



AGENDA - TROY PLANNING COMMISSION MEETING
WEDNESDAY, JULY 12, 2023, 3:30 P.M.
CITY HALL, COUNCIL CHAMBERS

1. Roll Call
2. Minutes - June 28, 2023
3. Dedication of 0.847 acres of part of Inlot 11561 as Right-of-Way (along 2980 Fenner Road).
-Commission to provide a recommendation to Troy City Council
4. Other
5. Adjourn

Next Meeting -- July 26, 2023

Note to Commission members:

If you will not be attending, please email or call Sue.

A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall on Wednesday, June 28, 2023 at 3:30 p.m. with Chairman James A. McGarry presiding. ATTENDING: Members – Oda, Ehrlich, Westmeyer, McGarry and Titterington; Development Staff – Eidemiller and Bruner.

APPROVAL OF MINUTES: Upon motion of Mayor Oda, seconded by Mrs. Ehrlich, the minutes of the June 14, 2023 meeting were approved by unanimous voice vote.

HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 305 PUBLIC SQUARE 2ND FLOOR STE C, INSTALLATION OF A WINDOW SIGN. OWNER: STEVE SMITH; APPLICANT: MARCELLA T. MCHENRY. Staff reported: OHI form lists this property as an excellent example of vernacular, mid-Victorian commercial architecture; building is commonly known as the Dye Building; it is currently the home of The Caroline, on the first floor, and commercial office suites on the second floor; applicant requests a 4.2 square foot, 32 inches by 19 inches, window sign on the window along the Public Square side that is the entrance area to the second and third floors; the building is permitted to have a total of 25 square feet of signage; the Historic Preservation Overlay Design Manual 5.0 C. states: "Graphics and messages should be simple and clear avoiding phone numbers and web addresses."; staff recommends denial of the proposed sign, based on the finding that the proposed sign does not meet The Historic Preservation Overlay Design Manual section 5.0 C.

DISCUSSION. In response to Mr. Titterington, staff confirmed that since the standards have been adopted, the Commission has been consistent in approving signs that do not display web addresses or phone numbers.

In response to Mr. McGarry, staff commented that there could be a small incidental sign displaying hours of operation.

Mr. Westmeyer asked if staff had discussed using a QR code with the applicant, with staff advising that the applicant being consistent that the web address and phone was wanted on the sign. It was noted that the size allowed for a QR code is 6"x6".

MOTION. A motion was made by Mr. Titterington, seconded by Mr. Westmeyer, that the Commission approve the Certificate of Appropriateness for the application for 305 Public Square 2nd Floor Ste C, based on the material and color submitted in the application, but without the web address and the phone number being a part of the sign.

DISCUSSION FOLLOWING MOTION. Ms. McHenry, for the Pickrel, Schaefer & Ebeling, asked that the minutes reflect that the applicant requested approval of the sign application as submitted based on:

- The requested sign is in keeping with the character of nearby signs
- The requested sign is harmonious with the structure
- That suggesting the applicant use a QR code and not have a phone number or web address is regulating content
- The application should be considered as grand-fathered as the applicant signed a lease for the property in January, prior to the design manual being approved in February.

Ms. McHenry commented that based on the placement of the sign, a QR code would be too high on the window to be used and the message of the information is needed for pedestrian traffic.

In response to a question of the Commission, staff stated that the sign application was not submitted until May.

Trevor Lavy, representing the sign company, stated a QR code would be hard to be used, located high and on glass.

In response to Mr. McGarry regarding recourse of the applicant if the motion is approved, staff advised the applicant can remove the web address and phone number from the application to comply with the motion or appeal to the BZA.

VOTE ON MOTION: The motion was approved by unanimous roll call vote.

HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 210 W. MAIN STREET, REPAIR AND REPLACEMENT OF ROOF. OWNER: DC LEGACY LLC, STEVEN JUSTICE; APPLICANT: FRANK P. URWIN. Staff reported: OHI form lists this building, built in 1957, as a two-story stone and brick building in the traditional classically inspired bank design; applicant is proposing a complete tear off of the current roof, inspection and repair of damaged decking, and replacement of the roof material with 50mil Duro-Tuff Roofing System; the stone coping will also be covered with flashing in the color of Ash Gray, Stone White, or Sandstone; the contributing feature of the shallow cornice, as referenced in the OHI form, will not be altered during the repairs; the side coping that will be used will be minimally visible from the Public Right-of-Way and is consistent throughout the (HP-O) Historic Preservation Overlay District; Section 2.1 of the Design manual states: "Preservation of original architectural features and material are the first preference in rehabilitation. Such features and materials should be retained in place and/or repaired."; and staff recommends approval based on the findings that:

1. Repairs are using similar material as the existing roof.
2. The architectural features referenced in the OHI form will be maintained.

DISCUSSION. Staff advised that the applicant had selected Sandstone for the flashing color.

A motion was made by Mr. Westmeyer, seconded by Mrs. Ehrlich, that the Commission approve the Certificate of Appropriateness for 210 W. Main Street roof repair and replacement as submitted, based on the exact materials stated in the application, with Sandstone for the flashing color, and based on the findings of staff that:

1. Repairs are using similar material as the existing roof.
2. The architectural features referenced in the OHI form will be maintained.

MOTION PASSED, UNANIMOUS ROLL CALL VOTE

PROPOSED AMENDMENTS TO THE ZONING CODE RELATED TO SELF-STORAGE FACILITIES, SOLAR ENERGY SYSTEMS, AND MANUFACTURING TRAINING FACILITIES. Council had placed a moratorium on applications for new self-storage facilities so staff could review provisions and provide any suggested changes. The Commission had asked staff to consider amendments regarding solar energy systems following discussion on recent applications, particularly to minimize their impact and visibility from the public right-of-way and neighboring properties. Staff also reviewed provisions to M-2, conditional uses, related to manufacturing training facilities. Additional changes were proposed by staff to ensure consistency with adaptive land uses and accessory structures. Staff provided the report attached hereto and recommended approval of the Commission and recommendation to Council.

PUBLIC HEARING. A motion was made by Mr. Titterington, seconded by Mr. Westmeyer, that the Commission not hold a public hearing on the proposed Zoning Code Amendments, as a hearing will be held by Council.

MOTION PASSED UNANIMOUS ROLL CALL VOTE, COMMISSION WILL NOT HOLD A PUBLIC HEARING.

Staff then reviewed the recommendations in the memo.

DISCUSSION. The Mayor asked about definition of "architecturally pleasing" related to solar panels with staff commenting that allows some flexibility in the appearance.

RECOMMENDATION: A motion was made by Mr. Westmeyer, seconded by Mrs. Ehrlich, that the Commission recommends to Troy City Council the amendments to the various sections of the Zoning Code as proposed by staff related to self-storage facilities, solar energy, and manufacturing training facilities.

MOTION PASSED, UNANIMOUS ROLL CALL VOTE

There being no further business, the meeting adjourned at 4:00 p.m. upon motion of Mr. Westmeyer, seconded by Mayor Oda, and approved by unanimous voice vote.

Respectfully submitted,

Chairman

Secretary

TO: CITY OF TROY PLANNING COMMISSION

FROM: Jillian Rhoades, PE, City Engineer

DATE: JULY 12, 2023

SUBJECT: Dedication of right-of-way along 2980 Fenner Road

Attached is a copy of a plat for the dedication of right-of-way along the property of 2980 Fenner Road. The right-of-way to be dedicated is 0.847 acres of Part Inlot 11561. The replat is considered a minor subdivision and does not require Planning Commission approval. As Council will review the acceptance and dedication of the right-of-way and provided easements. This replat is for one parcel along Fenner Road totaling 5.009 acres of the total 28.75 acres

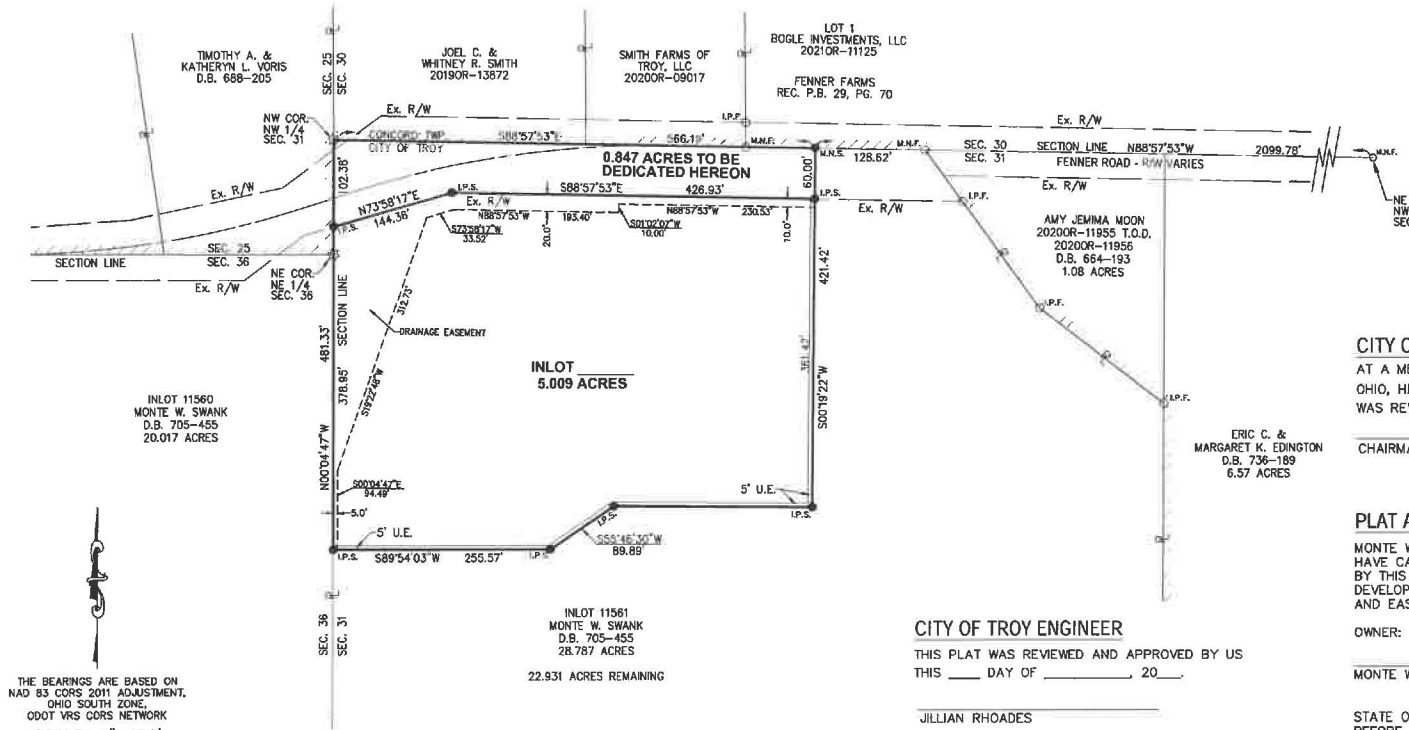
The recent annexation of this property and potential future development led to this request for additional right-of-way. The replat has been reviewed by the City Engineer and staff is requesting that Planning Commission make a positive recommendation to the City Council to dedicate 0.847 acres of Part Inlot 11561 as right-of-way.



SWANK DEVELOPMENT PLAT

VOLUME _____ PAGE _____
MIAMI COUNTY RECORDER'S RECORD OF PLATS

5 6 31
TOWN RANGE SECTION
5,856 CONCORD TROY MIAMI
ACRES TOWNSHIP CITY OHIO
COUNTY



FEE \$ _____
MIAMI COUNTY RECORDER BY DEPUTY RECORDER
MIAMI COUNTY AUDITOR
APPROVED AND TRANSFERRED _____, 20____
MIAMI COUNTY AUDITOR BY DEPUTY AUDITOR

CITY OF TROY PLANNING COMMISSION

AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF TROY, OHIO, HELD THIS _____ DAY OF _____, 20____, THIS PLAT WAS REVIEWED AND APPROVED.

CHAIRMAN SECRETARY

PLAT AUTHORIZATION AND DEDICATION

MONTE W. SWANK, THE OWNERS OF THE LAND INCLUDED WITHIN THIS PLAT HAVE CAUSED THE AREA LOCATED IN CONCORD TOWNSHIP, OHIO ENCOMPASSED BY THIS PLAT, TO BE SURVEYED, PLATTED, AND KNOWN AS SWANK DEVELOPMENT PLAT. FURTHERMORE, MONTE W. SWANK, DEDICATES THE STREETS AND EASEMENTS AS SHOWN ON THIS PLAT TO THE PUBLIC USE FOREVER.

OWNER: MONTE W. SWANK

MONTE W. SWANK

STATE OF OHIO, _____ COUNTY, SS
BEFORE ME, A NOTARY PUBLIC, IN AND FOR THE STATE OF OHIO, PERSONALLY APPEARED MONTE W. SWANK, WHO EXECUTED THE FOREGOING PLAT, WHO ACKNOWLEDGED THAT HE/SHE DID SIGN SUCH INSTRUMENT IS HIS FREE ACT AND DEED.

IN TESTIMONY WHEREOF, I MAY HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT _____, OHIO, THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

CITY OF TROY ENGINEER

THIS PLAT WAS REVIEWED AND APPROVED BY US
THIS _____ DAY OF _____, 20____.

JILLIAN RHOADES

CITY OF TROY COUNCIL

AT A MEETING OF THE COUNCIL OF THE CITY OF TROY, OHIO HELD THIS _____ DAY OF _____, 20____, THIS PLAT WAS APPROVED BY ORDINANCE NO. _____, EFFECTIVE _____, 20____.

MAYOR _____

PRESIDENT OF COUNCIL _____

CLERK OF COUNCIL _____

DESCRIPTION

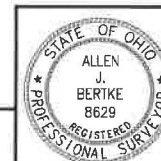
BEING A LOT SPLIT OF INLOT 11561 OWNED BY MONTE W. SWANK AS DESCRIBED IN DEED BOOK 705, PAGE 455.

SURVEY CERTIFICATION

I HEREBY CERTIFY THAT THIS REPLAT WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733-37.

ALLEN J. BERTKE, P.S. #8629

DATE _____



PREPARED BY:

ChoiceOne
Engineering

SHIRLEY, OHIO 937.497.0200
LOVELAND, OHIO 513.239.8354

www.CHOICEONEENGINEERING.com

DATE: 06-15-2023
DRAWN BY: RMF
JOB NUMBER: MIATRO2229
SHEET NUMBER 1 OF 1

LEGEND

- L.P.S. 5/8" X 30" REBAR W/CAP SET
- I.P.F. IRON PIN FOUND
- M.N.F. MAG NAIL SET
- M.N.F. MAG NAIL FOUND
- ★ STONE FOUND
- ▨ EXISTING CORP. LIMITS

SURVEY REFERENCE
LAND SURVEY 12, PG. 175
LAND SURVEY 27, PG. 173
LAND SURVEY 42, PG. 26
LAND SURVEY 43, PG. 149
LAND SURVEY 43, PG. 150
LAND SURVEY 45, PG. 144
LAND SURVEY 81, PG. 58
REC. P.B. 14, PG. 68
REC. P.B. 20, PG. 135-135A
REC. P.B. 21, PG. 9-9A
REC. P.B. 22, PG. 72
REC. P.B. 23, PG. 74
REC. P.B. 24, PG. 38
REC. P.B. 25, PG. 25
REC. P.B. 30, PG. 29

DRAINAGE

THE CITY OF TROY DOES NOT ACCEPT ANY PRIVATE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. THE CITY OF TROY IS NOT OBLIGATED TO MAINTAIN OR REPAIR ANY CHANNELS OR INSTALLATIONS IN SAID EASEMENTS. THE OWNER OF THE LOT SHALL MAINTAIN THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT CONTINUOUSLY. MAINTENANCE OF ALL IMPROVEMENTS WITHIN THE PRIVATE DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE LOT AS PROVIDED FOR IN THE DECLARATION AND IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE CITY OF TROY ON FILE WITH THE CITY ENGINEER. WITHIN THE EASEMENT AREA, NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR CHANGE THE DIRECTION OF THE WATER FLOW.

THE CITY OF TROY SHALL HAVE THE PERMANENT AND IRREVOCABLE RIGHT AND AUTHORITY TO INSPECT SUCH INTERIOR STREETS, ACCESS EASEMENTS, WATERWAYS, COMMON SPACES AND IMPROVEMENTS THEREON AS ARE DEVELOPED IN THIS SUBDIVISION.

THE CITY OF TROY SHALL HAVE THE RIGHT, BUT NOT THE RESPONSIBILITY, TO ENTER UPON ANY LOT IN THE SUBDIVISION TO INSPECT AND MONITOR ANY STORM WATER DETENTION BASIN AREA OR DRAINAGE FACILITIES CONSTRUCTED IN THE SUBDIVISION. IN THE EVENT THAT THE FACILITIES ARE NOT PROPERLY CONSTRUCTED OR MAINTAINED, UPON THE FAILURE OF THE DEVELOPER, LOT OWNER, OR THE ASSOCIATION TO TAKE CORRECTIVE ACTION AFTER BEING DULY NOTIFIED IN WRITING BY THE CITY, THE CITY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION TO TAKE WHATEVER ACTION IS NECESSARY TO CORRECT ANY IMPROPER CONSTRUCTION OR TO MAINTAIN STORM WATER DETENTION BASINS AREAS AND DRAINAGE FACILITIES; PROVIDED, HOWEVER, THAT THE DEVELOPER, LOT OWNER, AND/OR ASSOCIATION SHALL FIRST HAVE A REASONABLE PERIOD OF TIME, TAKING INTO ACCOUNT THE URGENCY OF THE MATTER, TO TAKE CORRECTIVE ACTION, ANY COST INCURRED BY THE CITY OF TROY FOR SUCH MAINTENANCE MAY BE ASSESSED TO THE ASSOCIATION OR, IF THERE IS NO ASSOCIATION, OR THE ASSOCIATION HAS CEASED TO EXIST, AGAINST INDIVIDUAL LOT OWNER. THESE RESTRICTIONS SHALL RUN WITH THE LAND, AND SHALL BIND THE OWNERS, SUCCESSORS, AND ASSIGNS UNLESS AND UNTIL A MODIFICATION IS AGREED TO AND APPROVED BY THE COUNCIL OF THE CITY OF TROY.