



**AGENDA - TROY PLANNING COMMISSION MEETING
WEDNESDAY, MAY 25, 2022, 3:30 P.M.
CITY HALL, COUNCIL CHAMBERS**

1. Roll Call
2. Minutes - May 11, 2022
3. Historic District Application for 217 Public Square SE for building sign above the storefront and exterior painting.
Owner: ADM Real Estate Holdings, LLC by J. Gustavo Menezes
Applicant: Jess Justice
-Commission to make decision
4. Other

Note Next Meeting -- June 8, 2022

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, May 25, 2022 at 3:30 PM with Chairman Alan Kappers presiding. ATTENDING: Members -- Titterington, Wolke, Oda, Kappers, McGarry, Ehrlich and Westmeyer; Zoning Inspectors Eidemiller, Long, and Bruner; Development Director Davis, and Development staff member Dunlap.

APPROVAL OF MINUTES: Upon motion of Mayor Oda, seconded by Mr. Titterington, the minutes of the May 11, 2022 meeting were approved as amended by unanimous roll call vote.

REZONING APPLICATION, 408 AND 410 N. ELM STREET, FROM R-6, TWO-FAMILY RESIDENTIAL DISTRICT, TO OR-1, OFFICE RESIDENTIAL DISTRICT; OWNER/APPLICANT – WE LOVE BIRTHDAY PARTIES, LLC BY SHELLY CALVERT. Staff reported:

"A request by Shelly Calvert, on behalf of We Love Birthday Parties LLC, for the Planning Commission to consider the rezoning of 408 N. Elm Street and 410 N. Elm Street, Parcel ID: D08-250710 and D08-250712, from R-6 Two-Family Residential to OR-1 Office Residential District. The properties are located on N. Elm Street south of Atlantic Street and North of Fountain Street.

The total 0.26 acres has a proposed use of office and open space for birthday party rentals. The surrounding zoning districts include the B-2 General Business District to the north and east and R-6 Two-Family Residential to the south and west. Please see attached Zoning Map.

DISCUSSION:

The subject properties have held a variety of uses, most recently occupied by the Courts of Praise Church, and has not been utilized as a residential structure. The flexible uses in the OR-1 Zoning District allow for the continued usage as a non-residential property while acting as a buffer for the existing residential properties to the adjacent commercial zoning district.

Chapter 1143.11 of the Zoning Code describes the proposed OR-1 Zoning District as "designed to accommodate a mixture of residential and office uses. Medium intensity residential and office uses are permitted with a lot area requirement of three thousand (3,000) square feet per dwelling unit. Residential and office uses may be mixed in the same building or structure. A variety of personal service uses which are compatible with the other uses of the "OR-1" Office-Residence District are permitted. This district is mapped along major thoroughfares, near hospitals and as a transitional area between commercial and residential uses."

The Comprehensive Plan's Future Land Use Map (Figure 14-2) displays this area as commercial and residential uses.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes as this property acts as a transition from the commercial properties to the north, to the residential properties to the south.

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions. The proposed rezoning is not made necessary because of changing conditions in the affected area. The proposed use will not have any adverse effects in the area and is similar to the low intensity commercial uses that currently exist.

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity. The proposed use is compatible with adjacent properties in the immediate vicinity.

(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified. Adequate utilities are being provided to the request property.

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development. In the vicinity of the subject property, there is no available vacant land for development OR-1 classification.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property. Not applicable in this request.

Staff did not recommend the Commission hold a public hearing and recommended approval of the rezoning application as submitted based on the findings of

- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- o The proposed rezoning is consistent with the surrounding zoning districts while acting as a transition from the commercial districts to the residential properties; and
- o The use is consistent with permitted uses in the OR-1; and
- o The proposed rezoning is consistent with the City of Troy Comprehensive Plan."

Discussion: Mr. Wolke asked if this would be considered "spot zoning". Staff commented that as the OR-1 is a transitional zoning (commercial to residential), this would not be considered spot zoning, and this type of transitional zoning is preferred.

Public Hearing: A motion was made by Mr. Wolke, seconded by Mr. Titterington, that the Troy Planning Commission not hold a public hearing on the rezoning application for 408 and 410 N. Elm Street. **MOTION PASSED, UNANIMOUS VOTE**

Recommendation:

A motion was made by Mr. Wolke, seconded by Mr. Westmeyer, that the Troy Planning Commission recommends to Troy City Council that 408 N. Elm Street (Parcel D08-250712) and 410 N. Elm Street (Parcel D08-250710) be rezoned from R-6, Two-Family Residential District, to OR-1, Office Residential District, based on the findings of staff that:

- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- o The proposed rezoning is consistent with the surrounding zoning districts while acting as a transition from the commercial districts to the residential properties; and
- o The use is consistent with permitted uses in the OR-1; and
- o The proposed rezoning is consistent with the City of Troy Comprehensive Plan. **MOTION PASSED, UNANIMOUS VOTE**

There being no further business, the meeting adjourned at 3:35 p.m. upon motion of Mr. Westmeyer, seconded by Mr. Wolke, and approved by unanimous voice vote.

Respectfully submitted,

_____ Chairman

_____ Secretary



MEMORANDUM

TO: City of Troy Planning Commission Members
FROM: Development Staff
DATE: May 25, 2022
SUBJECT: Historic District Review – 217 Public Square SE

PROPOSAL:

Gustavo Menezes with ADM Real Estate Holdings, is requesting a historic review from the Planning Commission to consider the exterior modification of paint and a building sign at the building located at 217-219 Public Square SE. The property is zoned B-3, Central Business District.

The Ohio Historic Inventory (OHI) form describes the building as a two-story brick building with Italianate Commercial elements. Contributing features include corbelled brickwork above the storefront and at the cornice; continuous stone lintels, and five circular windows above the second-floor windows. The building is on the National Register.

DISCUSSION:

The applicant is proposing to install 14 square foot building sign above the storefront. The permitted sign allowance for this tenant space is 22 square feet and will meet this requirement. The building sign will be 3" thick metal individual pin mounted letters in the following colors: Orange (Invigorate SW 6886), Green (Direct Green SW 6924) and white (Vinyl White SW010). The applicant is removing the two metal raceways that previously held the Jeweler's sign (see attached design graphics).

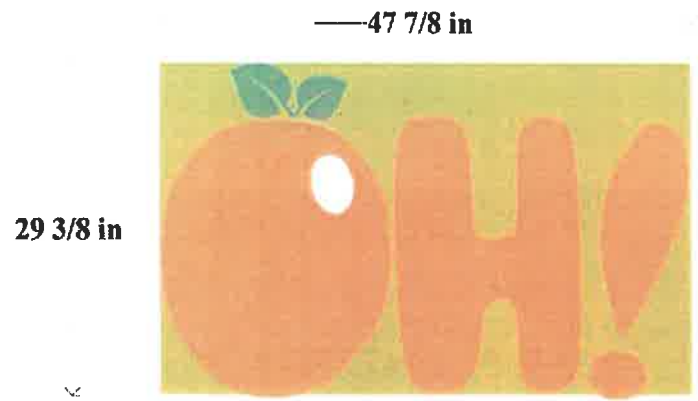
Additionally, the applicant is proposing to paint the first-floor front façade of the building white (Marshmallow SW7001) to match Haren's building directly to the north. It is important to note that the requested paint alteration is for the first-floor 217 tenant storefront that has been altered in the late 1970's. The uncovered red brick above the storefront will remain unaltered (see attached design graphics).

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:

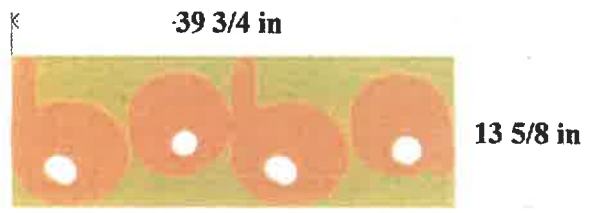
Staff recommends approval of the proposed sign and paint, based on the following:

- The proposed sign will meet all City of Troy code requirements; and
- The proposed sign colors will not detract from the historic integrity of the building and streetscape;
- The paint does not cover any contributing features on the building; and
- The paint matches the building to the north and does not detract from the historic integrity of the building and streetscape.



30" x 48" = 10 s.f.

**14 square feet
Building 15' frontage = 15 s.f.
12' to top of letters**



14" x 40" = 4 s.f.

**Letter colors: Invigorate sw6886
Direct green sw 6924
Vinyl white 010**

**Building Color: Marshmallow sw7001
matching color to Herron's bldg.**

OH! boba





existing storefront

OHIO HISTORIC INVENTORY

Ohio Historic Preservation Office
1985 Velma Avenue
Columbus, Ohio 43211
614/297-2470



1. No.		2. County Miami		4. Present Name(s) Kolter Building		<input type="checkbox"/> Coded	
3. Location of Negatives City of Troy Devel. Dept		5. Historic or Other Name(s) Schaible Dilts Bldg.		Roll No. A		Picture No.(s) 3	
6. Specific Address or Location 217-21 S.E. Public Square		16. Thematic Association(s)		28. No. of Stories 2		29. Basement? Yes <input type="checkbox"/> No <input type="checkbox"/>	
6a. Lot, Section or VMD Number		17. Date(s) or Period 1907		17b. Alteration Date(s) 1911		30. Foundation Material Unknown	
7. City or Village Troy		If Rural, Township & Vicinity		18. Style or Design N/A		31. Wall Construction Brick Bearing	
8. Site Plan with North Arrow		18a. Style of Addition or Element(s) N/A		19. Architect or Engineer		32. Roof Type & Material Flat/Blt Up	
		19a. Design Sources		20. Contractor or Builder		33. No. of Bays Front 7 ; Side 3	
		21. Building Type or Plan Commercial		22. Original Use, if apparent Commercial		34. Exterior Wall Material(s) Running Bond	
9. U.T.M. Reference Quadrangle Name Troy		23. Present Use Commercial		24. Ownership Public <input type="checkbox"/> Private <input checked="" type="checkbox"/>		35. Plan Shape Rectangular	
Zone Easting Northing		10. Site Building <input checked="" type="checkbox"/> Structure <input type="checkbox"/> Object <input type="checkbox"/>		25. Owner's Name & Address, if known Henrietta Kolter 1056 Ridge Ave Troy, OH		36. Changes Addition <input type="checkbox"/> Altered <input checked="" type="checkbox"/> Moved <input type="checkbox"/> (Explain in #42)	
11. On National Register? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		12. N.R. Potential? Yes <input type="checkbox"/> No <input type="checkbox"/>		26. Property Acreage		37. Window Type(s) <input type="checkbox"/> 6 over 6 <input type="checkbox"/> 2 over 2 <input checked="" type="checkbox"/> 4 over 4 <input checked="" type="checkbox"/> Other 1/1	
13. Part of Estab. Hist. Dist.? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		14. District Potential? Yes <input type="checkbox"/> No <input type="checkbox"/>		27. Other Surveys in Which Included		38. Building Dimensions	
15. Name of Established District (N.R. or Local) Troy Historic District		42. Further Description of Important Interior and Exterior Features (Continue on reverse if necessary) Two story brick commercial building with Italianate Commercial elements. CDF; Corbelled brickwork above the storefront and at the cornice; continuous stone lintels and sills, 5 circular windows above the second floor windows; the name on the building; parapet. Alteration: Storefront.		43. History and Significance (Continue on reverse if necessary) The original structure was built in 1907 by John C. Schaible. Improvements were made on the building in 1911.		<p>PHOTO</p>	
44. Description of Environment and Outbuildings (See #52) Downtown commercial core area		45. Sources of Information Field observation City of Troy Miami Co. property records		46. Prepared by J. Darbee/N. Reeche		47. Organization F. Conaway & Assoc.	
				48. Date Recorded in Field 5/97		49. Revised by	
				50a. Date Revised		50b. Reviewed by	



CITY OF TROY PLANNING COMMISSION
APPLICATION FOR HISTORICAL TROY ARCHITECTURAL DISTRICT

Date 04/22/22

Applicant Jess Justice Telephone No. 573-3562000

Owner of Property ADM REAL ESTATE HOLDINGS, LLC Has the Owner been Notified? Yes

Address of Project 217 SE Public Square Troy, OH 45373

Contact Address (if different than Project Address) _____

Name of Architect/Engineer and/or Contractor Haas Signs/

Application for renovation to include the following:

- | | |
|--|---|
| <input type="checkbox"/> Alteration | <input type="checkbox"/> Repair |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Demolish - Principal Structure |
| <input type="checkbox"/> Moving A Building | <input type="checkbox"/> Demolish - Accessory Structure |
| <input checked="" type="checkbox"/> Painting | <input checked="" type="checkbox"/> Other: <u>Sign</u> |

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, fence, 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.

SIGNATURE OF APPLICANT:

[Handwritten Signature]

J. GUSTAVO MENEZES FOR ADM REAL ESTATE HOLDINGS, LLC

SIGNATURE OF PROPERTY OWNER:

PRINTED NAME OF PROPERTY OWNER:

OFFICE USE ONLY:

DATE FILED: _____

CASE #: _____

DATE OF MEETING: _____

