

A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall, Wednesday, June 26, 2024, at 3:30 p.m. with Chairman James McGarry presiding. ATTENDING: Members – McGarry, Ehrlich, Oda, Westmeyer, Wolke and Titterington; Development Staff – R. Long; A. Eidemiller, T. Bruner, and Development Director Davis.

APPROVAL OF MINUTES: Upon motion of Mr. Titterington, seconded by Mayor Oda, the minutes of June 12, 2024, meeting were approved by unanimous voice vote.

DOWNTOWN RIVERFRONT OVERLAY (DR-O) DISTRICT APPLICATION, 210 S. MARKT STREET; OWNER – MARKET STREET MANAGEMENT LLC; APPLICANT – BEHR DESIGN LLC. Staff reported: zoning of the property is B-3, Central Business District; an Ohio Historic Inventory (OHI) form does not exist for this property as this is newly constructed building; this building is permitted to have a total of 80 square feet of building signage with each individual tenant calculated separately based on the frontage they occupy; the applicant is proposing to install a 4.2 Square Foot projecting sign using the DR-O; the sign for this application measures 30" x 20" or 4.2 square feet; sign will be constructed of 2" square tubular steel frame with a 2" thick logo etched into composite. The colors include Black and White, lettering; the Sign Code permits a total of one projecting sign per principal structure; the application for the Downtown Riverfront Overlay request is to allow a second projecting sign on the structure; Zoning Code 1143.25 (j) states: "The Planning Commission and/or City Council may consider more or less stringent signage requirements based upon the development while considering requirements from other sections of the Codified Ordinances of Troy, Ohio"; the Downtown/Riverfront Overlay District intent is for the district to be applied when the conventional zoning requirements are inappropriate or the underlying zoning district is unduly restrictive or prevents the reuse of buildings or properties in downtown Troy; utilizing the criteria intended to justify a DR-O application, staff believed the proposed project will have a positive effect on the district as projecting signs encourage pedestrian scaled advertising/wayfinding along the streetscape; the MKSK study identifies the need for "pedestrian friendly environments" and the additional projecting sign achieves this intent; the Section 1143.25 of City of Troy Zoning Code provides that the 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 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.

Staff Recommendation: Based upon the criteria in Section 1143.25(q)(1)(c) used to determine the merits of the DR-O application, it is requested that the Planning Commission provide a positive recommendation to City Council for the proposed DR-O application.

PUBLIC HEARING: At 3:32 p.m., Mr. McGarry declared the public hearing open. There being no public present and no comments made, Mr. McGarry immediately declared the public hearing closed.

RECOMMENDATION: A motion was made by Mayor Oda, 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 210 S. Market 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 210 S. Market Street be approved.

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE

HISTORIC DISTRICT APPLICATION - CERTIFICATE OF APPROPRIATENESS, 121 PUBLIC SQUARE NE, WALL SIGN; OWNER – MARVIN RAMIEREZ; APPLICANT - CATHERINE PEOPLES, SWEET DREAMS CAKE SHOPPE. Staff reported: The property is zoned B-3 Central Business District; the property owner submitted written permission for the sign; the OHI form lists this property as a three story brick building in the High Victorian Italianate Style, with segmental windows, the third story being rounded, along with stilted and keystone caps and bracketed sills and bracketed box cornice with a paneled frieze; the storefront has been altered; the building is listed on the National Register; the wall sign will be carved out of HDU material; dimensions are 89.9" by 38.5" with an overall depth of 1.5"; sign will be mounted and centered in the unpainted brick portion above the Eastern storefront; applicant is proposing to paint the portion of the front façade located just above the storefront windows Cheery Pink; the color will complement the paint on the adjacent "Ruby's" building; lighting is to be Goose Neck style on the exterior of the building; fixtures are black, powder coated aluminum with the following dimensions: height of 18.75", width of 10" and overall depth of 26.75"; Staff recommends approval of the proposed signage based on the following:

- The proposed sign is in line with the Design Manual and City of Troy sign code.
- The proposed paint and lighting meet the Design Manual and similar examples are located throughout the historic district.

DISCUSSION: Commission members asked about the number of lights, staff stated there will be four lights and a fifth over the door if additional lighting is needed, but that will not be known until the four lights are placed. Staff also indicated that there would not be an issue if the application indicated five lights and a lesser number placed. It was also stated that the unpainted brick will remain unpainted.

A motion was made by Mayor Oda, seconded by Mr. Westmeyer, to approve the Historic District Application Certificate of Appropriateness for 121 Public Sq. NE as submitted based on the exact materials and paint color as provided in the application; for four to five lights; and based on the recommendation of staff that:

- The proposed sign is in line with the Design Manual and City of Troy sign code.
- The proposed paint and lighting meet the Design Manual and similar examples are located throughout the historic district

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE

HISTORIC DISTRICT APPLICATION - CERTIFICATE OF APPROPRIATENESS, 16 S. CHERRY STREET FOR PROJECTING SIGN; OWNER – GAUDIN PROPERTIES LLC; APPLICANT - ASHLEY DUNLAVY. Staff reported: The property is zoned B-3 Central Business District; the OHI form lists this property as a Gothic Revival Victorian Cottage built in 1870. It is listed on the National Register; sign would be located on the southernmost post of the porch facing S. Cherry Street; sign would be 18" by 24" with white background with black lettering, mounted to the post using an ornate black, metal, scroll bracket; sign will be similar the one installed at the adjacent building using the same material and bracketing; Design Manual Section 5.7 states "projecting signs brackets should be architecturally appropriate to the building design. Only use traditional brackets with traditional architecture"; and staff recommends approval of the proposed signage based on the following:

- The signage and bracket comply with section 5.7 of the Design Manual.
- The signage meets section 749.12 of the City of Troy Sign Code.

DISCUSSION: It was discussed that wall signs must have raised lettering, but raised lettering is only recommended for projecting signs. It was also discussed that this sign is unlike the one on the adjacent building in materials, color, and size. Commission members stated they would like to see the design of the actual proposed sign.

A motion was made by Mr. Titterington, seconded by Mrs. Ehrlich, to table the application for the sign for 16 S. Cherry Street until the applicant provides a rendition of the proposed sign.

MOTION TO TABLE ADOPTED BY UNANIMOUS ROLL CALL VOTE

HISTORIC DISTRICT APPLICATION - CERTIFICATE OF APPROPRIATENESS, 10 W. MAIN STREET FOR NE STORE FRONT WINDOW AND DOOR; OWNER – HEATHER DAVEY; APPLICANT - WINANS LLC. Staff reported: the property is zoned B-3, Central Business District; the OHI form states that the building was originally built in 1878 by Hays, Cruikshank & Wilmington and is a High Victorian Italianate with heavy bracketed and decorated stone cornices; this building is listed on the National Register of Historic Places; application is to replace the main storefront window with an aluminum (brass frame color) window; the window will be the same size as the existing window and will not impact the contributing features (columns) on the storefront; the replacement door will be the same size as the existing; the existing door is not original and is currently metal; and staff recommends approval of the proposed window and door based on the contributing features of the storefront will remain unaltered.

DISCUSSION: Staff commented that a picture of the door was not included in the packet. Staff advised that the window and door frames will match.

A motion was made by Mr. Westmeyer, seconded by Mayor Oda, to approve the Historic District Application Certificate of Appropriateness for 10 W. Main Street as submitted based on the exact materials and colors provided in the application, and based on the recommendation of staff that the proposed window and door based on the contributing features of the storefront will remain unaltered.

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE

SOMERSET RESERVE SECTION I PLANNED DEVELOPMENT – RESIDENTIAL (PD-R); LOCATED ON THE SOUTHWEST CORNER OF NASHVILLE ROAD AND W. MARKET STREET (SR 55); OWNER/APPLICANT – DDCM MANAGEMENT LLC; FOR FINAL DEVELOPMENT PLAN: Staff reported:

The Planned Development process requires three steps for approval. The first step is the General Plan, which was approved by the Planning Commission and City Council. The second step is the Final Development Plan, and the third step is the Record Plan.

The Final Development Plan is in accordance with the approved General Plan that was previously approved by the Planning Commission and City Council. The specifics of the Final Development Plan are:

Uses & Layout: The proposed development will be completed in three (3) phases. The first phase of the development consists of 67 single-family residential lots which will be created on the west side of Nashville Road (29.406 acres). A Final Development Plan and Record Plan will be needed for each phase of the development.

Roadways: Access to this development will be on Nashville Road. This entrance is strategically aligned with Huntington Drive and will continue the Huntington Drive name. Road improvements are being proposed with the realignment of the Nashville Road and W. Market Street intersection. A road widening with curbs, gutters, and sidewalk are being proposed along W. Market Street. The internal road system will be private streets and maintained by the HOA. Right-of-Way with a future Swailes Road connector is being proposed on the south side of this development. The development proposes 2.539 acres of public Right-of-Way to be dedicated.

Utilities: This development will be served by city water and sewer lines. The plan seeks to mitigate storm water control by utilizing two (2) stormwater ponds. Maintenance of these private storm water control facilities will be the responsibility of the HOA.

Parks & Recreation Facilities: This planned development proposes 12.446 acres of open space. Private playground equipment and paved walking trails are also proposed. The Zoning Code requires 10% of the entire acreage in the development to be used as open space. The provided open space complies with this requirement and has been approved by the Park Board and the Planning Commission.

Protective Covenants: Staff will require the Protective Covenants and Restrictions to be provided during the Final Record Plat submittal of this development. The Final Record Plat does require Planning Commission and City Council Approval.

Staff recommends approval of the Final Development Plan as it is in accordance with the approved General Plan.

DISCUSSION:

- In response to Mr. Wolke, it was stated that the basins will be wet ponds.
 - The Mayor stated she would prefer that Huntington Drive had a different name in this development so people would know it was a different subdivision.
 - In response to Mrs. Ehrlich, it was stated the intersection alignment will be part of the first phase and that work should be done within the year.
 - Regarding the intersection work, it was stated that will be done by the developer with the City only paying for associated “oversizing”.
- Staff noted that the Record Plan (the 3rd step in the process) will not be considered at this meeting.

RECOMMENDATION – FINAL DEVELOPMENT PLAN:

A motion was made by Mayor Oda, seconded by Mr. Wolke, to approve the Final Development Plan of the Somerset Reserve Section I Planned Development as submitted based on it being in accordance with the approved General Plan.

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE

There being no further business, the meeting adjourned at 3:52 p.m. upon motion of Mr. Emerick, seconded by Mr. Titterington, and approved by unanimous voice vote.

Respectfully submitted,

_____Chairman

_____Secretary

A motion was made by Mr. seconded by Mr. to approve the Historic District Application Certificate of Appropriateness for the projecting sign at 16 S., Cherry Street as submitted based on the exact materials and colors provided in the application, and based on the recommendation of staff that:

- The signage and bracket complies with section 5.7 of the Design Manual.
- The signage meets section 749.12 of the City of Troy Sign Code. **MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE**

RECOMMENDATION – RECORD PLAN:

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motion was made by Mr. seconded by Mr. to approve the Troy Planning Commission recommends that Troy Council Council approves the Record Plan of the Somerset Reserve Section I Planned Development as submitted based on it being in accordance with the approved General Plan and Final Development Plan with the condition that the financial guarantee is received and approved in accordance with Subdivision Regulations section 1113.08 prior to the recommendation being forwarded to City Council.

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE

RECOMMENDATION – RECORD PLAN:

A motion was made by Mr. seconded by Mr. to approve the Troy Planning Commission recommends that Troy Council Council approves the Record Plan of the Somerset Reserve Section I Planned Development as submitted based on it being in accordance with the approved General Plan and Final Development Plan with the condition that the financial guarantee is received and approved in accordance with Subdivision Regulations section 1113.08 prior to the recommendation being forwarded to City Council.

MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE