section 9 be accepted.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION, 18 E. CANAL STREET FOR INSTALLATION OF AN AWNING, STOREFRONT WINDOWS,

EXTERIOR PAINTING: OWNERS/APPLICANTS: ERIC & JENELL KRITES. Staff reported: property is zoned B-3 Central Business District.; building was built in 1889; important features include segmental-arched window openings and recessed bays with corbelled brickwork; in 1911 the building housed the Troy Power Plant; application is for the installation of an awning, storefront windows, and paint of the structure located at 18 E. Canal Street;

application is for primary building to be painted SW 9162 African Gray, with accent colors of SW 6258 Tricorn Black, SW 7075 Web Gray, and SW7074 Software; building is currently painted gray with a green accent stripe above the windows; applicant is also requesting the installation of a vistawall storefront windows and entry door along the east elevation facing Walnut Street; existing wooden garage door will be removed; a cast iron awning is proposed to be installed on the Walnut Street side of the building, which awning has been salvaged form an adjacent building that has been demolished; awning will have a height clearance of 9' and will project from the building 4'; Troy Codified Ordinance 717.08 requires that canopies shall not project more than 5' from the building face, and no less than 2' from the curb and the proposed awning meets the requirements; awning will be painted tricorn black and will match the proposed accent color of the building; two new metal entry doors are being proposed on the rear façade where the current garage bays are located; the existing garage bays are not the original bays from the power plant; the metal doors will be painted to match the accent features on the building; and staff recommends approval of the application based on the findings that:

- The alterations do not detract from the historic integrity of the building and streetscape; and
- The character defining features will remain intact; and
- The awning complies with Troy Codified Ordinance 717.08.

In response to Mr. Titterington, it was stated that there will not be signage on the awning.

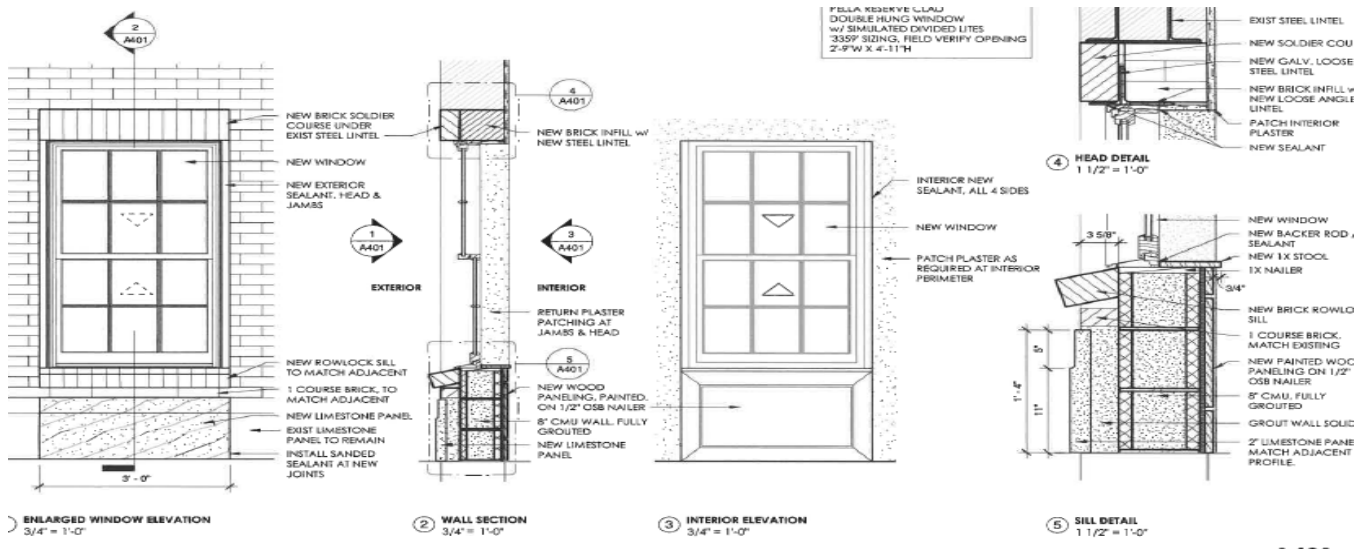
A motion was made by Mr. Titterington, seconded by Mr. Westmeyer, to approve the application for 18 E. Canal Street as submitted for all elements of the application, based on the exact materials and colors stated in the application, and based on the findings of staff that:

- The alterations do not detract from the historic integrity of the building and streetscape; and
- The character defining features will remain intact; and
- The awning complies with Troy Codified Ordinance Section 717.08.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION, 9 AND 11 W. MAIN STREET FOR EXTERIOR ALTERATIONS, REPAIRS AND PAINTING; OWNER/APPLICANT: WESLEY MARTIN. Staff reported: property is zoned B-3, Central Business District; building is a two-story brick commercial building with Neo Classical Revival elements built in 1859 by George Ziegenfelder; important exterior features listed on the OHI form include: a façade featuring four 2nd floor bays with 12/12 windows within a round arched recess that have wrought iron balconies and keystone designs atop the arch; property is listed on the National Register of Historic Places. The applicant is proposing multiple exterior alterations, repairs, and painting for the property.

The west façade facing N. Cherry Street will include the removal of the residential entry door. The entry door will be replaced with a new double hung window to match the existing. The window will include 6 over 6 simulated divided lites. Limestone will be added on the base to match the same profile as the surrounding limestone on the west façade. Above the window will include new brick rowlock head and sill to match the existing openings on the west façade (see below):



The west façade will also include a brick infill on an old HVAC vent. The infill bricks will be with Snyder #1100 Red Flash Smooth Modular and will match the original bricks (brick sample viewed by the Commission); the iron grills and railings will be repainted with the same color; and the Gooseneck lighting will also be seen from the west elevation.

The front facade facing W. Main Street will include the removal of the fabric awning over the main entry door, removal of the surface mounted conduit, paint removal, removal of the wood paneling on the west store front, and new gooseneck lighting. The west storefront will include a new wood frame, entry door with a ¾ glass lite and glass transom above the door (see sheet A201 and sheet A402). Two Baytree Lane gooseneck lights with an oil rubbed gold accent finish lights will be installed on the side of both storefronts. The iron grills and railings will be painted the same color as the west façade. The original second story windows will remain intact.

The Secretary of Interior Standards for the Treatment of Historic Properties state “identifying, retaining, and preserving storefronts and their functional and decorative features that are important in defining the overall historic character of the building is recommended. Protecting and maintaining wood, metals, such as cleaning, paint removal, and reapplication of protective coating systems is recommended”. The requested repairs/alterations achieve these recommendations as the contributing features referenced on the OHI form are being preserved. New paint installation on the wood storefronts and paint coating on the grills and railings further preserve the character defining features. The removal of the old residential access door and replacement with a simulated 6/6 lites double hung window restores the west elevation back to the original. The removal of the surface mounted conduit help identifies the character defining features.

Staff recommends approval of the application based on the findings that:

- The proposed alterations meet the Secretary of Interior Standards for the Treatment of Historic Properties;
- The alterations do not detract from the historic integrity of the building and streetscape; and
- The character defining features are being repaired and properly surface coated.

Discussion:

-In response to Mrs. Ehrlich, staff stated the ticket booth would remain. She noted that wording sounds like the ticket booth would be removed and replaced with something that looks like the ticket both. Staff commented that there would be a second phase submittal on this project to include the sign and the façade on the Prouty Plaza side.

-Mr. Kappers commented that if the ticket both is to be removed or replaced in a future phase, recognizing that is not part of this application, he would consider that to be a demolition, and that the Commission needs to be prepared to discuss that. Staff commented that would be an exterior alteration. Mr. Kappers did not agree with the interpretation and commented that the removal of the ticket booth would change the façade of the historical nature of the building. He recalled another application where an exterior stair and a later added shed were requested to be removed, with the Commission treating that as a demolition and the demolition process was followed.

-Mr. Titterington asked why the sign and ticket booth were not part of this application, especially as the Park Board has recommended approval of the easement on the Prouty Plaza side, with staff commenting that the applicant was still looking at the sign, which would be a roof mount, and that there would be a DRO application for the address due to the height with the addition of the sign.

-Mr. Titterington commented regarding the mural on the side of the building, stating that the community in Ukraine where the artist Aka Pereyma was from, has named 2022 the year of Aka Pereyma in recognition of her many contributions to the world of Art; and he understands the building owner is aware of this and that the mural is “iconic” and will not vary from the concept submitted that maintains the spirit of the mural and will maintain the mural. He commented that the roof sign varies from the code, but understands that decades ago there was a roof mounted sign and this would restore that historic significance.

-Mr. Kappers commented that with the easement recommended by the Park Board, there will be a 4’ fence that will cover the bottom of the mural, and that is similar to how current shrubs cover the bottom.

-Mr. Westmeyer commented that he applauds the owner for taking the time to consider options for the sign.

A motion was made by Mr. Westmeyer, seconded by Mayor Oda, to approve the application for 9 and 11 W. Main Street as submitted for all elements of the application, based on the exact materials and colors stated in the application, and based on the findings of staff that:

- The proposed alterations meet the Secretary of Interior Standards for the Treatment of Historic Properties;
 - The alterations do not detract from the historic integrity of the building and streetscape; and
 - The character defining features are being repaired and properly surface coated.
- MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION, 100 E. MAIN STREET FOR REPAIR/REPLACEMENT OF APPROXIMATELY 80 FEET OF THE TOP PARAPET OF THE FRONT FAÇADE FACING MAIN STREET; OWNER/APPLICANT: BOB CONARD. Staff reported: This application is being made as a part of the Revitalize Troy Façade Grant Program; the OHI form lists this property as a 2-story commercial building with a stone foundation, brick walls, and flat roof. Historic features include: corbelled and decorative brickwork on façade, brick piers separating bays, continuous stone sills and lintels, and some windows; the top 16 – 24 inches of brick masonry will be replaced as needed using the Belden Modular Golden Rod bricks; other brick is to be cleaned using the gentlest method possible and restored to match surrounding brickwork; the stone coping on the west wall has some spalling and will be repaired; the missing portions of stone lintels will be replaced with a new limestone lintel to match the existing; the Secretary of the Interiors Standards for the Treatment of Historic Properties state “Identifying, retaining, and preserving masonry features that are important in defining the overall historic character of the building (such as walls, brackets, railings, cornices, and columns) and decorative ornament details is recommended; additionally, “Cleaning soiled masonry with the gentlest method possible, such as using low-pressure water and detergent” and finally, “repairing or replacing only the deteriorated masonry is recommended;” the proposed request achieves these requirements as the proposed brick replacement is only on deteriorated brick, while preserving the contributing features listed on the OHI form; and staff recommends approval of the application based on the findings of staff that:

- The alterations follow the Secretary of the Interior Standards for the Treatment of Historic Properties; and
 - The contributing features that are currently missing or deteriorated are going to be replaced.

A motion was made by Mr. Titterington, seconded by Mrs. Ehrlich, to approve the application for 100 E. Main Street as submitted for all elements of the application, based on the exact materials and colors stated in the application, and based on the findings of staff that:

- The alterations follow the Secretary of the Interior Standards for the Treatment of Historic Properties; and
 - The contributing features that are currently missing or deteriorated are going to be replaced.
- MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION, 109 E. MAIN STREET FOR EXTERIOR REPAIR, REPLACEMENT OF SECOND AND THIRD FLOOR WINDOWS, TUCK-POINTING OF FRONT FAÇADE AND CLEANING AND TUCK-POINTING OF REAR FAÇADE; OWNER/APPLICANT: DOUG BOYLE. Staff reported: this request is being made as a part of the Revitalize Troy Façade Grant Program, is to replace 6 front and 6 rear windows and tuck pointing of rear façade; the OHI form lists this property as a 3-story commercial building with a stone foundation, brick walls, and shed roof. Historic features include 1/1 D. H. S. windows with incise metal caps (triangular on 2nd level and semi-circular on 3rd) with bracketed cornice on paneled frieze with finials; front windows have been altered from their historic nature, likely in the 1970s with the installation of storm windows; window replacement will include 1/1 DHS windows that will restore the windows to the original look of the contributing features as referenced in the OHI form; the rear windows are in bad shape, with many of them missing the window grills; replacement windows will be matched with the front 1/1 DHS windows. None of the features surrounding the windows or cornices will be altered; all existing colors will be matched; and staff recommends approval based on the findings that:

- The proposed work will not detract from the historic integrity of the building and streetscape as the original windows have been altered;
 - The decorative features surrounding the windows will not be altered.

A motion was made by Mr. Westmeyer, seconded by Mr. Titterington, to approve the application for 109 E. Main Street as submitted for all elements of the application, based on the exact materials stated in the application, with any colors to match those currently on the building, and based on the findings of staff that:

- The proposed work will not detract from the historic integrity of the building and streetscape as the original windows have been altered;
 - The decorative features surrounding the windows will not be altered.
- MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION, 205 E. FRANKLIN STREET FOR CONSTRUCTION OF AN ACCESS RAMP; OWNER: DONCIN INVESTMENT LLC; APPLICANT: MISSIONARY CHURCH CRISIS RELIEF. Staff reported: property is zoned OR-1, Office-Residential Zoning District; building was constructed in 1895; The Ohio Historic Inventory (OHI) form describes the building as a two-story, shingle style building with a rockface stone foundation; important features include: Queen Anne massing with shingle on second floor and novelty siding on the first, door on neo-classic revival porch with art glass sidelight, large semi-circular windows with semi-circular divisions in transom, sidelight and art glass in margin windows, left bay is circular on a circular veranda; the building is not on the National Register; the access ramp would be on the northwest entrance to the property connecting to the public right of way sidewalk; the access ramp will be constructed of treated lumber with spindles to give a decorative look; and staff recommends approval based on the findings that:

- The access ramp meets all ADA standards.
 - The access ramp does not detract from the historic integrity of the building or streetscape.

Discussion. Staff asked that the Commission include a condition that the wood be stained after the wood has cured, which could be from 6-12 months. Also discussed was that the stain would be a “brown/black” shade, but the applicant is to come back to the Commission for approval of the final stain.

A motion was made by Mayor Oda, seconded by Mr. Westmeyer, to approve the application for 205 E. Franklin Street as submitted, for the exact materials and colors as stated in the application, with the condition that the applicant present a final stain color to the Commission for approval within a year, which would allow time for the wood to cure; and based on the findings of staff that:

- The access ramp meets all ADA standards
 - The access ramp does not detract from the historic integrity of the building or streetscape.
- MOTION PASSED, UNANIMOUS VOTE

There being no further business, the meeting adjourned at 4:24 p.m. upon motion of Mr. Westmeyer, seconded by Mr. Titterington, and approved by unanimous voice vote.

Respectfully submitted,

_____Chairman

_____Secretary

