



AGENDA - TROY PLANNING COMMISSION MEETING
WEDNESDAY, APRIL 10, 2024, 3:30 P.M.
CITY HALL, COUNCIL CHAMBERS

1. Roll Call
2. Minutes - March 27, 2024
3. Historic District Application - Certificate of Appropriateness, 101-107 W. Main Street, for outdoor seating located on N. Cherry Street
Owner - Sam O'Neal
Applicant - Speakeasy Miso c/o Carly Hensley
-Commission to make decision
4. Accessory Zoning Permit Application for Accessory Use - swimming pool to be located at 1396 McKaig Ave., which is zoned B-1, Local Retail District
Owner - Scott and Frankie Clegg
Applicant - Stephen Klein, Attorney
-Commission to make decision
5. Historic District Application - Certificate of Appropriateness, 2 S. Market Street, installation of an 11'x11' mural under the stairs
Owner - Heather Davey
Applicant - Troy Main Street, Inc.
-Commission to make decision
6. Other
7. Adjourn

Next Meeting -- April 24, 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, Wednesday, March 27, 2024, at 3:30 p.m. with Chairman James McGarry presiding. ATTENDING: Members – McGarry, Ehrlich, Westmeyer, Oda and Titterington; Development Staff – Long, Eidemiller, and Bruner.

APPROVAL OF MINUTES: Upon motion of Mr. Titterington, seconded by Mrs. Ehrlich, the minutes of March 1, 2024, meeting were approved by unanimous voice vote.

DEDICATION OF RIGHT-OF-WAY, 2765 MCKAIG ROAD: OWNER – LINDA ROCCO; APPLICANT – COZATT ENGINEERING COMPANY.

Staff reported that the City Engineer has approved a replat to combine existing Inlots 11365 and 11366, totaling two acres, into a single new lot; the property is located at 2765 McKaig Road; the replat is considered a minor subdivision that can be approved by the City Engineer and does not require Planning Commission approval; the replat provides the opportunity to formally dedicate a portion of Right-of-Way consisting of 0.124 acres of existing IL 11365; the existing drainage easement will remain as previously accepted and recorded; the roadway and drainage easements were recorded by deed in 2008, and the parcels were annexed into the City of Troy in 2020; City Council is required to review and make a determination regarding the acceptance and dedication of the Right-of-Way presented on this plat, following review and recommendation.

A motion was made by Mayor Oda, seconded by Mr. Westmeyer, that the Troy Planning Commission recommends that Troy City Council approve the dedication of 0.124 acres of Right-of-Way located along existing IL 11365 as shown on the McKaig Road Replat of Inlots 11365 and 11366.

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE

FINAL PLAT APPROVAL, FOX HARBOR SECTION 10 AND DEDICATION OF RIGHT-OF-WAY: SUBDIVISION IS LOCATED WEST OF THE KINGS CHAPEL NEIGHBORHOOD, JUST SOUTH OF W. MAIN STREET (SR 41); OWNER - HARBOR WEST LAND CO.; APPLICANT - BRUMBAUGH ENGINEERING AND SURVEYING LLC.

Staff reported that: Section 10 is a total of 11.455 acres., with 27 developable lots on 10.105 acres of land; the public Right-of-Way to be dedicated is 1.35 acres, street names in Section 10 are Darla Drive, Executive Drive, and Liette Drive; zoning is R-4, Single-Family Residential, with a minimum lot size of 9,000 square feet; actual lots sizes range from .207 acres (9,016 square feet) to .415 acres (18,077 square feet); fees-in-lieu will be paid as each lot is developed rather than dedicated green space as previously approved by the Planning Commission and Board of Park Commissioners; and staff recommends approval of the Final Plat of Fox Harbor Section 10 and the dedication of Right-of-Way with the condition that the escrow agreements are provided and accepted prior to the final plat being forwarded to City Council..

A motion was made by Mr. Titterington, seconded by Mrs. Ehrlich, that the Troy Planning Commission recommends that Troy City Council approves the Final Plat of Fox Harbor Section 10 and the dedication of Right-of-Way with the condition that the escrow agreements are provided and accepted prior to the recommendation being forwarded to City Council.

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE

COMPREHENSIVE PLAN.

Matthew O'Rourke, representative of the consultant American Structurepoint, provided a status report on the Comprehensive Plan update. A copy of the power point presentation is attached to the original minutes and will be placed on the City's Website. He commented: there were nearly 700 responses to the online survey, which is a great number than usually received; several meetings have been held with identified groups and more will be held through the review process; most of the comments made were positive along with comments that there is not enough public transit options; responses indicated that citizens are supportive of Troy's location, quality of life, open space/recreation opportunities, school system and employment base; top themes that have emerged for the plan are attainable housing, growth management, parks and recreation, thoroughfare plan, including infrastructure, social services availability, downtown and riverfront development (downtown is a major attraction); regarding the draft of the plan, the consultant has worked with staff on a vision statement as to where Troy wants to be in 20 years; and they have developed eight comprehensive plan goals which came from the themes - growth management (land use, infrastructure, economic development, and ties to existing condition report); future land use map; character class uses with graphics; close knit factor; growth management; primary growth area over 5-20 years and that impact on thoroughfare plan; complete street priorities; transportation and infrastructure improvement. Regarding survey responses related to economic development and growth, 33% indicated Troy should grow a little and 44% responded Troy should grow modestly. Mr. O'Rourke indicated the schedule is to have more public meetings in June and July, have a presence at the Strawberry Festival to talk to people, and start drafting the Zoning Code update.

-In response to Mr. McGarry regarding contacting local utility companies to find out their growth plans, it was stated that there was a focus group meeting with utility company representatives and what was discussed did not show an alarm bell based on the land use map. It was also stated that electric charging stations did not come up in the discussions.

-Mayor Oda noted that the City is in the midst of a multi-million dollar WWTP expansion, and the information provided indicated another expansion or plant may be needed and asked about that. It was stated that comment is based on if the growth goes the way it seems over 10 years, based on assumptions, that is something the City needs to be aware of.

-In response to Mr. Titterington as to if there was a sense that the City should keep on doing what it has been or if the City is going too fast or slow, it was stated the sense was more of the responders are okay with the current pace of growing and the City should keep on doing that right.

-Mrs. Ehrlich asked about any indication of locations for child care, with it commented that is more of a question for the Zoning Code update, but the consultants do not believe child care locations should be restricted any further and should be allowed in residential districts.

There being no further business, the meeting adjourned at 4:10 p.m. upon motion of Mr. Titterington, seconded by Mr. Westmeyer, 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: April 10th, 2024

SUBJECT: Historic District Review – 107 W. Main Street

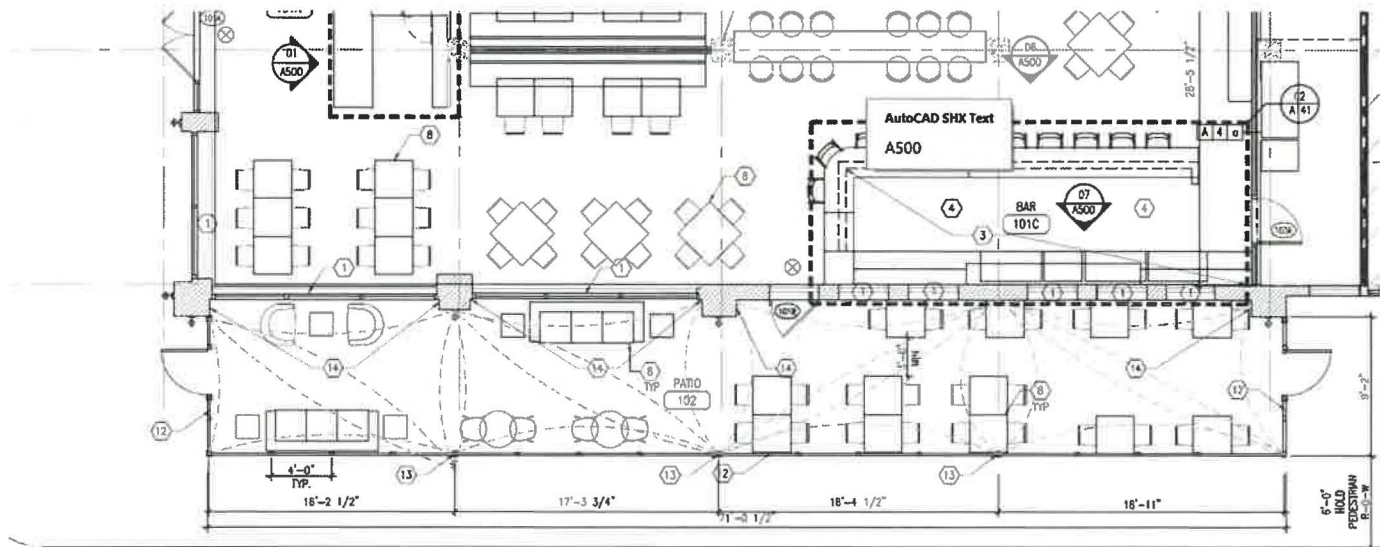
PROPOSAL:

The applicant, Carly Hensley, comes before the Planning Commission requesting approval for outdoor seating at the property located at 107 W. Main Street. The property is located within the B-3, Central Business District. This application was previously approved in 2022, however, the application has expired.

The building, built in 1904, is made of stucco and brick and is described in the Ohio Historic Index form as an eclectic style building and a major landmark for downtown Troy. Contributing descriptive features include the Eclectic design with Egyptian Revival entrance at the southwest corner, and distinctive religious and Masonic ornamentation. This building is not listed on the National Register.

DISCUSSION:

The applicant is proposing outdoor seating at the property located at 107 W. Main Street. The outdoor seating will be a total width of nine (9) feet along N Cherry Street. String lights are being proposed in the outdoor seating area and will be attached to approximately six (6) planters (please see below):. A black aluminum fence will surround the outdoor seating.



N. Cherry Street



Troy Codified Ordinance 717.07 requires a minimum of five (5) feet of unobstructed walkway maintained at all times. The proposal meets this requirement as six (6) feet of unobstructed walkway is being provided. The sidewalk on W. Main Street will not be affected by this proposal.

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 those requirements.

RECOMMENDATION:

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

- The proposed alteration does not detract from the historic integrity of the building;
- The modifications are temporary, do not attach to the historical portion of this site and can be removed or altered in the future.
- The proposed colors and material are commonly found in the district.



CITY OF TROY PLANNING COMMISSION
APPLICATION FOR HISTORICAL TROY ARCHITECTURAL DISTRICT

Date 3/22/24

Applicant Speakeasy Miso c/o Carly Hensley Telephone No. 9375103833

Owner of Property Sam O'Neal Has the Owner been Notified? Yes

Address of Project 101 W. Main St. Troy, OH 45373

Contact Address (if different than Project Address) _____

Name of Architect/Engineer and/or Contractor Dale Monnin, Monnin Construction Company

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:

- Site Plan drawn to scale shall be provided showing structure in question & its relationship to adjacent structures.
- Description of proposed use, if different than existing use.
- 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.
- Description and samples of materials proposed to be used in the project.
- Paint samples for painting applications.
- Any other photographs or illustrative visual aids and/or materials relevant to the project.
- A written letter from the owner acknowledging the application, or a printed signature from the property owner or this form.
- 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:

SIGNATURE OF PROPERTY OWNER:

PRINTED NAME OF PROPERTY OWNER:

OFFICE USE ONLY:

DATE FILED: _____

CASE #: _____

DATE OF MEETING: _____





Outdoor String Lights.

a

Alice Outdoor Resin Chairs & Table.

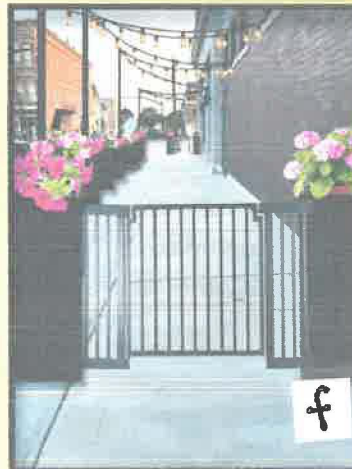


c

Custom Artisan Planter Box Posts with a Steel Frame Fencing & Gates.



d



f



SPEAKEASY MISO: Application for Patio

- a. See attached doc
- b. Proposed Use: In order to increase sales and remain a thriving member of Troy's vibrant downtown food scene, we'd like to create a small patio to offer more seating.
- c. See attached doc
- d. Alice outdoor resin chairs, black fencing and planters, and black outdoor tables (photos on attached doc)
- e. Black will be used.
- f. See attached doc
- g. Signed application by Sam O'Neal
- h. Check included

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning & Zoning Manager

DATE: April 10, 2024

SUBJECT: Accessory Use Review – 1396 McKaig Avenue

PROPOSAL:

Attorney Stephen Klein, on behalf of the owners, Scott and Frankie Clegg, is requesting the Planning Commission to consider an Accessory Use approval for a swimming pool located at 1396 McKaig Avenue. The property is zoned B-1 Local Retail District.

DISCUSSION:

The applicant is proposing to install a 20' x 40' above ground swimming pool in the rear of the property located at 1396 McKaig Avenue. The pool will be a height of 5' with a deck surrounding the pool. The pool will be setback 15' from the side and rear lot lines and will comply with the accessory structure setback requirements. Please see attached site plan:

Per Zoning Code 1143.13 (c) The following are permitted as accessory uses subject to the provisions of Section 1151.04 of this Zoning Code: (4) "Any use which is customarily found in conjunction with the principal use as approved by the Planning Commission"

STAFF ANALYSIS: The initial pool application was previously denied for this address due to swimming pools not being specifically listed as a Permitted Accessory Use per Zoning Code 1143.13 (c). The Zoning Code grants the discretion of the Planning Commission to review and approve accessory uses that may not fit the listed accessory uses in 1143.13 (c).

Swimming Pools are often found accessory to residential uses. The B-1 Local Retail District permits the following residential uses:

1. "Residential Uses on the second story and above";
2. "Bed and Breakfast".

The property owner currently uses the property as a residential use on the second story and above. In staff's opinion, the swimming pool is found to be an accessory use to residential uses on the second story and above and is permitted.

RECOMMENDATION:

Staff recommends approval of the proposed pool as the pool is commonly found as an accessory use to a residential use.

ACCESSORY ZONING PERMIT APPLICATION
(FOR SHEDS, GARAGES, DECKS, POOLS, ETC.)

Address of Project: 1396 M^c Kaig Avenue

Type of Structure/Use: ☐ Shed ☐ Garage ☐ Deck ☒ Pool ☐ Other _____

Applicant/Contractor Name: Scott & Frankie Clegg

Address: 1396 M^c Kaig Avenue

Phone: 765-237-1138 Email: Fmorrowclegg@gmail.com

Property Owner Name: Scott & Frankie Clegg

Address: 1396 M^c Kaig Avenue

Phone: 765-237-1138 Email: Fmorrowclegg@gmail.com

Sq. Ft. of Proposed Project: 20'x40' Height/Stories of Project: N/A

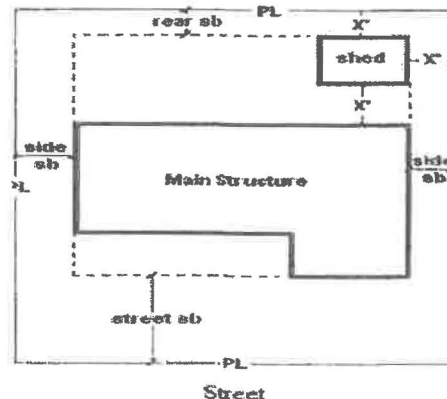
Distance from Rear Property Line: see attached Distance from Side Property Line: see attached

Distance from Principal Structure: see attached

Number of Accessory Buildings on Site: N/A Total Project Area (sq.ft.): 20'x40'

Each application must have a site plan showing the location of the project, or picture indicating accurate relevant dimensions. All permits are issued to the applicant, unless otherwise specified. Please contact the Miami County Building Department (937-440-8121) for additional permits required.

***Processing time: 7-10 Business Days**



By signing this application, I acknowledge I am authorized by the owner to make this application. The information presented is accurate. I agree to allow City of Troy employees to enter the property in order to complete necessary inspections. I agree to conform to all applicable laws of the City. The City of Troy does not enforce covenants and restrictions.

Signature: Stephen E. Klein, Attorney Date: 3-26-24

Site Plan with Setbacks - ☒ Signed Application - ☒ Fee: \$25 Residential - ☒
\$50 Commercial/Industrial - ☐

As shown in the attached photographs and site plan, Applicants request a permit for a 16' x 30' above-ground pool with deck (total 20' x 40' area) to be erected on this 0.42 acre lot. No excavation or concrete footers are involved and the pool can be removed without effect on the lot. Currently, Applicants are using this two-story property (zoned B-1 Retail) as their single-family residence. According to Troy Code Section 1143.13(b), permitted uses include:

- * Bed and Breakfast
- * Private Club
- * Public Parks, Playgrounds and Community Centers
- * Residential Use On Second story And Above

According to Troy Code Section 1143.13(c), a permitted accessory use is any use which is customarily found in conjunction with a principal use as approved by the Planning Commission. Inasmuch as a pool is customarily found in conjunction with the four above-cited principal uses in a B-1 zone, Applicants are requesting a permit for this pool on said property.

McKalg Avenue

68 feet

1596

2 ft

15 ft

<- 93 feet ->

15 ft

68 feet 6 inches





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 vibrancy of our beautiful, historic downtown Troy.

The Troy Main Street Design Committee has worked tirelessly for the past two years to bring our Art in Troy: Mural Program to fruition. Today we propose the creation of a permanent “selfie” 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 11 ft. tall by 11 ft. wide.

We believe that such a mural would not only add to the visual appeal of our cityscape but also serve as a focal point for residents and visitors alike to gather and appreciate the rich history and cultural fabrics of Troy. Additionally, it would contribute to the vibrancy of our community and showcase Troy's commitment to embracing art, science, and community engagement.

The proposed mural would be displayed beginning late April/May 2024 with a life expectancy of five years under which TMS would be responsible for the maintenance and upkeep related to the project. We are confident that this mural will bring a renewed excitement and increase our vision for Troy to be the most desirable downtown destination in the Midwest for residents and visitors alike.

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 “selfie” mural at 2 S. Market St. would be a wonderful addition to our city's landscape and a fitting tribute to the people, places, and fabrics that make Troy so special and unique. 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

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7

SHOP



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EXPLORE



TROY



Make it yours.

Community

1814



DINE

