



AGENDA - TROY PLANNING COMMISSION MEETING
WEDNESDAY, FEBRUARY 28, 2024, 3:30 P.M.
CITY HALL, COUNCIL CHAMBERS

1. Roll Call
2. Minutes - January 24, 2024
3. Historic District Application - Certificate of Appropriateness, 112-118 W. Main Street, for a new roof
Owner - Troy Historic Preservation Alliance (THPA)
Applicant - The MT Studio, LLC, by Mike Twiss
-Commission to make decision
4. Historic District Application - Certificate of Appropriateness, 2 S. Market Street, for installation of a temporary banner for the Total Solar Eclipse
Owner - Heather & Rob Davey
Applicant - Troy Main Street
-Commission to make decision
5. Proposed amendments to the Zoning Code, the Downtown Riverfront Overlay (DR-O) District
-Commission to determine whether or not to hold a Public Hearing
-Commission to make recommendation to Troy City Council
6. Other
7. Adjourn

Next Meeting -- March 13, 2024

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, January 24, 2024 at 3:30 p.m. with Chairman James McGarry presiding. ATTENDING: Members – McGarry, Oda, Ehrlich, Wolke, and Titterington; Development Staff – Long, Eidemiller, and Bruner; and Development Director Davis.

APPROVAL OF MINUTES: Upon motion of Mr. Titterington, seconded by Mrs. Ehrlich, the minutes of the January 10, 2024, meeting were approved by unanimous voice vote.

HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 224 – 226 S. MARKET STREET; OWNER – INNISFREE ENTERPRISES, LLC.; APPLICANT – KEVIN BEHR, BUILDING SIGN APPLICATION.

The staff report noted that the property was constructed in 1929 and is not on the National Historic Register; multi-tenant building is permitted 100 square feet of signage; this application is for a 21" x 18" or 2.6 square foot sign and is within the allowed square footage; 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"; proposed signage meets section 5.4 of the Design Manual; and staff recommends approval based on the findings of:

- The proposed sign will meet the City of Troy Sign Code requirements,
- The proposed sign complies with section 5.4 of the Design Manual.

DISCUSSION. Staff confirmed that the proposed sign is the exact same dimensions as a prior sign that had been at the same location.

A motion was made by Mayor Oda, seconded by Mr. Wolke to approve the Certificate of Appropriateness for 224 – 226 S. Market Street as submitted, based on the exact materials and colors 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 complies with section 5.4 of the Design Manual.

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

PRELIMINARY PLAN APPLICATION, LIBERTY MEADOWS SUBDIVISION; LOCATED ALONG TROY-URBANA ROAD, EAST OF HUNTERS RIDGE DRIVE; OWNER – LIBERTY LOT SALES, LLC.; APPLICANT – CHOICE ONE ENGINEERING. The staff report noted: the subdivision consists of parcels R50-042214, R50-005100, R50-004800, R50-042216, and R50-042214, an area of 86.275 acres; zoning is R-3-B Single Family Residential (minimum lot size of 12,000 square feet) per O-27-2021; this is a resubmission of the preliminary plan from 2021; that preliminary plan has expired and is required to go back through the subdivision process; the preliminary plan is the first step of the approval process; should the proposed subdivision move forward, a Final Plat will follow to create the lots and to dedicate the streets and public utilities; the subdivision will be built in eight sections; detailed engineering drawings will be required to be submitted for review and approval by the Development and Engineering staff; and the Final Plat of each section will be reviewed by Planning Commission for a recommendation to Council for the final approval; regarding the preliminary plan. The staff report further noted:

"Uses & Layout: The proposed subdivision, which consists entirely of single-family homes, encompasses 86.275 acres and includes 179 buildable lots that range from .2755 acres to .674 acres and will be developed in an eight-phases. The first phase will create 31 lots and the second phase will create 18 lots.

Roadways: Access to this development will be provided by three separate points. The North access point off of Troy Urbana Road will serve as the main entrance to the proposed subdivision. The remaining access points, located to the west of the proposed development, connects to existing roads named Wyatt Road and Lee Road. The internal roadway system consists of four cul-de-sacs (Trump Court, Patriot Court, Freedom Way Court, & Constitution Court) which stem off the main road named Liberty Bell Way and a horseshoe road that also connects to the existing Wyatt Road and Lee Road. The City Engineer and Assistant Fire Chief have reviewed the street layout and have indicated they have no issues with the proposal.

Utilities: This development will be served by city water and sewer lines. The plan seeks to mitigate storm water control by utilizing two retention areas located in the northwest and southwest portion of the development. Maintenance of storm water control facilities (including drainage swales) will be the responsibility of the Homeowners Association.

Parkland: The developer is not proposing to provide any parkland within the subdivision and received a unanimous positive recommendation from the Park Board in 2021 to pay fees-in-lieu-of parkland, instead of providing the required 3% (2.58 acres) as required by the Subdivision Regulations.

Easements: A landscape easement has been provided along Troy-Urbana Road to prevent properties from having direct access. A storm sewer & drainage easement is proposed along the middle of the development for a drainage swale. Easement areas are the responsibility of the Homeowners Association.

Housing Values: The applicant has estimated the costs of the single-family homes to be valued around \$350,000 to \$450,000."

Staff recommended approval of the preliminary plan as it is in accordance with the Zoning Code, Subdivision Regulations, and other engineering standards. Staff also noted that the next Park Board agenda will include a determination as to the Board continuing to request fees-in-lieu of dedicated park land.

DISCUSSION. For the record, Mr. Titterington commented that he had been contacted by the 1st Ward Councilmember who expressed concern that this development included fees-in-lieu and would not have dedicated public green space, especially as Campbell Park is part of an approved MOU to transfer certain park land to the Troy City Schools. Mr. Titterington also noted that the consultants working on the Comprehensive Plan update had noted that Troy has an abundance of park land/green space City-wide. He also commented that the Superintendent of Schools had indicated that the schools will look at replicating something similar to Campbell Park in any redevelopment of the Cookson School area so that there will be park land; and Mr. Titterington noted that there is private green space within the Ward.

-Mayor Oda stated that Lee Road transitions into Wyatt Road, resulting in Lee Road running both North-South and East-West, and suggested that a portion of Lee Road have a different name before becoming Wyatt Road. Mr. Titterington commented that the City's highest priority is for roads to continue into new developments and not end in a long cul-de-sac or have the north-south portion have another name before Wyatt Road starting. The City Engineer indicated she did not see this as an issue and it is important for road names to continue to help assure safety departments can find an address without difficulty or delays. Mr. Wolke stated he lives on a road that turns a corner and then continues with the same name and that has not been confusing. Mr. McGarry noted the confusion with a roadway in Montgomery County changes names multiple times.

A motion was made by Mr. Titterington, seconded by Mr. Wolke, that the Troy Planning Commission approves the preliminary plan for the Liberty Meadows Subdivision as submitted as it is in compliance with the Zoning Code, Subdivision Regulations, and other engineering standards, subject to the Board of Park Commissioners continuing to recommend that fees-in-lieu of green space be required for the Subdivision.

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

There being no further business, the meeting adjourned at 3:45 p.m. upon motion of Mrs. Ehrlich, seconded by Mayor Oda, and approved by unanimous voice vote.

Respectfully submitted,

Chairman

Secretary

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning & Zoning Manager

DATE: February 28, 2024

SUBJECT: Certificate of Appropriateness – 112-118 W. Main Street

PROPOSAL:

A request by Mike Twiss on behalf of the owner, Ben Sutherly with the Troy Historic Preservation Alliance to review a roof installation at the property located at 112-118 W. Main Street. The property is located in the B-3 Central Business District.

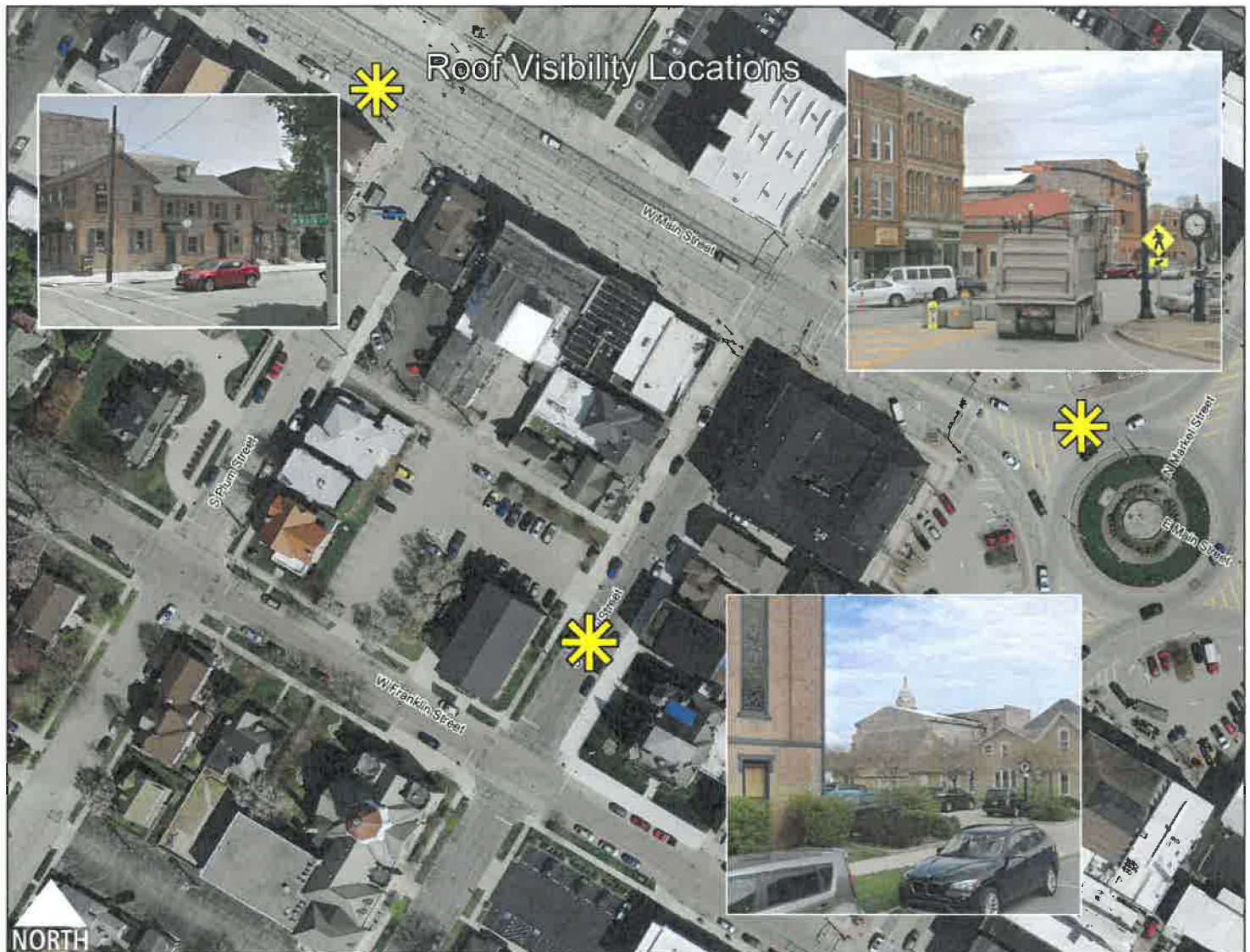
The applicant is proposing to install a Matte Black standing seam metal roof on the 1841 building and the 1902 addition. Gutters are proposed in the same location as the existing gutters. The gutters will be Matte Black to match the standing seam roof. The Ohio Historic Inventory (OHI) for does not reference the roof as a character defying feature.

DISCUSSION:

Design Manual. Section 2.10 Roofs, Gutters, and Downspout states the following:

- A. Re-roofing a building that currently has asphalt shingles should be simple in design.
- B. Avoid staggered-butt or other shingle patterns that try to create an older look.
- C. If a building does not have gutters and downspouts and is to have them installed, design and color should be compatible with the design and color of the building.
- D. On existing structures, avoid roofline additions such as dormers, skylights, or penthouses. However, these features may be appropriate on a new addition. If such elements are proposed, they should be placed toward the rear or along a rear slope where visibility is minimal. Skylights should be flat and low in profile.

Staff Analysis. The existing roofs have a rubber membrane on the 1902 and the 1840s portion of the building with a temporary roofing material on the southwest corner of the 1840s portion of the building. Section 2.10 A. and B. reference keeping the roof replacement simple in design, and avoid staggered-butt or other shingle patterns that try to create an older look. While the intent of the Design Manual is that asphalt shingles is proposed, metal roof achieves the simple in design component. Next, the gutters and downspouts color and design will be compatible with the building and structure a minimally visible from Main Street. Finally, when reviewing the locations visible from the streets surrounding the building, the roof will be minimally visible from both Main Street, S. Cherry Street, and Plum street due to the height of the building. Please see below graphic that identifies the visibility locations of the roof on the 1840's portion of the building:



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 same.

RECOMMENDATION:

Staff recommends approval of the roof installation, based on the following:

- The colors will compliment neighboring properties; and
- The roof and gutters comply with the Design Manual section 2.10.

20240054



Troy Development Department
102 S. Market St.
Troy, OH 45373
937.339.9481

CITY OF TROY PLANNING COMMISSION
APPLICATION FOR HISTORICAL TROY ARCHITECTURAL DISTRICT

Date 1/19/24

Applicant Michael D Twiss Telephone No. 937-980-9362

Troy Historic Preservation Alliance

Owner of Property Ben Sutherly Has the Owner been Notified? Yes

Address of Project 112 W Main St

Contact Address (if different than Project Address) 226 S Market St

The MT Studio, LLC

Name of Architect/Engineer and/or Contractor Michael D Twiss

Application for renovation to include the following:

☐

Alteration

☐

Construction

☐

Moving A Building

☐

Painting

☒

Repair

☐

Demolish - Principal Structure

☐

Demolish - Accessory Structure

☐

Other:

Will the work require use of the public right of way? (Blocking of sidewalk, parking spaces, etc?) ☐ Yes ☒ No

*If yes, a use of public space application is required

ONE (1) COPY OF INFORMATION TO BE SUPPLIED BY APPLICANT:

- (a) Site Plan drawn to scale shall be provided showing structure in question & its relationship to adjacent structures.
- (b) Description of proposed use, if different than existing use.
- (c) Plans illustrating the proposed structural or exterior changes, including changes in parking facilities, landscaping, screening, fences, signs and other relevant structures and fixtures, and relationship to surrounding structures.
- (d) Description and samples of materials proposed to be used in the project.
- (e) Paint samples for painting applications.
- (f) Any other photographs or illustrative visual aids and/or materials relevant to the project.
- (g) A written letter from the owner acknowledging the application, or a printed signature from the property owner on this form.
- (h) Application fee: \$25.00

*The Planning Commission meets on the second and fourth Wednesday of every month. Completed applications are due a minimum of two weeks prior to the requested meeting date.

SIGNATURE OF APPLICANT:

Michael D Twiss

SIGNATURE OF PROPERTY OWNER:

Ben Sutherly

PRINTED NAME OF PROPERTY OWNER:

Ben Sutherly

OFFICE USE ONLY:

DATE FILED: _____

CASE #: _____

DATE OF MEETING: _____

102 South Market Street, Troy, OH 45373-7303

Make it yours



MIG-7 CONTINUOUS GUTTER

Commercial Grade Gutter



OVERVIEW

PRODUCT: Mig-7 gutter system is a heavy-duty commercial grade gutter system. The profile is a rectangular style (SMACNA Style D) commercial design.

APPLICATION: : Commercial or industrial applications. For both steep sloped and flat roof systems.

ATTACHMENT: Mig-7 gutter is to be installed with 16 ga. galvanized steel hangers at 24" o.c. for straight-back and 36" o.c. for flange-back.

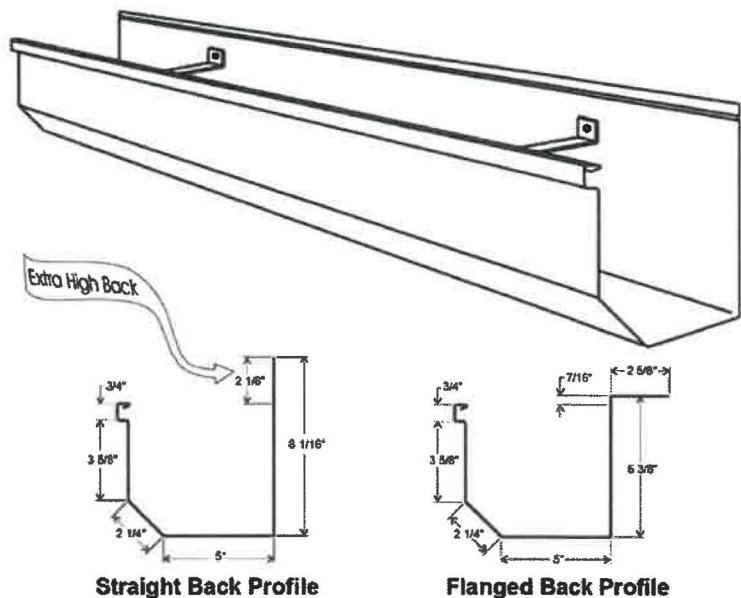
LENGTHS: Gutter sections are factory formed in lengths up to 53'-0" long.

MATERIALS: Mig-7 gutter is available in heavy duty 24 ga. steel, 22 ga. steel, .040" aluminum, 20 oz. copper.

KYNAR 500 FINISH: Standard material finish is premium fluoropolymer coatings produced with full strength Kynar 500 or Hylar 500 resin. Full strength Kynar 500 or Hylar 500 finishes carry a 20-year guarantee against cracking, peeling, and fade (not to exceed 5 N.B.S. units). These are the highest exterior grade finishes available

DIAGRAM

Materials Available
24 Ga. Steel
22 Ga. Steel
.040" Aluminum
20 oz. Copper



*Aluminum & Copper available in limited quantities, please call for further availability

PRODUCT FEATURES

- Commercial grade roll-formed gutters
- Kynar 500 finish
- Available in any length up to 53'
- Easy to install, 16 gauge hidden hanger
- Ability to match color/material of standing seam metal roof system

MP-175 PANEL

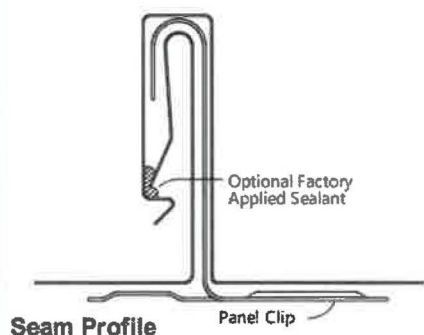
Standing Seam Series



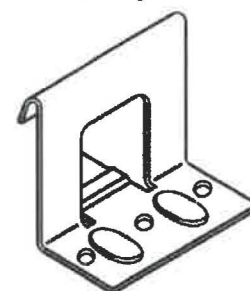
OVERVIEW

The MP-175 Panel is one of the industry's most popular panel profile options. The snap lock seam provides to the installer a faster installation without compromising seam integrity and strength. This is due to the modest seam height and anti-siphoning design unlike that of other snap seam designs

DIAGRAMS



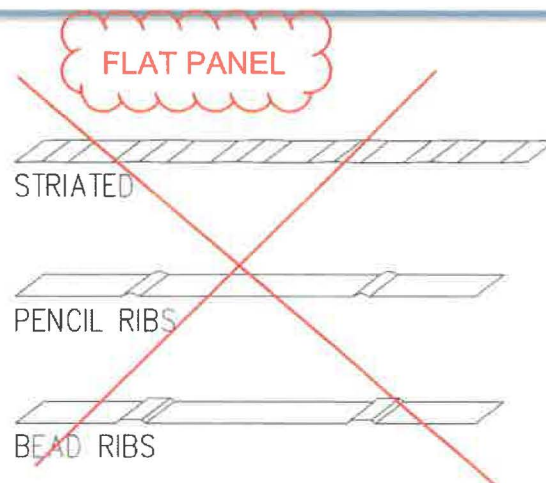
Panel Clip



MP-175 Standard Clip
(MP175SC)

MATERIAL	STANDARD WIDTHS	OPTIONAL WIDTHS
24 ga. Steel	18"	12", 14", 15", 16"
22 ga. Steel	18"	14", 15", 16"
.040" Aluminum	18"	12", 16"
.032" Aluminum	18"	12", 16"
20 oz. Copper	14"	12", 18"

*Aluminum & Copper available in limited quantities, please call for further availability



PRODUCT FEATURES

- Architectural (solid substrate) or structural (open framing) applications
- Integral snap-lock design provides continuous interlock at sidelap
- Installation on roof slopes as low as 3:12
- Installation on vertical walls and fascia systems
- Continuous panel lengths
- Jobsite fabrication available
- ASTM E-1680-95 air infiltration tested
- ASTM E-1646-95 water penetration tested
- ASTM E-1592 structural performance tested
- UL90 uplift resistance classified assemblies
- 35 year finish warranty
- Surface patterns include smooth, striated, pencil ribs, and bead ribs

MP-200 PANEL

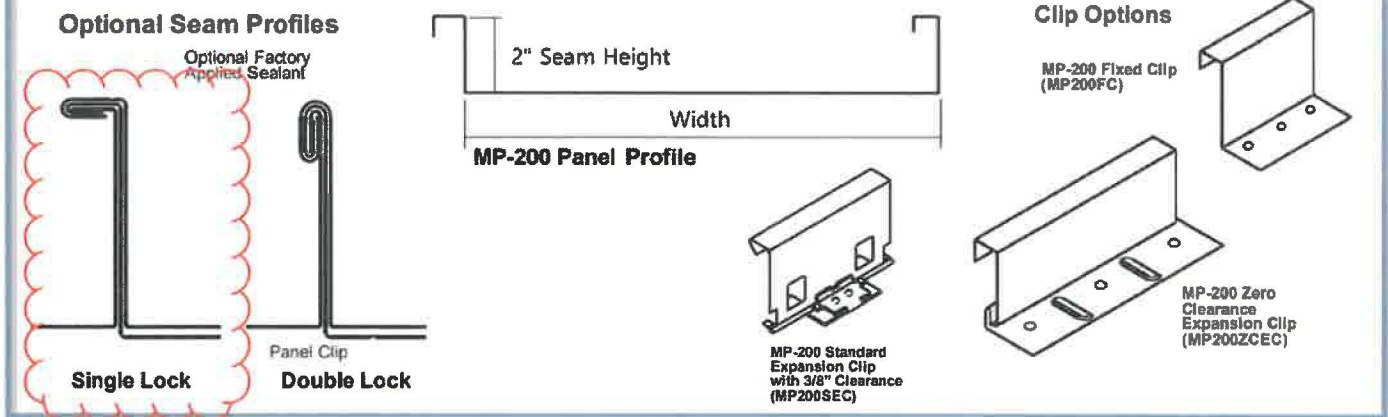
Standing Seam Series



OVERVIEW

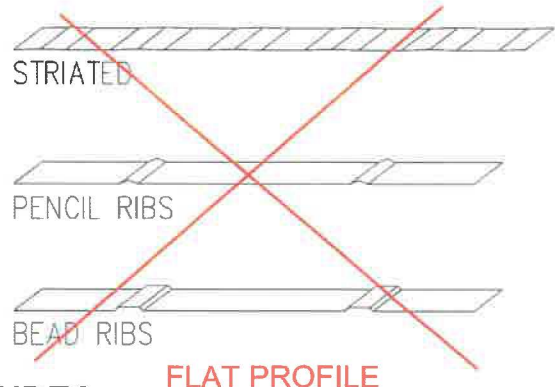
The MP-200 Panel is the preferred panel for low sloped and/or structural applications. This panel has been designed and tested to meet the most demanding of performance requirements. Superior wind uplift resistance can be achieved with the double lock seam profile.

DIAGRAMS



MATERIAL	STANDARD WIDTHS	OPTIONAL WIDTHS
24 ga. Steel	18"	12", 14", 15", 16"
22 ga. Steel	18"	12", 14", 15", 16"
.032" Aluminum	18"	
.040" Aluminum	18"	

*Aluminum & Copper available in limited quantities, please call for further availability

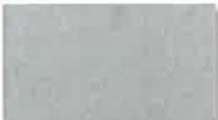


PRODUCT FEATURES

- Architectural (solid substrate) or structural (open framing) applications
- Mechanically seamed sidelap with option of single or double lock
- Optional in-seam sealant available on slopes less than 3:12
- Panels can be installed on slopes as low as 1/2:12
- Concealed clip (fixed or floating)
- ASTM E-1680-95 air infiltration tested
- ASTM E-1646-95 water penetration tested
- ASTM E-1592 structural performance tested
- UL 90 uplift resistance classified assembly
- Surface patterns include smooth, striated, pencil ribs, and bead ribs

24 & 26 Gauge Colors

* Premium Color ✓ 26 GA not in-stock

				
Deep Black SR .27 SRI 25	Matte Black SR .27 SRI 25	Charcoal Gray SR .25 SRI 23	Musket Gray SR .35 SRI 35	Slate Gray SR .38 SRI 38
				
Ash Gray SR .50 SRI 56	Almond SR .61 SRI 72	Bright White ✓ SR .68 SRI 81	Bone White SR .68 SRI 81	Stone White ✓ SR .66 SRI 77
				
Cityscape ✓ SR .45 SRI 51	Extra DK Bronze ✓ SR N/A SRI N/A	Sandstone SR .60 SRI 69	Sierra Tan SR .46 SRI 50	Medium Bronze SR .31 SRI 31
				
Mansard Brown SR .26 SRI 25	Burnished Slate SR .25 SRI 33	Dark Bronze SR .28 SRI 27	Hartford Green SR .27 SRI 25	Classic Green SR .31 SRI 30
				
Hemlock Green ✓ SR .31 SRI 31	Teal ✓ SR .28 SRI 27	Slate Blue SR .33 SRI 33	Royal Blue SR .27 SRI 26	Regal Red SR .39 SRI 41
				
Colonial Red SR .33 SRI 35	Burgundy SR .27 SRI 26	Terra Cotta SR .42 SRI 45	Aged Copper * ✓ SR .27 SRI 26	Vintage * SR .30 SRI 22
				
Western Rust * ✓ SR .24 SRI 23	Copper Penny * SR .44 SRI 48	Weathered Zinc * ✓ SR .38 SRI 41	Silver * ✓ SR .56 SRI 63	Champagne * ✓ SR .47 SRI 51
				
Acrylic Coated Galvalume SR N/A SRI N/A				

24 GA | PVDF color offerings
26 GA | SMP color offerings

Additional standard and custom colors are available with minimum order requirements

35-year PVDF/SMP warranty covers performance criteria including color-fastness, fade, chalk, and film integrity.

Colors shown represent the actual colors as accurately as modern printing technology will permit.

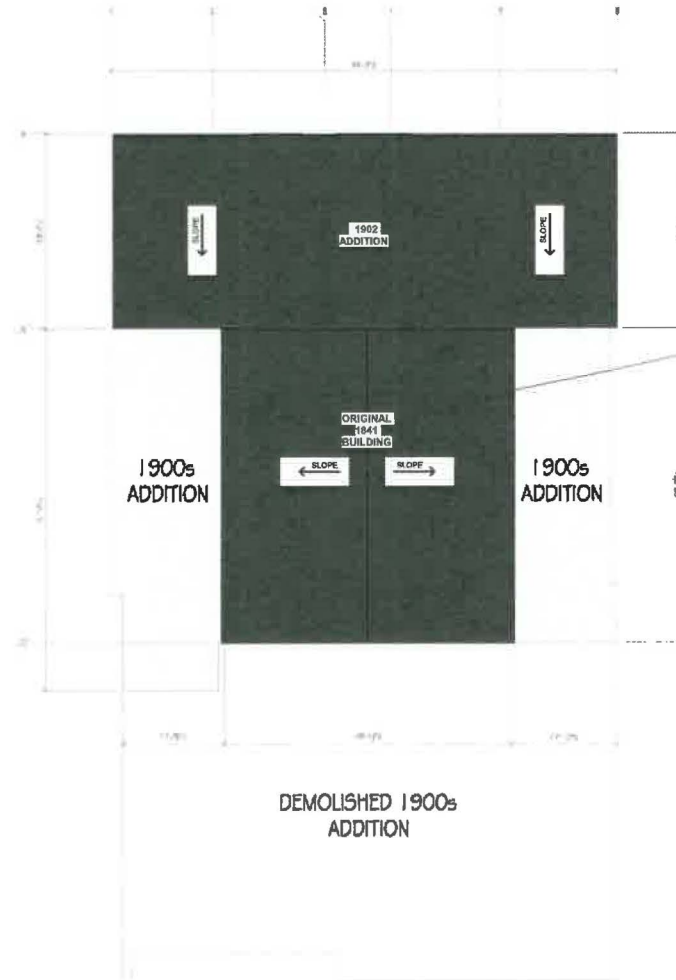
Solar Reflectivity (SR): Solar reflectivity or reflectance is the measure of a material's ability to reflect solar energy or sunlight from its surface. SR values are numbered 0 to 1.0. A value of 0 indicates that the surface absorbs all solar energy and a value of 1.0 indicates total reflectance.

Solar Reflectance Index (SRI): The SRI is used to determine compliance with LEED requirements and is calculated according to ASTM E 1980 using values for reflectance and emissivity. To meet LEED requirements, a roofing material must have an SRI of 29 or greater for steep slope roofing and an SRI value of 78 or higher for low slope roofing.

Oil canning is an inherent part of light gauge cold-formed metal products and is not cause for coil, sheet or panel rejection.

Protective film must be removed during installation.

Coated with Dura Coat Durapon 70% full strength PVDF paint finishes formulated with Cool technology.



METAL PANEL SYSTEMS
 STANDING SEAM ROOF, COLOR
 TO BE MATTE BLACK



Dear Planning Commission Members,

I hope this letter finds you well. I am writing to you on behalf of Troy Main Street, with an exciting proposal to enhance the aesthetics and excitement surrounding the upcoming total solar eclipse event in our beautiful, historic downtown Troy.

As you may be aware, a total solar eclipse is an awe-inspiring celestial event that captures the imagination of people worldwide. It presents a unique opportunity for us to celebrate science and wonder. To commemorate this rare occurrence, we propose the creation of a temporary solar eclipse themed mural at 2 S. Market St. located in downtown Troy's SW quadrant under the staircase. This mural would be of the rough size of 10 ft. tall by 17 ft. wide.

We believe that such a mural would not only add to the visual appeal of our cityscape for this event but also serve as a focal point for residents and visitors alike to gather and appreciate the significance of this once-in-a-lifetime occurrence for Miami County. Additionally, it would contribute to the cultural vibrancy of our community and showcase Troy's commitment to embracing art, science, and community engagement.

The proposed mural would be displayed between Monday, March 11th, and Friday, April 12th, coinciding with the lead-up to the solar eclipse event. We are confident that this timeframe would allow ample opportunity for the artwork to be appreciated by a wide audience and contribute to the overall excitement surrounding the eclipse.

Troy Main Street understands and respects that there may be logistical considerations and approval processes involved in such a project, and we are committed to working closely with the Planning Commission to address any concerns and ensure a smooth implementation.

In conclusion, we believe that a solar eclipse themed mural at 2 S. Market St. would be a wonderful addition to our city's landscape and a fitting tribute to this extraordinary celestial event. We sincerely hope that the Planning Commission will consider our proposal favorably and we look forward to the opportunity to discuss this further.

Thank you for your time and consideration.

Warm regards,

Kennedy Goubeaux
Executive Director
Troy Main Street

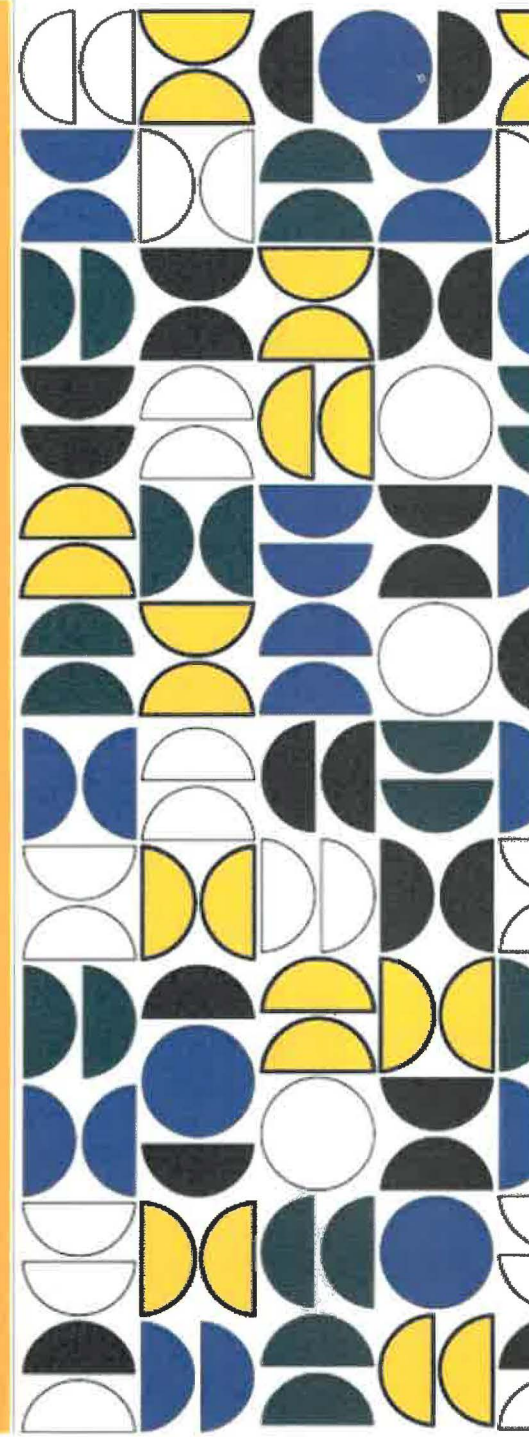


TROY

Total Solar Eclipse

DOWNTOWN TROY, OHIO

APRIL 8, 2024



Proposed Mural Location



MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning & Zoning Manager

DATE: February 28, 2024

SUBJECT: Changes to the Zoning Code.

BACKGROUND:

City Council adopted a moratorium on specific uses in the Downtown Riverfront Overlay (DR-O) as per O-44-2023 to allow staff to perform analysis on the uses in the DR-O. The DR-O encompasses twelve (12) zoning districts; the PD Planned Development District, Wellhead Operation District, A-R Agricultural Residential District, R-5 Single Family Residential District, the R-6 Two Family Residential District, the R-7 Multiple Family Residential District, OR-1 Office Residence District, OC-1 Office Commercial District, B-1 Local Retail District, B-2 General Business District, B-3 Central Business District, and the M-2 Light Industrial District.

PROPOSAL:

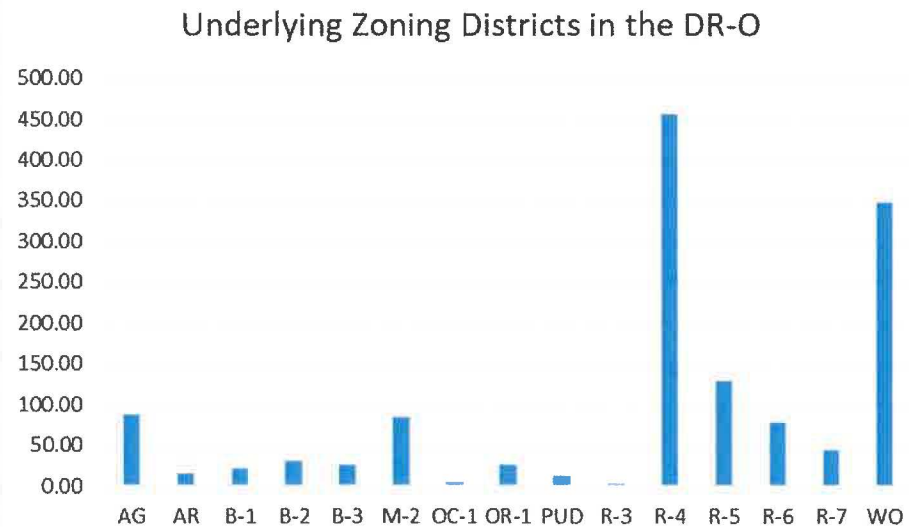
Staff Analysis: When analyzing the twelve (12) zoning districts as a whole, it was determined that there are undesirable uses that are currently permitted by right in the DR-O. The B-1 Local Retail District and the B-2 General Business District represent only 3.8% or about 52.58 acres of the entire acreage of the DR-O and reflect one of the main business support areas to the downtown. The intent of the DR-O is intended to permit alteration and adaptive reuse of existing buildings, and redevelopment of vacant lands, in accordance with a coordinated plan which can be designed with greater flexibility, and consequently, more creative and imaginative redevelopment of this closely built and oldest area of Troy. Many of the permitted uses in the underlying districts do not support the stated intent of the DR-O. Additionally, these uses do not meet today's design standards of the Historic Preservation Overlay as well as safe maneuverability of vehicles per the Construction Standards.

Alteration #1: Changes to 1143.13, 1143.14, and 1143.18

Planning Staff are proposing to add an additional permitted uses list for properties that are located in the DR-O with the underlying zoning of B-1 Local Retail District, B-2, General Business District, and the M-2 Light Industrial District. Additionally, Staff is proposing to modify the B-3 Central Business District permitted uses. Please see Exhibit A for a principally permitted uses table for a comparison of the existing and proposed uses in the DR-O.

These proposed changes would not affect the majority of the districts that represent the DR-O with no changes being proposed in the residential districts that make up 52% or about 711.5 acres of the DR-O. A full breakdown of the Zoning District acreage in the DR-O can be seen below:

Zoning Districts	Acreage
AG	87.67
AR	14.79
B-1	21.48
B-2	31.17
B-3	25.45
M-2	85.11
OC-1	4.67
OR-1	25.81
PUD	11.96
R-3	3.16
R-4	456.68
R-5	129.00
R-6	78.61
R-7	43.93
WO	348.29
Grand Total	1367.75



The B-1 District has about 21.48 acres in the DR-O. Outside the DR-O, the B-1 District has an additional 13.75 acres located outside of the DR-O. The B-2 district has about 31.17 acres inside the DR-O with about 333 acres located outside the DR-O. The M-2 District has 85.11 acres inside the DR-O with an additional 1,544 acres located outside of the DR-O.

Alteration #2: Changes to 1143.15 (b) Principal Permitted Uses

Planning Staff is proposing to remove the following uses from the B-3 Central Business District:

1. Automobile accessories – retail sales, including incidental installation.
2. Dry cleaning and laundromats.
3. Electrical appliance repair.
4. Nursing homes.
5. Paint, glass and wallpaper – retail sales.
6. Railroad Stations – Passenger
7. Repair Part – Retail Sales
8. Rescue Missions
9. Rooming Houses

Staff Analysis: Many of the above listed uses are not clearly defined by section 1133.02 Definitions of the Zoning Code and are similar to other listed permitted uses in the district. Please see exhibit B for a full list of permitted uses in the B-3 Central Business District.

RECOMMENDATION: Staff Recommends that the Planning Commission provide a positive recommendation to City Council for the proposed Zoning Code Changes as a result of the analysis of undesirable uses in the DR-O.

Exhibit A

Current B-1 Permitted Uses	Proposed B-1 Permitted Uses in the DR-O	Current B-2 Permitted Uses	Proposed B-2 Permitted Uses in the DR-O	Current M-2 Permitted Uses	Proposed M-2 Permitted Uses in the DR-O
Accountant's office.	Accountant's office.	Accountant's office.	Accountant's office.	Agricultural implement sales and service.	Bakeries – wholesale sales.
Apparel stores – retail stores.	Apparel stores – retail stores.	Agricultural implement sales and service.	Apparel stores – retail sales.	Agricultural uses.	Beverage distributors and bottling plants.
Architect's office.	Architect's office.	Apparel stores – retail sales.	Architect's office.	Auction sales.	Carpentry shops.
Art and school supplies – retail sales.	Art and school supplies – retail sales.	Architect's office.	Art and school supplies – retail sales.	Automobile fuel dispensing station.	Cash advance businesses.
Art galleries and museums.	Art galleries and museums.	Art and school supplies – retail sales.	Art galleries and museums.	Automobile parking garages.	Dry cleaning – commercial.
Artist, sculptor and composer studios.	Artist, sculptor and composer studios.	Art galleries and museums.	Artist, sculptor and composer studios.	Automobile parking lots.	Garden stores.
Attorney's office.	Attorney's office.	Artist, sculptor and composer studios.	Attorney's office.	Automobile repair garages – including body work.	Government buildings, structures, or premises used exclusively be federal, state, county, township, or municipal governments for public purposes, but not including work shops, warehouse, or open material storage.
Automobile fuel dispensing station.	Automobile parking garages.	Attorney's office.	Auction sales.	Bakeries – wholesale sales.	Government buildings, structures, or premises used exclusively by federal, state, county, township or municipal governments for public purposes, provided open storage areas are screened.
Automobile parking garages.	Automobile parking lots.	Auction sales.	Automobile parking garages.	Beverage distributors and bottling plants.	Heating, A/C, electric and plumbing sales, service and repair.
Automobile parking lots.	Banks and financial institutions.	Automobiles accessories – retail sales, including incidental installation.	Automobile parking lots.	Bone, canvas, cellophane, clay, cloth, cork, feathers, felt – manufacturing, assembling, compounding, or treatment (or any combination of these processes).	Manufacturing, assembling or repair of medical, dental, optical and similar precision instruments or appliances.
Banks and financial institutions.	Barber and beauty shops.	Automobile fuel dispensing station.	Bakeries – retail sales.	Building material sales and storage facilities.	Manufacturing training facility.
Barber and beauty shops.	Bed and Breakfast.	Automobile parking garages.	Banks and financial institutions.	Carpentry shops.	Medical and dental laboratories.
Bed and Breakfast.	Bicycle sale, rental and repair.	Automobile parking lots.	Barber and beauty schools.	Cash advance businesses.	Musical instruments – manufacturing, assembling or repair.
Bicycle sale, rental and repair.	Books – retail sales.	Automobile repair garages – no body work.	Barber and beauty shops.	Cement block and formed products manufacturing.	Pool Halls.
Books – retail sales.	Business, civic, fraternal association and labor meeting rooms.	Automobile service stations.	Bicycle sale, rental and repair.	Cold storage plants.	Private clubs.
Business, civic, fraternal association and labor meeting rooms.	Cameras and photo supplies – retail sales.	Automobile Wash.	Blueprinting, photocopying, photo finishing services.	Commercial greenhouses and nurseries.	Public utility.
Cameras and photo supplies – retail sales.	Candy and confectionery – retail sales.	Bakeries – retail sales.	Books – retail sales.	Contractor sales, storage and equipment yards.	Railroad stations, depots, train yards, classification yards and team tracks.
Candy and confectionery – retail sales.	Child day – care centers.	Banks and financial institutions.	Bowling lanes.	Crematoriums (pet and human).	Research and engineering laboratories.
Child day – care centers.	Churches, chapels, temples, synagogues.	Barber and beauty schools.	Business, civic, fraternal association and labor meeting rooms.	Dairy and food product processing and packaging.	Sales offices and service centers.
Churches, chapels, temples, synagogues.	Cigars, cigarettes, tobacco – retail sales.	Barber and beauty shops.	Business and technical schools.	Driver training schools (trucks).	Sign painting and manufacture.
Cigars, cigarettes, tobacco – retail sales.	Drug stores – retail sales.	Bicycle sale, rental and repair.	Cabinet shops.	Dry cleaning – commercial.	Watches and clocks, including clock operated devices – manufacturing, assembling or repair.
Drug stores – retail sales.	Dry cleaning and laundromats.	Blueprinting, photocopying, photo finishing services.	Cameras and photo supplies – retail sales.	Electrical and electronic products, components and equipment – manufacturing, assembling or repair.	Water filtration plants and pumping stations.
Dry cleaning and laundromats.	Eating place – carry out.	Books – retail sales.	Candy and confectionery – retail sales.	Equipment rental services, including cars, trucks and trailers.	Wholesale houses, warehouse and other storage facilities.
Eating place – carry out.	Eating place - #1.	Bowling lanes.	Catering services.	Exterminating services.	Wholesale, but not retail warehouses.
Eating place - #1.	Eating place - #2.	Building material sale and storage facilities.	Day-care centers.	Fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious stone or metal, sheet metal, shell, textiles, tobacco, wax, wire and wood, but not including as a principal operation, the manufacture of such substances.	
Eating place - #2.	Electrical appliance repair.	Business, civic, fraternal association and labor meeting rooms.	Churches, chapels, temples, synagogues.	Food brokers – retail, wholesale and storage without processing.	
Electrical appliance repair.	Engineer's office.	Business and technical schools.	Cigars shops.	Frozen food lockers.	
Engineer's office.	Florists.	Cabinet shops.	Coin-operated amusement centers.	Garden stores.	
Florists.	Food stores – retail sales.	Cameras and photo supplies – retail sales.	Dance halls.	Government buildings, structures, or premises used exclusively be federal, state, county, township, or municipal governments for public purposes, but not including work shops, warehouse, or open material storage.	
Food stores – retail sales.	Gift shops.	Candy and confectionery – retail sales.	Dancing schools.	Government buildings, structures, or premises used exclusively by federal, state, county, township or municipal governments for public purposes, provided open storage areas are screened.	

Current B-1 Permitted Uses	Proposed B-1 Permitted Uses in the DR-O	Current B-2 Permitted Uses	Proposed B-2 Permitted Uses in the DR-O	Current M-2 Permitted Uses	Proposed M-2 Permitted Uses in the DR-O
Gift shops.	Government buildings, structures, or premises used exclusively be federal, state, county, township, or municipal governments for public purposes, but not including work shops, warehouse, or open material storage.	Catering services.	Department stores.	Heating, A/C, electric and plumbing sales, service and repair.	
Government buildings, structures, or premises used exclusively be federal, state, county, township, or municipal governments for public purposes, but not including work shops, warehouse, or open material storage.	Grocery, meat and fish – retail sales.	Day-care centers.	Driver training schools (Automobile).	Liquid fuel, petroleum products, petroleum, and volatile oils – bulk storage stations in accordance with Section 1143.18(g) hereof.	
Grocery, meat and fish – retail sales.	Hardware – retail sales.	Churches, chapels, temples, synagogues.	Drug stores – retail sales.	Machine shops, tool and die shops.	
Hardware – retail sales.	Hobby shops – retail sales.	Cigars, cigarettes, tobacco – retail sales.	Eating place – carry out.	Machinery and heavy equipment rental, sales and storage.	
Hobby shops – retail sales.	Insurance agent’s office.	Coin-operated amusement centers.	Eating place – Drive-in.	Manufacturing, assembling or repair of medical, dental, optical and similar precision instruments or appliances.	
Insurance agent’s office.	Jewelry – retail sales.	Dance halls.	Eating place - #1.	Manufacturing training facility.	
Jewelry – retail sales.	Leather goods and luggage – retail sales.	Dancing schools.	Eating place - #2.	Meat processing and packaging, exclusive of slaughtering.	
Lawn mower sales, service and repair.	Libraries.	Department stores.	Engineer’s office.	Medical and dental laboratories.	
Leather goods and luggage – retail sales.	Locksmiths.	Driver training schools (Automobile).	Florists.	Metal products, excluding structural steel and foundry products or product from previously prepared materials – manufacturing, compounding, assembling or treatment (or any combination of these processes).	
Libraries.	Medical and dental laboratories.	Drug stores – retail sales.	Food stores – retail sales.	Moving and storage companies.	
Locksmiths.	Medical and dental office/clinic.	Dry cleaning and laundromats.	Garden stores.	Musical instruments – manufacturing, assembling or repair.	
Medical and dental laboratories.	Mortuaries and funeral parlors.	Eating place – carry out.	Gift shops.	Novelties, toys and rubber products – manufacturing, assembling or repair.	
Medical and dental office/clinic.	Newsstand – retail sales.	Eating place – Drive-in.	Government buildings, structures, or premises used exclusively be federal, state, county, township, or municipal governments for public purposes, but not including work shops, warehouse, or open material storage.	Pawn shops.	
Mortuaries and funeral parlors.	Office supplies and stationary – retail sales.	Eating place - #1.	Grocery, meat and fish – retail sales.	Pharmaceutical products, including cosmetics, toiletries and perfumes, but excluding the manufacture of soap from raw materials or products previously prepared – manufacturing, compounding, assembling, or treatment (or any combination of these processes).	
Newsstand – retail sales.	Optical goods – retail sales.	Eating place - #2.	Gymnasiums.	Pool Halls.	
Office supplies and stationary – retail sales.	Package liquor, beer and wine – retail sales.	Electrical appliance repair.	Hardware – retail sales.	Printing, publishing, binding and typesetting plants.	
Optical goods – retail sales.	Paint, glass and wallpaper – retail sales.	Engineer’s office.	Health studios and clubs.	Private clubs.	
Package liquor, beer and wine – retail sales.	Pet grooming, all day – no overnight.	Equipment rental services, including cars, trucks and trailers.	Hobby shops – retail sales.	Public utility.	
Paint, glass and wallpaper – retail sales.	Pet sales and supplies – retail sales.	Exterminating services.	Hotels and motels.	Railroad stations, depots, train yards, classification yards and team tracks.	
Pet grooming, all day – no overnight.	Photo studios.	Florists.	Insurance agent’s office.	Research and engineering laboratories.	
Pet sales and supplies – retail sales.	Private clubs.	Food brokers – retail, wholesale and storage without processing.	Jewelry – retail sales.	Sales offices and service centers.	
Photo studios.	Professional Offices not otherwise mentioned.	Food stores – retail sales.	Kennel.	Sawing and planning mills.	
Private clubs.	Public parks, playgrounds and community centers.	Garden stores.	Leather goods and luggage – retail sales.	Self-Storage Facility	
Professional Offices not otherwise mentioned.	Public utility.	Gift shops.	Libraries.	Sexually oriented business.	
Public parks, playgrounds and community centers.	Radio and television-sales, service and repair.	Government buildings, structures, or premises used exclusively be federal, state, county, township, or municipal governments for public purposes, but not including work shops, warehouse, or open material storage.	Locksmiths.	Sign painting and manufacture.	
Public utility.	Real estate broker’s office.	Grocery, meat and fish – retail sales.	Medical and dental laboratories.	Stone products processing and manufacturing.	
Radio and television-sales, service and repair.	Residential use on second story or above.	Gymnasiums.	Medical and dental office/clinic.	Tattoo parlors.	
Real estate broker’s office.	Retail and service uses.	Hardware – retail sales.	Mortuaries and funeral parlors.	Truck fuel dispensing stations.	
Repair part – retail sales.	Schools – primary, intermediate and secondary – public or private.	Health studios and clubs.	Newsstand – retail sales.	Truck repair facility.	
Residential use on second story or above.	Seamstress and tailor.	Heating, A/C, electric and plumbing sales, service and repair.	Office supplies and stationary – retail sales.	Truck sales and service.	
Retail and service uses.	Shoe repair.	Hobby shops – retail sales.	Optical goods – retail sales.	Truck washing facility.	

Current B-1 Permitted Uses	Proposed B-1 Permitted Uses in the DR-O	Current B-2 Permitted Uses	Proposed B-2 Permitted Uses in the DR-O	Current M-2 Permitted Uses	Proposed M-2 Permitted Uses in the DR-O
Schools – primary, intermediate and secondary – public or private.	Upholstery shop, not involving furniture manufacturing.	Hotels and motels.	Package liquor, beer and wine – retail sales – without Drive Thru.	Trucking and motor freight terminals.	
Seamstress and tailor.	Variety stores – retail sales.	Insurance agent’s office.	Pet grooming – all day, no overnight.	Watches and clocks, including clock operated devices – manufacturing, assembling or repair.	
Shoe repair.	Veterinary office – no boarding.	Jewelry – retail sales.	Pet sales and supplies – retail sales.	Water filtration plants and pumping stations.	
Upholstery shop, not involving furniture manufacturing.	Watch, clock and jewelry repair.	Kennel.	Photo studios.	Wholesale houses, warehouse and other storage facilities.	
Variety stores – retail sales.		Lawn mower sales, service and repair.	Private clubs.	Wholesale, but not retail warehouses.	
Veterinary office – no boarding.		Leather goods and luggage – retail sales.	Professional Office not otherwise mentioned.		
Watch, clock and jewelry repair.		Libraries.	Public parks, playgrounds and community centers.		
		Locksmiths.	Public utility.		
		Medical and dental laboratories.	Radio and television – sales, service and repair.		
		Medical and dental office/clinic.	Real estate broker’s office.		
		Mortuaries and funeral parlors.	Residential use on second story or above.		
		Motorcycle sales and service.	Sales offices and service centers.		
		Newsstand – retail sales.	Schools – primary, intermediate and secondary – public or private.		
		Office supplies and stationary – retail sales.	Seamstress and tailor.		
		Optical goods – retail sales.	Shoe repair.		
		Package liquor, beer and wine – retail sales – Drive- thru.	Upholstery shop, not involving furniture manufacturing.		
		Package liquor, beer and wine – retail sales.	Variety stores – retail sales.		
		Paint, glass and wallpaper – retail sales.	Veterinary office – w/boarding.		
		Pet grooming – all day, no overnight.	Watch, clock and jewelry repair.		
		Pet sales and supplies – retail sales.			
		Photo studios.			
		Private clubs.			
		Professional Office not otherwise mentioned.			
		Public parks, playgrounds and community centers.			
		Public utility.			
		Radio and television – sales, service and repair.			
		Real estate broker’s office.			
		Repair part – retail sales.			
		Residential use on second story or above.			
		Retail and service uses.			
		Sales offices and service centers.			
		Schools – primary, intermediate and secondary – public or private.			
		Seamstress and tailor.			
		Shoe repair.			
		Upholstery shop, not involving furniture manufacturing.			
		Variety stores – retail sales.			
		Veterinary office – w/boarding.			
		Watch, clock and jewelry repair.			

(f) Bulk Regulations. All construction on any zoning lot in the "B-2" General Business District shall:

- 1) Maximum building lot coverage of eighty (80) percent.
- 2) Maximum structure height of sixty-five (65) feet.
- 3) Minimum front yard of twenty-five (25) feet.
- 4) Minimum side yard of ten (10) feet, or half the building height, whichever is greater.
- 5) Minimum rear yard of twenty-five (25) feet.

(g) Development Standards. All development in the "B-2" General Business Zoning District shall be subject to the applicable provisions of Sections 1147 through 1159 of this Zoning Code.

1143.15 B-3 CENTRAL BUSINESS DISTRICT

(a) Purpose. The "B-3" Central Business District is intended to accommodate office concentrations and the great variety of retail stores and related activities which occupy the prime area within the central business district, and which serve the entire metropolitan area. High intensity and large bulk development characterize the central business district area. It is intended that this district not be mapped outside the downtown area.

(b) Principal Permitted Uses. Only those uses set forth below which continuously conform to all the requirements of divisions (d) through (f) of this section shall be permitted:

- Accountant's office.
- Apparel stores – retail sales.
- Architect's office.
- Art and school supplies – retail sales.
- Art galleries and museums.
- Artist, sculptor and composer studios.
- Attorney's office.
- Auction sales.
- Automobile accessories – retail sales, including incidental installation.
- Automobile parking garages.
- Automobile parking lots.
- Bakeries – retail sales.
- Banks and financial institutions.
- Barber and beauty shops.
- Bicycle sale, rental and repair.
- Blueprinting, photocopying, photo finishing services.

- Books – retail sales.
- Business, civic, fraternal association and labor meeting rooms.
- Cabinet shops.
- Cameras and photo supplies – retail sales.
- Candy and confectionery – retail sales.
- Churches, chapels, temples, synagogues.
- Cigars, cigarettes, tobacco – retail sales.
- Dancing schools.
- Department stores.
- Drug stores – retail sales.
- Dry cleaning and laundromats.
- Eating place – carry out.
- Eating place - #1.
- Eating place - #2.
- Electrical appliance repair.
- Engineer's office.
- Florists.
- Food stores – retail sales.
- Gift shops.
- Government buildings, structures, or premises used exclusively be federal, state, county, township, or municipal governments for public purposes, but not including work shops, warehouse, or open material storage.
- Grocery, meat and fish – retail sales.
- Gymnasiums.
- Hardware – retail sales.
- Health studios and clubs.
- Hobby shops – retail sales.
- Hotels and motels.
- Insurance agent's office.
- Jewelry – retail sales.
- Leather goods and luggage – retail sales.
- Libraries.
- Locksmiths.
- Medical and dental laboratories.
- Medical and dental office/clinic.
- Mortuaries and funeral parlors.
- Newsstand – retail sales.
- Nursing homes.
- Office supplies and stationary – retail sales.
- Optical goods – retail sales.
- Paint, glass and wallpaper – retail sales.
- Pet sales and supplies – retail sales.
- Photo studios.

- Private clubs.
- Professional Offices not otherwise mentioned.
- Public parks, playgrounds and community centers.
- Public utility.
- Radio and television – sales, service and repair.
- Railroad stations – passenger.
- Real estate broker's office.
- Repair part – retail sales.
- Rescue missions.
- Residential use on second story or above.
- Retail and service uses.
- Rooming houses.
- Sales offices and service centers.
- Schools – primary, intermediate and secondary – public or private.
- Seamstress and tailor.
- Shoe repair.
- Upholstery shop, not involving furniture manufacturing.
- Variety stores – retail sales.
- Watch, clock and jewelry repair.

(c) Permitted Accessory Uses. The following are permitted as accessory uses subject to the provisions of Section 1151.04 of this Zoning Code:

- (1) Refuse Dumpsters.
- (2) A structure for storage incidental to a permitted use.
- (3) Off-street parking and loading as regulated in Sections 1153 and 1155 of this Zoning Code.
- (4) Any use which is customarily found in conjunction with principal use as approved by the Planning Commission.

(d) Lot Size Requirements. Each separate zoning lot in the “B-3” Central Business District shall:

- (1) No minimum lot size requirement.
- (2) Have a minimum lot width of one hundred (100) feet.
- (3) Have a minimum lot depth of one hundred (100) feet.
- (4) Have a maximum lot depth to lot width ratio of 3:1 except on cul-de-sacs lots and other lots bearing unique topography.

(e) Buffer Strips. A buffer strip shall be established on the lot being developed in the “B-3” Central Business District when it abuts the following zoning districts: