

A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall on Wednesday, January 11, 2023 at 3:30 p.m. with Chairman Alan Kappers presiding. ATTENDING: Members – Kappers, Wolke, Ehrlich, Oda, Westmeyer, McGarry and Titterington; Development Staff – Eidemiller, Russell, Bruner; and Development Director Davis.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN: Upon motion of Mr. Wolke, seconded by Mrs. Ehrlich, by unanimous vote Mr. Kappers was re-elected Chairman and Mr. McGarry was re-elected Vice-Chairman for 2023.

APPROVAL OF MINUTES: Upon motion of Mr. Titterington, seconded by Mayor Oda, the minutes of the December 14, 2022 meeting were approved by unanimous roll call vote.

DR-O APPLICATION, 702 W. FRANKLIN STREET, ROBERT WIDULE APPLICANT/PROPERTY OWNER: Staff advised that the applicant had verbally requested this application remain tabled. Mr. Kappers commented that in accordance with the applicant's request, this item will remain tabled.

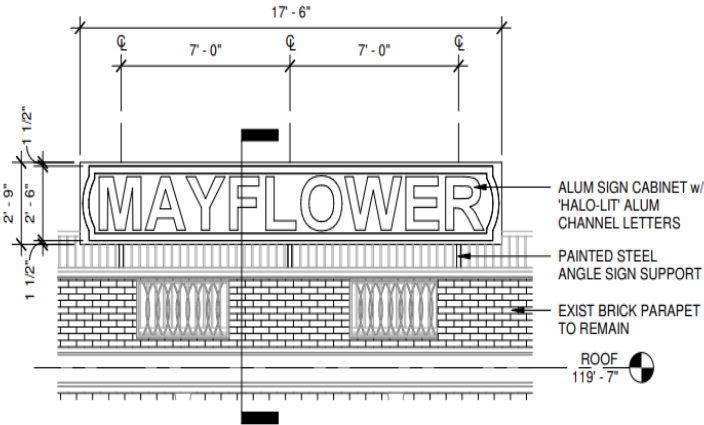
DOWNTOWN/RIVERFRONT OVERLAY (DR-O) DISTRICT APPLICATION FOR 9 – 11 W. MAIN STREET - FIRST READING:

OWNER: WESLEY MARTIN; APPLICANT: ANDREW CIRCLE. Staff reported:

"The applicant Andrew Circle on behalf of the owner Wesley Martin, is requesting the Planning Commission to review a proposed roof sign using the Downtown/ Riverfront Overlay District. The property is located in the B-3 Central District.

DISCUSSION:

The proposal is to permit 17.5' x 2.5' roof sign at the building located 9-11 W. Main Street. The sign will be used to identify the building itself, not the tenants or businesses. In the 1920's through the 1930's the Mayflower had a sign with similar proportions, sizes, and fonts with exposed neon tubing. The sign will have a halo lighting component that will light up the background of the sign. The light will not shine directly through the individual letters.



Below in **red** identifies the variation or compliance with Sign Code 749.11 (I):

(I) Roof Signs. Roof signs, shall be in accordance with the following provisions:

- (1) Integration within Roof Design. Roof signs shall be designed as an integral or essentially integral part of a normal roof structure and shall not extend vertically above the highest portion of the roof. **The submitted sign does not meet this requirement. The sign will extend above the roofline of the building.**
- (2) The sign area of roof signs shall be counted towards the maximum sign area allowed for building signs. **The application will meet this requirement.**

As stated in section 1143.25(q)(1)(c) 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 the 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.

Utilizing the criteria intended to justify a DR-O application; you will find the proposed project will have a minimal effect on the surrounding district while recreating the historic sign that was present in the 1920's and 30's. Additionally, the proposed application meets item 12., 14., and 17 above. The proposed sign will further improve the aesthetic character of the district, while adding dimension and characteristics to the public square that currently exist. The MKSK Troy Downtown Riverfront Strategic Development Study 2-5 Year goal is to recruit and attract amenities and anchors. The submitted application meets this requirement as a significant contributing building to the historic district is the Mayflower building. By permitting this sign, the sign will further act as an amenity that is brought back to life that hasn't existed since the 30's. "

This application was received at the prior meeting, with no action taken at that meeting in lieu of the public hearing scheduled for this meeting.

PUBLIC HEARING: At 3:32 p.m., Mr. Kappers declared open the public hearing on the Downtown/Riverfront Overlay (DR-O) Application for 9-11 W. Main Street. There were no comments at this meeting, and at 3:33 p.m., Mr. Kappers declared this public hearing closed.

DISCUSSION: In response to Mr. Titterington, staff confirmed that the proposed sign would be "halo-lit", and there are other signs with this type of lighting in the Historic District.

MOTION: A motion was made by Mr. Wolke, seconded by Mrs. Ehrlich, that the Troy Planning Commission has reviewed the application to apply the Downtown/Riverfront Overlay District to the property located at 9-11 W. Main Street; that the Commission finds that the criteria under which the Planning Commission shall review said applications, as set forth in Section 1143.25(q) (1) (c) of the Zoning Code, is met by this application and, therefore, the Troy Planning Commission formally recommends that the application to apply the Downtown/Riverfront Overlay District to the property of 9-11 W. Main Street be approved.

MOTION PASSED, UNANIMOUS VOTE

HALIFAX ESTATES SUBDIVISION, MINOR AMENDMENT TO THE APPROVED PRELIMINARY PLAN, OWNER/APPLICANT HALIFAX LAND COMPANY, LLC BY FRANK D. HARLOW. This subdivision is located east of Piqua-Troy Road and north of Troy-Urbana Road; the minor amendment is to remove the Frog Court cul-de-sac with the refiguration of the six lots that had been on the cul-de-sac based on the original preliminary plan into two lots. In responses to Mr. Titterington, staff advised that this change will have the wetland area where the cul-de-sac would have been.

A motion was made by Mayor Oda, seconded by Mr. Westmeyer, to approve the minor amendment to the Preliminary Plan of the Halifax Estates Subdivision, as submitted and recommended by staff.

MOTION PASSED, UNANIMOUS VOTE

HALIFAX ESTATES SUBDIVISION SECTION 6, FINAL PLAT APPROVAL AND DEDICATION OF RIGHT-OF-WAY, OWNER/APPLICANT HALIFAX LAND COMPANY, LLC BY FRANK D. HARLOW. This subdivision is located east of Piqua-Troy Road and north of Troy-Urbana Road. Staff reported: the final plat conforms to the amended Preliminary Plan. Details include:

- Section 6 consists of 11.164 acres;
- There will be seven building lots on 9.969 acres;
- Includes dedication of 1.195 acres of right-of-way (Lacewood Court and to the center line of DeWeese Road);
- The zoning is R-1, Single-Family Residence District, with a minimum lot size of 40,000 square feet, with actual lot sizes ranging from 55,626 square feet to 78,364 square feet;
- Fees-in-lieu of dedicated green space have been accepted for this development and are being collected with each new housing permit;
- Staff recommends approval with the condition that the final plat is not forwarded to Council until the escrow agreement has been completed by the developer.

A motion was made by Mrs. Ehrlich, seconded by Mayor Oda, to recommend to Council that the Final Plat of the Halifax Estates Subdivision Section 6 and the dedication of right-of-way be approved as submitted and recommended by staff, subject to the Final Plat recommendation not forwarded for Council consideration until there is an escrow agreement filed by the developer and approved by staff.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 11 E. MAIN STREET FOR INSTALLATION OF AN AWNING; OWNER – ADM REAL ESTATE HOLDINGS, LLC; APPLICANT – SAMANTHA NEWELL, KESSLER SIGN COMPANY. Staff reported: Zoning is B-3 Central Business District; OHI form describes this as a three-story brick commercial building in High Victorian Italianate style built by John Wasserman in 1880; building had a major roof collapse in 2007 followed by an extensive renovation; building is on the National Register; application is for a sunbrella black fabric awning with a sign; awning measures 69" x 48" (23 square feet); it will be anchored with ¼" KWIK bolt expansion anchors and will project from the building 12"; the slight projection will align with the neighboring Sweeney Todd Salon awning; the business name will be above the awning; awning will not cover the decorative storefront columns; and staff recommends approval based on the findings of staff that:

- The proposed signage will not detract from the historic integrity of the building; and
- The proposed awning, including colors, are suitable with the surrounding character of the Historic District.

A motion was made by Mr. Titterington, seconded by Mr. Westmeyer, to approve the Certificate of Appropriateness for the awning application for 11 E. Main Street as submitted, including the exact materials/color/size, and based on the findings of staff that:

- The proposed signage will not detract from the historic integrity of the building; and
- The proposed awning, including colors, are suitable with the surrounding character of the Historic District.

MOTION PASSED, UNANIMOUS VOTE

DESIGN STANDARDS: Staff provided members with a copy of the updated Historic Preservation Overlay Design Manual, based on comments that had been received. Discussion included:

- Including information regarding QR codes to be on signage, to preclude requests for phone numbers, websites on signage, with the Commission requesting staff to provide some samples of how the code may appear if on existing signs, so the Commission can consider how much area a QR code could be allowed to take up. Some members indicated it should be small.
- Wording regarding the purpose of the manual, to clarify if the purpose is to be an absolute or a guideline and if a guideline, how broad.
- Wording about window replacement, as the manual talks about only replacing windows that are broken/damaged, as a property owner will likely take a position of replacing all, even those not broken/damaged, for aesthetic purposes.

Mr. Kappers asked that the Commission review the newest draft, note comments, and be prepared to discuss the document at the next meeting.

There being no further business, the meeting adjourned at 3:51 p.m. upon motion of Mayor Oda, seconded by Mr. Westmeyer, and approved by unanimous voice vote.

Respectfully submitted,

Chairman

Secretary