

April 14, 2021

A regular meeting of the Troy Planning Commission was held remotely on Wednesday, April 14, 2021, with Chairman, Mr. Kappers presiding. ATTENDING: Members – Kappers, Titterington, Wolke, Oda, McGarry, Westmeyer, and Ehrlich; Staff -- Development Director Davis, Zoning Inspector Eidemiller, Assistant Development Director Harris.

**MINUTES OF MARCH 24, 2021 MEETING.** Mr. Kappers asked that “**that will complete their plans for the re-use of” be removed from the minutes regarding 126 S. Cherry Street.** The amended minutes were approved upon motion of Mrs. Ehrlich, second of Mayor Oda.

**HISTORIC DISTRICT APPLICATION – DEMOLITION OF 112-118 W. MAIN STREET, OWNER/APPLICANT 116 W MAIN LLC – RANDY KIMMEL.** A motion was made by Mr. Westmeyer, seconded by Mr. Wolke to remove this item from the table.

**MOTION APPROVED, UNANIMOUS VOTE**

Mr. Davis commented that the Commission received a request from the applicant to withdraw the demolition application as there is now a contract for the purchase of the property. Mr. Titterington stated that staff supports the request.

A motion was made by Mr. Wolke, seconded by Mr. Westmeyer, to approve the request to withdraw the demolition application for 112-118 West Main Street.

**MOTION PASSED, UNANIMOUS VOTE**

**HISTORIC DISTRICT APPLICATION – 408 W. MAIN STREET FOR ONE WALL SIGN; OWNER: TODD & LISA BROOMHALL – 404 WEST MAIN STREET, LLC; APPLICANT: TOM HARRIS – HARRIS SIGN WORKS, LLC.** The staff report noted: the property is zoned B-2 General Business District; the structure dates from 1878 but has had several alterations; building is not on the National Register; application is for one 24”x24” (3 square feet) sign made of sandblasted cedar; to be located about 8’ above grade on the left side of the front door of 408 W. Main Street as pictured; sign advertises the business, Renew U, owned and operated by Stephanie Harris. Colors include Green Tartan (HGSW2291), Rural Green (HGSW2222) and Celebration Gold (HGSW2143); and staff recommends approval based on the findings of:

- The proposed sign will meet all City of Troy sign code requirements; and
- The proposed sign is compatible with the building.

A motion was made by Mr. Westmeyer, seconded by Mr. Titterington, to approve the Historic District Application for 408 W. Main Street as submitted, based on the exact colors/materials/size stated in the application, and based on the findings of staff that:

- The proposed sign will meet all City of Troy sign code requirements
- The proposed sign is compatible with the building.

**MOTION PASSED, UNANIMOUS VOTE**

**HISTORIC DISTRICT APPLICATION FOR 215 W. WATER STREET TO REPAINT EXTERIOR OF BUILDING; OWNER: WATER STREET INVESTMENTS, LTD; APPLICANT: LENE BROSCH – WATER STREET INVESTMENTS, LTD/PARTNER.** The staff reported noted: property is zoned OR-1 Office Residential District, currently houses the Shipman, Dixon and Livingston law office; is not on the National Register; application is to replace the primary building color from the current Salmon color to a Sherwin Williams #7668 March Wind, which has been customized a little darker; trim color would be replaced from the Burgundy color to a Sherwin Williams #9179 Anchors Aweigh (blue) color; trim would include the Central Pavilion on the mansard roof, cornice top and the windows; and staff recommends approval based on the findings of the work provides improved maintenance to the building and the colors are consistent with the nearby historic colors of the historic district.

Discussion. It was discussed that the “March Wind” color is a custom shade and color makeup is not available; the building corners are stone and will not be painted; and the applicant made a verbal request during the meeting to amend the application to include a new awning that would be as close as possible to the Anchors Aweigh paint color.

A motion was made by Mr. Westmeyer, seconded by Mrs. Ehrlich, to approve the Historic District Application for 215 W. Water Street as amended to include the awning, based on the exact colors/brands stated in the application, with the awning to be in a color as close as possible to the Anchors Aweigh paint color, and based on the findings of staff that:

- The work provides improved maintenance to the building and the colors are consistent with the nearby historic colors of the historic district.

**MOTION PASSED, UNANIMOUS VOTE**

**HISTORIC DISTRICT APPLICATION FOR 101 W. FRANKLIN STREET FOR ONE NEW SIGN; OWNER -P&C VENTURES, LLC – PATRICIA ROSE; APPLICANT: AIRROSTI REHAB CENTERS – LORI SLUSSER.** The staff report noted: property is zoned B-3, Central Business District; the property dates to 1855; had been used as a church for a number of years, but that is no longer the use; property is not listed on the National Register; 100 square feet of signage with an additional 50 square feet permitted for the upper floor; business The Fitness Institute has approximately 93 square feet of existing signage on the building; the Commission approved an application for one 6.25 square foot window sign on January 27<sup>th</sup> for Airrosti window sign on the door formerly used as the parsonage, and approved two small window signs for both Airrosti and The Fit on the front doors totaling 11.21 square feet on March 10<sup>th</sup>; remaining maximum allowed building wall signage is approximately 40 square feet; this application is for 8 square feet; applicant originally asked for three signs on January 27 but withdrew two of them; now requesting one 48”x24” (8.00 square feet) wall sign to be located on the left side of the window opposite of The Fit sign; material is aluminum face composite with solid plastic core utilizing the business graphic including the following colors: blue (Pantone 648c), orange (Pantone 144c) and Grey (HEX 626366); and staff recommends approval based on the findings of:

- The proposed sign will meet all City of Troy sign code requirements; and
- The proposed sign is compatible with the building.

DISCUSSION. It was commented that the Commission had previously indicated not having email addresses or website addresses on signs, and possibly not phone numbers as well, and the Commission did not want signs to look like business cards; however, there was not a specific motion. Mr. Kappers indicated a preference for signage that has the business name and address. Some members discussed the prior discussions on the subject, but it was noted that the Commission has approved some signage that includes email, website and phone information.

**PLANNING COMMISSION MOTION RE INFORMATION ON HISTORIC DISTRICT SIGN APPLICATIONS RELATED TO TELEPHONE NUMBERS, EMAIL ADDRESS, WEBSITES.**

A motion was made by Mr. McGarry, seconded by Mr. Kappers, that the Commission does not want historic district signage to include phone numbers, website addresses, or email addresses, and that staff makes this information known to applicants.

Vote: Yes – Westmeyer, McGarry, Wolke, Ehrlich, Titterington and Kappers; No – Oda. **MOTION PASSED.**

Staff was asked to contact the applicant regarding submitting a modified application based on the directive of the Commission. It was noted that the applicant will not be required to pay an additional application fee.

**HISTORIC DISTRICT APPLICATION FOR 1-10 PEARSON COURT TO REPLACE FRONT DOOR SIDELIGHTS AND ADD SHUTTERS TO THE UPPER FLOOR WINDOWS OF THE FIVE DOUBLES LOCATED AT 1-10 PEARSON COURT; OWNER -KPM REAL ESTATE, LLC; APPLICANT: KEVIN & PHIL MOELLER – KPM REAL ESTATE, LLC.** The staff report noted: property is zoned R-7, Multiple Family Residential District, structures were built about 1926; structures are not on the National Register; proposed work for each address is:

- |                     |  |
|---------------------|--|
| 1-2 Pearson Court:  | Add Navy Shutters on the two 2 <sup>nd</sup> floor windows<br>Replace front door entrance with new navy sidelights |
| 3-4 Pearson Court:  | Add Green Shutters on the two 2 <sup>nd</sup> floor windows  |
| 5-6 Pearson Court:  | Add Navy Shutters on the two 2 <sup>nd</sup> floor windows<br>Replace front door entrance with new navy sidelights |
| 7-8 Pearson Court:  | Add Green Shutters on the two 2 <sup>nd</sup> floor windows  |
| 9-10 Pearson Court: | Add Navy Shutters on the two 2 <sup>nd</sup> floor windows<br>Replace front door entrance with new navy sidelights |

Staff recommends approval of the Historic District Application based on the findings of the proposed improvements are consistent with previous updates made to the structures and are found to be mostly due to maintenance and cosmetics. Changes are consistent and do not detract from any style, color or architectural features.

Discussion. There was a discussion that the colors shown in the packet did not seem to match the terms of “navy” or “green” and there was no additional color description or identification. Staff advised that these particular shutters are from Lowe’s and are pre-painted in the colors noted.

A motion was made by Mr. Titterington, seconded by Mrs. Ehrlich, to approve the Historic District Application for 1-10 Pearson Court as submitted, based on the exact colors/materials/size stated in the application, and based on the findings of staff that:

- The proposed improvements are consistent with previous updates made to the structures and are found to be mostly due to maintenance and cosmetics.
- Changes are consistent and do not detract from any style, color or architectural features.

**MOTION PASSED, UNANIMOUS VOTE**

**HISTORIC DISTRICT APPLICATION FOR 24-26 N. SHORT STREET FOR EXTERIOR ALTERATIONS, PAINTING, REPAIRS, AND DEMOLITION OF A SMALL REAR ADDITION ON THE PROPERTY; OWNER: PRIAM HOLDINGS LLC – ALLISON WESTFALL; APPLICANTS: NOAH WESTFALL, ALLISON WESTFALL, GRANT WESTFALL AND ANDREA WESTFALL.** The staff report noted: Applicant is returning the current 4 unit back to a duplex; it was built in 1880 by Elizabeth Dillaway and is not listed on the National Register, the details of the application:

**Removal/Demo and Repairs:**

- Brick and stone work as needed, including tuck pointing on all four sides of the property.
- Removal of exterior stairs both on the north and south sides;
- Removal of doors and brick openings as noted on photo elevations.
- Removal of non-functioning chimneys & skylight
- Demo of rear addition (see Demo Standards), including concrete stairs
  - Pour new concrete steps and patio in its place

**Replace:**

- (17) 1/1 double hung windows all around with 8300 Series Marsh vinyl windows – color Black
- (12) basement windows replaced all around – color White
- Replace cellar entry doors and repair concrete stairs
- (2) new 8’ front doors with 12” transom – textured fiber glass door/Bronze color
- Replace front stair rails with black wrought iron style railing similar to existing fence – Knight Fabrication

**Paint:**

- Masonry brick all sides: Behr, Swiss Coffee
- Stone lintels, sills, and block foundation all around: Sherwin Williams, Balanced Beige
- Soffit, porch deck railings, posts and fascia: Sherwin Williams, Urban Bronze
- Gutters/Downspouts: Urban Bronze at the top, Swiss Coffee down the sides and Balanced Beige at the base

**Garage:**

- Repair wood siding
- Paint Behr Swiss Coffee
- Replace gutters and downspouts: paint to match same on the house
- Repair and replace garage doors as needed – Color White

Regarding the Standards for Demolition or Removal:

Section 1143.22(f)(10)(B)(1) requires that demolition permits shall not be issued unless accompanied by an approved certificate of appropriateness and a certificate of appropriateness may only be approved if clear evidence that two or more of the following conditions exist:

- I) The structure has incurred extensive damage to its basic structural elements such as the roof, walls, and foundation requiring substantial reconstruction and presenting an immediate danger to the public safety as declared by the Chief Building Official.
- II) The structure is listed as non-qualifying or is not consistent with other structures in the historic district in terms of historic character, architectural style, construction material, height, setback or mass.
- III) The square foot cost of meeting the minimum building code would exceed the square foot market value of similarly used and improved structures in the historic district.
- IV) The structure is contributing and has been declared a public nuisance and its removal will not adversely affect the architectural or historic integrity of the streetscape.

Following the standards for demolition, staff finds that the attached "mud room" meets both II and IV Standards above in that the addition to the rear is clearly not original or historically significant and its removal will not adversely affect the historic integrity of the primary structure or the streetscape.

Staff recommended approval of the requested exterior alterations, repairs, painting and demolition as the proposed work will not damage or negatively affect the original and historic qualities of the building or streetscape.

Discussion. Regarding the chimneys to be removed, staff advised that they are not actually used and no exhaust piping would be required.

The Commission noted that there are a number of entrances and windows that the owner plans to brick in and then paint, along with repainting the brick structure. Mr. Wolke noted that while he has objected to painting perfectly good brick structures, he does not believe this property is "perfectly good brick".

Regarding the demolition, Mr. Kappers commented that item IV has not been met as stated in the staff report, as the mudroom has not been declared a public nuisance and all of the statements of IV must be met for IV to qualify. Staff commented that while this may meet the definition of a "minor demolition", Commission approval is still required, although a reuse plan is not required. Ms. Ehrlich commented that she has been in the mud room and believes it detracts from the building. The Commission suggested the applicant provide an independent contractor's statement of what it would cost to rehab the mudroom and costs to build that size of a structure to show if the repair costs exceed construction costs.

A motion was made by Mr. Westmeyer that the Commission approve elements of the historic district application for 24-26 N. Short Street with the exception of the demolition with staff to determine if the value of repair exceeds construction costs when the applicant submits that information and, if so, authorize the demolition. It was commented that the Commission could not delegate that to staff, and Mr. Westmeyer withdrew his motion.

A motion was made by Mr. Kappers, seconded by Mr. Wolke, that the Commission approve elements of the historic district application for 24-26 N. Short Street with the exception of the demolition portion and when the applicant submits information related to repair costs and construction costs, the demolition portion of the application can be placed on the Commission agenda, with the portion approved based on the findings of staff that approval of the requested exterior alterations, repairs, and painting, as the proposed work will not damage or negatively affect the original and historic qualities of the building or streetscape.

**MOTION PASSED, UNANIMOUS VOTE**

There being no further business, the meeting adjourned at 4:24 p.m. upon motion of Mr. Titterington, seconded by Mr. Westmeyer.

Respectfully submitted,

\_\_\_\_\_Chairman

\_\_\_\_\_Secretary