

May 12, 2021

A regular meeting of the Troy Planning Commission was held remotely on Wednesday, May 12, 2021, with Chairman, Mr. Kappers presiding. ATTENDING: Members – Kappers, Titterington, Wolke, Oda, McGarry, Westmeyer, and Ehrlich; Staff – Assistant Development Director Harris, Zoning Inspector Eidemiller, Engineering Technician Watson.

MINUTES OF APRIL 28, 2021 MEETING. The minutes of the April 28, 2021 meeting were approved upon motion of Mr. Titterington, second of Mr. McGarry.

HISTORIC DISTRICT APPLICATION FOR 109 E. CANAL STREET FOR REPAINTING OF BUILDING EXTERIOR AND DOOR; OWNER/APPLICANT - AMY EVANS– STUDIO 109. Staff reported: property is zoned OR-1, Office-Residence District; structure was built in 1890; building is not listed on the National Register; application is to replace the primary building color from the current red color to a “Tricorn Black” (Sherwin Williams #6258); repaint the current black color doors to “Lime Rickey” (Sherwin Williams #6717); and staff recommends approval based on the finding that the proposed exterior colors provide improved maintenance to the building and are found to be within keeping of the colors in the historic district.

Commission members asked about the window trim, awning and flower boxes, with staff advising as those items were not addressed or included in the application, the colors of those items are not changing.

A motion was made by Mr. Wolke, seconded by Mrs. Ehrlich, to approve the historic district application for 109 E. Canal Street as submitted for the exact colors of Sherwin Williams Tricorn Black #6258 for the exterior and Sherwin Williams Lime Rickey #6717 for the door, based on the findings of staff that the proposed exterior colors provide improved maintenance to the building and are found to be within keeping of the colors in the historic district.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION FOR 16 N. MARKET STREET FOR TWO VINYL WINDOW SIGNS; OWNER SAUNDRA BASTIAN; APPLICANT AMANDA FELTNER – HIPPIEWORKS BOUTIQUE LLC. Staff reported: property is zoned B-3, Central Business District; this property is within an area of North Market Street known as Commercial Row and Commercial Row is within the National Register of Historic Places; 27 Square feet of window/wall signage is permitted; application is for 7.17 square feet; window sign to be constructed of two vinyl decals making up the business graphic and lettering with the following colors as shown (Various shades of Yellow [PMS 101, 109, 124], Gold [PMS 131], Black, White); and staff recommends approval based on the findings of:

- The proposed sign will meet all City of Troy sign code requirements; and
- The sign is in keeping with the character of the historic district

A motion was made by Mr. Titterington, seconded by Mr. McGarry, to approve the historic district application for 16 N. Market Street as submitted, based on the exact colors of Various shades of Yellow [PMS 101, 109, 124], Gold [PMS 131], Black, White); and based on the findings of staff that:

- The proposed sign will meet all City of Troy sign code requirements;
- The sign is in keeping with the character of the historic district

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION FOR 113 N. MULBERRY STREET FOR DEMOLITION OF A DAMAGED DETACHED GARAGE AND REPLACING IT WITH A NEW COMMERCIAL FIVE BAY GARAGE; OWNER, MULBERRY RIVERSCAPE LLC – HOLDON LINGRELL. Staff reported: this accessory structure is located at the rear of the lot of 113 N. Mulberry St. after a recent windstorm the garage incurred significant damage and needs to be demolished; property is zoned B-1, Local Retail District; the brick structure to the front of the lot was constructed in 1900; this pole barn style garage with a slab base is 70’x24’ (1,680 sq.ft.) and was built in 1960; Boone Restoration provided a cost estimate of \$17,914 to repair the garage; applicant wishes to demolish the detached garage and construct a new similar sized 70’x26’ (1,820 sq.ft.) pole barn style garage made out of 29-gauge galvanized steel at a cost of \$22,379; the commercial garage will be used as an accessory use for the business; proposed reuse plan is a five bay garage made by Reliable Metal Buildings would have the following colors:

- Garage Doors: Clopay Mocha Brown (FB3SRN29114)
- Building Roof and Top Portion: Burnished Slate (WXB1007L)
- Building Trim and Lower Portion: Taupe (WXC0047L)

Staff further reported that the proposed reuse plan meets all zoning code standards and the applicant requested a waiver of posting a performance bond, as this is a non-historic accessory structure. Staff recommends approval of the application finding that the damaged garage meets both I and II of the Standards for Demolition or Removal; the accessory garage is not original or historically significant and its removal will not adversely affect the historic integrity of the primary structure or district; and the Miami County Chief Building Official provided a letter finding that the structure is a safety hazard and in danger of collapse. The standards of Codified Ordinance 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.

Staff recommended approval of the requested demolition of the existing damaged garage and the construction of a new replacement similar in size and style, including the proposed colors and performance bond waiver, finding that the proposed garage replacement will not adversely affect the primary historic building facing N. Mulberry Street or negatively affect historic qualities of the property or district.

Discussion. Mr. McGarry asked about the timing of the demolition, noting his understanding that structures such as the new garage have an extended delivery period. Mr. Lingrell, applicant, responded that he has been given a delivery of 6-8 weeks for the new building, he anticipates little delay in demolition even though areas of the structure are still being used, and he will need time to prep the property for the new structure.

Mr. Kappers asked if there was any history of the Hayner Distillery associated with this application. Staff commented that the garage would not date back to the period of the distillery as it was placed around 1960.

A motion was made by Mr. Westmeyer, seconded by Mrs. Ehrlich, to approve the historic district application for the demolition of the damage garage to the rear of 113 N. Mulberry Street, finding that Sections 1) and 11) of Codified Ordinance Section 1143.22(f)(10)(B)(1) have been met, and approving the reuse plan of the construction of the proposed 5-bay commercial structure, based on the application submitted, the exact colors and materials stated in the application, and further based on the findings of staff that the proposed garage replacement will not adversely affect the primary historic building facing N. Mulberry Street or negatively affect historic qualities of the property or district, and to waive the bond requirement for this application. **MOTION PASSED, UNANIMOUS VOTE**

HALIFAX VILLAS PLANNED DEVELOPMENT, PHASES TWO AND THREE – REVISED FINAL DEVELOPMENT PLAN

OWNER/APPLICANT: HALIFAX LAND COMPANY, LLC. Staff reported: the Halifax Villas Planned Development located on the east and west side of Piqua-Troy Road; the Planned Development process requires three steps for approval; the first step is the General Plan, which was previously approved by Planning Commission and City Council; the second step is the Final Development Plan and the third step is the Record Plan; the Halifax Villas Planned Development went through a major revision to the General Plan as approved by Ordinance No. O-8-2020, which expanded the boundary of the initial Planned Development from 107.171 acres to 115.186 acres and the clubhouse has been relocated from the Northeast Section of the Planned Development to the Southwest section of the Planned Development as Phase Three; there is no change to the existing Planned Development Phase One (located south of Phase Two) as established by Ordinance No. O-35-2018; the specifics of the Revised Final Development Plan are:

PROPOSAL:

Uses & Layout:

Phase Three of the development encompasses 8.015 acres for the construction of the private clubhouse which will be used by the residents of the Halifax Villas development. The clubhouse will provide 30 regular parking spaces and 20 golf cart parking spaces. Access will be provided by way of Nottingham Road and golf carts can access the clubhouse by the connection around the pond or the connection to the car path around the single-family residential lots. Maintenance of the facility will be the responsibility of the HOA.

Parks & Recreation Facilities: Phase Three of this Planned Development is a private clubhouse located southwest of Halifax Villas and provides recreational opportunities for all residents of the Halifax Villas Development. In addition to the outdoor swimming pool, an extensive cart path and walkway are available for the enjoyment of the residents. The Zoning Code requires 10% of the entire acreage in the development to be used as open space. The proposed development has met the open space requirement for a planned development. Maintenance of the private clubhouse, open space and cart path will be the responsibility of the HOA.

Staff recommends that the Planning Commission approve the Revised Final Development Plan as it is in accordance with the General Plan approved by Ordinance No. O-8-2020.

Discussion. In response to a question regarding the clubhouse location and the detention basin shown on the plat, Mr. Titterington advised that the clubhouse will be accessed off a stub street which is located off Finsbury Lane, part of the Sherwood Development; regarding the detention basin, the developer was going to dig a shallow area as the developer needed some fill to raise part of the elevation site to meet FEMA requirements, the City and the developer agreed that the developer would dig that area deeper, which would provide more fill and create a detention basin that will help relieve high water events that have occurred on Finsbury Lane. Minutes amended 5-26-2021 to add "Mr. Titterington stated that the Park Department would not maintain the detention basin or easement."

A motion was made by Mayor Oda, seconded by Mr. McGarry, to approve the Revised General Plan of Phases Two and Three of the Halifax Villas Planned Development as submitted as the plan is in conformance with the approved General Plan.

MOTION PASSED, UNANIMOUS VOTE

OTHER – RETURN TO MEETING IN PERSON. Mr. Titterington commented that in June, City Council meetings will return to being held in City Hall; City Council meetings have been held in-person (not using Zoom for member attendance or viewing); and the State provision that allows other public boards to hold remote meetings ends July 1 with all public meetings thereafter returning to in-person meetings only. Mr. Titterington asked if the Commission wanted to start meeting in person at City Hall ahead of that date. Mr. Kappers asked that discussing this be an agenda item for the next meeting.

There being no further business, the meeting adjourned at 3:55 p.m. upon motion of Mr. Titterington, seconded by Mrs. Ehrlich.

Respectfully submitted,

_____Chairman

_____Secretary