

A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall on Wednesday, May 10, 2023 at 3:30 p.m. with Chairman Alan Kappers presiding. ATTENDING: Members – Oda, Kappers, Westmeyer, McGarry and Titterington; Development Staff – Eidemiller, Long, Bruner, and Development Director Davis.

APPROVAL OF MINUTES: Upon motion of Mr. McGarry, seconded by Mr. Westmeyer, the minutes of the April 26, 2023 meeting were approved by unanimous roll call vote.

HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 9 W. MAIN STREET, SIGNAGE; OWNER - BUSTED BRICK REALTY GROUP; APPLICANT: A M SCOTT DISTILLERY, LLC DBA PROVISIONS CO. The staff report noted: property is zoned Central Business District; the OHI form lists this property as 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; the property is listed on the National Register of Historic Places; the Commission previously approved the installation of a new roof sign using the Downtown Riverfront Overlay (DR-O) in November 2022; the sign above The Mayflower entrance will be included in a future, separate application; applicant proposes installation of new signage above the entry doorway, the transom window and entry door of the western entryway of the south façade of the building; this entryway faces West Main Street; lettering above the doorway will read "Provisions Co." measuring 115 inches by 6.75 inches and will be stand-off acrylic bronze; the transom window signage will be the number "9", measuring 8.7 inches by 13 inches and will be made of white vinyl; lettering on the entry door will read "Provisions Co." measuring 21.6 inches by 4.9 inches and will also be white vinyl; the Design Manual section 5.4 states "wall signs should be three dimensional, with letters carved by a router, or; letters should be individually pin-mounted or incorporated into a sign panel"; the proposed signage meets section 5.4 of the Design Manual; and staff recommends approval based on the findings that the signage complies with section 5.4 of the Design Manual.

A motion was made by Mr. Titterington, seconded by Mayor Oda, to approve the Historic District Application Certificate of Appropriateness for 9 W. Main Street as submitted, for the exact materials, colors and sizes as stated in the application, and based on the findings of staff that the signage complies with section 5.4 of the Design Manual.

MOTION PASSED, UNANIMOUS ROLL CALL VOTE

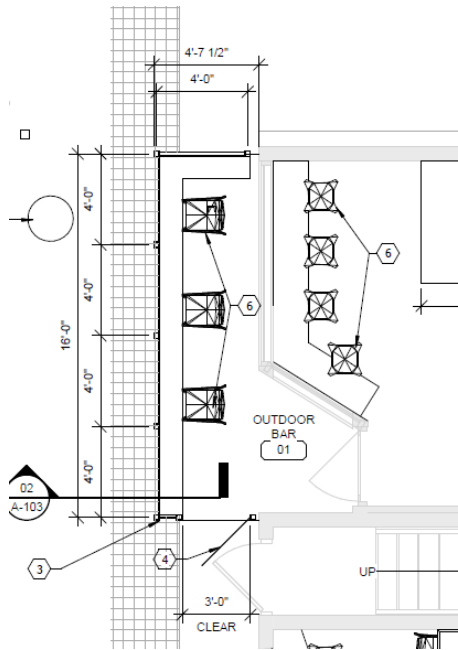
HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 110-112 E. MAIN STREET, ALTERATIONS OF THE STOREFRONTS, PAINT, OUTDOOR SEATING AND SIGNAGE; OWNER: KIMMELL OHIO LLC; APPLICANT: PUREBRED COFFEE CO. BY NOAH WALKUP. The staff report noted: the applicant has received authorization from the property owner to make this request; zoning is B-3, Central Business District; the OHI form identifies a two-story commercial block building with 15 bays across the front with multiple storefronts. Contributing features include Corbelled and decorative brickwork on the façade, brick piers separating the bays, continuous stone lintels; alterations include some windows and a 1-story addition at the rear;

On November 9, 2022, the Commission approved new storefront windows, paint, and second story window replacements; this request is a continuation of those alterations; and the applicant is proposing exterior alteration of the storefronts, paint, signage and outdoor seating.

Storefronts and paint. First, the applicant is proposing to paint the existing wood sign backer black that previously had the Carolina Moon signage on it. The applicant is proposing to continue the wood sign backer from the 112 E. Main storefront to the 110 E. Main storefront. It is important to note that both storefronts have been altered from the original storefront. The 110 E. Main Storefront is currently made of corrugated plastic as the sign backer boards.

Signage. Next, the applicant is proposing to add an individual pin mounted lettering spelling out bakery to match the coffee sign previously approved by the Planning Commission. The lettering will be grey in color and will be 2' x 10.79' (21.5 square feet). This will be the same size as the Coffee sign at the 110 E. Main Storefront.

Outdoor Seating. The applicant is proposing a 4' x 16' outdoor seating area in front of the 112 E Main storefront. There will be six (6') feet of unobstructed walkway maintained as required per Troy Codified Ordinance 717.07. The railing will be made of metal and will have a bar top. There will be three seats that are placed at the bar top. Please see below design graphics:



Design Manual. The Design Manual 2.15 states that “piers, columns, pilasters that separate a storefront into distinctive bays shall be preserved. The size of the storefront opening shall not be reduced”. The original columns on the 112 E. Main Street storefront are being maintained. The 110 E Main Street storefront has been altered with a plastic covering. The applicant is investigating removing the plastic on the column on the 110 E. Main Storefront that separates the two storefronts to identify if a restoration is possible. If not, the plastic covering will be replaced over the column. It is also important to note that the original entry door to the upstairs apartments will be maintained.

Staff recommends approval of the proposed alterations and signage based on the following:

- The contributing features as referenced on the OHI form are being maintained;
- The signage meets the Design Manual and otherwise does not detract from the historic integrity of the streetscape;
- The paint color for the sign backer was permitted on the November 9th meeting.

DISCUSSION: Mr. Kappers commented that there needs to be sufficient available walkway of 6’ that will allow for two persons to walk side by side. Staff advised that there will be more than 6’ of walking space available after the outdoor seating is placed. Staff stated that the outdoor seating will not be enclosed by a fence.

A motion was made by Mr. Westmeyer, seconded by Mayor Oda, to approve the Historic District Application, Certificate of Appropriateness, for 110-112 E. Main Street as submitted, for all elements of the application, based on the exact dimensions, materials, sizes and colors as stated in the application, and based on the finding of staff that:

- The contributing features as referenced on the OHI form are being maintained;
- The signage meets the Design Manual and otherwise does not detract from the historic integrity of the streetscape;
- The paint color for the sign backer was permitted on the November 9th meeting.

MOTION PASSED, UNANIMOUS ROLL CALL VOTE

HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 5 S. MARKET STREET, REPLACEMENT OF SECOND

FLOOR WINDOWS; OWNER/APPLICANT: STEMELCAR, LLC, STEVE SMITH. The staff report noted: the property is zoned B-3, Central Business District and is listed on the National Register of Historic Places; built and constructed by W.H.H. Dye in 1871, the Ohio Historic Inventory form lists this property as a three-story brick, commercial building; structure is of Italianate Commercial style, with commercial store front on the first floor; second floor with tall 1 over 1 double hung sash, the third floor having a 20-foot-tall ballroom indicated from the outside with the 11 foot 9 over 9 double hung sash windows; on July 25, 2018, the Commission unanimously approved the request to replace 20 third floor windows with a Windsor Window, Pinnacle Clad Direct Glaze Rectangle with 2" simulated checkrail and 7/8" tall putty SDL 3W3H above and below, measuring at 138 3/8" by 32 1/4" in the color of "Sandstone"; on June 8, 2022, the Commission approved ten first floor replacement windows with the same manufacturing and design as the third-floor windows; Planning Staff did note that while the request did not meet the Secretary of Interior Standards for the Treatment of Historic Properties, however, the Planning Commission previously approved 20 third floor replacement windows and the proposed windows match the third and first floor windows. Staff further noted regarding this application: these 2nd floor windows would have the same manufacturing and design as the previously approved third floor windows; proposed window design is the Mueller Roofing Distributors "Pinnacle Clad Sandstone 7/8" Standard WDL with Inner Bar; while this application does not follow the Secretary of Interior Guidelines, Planning Commission previously approved matching windows on the third-floor and the first-floor of this building; this would balance the second-floor windows with the previously approved third and first floor windows; the windows will maintain the double hung functionality of the original windows; the muntins and inner bar will be on the exterior of the window and will maintain those characteristics of the original windows; and staff recommends approval of the twenty (20) second-floor windows as the windows will match the design of the first and third-floor windows.

In response to a question, staff stated the replacement windows come close to mirroring the original windows.

A motion was made by Mr. Titterington, seconded by Mr. Westmeyer, to approve the Historic District Application, Certificate of Appropriateness, for the window replacement on the second floor of 5 S. Market Street as submitted, based on the exact window manufacturer, style, color, and dimensions as stated in the application, and based on the finding of staff that the second floor window replacement will match the windows approved for the first and third floors.

MOTION PASSED, UNANIMOUS ROLL CALL VOTE

HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 405 PUBLIC SQUARE SW & 2 – 6 W. MAIN STREET, REPLACEMENT OF THIRD FLOOR WINDOWS (WORK STARTED WITHOUT APPLICATION SUBMITTED); OWNER/APPLICANT: HEATHER DAVEY. The staff report noted:

"Heather Davey, owner, is requesting approval from the Planning Commission to review a window replacement of the third-floor windows for the property located at 405 Public Square SW / 2-6 W. Main Street. The property is located in the B-3, Central Business District.

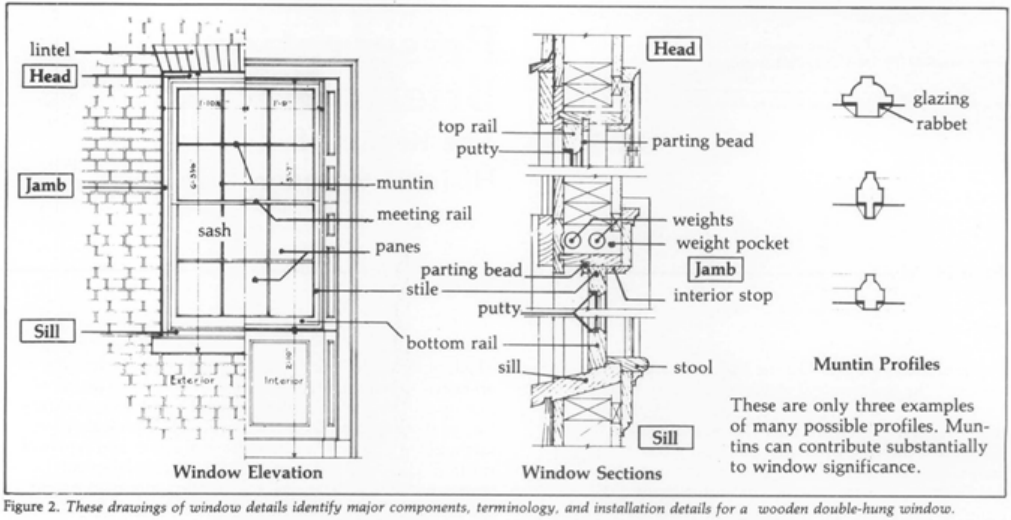
The Ohio Historic Inventory form (attached) lists this property as a three-story brick, commercial building. The structure is of High Victorian Italianate style. The contributing features include the east storefront, overhanging eaves and cornice brackets, hood molds, and 4/4 windows.

On April 18, 2023, City staff identified windows being replaced that did not receive a Certificate of Appropriateness (COA) from the Planning Commission or Planning Staff. A stop work order was issued. A total of five (5) windows have been replaced on the public square side of the property. The owner then applied for a COA for the window replacement.

DISCUSSION:

The applicant is requesting approval for the five (5) window replacements already on the public square side of the building and four (4) windows on the front façade facing W. Main Street. The original windows were wood 4 x 4 double hung windows and referenced as contributing features on the Ohio Historic Inventory Form.

The applicant is requesting to use Pella 250 Series, Direct Set, Fixed Frame windows as the replacement windows. The proposed windows are single pane that do not have a meeting rail. The muntins are also located inside of the window pane. The color will be white. Please see below diagram; Identifying window terminology from the Secretary of the Interior Preservation Brief #9:

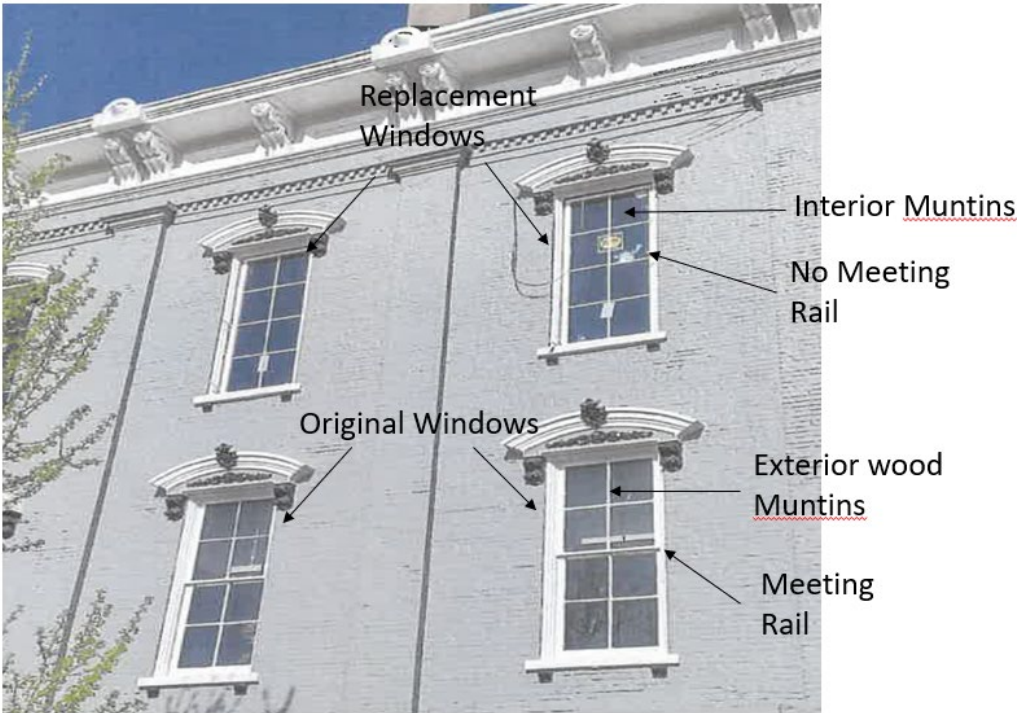


Referencing Historic Preservation Brief No.9 from the US Secretary of the Interior's Standards for Historic Properties, The Repair of Historic Wooden Windows; "Windows are an important aspect to the architectural design and character of any building. From their craftsmanship, design and other qualities make them worthy of preservation."

Repairing or rehabbing rather than replacement is the preferred method for most window treatments. Most millwork firms can duplicate parts which can be incorporated into the existing window. Replacement of certain portions, patching, or splicing maybe more appropriate. With replacement, the contribution of the window should be taken into consideration. The pattern of the openings and their size; proportions of the frame and sash; configuration of the window panes; muntin profile and size; types of wood or material; paint color; characteristics of the glazing, and any other associated details.

The Secretary of the Interior's Standards for the Treatment of Historic Properties is very specific in not recommending changes to the appearance of windows that contribute to the historic character of a historic building. This would include replacing materials, finishes, or colors which would noticeably change the sash, depth of reveal and muntin configuration; the reflectivity and color of the glazing or appearance of the frame is not recommended.

The City of Troy Design Manual States: "Replacement windows should match the appearance of the historic originals in number of panes, dimensions of sash members, and profile of sash members and muntins. Windows should simulate the operating characteristics of the originals." Please see below visual differences in the replacement windows: "



Staff recommended the application be denied based on the findings of:

1. The proposed windows do not comply with the Secretary of Interior Standards for the Treatment of Historic Properties.
2. The window appearance and overall historic character is being altered. The replacement windows are not double hung, rather single pane, the muntins are located inside the pane, further altering the character defining feature as referenced on the Ohio Historic Inventory form.
3. The windows will not be consistent with other windows on the building. If the windows were to proceed forward, three different window characteristics will be present on the building.
4. No evidence was provided of the condition of the original windows or any methods of review of other alternatives of the window replacement of which does not comply with the Design Manual.

DISCUSSION.

-Mr. Kappers noted that the Commission received correspondence from the Troy Historic Preservation Alliance (attached to the original minutes).

-Mr. Titterington asked staff to confirm that in this application, the proposed windows do not replicate or match the original windows. Staff advised that is true as the proposed windows have muntins inside the window pane, there is a different glaze that appears shiny, and the windows do not have a meeting rail, although the applicant has proposed something to have the appearance of a meeting rail.

-The applicant, Heather Davey, 1640 Surrey Road, was present, provided a statement, and stated she did not understand that an application had to be submitted in advance in this case; the old windows were removed and are destroyed and cannot be reused; she had made a considerable investment in the new windows of approximately \$15,000; she is willing to attach a piece of material to the outside of the windows that will give the illusion of being double hung; and other buildings in the historic district have had windows replacements that do not match the original. Ms. Davey said that if she does make a modification to the new windows to give the illusion of being double hung, that modification will void the manufacturers' warranty. She stated she saw this as "maintenance"; the initial windows were allowing moisture to enter; she thought the ones placed were close replicas; and other widows in the downtown did not replicate original windows. Mrs. Davey stated she hoped to preserve the investment, and commented that the area where the windows were replaced will provide office space.

-Mr. Kappers asked staff if someone was looking at the windows from the public square, would they see the difference, to which staff replied "yes". It was further commented that the proposed windows will not appear to match what has been installed in the 405 Public Square Building. Staff also stated that a meeting rail is important to the appearance. Staff indicated that if the applicant could come back with a window that had the appearance of the original meeting rail, that could make a difference in the recommendation. Staff discussed the different window appearances of the building.

-Mr. McGarry stated he applauded Ms. Davey's efforts in maintaining buildings downtown; that he questions the energy efficiency of double hung windows; internal muntins can solve a problem of glass pulling away from wood; and he questions making a modification for appearances if that voids a warranty.

-Mayor Oda asked if there is an intent to have all windows be the same. Ms. Davey said that is a goal, but cost prohibitive to do all at once, and she chose to replace these as the worse, and it seems that windows were replaced in the past that did not try to replicate the original.

-Mr. Titterington noted that the guidelines have been recently adopted and should be followed as much as possible; there is nothing that indicates every attempt was made to follow the guidelines for this project; this is not the first historic district application of the applicant; what has been installed is not close to replicating the old windows; any financial investment without an application approved was at the risk of the property owner and he will not take that into account when voting; and he does not think the illusion of a railing will solve the issue.

-Mr. Kappers stated he has heard two things – internal vs. external muntins being an issue, as well as double hung vs. single pane; he commented that the muntins do not bother him too much. Mr. Kappers asked about the windows on the Dye Building. Staff advised that the third floor were single hung and the first and second floor double hung to replace double hung windows. Regarding the City Hall windows, referenced by Ms. Davey, it was commented that such project was done many years ago.

-Mayor Oda stated she understands the guidelines; she also thinks that had these windows been available when the building was built, they would not have had exterior muntins and might not have been double hung; and when the City is asking property owners to maintain old buildings, it seems there should be some way to get around this. She agrees the windows look pretty good, and thinks that double hung windows could be a moisture issue and questions why require something that could hurt the building.

-Mr. Westmeyer asked if the company makes double hung windows for this size of windows. Ms. Davey replied "yes", and further commented she did not expect issues with not using double hung windows, but she now understands it is a huge difference. She said she was going with something that looked similar and was energy efficient, and was less costly. Ms. Davey said the windows that were removed were destroyed in the process. She confirmed the windows installed cannot be returned for a credit. Mr. Westmeyer did commend Ms. Davey on working to maintain the properties she owns.

-Mr. Titterington commented that the windows removed would not have been destroyed if the applicant had gone through the process of submitting an application and waiting for approval, and the comment of the windows used being cheaper may indicate the lack of concern for the historic district and appearance of the building. He stated that the cost of the windows used and that they cannot be replaced will not weigh on his decision.

A motion was made by Mr. Kappers to approve the Historic District Application Certificate of Appropriateness for 405 Public Sq. SW and 2 – 6 W. Main Street, replacement of third floor windows, as submitted, based on the exact color, materials, and manufacturer as submitted.

MOTION FAILED FOR LACK OF A SECOND

There being no further business, the meeting adjourned at 4:04 p.m. upon motion of Mr. Titterington, seconded by Mr. Westmeyer, and approved by unanimous voice vote.

Respectfully submitted,

_____Chairman

_____Secretary