



**TROY CITY COUNCIL
COMMITTEE MEETING
COUNCIL CHAMBERS, CITY HALL
100 S. Market Street, Troy, Ohio**

MONDAY, MAY 8, 2023; 6:00 P.M.

Buildings & Utilities Committee

(Marshall [Chm.], Twiss, Whidden)

1. Provide a recommendation to Council regarding authorizing the Director of Public Service and Safety to enter into professional services agreements with Jones & Henry Engineers, LTD. of Cincinnati, Ohio for the following projects:
 - A. Chlorine Gas Conversion Project for the Water Treatment Plant at a cost not to exceed \$226,430
 - B. Valve Replacement Project for the Water Treatment Plant at a cost not to exceed \$120,310

Community & Economic Development Committee

(Schilling [Chm.], Pierce, Snee)

1. Provide a recommendation to Council regarding Ordinance No. O-21-2023, rezoning of 15 S. Oxford Street from B-2, General Business District, to Office-Residential District, OR-1

Streets & Sidewalks Committee

(Phillips [Chm.], Pierce, Snee)

1. Provide a recommendation to Council regarding authorizing the Ordinance of Assessment for the 2022 Sidewalk Replacement Program, Phase 14.
2. Provide a recommendation to Council regarding authorizing the Director of Public Service and Safety to enter into an Easement Agreement with Busted Brick Realty Group, LLC to allow an encroachment into the public right-of-way west of the building known as the Mayflower Art Theater. Consideration of emergency legislation is requested.

Other Committees/Items may be added.

5-5-2023

cc: Mayor
Mr. Titterington
Mr. Kerber
Mr. Frigge, Departments, Media

BUILDINGS & UTILITIES COMMITTEE



Patrick E. J. Titterington
Director of Public Service & Safety
937-335-1725
Patrick.Titterington@troyohio.gov

MEMORANDUM

TO: Mr. Lutz, President of Council

FROM: Patrick E. J. Titterington, Director of Public Service and Safety 

DATE: May 4, 2023

SUBJECT: **AUTHORIZE PROFESSIONAL SERVICES AGREEMENT WITH JONES & HENRY ENGINEERS, LTD FOR DESIGN OF THE WATER TREATMENT PLANT CHLORINE GAS PROJECT AND THE WATER TREATMENT PLANT VALVE REPLACEMENT PROJECT**

RECOMMENDATION:

That Council authorizes the Director of Public Service and Safety to enter into professional services agreements with Jones & Henry Engineers, LTD. of Cincinnati, Ohio to perform the design and bidding assistance for the Chlorine Gas Conversion Project and the Valve Replacement Project at the Water Treatment Plant (WTP).

BACKGROUND:

The Chlorine Gas Conversion Project will decrease the risk while increasing the resiliency of the WTP by replacing chlorine gas with sodium hypochlorite or onsite generation. The chlorine Risk Management Plan (RMP) states that there would be 13,361 persons effected in the worst-case scenario if a chlorine gas release. The American Water Infrastructure Act of 2018 (2018 AWIA) required Public Water Systems (PWS) to perform a Risk and Resiliency Assessment. That assessment states, "The release of chlorine gas represents the single greatest threat to the water treatment plant and because of the WTP's location represents a significant threat to public health. In addition, a chlorine tank rupture or failure of that process could lead to extended down time of the WTP..." Staff has recommended that the engineering firm of Jones & Henry LTD. be authorized to prepare the project conversion plans, design specifications, bid documents, provide an estimate for bidding, review of bids, and limited construction inspections at a cost not to exceed \$226,430. \$49,000 was included in the 2023 Water Plant Budget towards a study for this project.

The Valve Replacement Project was precipitated by the 2022 Filter Media Cleaning Project, in which an acid escaped through leaking valves on the filters. This low pH water entered the clearwell and, in an attempt to isolate the water, valves were operated to bypass the clearwell. Once the situation was corrected the valves were operated back to their original position, but the extensions broke before the end was reached. These 48" valves are approximately 35 feet deep and has ground water infiltration that must be handled safely. Due to the depth of excavation, the size of the valves and the ground water in the area, staff is of the opinion that this project would benefit from utilizing Construction Management at Risk (CMAR) to reduce time and costs associated with the project. The project includes the preparation of the plans, design specifications, an RFP for a CMAR contractor selection process, provide guaranteed maximum price for CMAR, and construction inspections, at a cost not to exceed \$120,310. This project was not included in the 2023 Budget as it was anticipated that the work could be done by staff.

\$500,000 was appropriated in the Water Distribution Budget (710.663) for a Water Line Industrial Park project that will not require funding in 2023. That appropriation is available to fund these two design projects.

REQUESTED ACTION

It would be appreciated if you would assign to a Committee of Council authorizing the Director of Public Service and Safety to enter into professional services agreements with Jones & Henry Engineers, LTD. of Cincinnati, Ohio for:

1. Chlorine Gas Conversion Project for the Water Treatment Plant at a cost not to exceed \$226,430
2. Valve Replacement Project for the Water Treatment Plant at a cost not to exceed \$120,310



**COMMUNITY &
ECONOMIC DEVELOPMENT
COMMITTEE**

ORDINANCE No. 0-21-2023

Dayton Legal Blank, Inc.

**AN ORDINANCE CHANGING THE ZONING OF
PARCEL NUMBER D08-001120 IN THE CITY OF
TROY, OHIO FROM B-2, GENERAL BUSINESS
DISTRICT, TO OR-1, OFFICE RESIDENTIAL
DISTRICT**

WHEREAS, a request for a zoning change was presented to the Planning Commission of the City of Troy, Ohio to rezone Parcel Number D08-001120 (15 South Oxford Street) from B-2, General Business District, to OR-1, Office Residential District; and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval; and

WHEREAS, at least thirty days notice of the public hearing of said change has been provided in a newspaper of general circulation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

SECTION I: That the zoning of Parcel Number D08-001120 (15 South Oxford Street) from B-2, General Business District, to OR-1, Office Residential District, be approved.

SECTION II: That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____
Clerk of Council_____
Mayor



TROY PLANNING COMMISSION

MEMORANDUM

TO: Mr. Lutz President, Troy City Council
FROM: Sue Knight, for the Troy Planning Commission
DATE: April 10, 2023
SUBJECT: **PROPOSED REZONING - 15 S. OXFORD STREET, PARCEL NO. D08-001120, FROM B-2, GENERAL BUSINESS DISTRICT, TO OR-1, OFFICE RESIDENCE DISTRICT**

On March 22, 2023, the Troy Planning Commission considered the rezoning of 15 S. Oxford Street, Troy, Ohio, Parcel D08-001120, from B-2, General Business District, to OR-1, Office Residence District. The property owners are Steven and Pamela Speranza.

The Planning Commission determined not to hold a public hearing on this rezoning application.

By unanimous vote, the Troy Planning Commission recommends to Troy City Council that 15 S. Oxford Street, Parcel D08-001120, be rezoned from B-2, General Business District, to OR-1, Office Residence District, based on the findings of staff that:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code,
- The proposed rezoning is consistent with the surrounding zoning districts,
- The use is consistent with permitted uses in the OR-1, and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Attached is a copy of the information reviewed by the Commission. This request is forwarded herewith to Council for consideration.

The Public Hearing before Council has been set for the May 1 meeting of Council.

encl.

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning & Zoning Manager

DATE: March 22, 2023

SUBJECT: 15 S. Oxford Street – Rezoning Request

BACKGROUND:

A request by Mr. and Mrs. Steven Speranza for the Planning Commission to consider the rezoning of 15 S. Oxford Street from B-2, General Business District to OR-1, Office Residence District. The property is located on S. Oxford Street south of W. Main Street and north of W. Franklin Street.

The land is currently used as a single-family dwelling and is currently a legal non-conforming use in the B-2, General Business District. The B-2, General Business District permits residential uses on the second floor and above. The surrounding zoning districts include B-2 General Business to the north and east, R-5 Single-Family Residential District to the south, and R-6 Two-Family Residential District and B-2 General Business district to the west.

DISCUSSION:

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 14-4) displays this property in between existing residential and commercial uses. A copy of Figure 14-4 has been attached to this report.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions. Staff analysis can be found in **Red** below:

(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.

(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 residential uses that currently exist to the south and west. The property has been a legal non-conforming use for an extended period of time and was designed as a single-family dwelling. The Ohio Historic Inventory from 1997 identifies this property as "a single-story frame Bungalow High Style Residence and being a good example of a Bungalow from the peak of that designs popularity". A copy of the OHI form has been attached to this report.

(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 and similar to the residential uses that currently exist to directly to the south and west.

(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 property in reference.

(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 unavailable vacant land for development with the OR-1 zoning 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.

PUBLIC HEARING:

Due to the straight forward nature of the rezoning request, the compliance with the City of Troy Comprehensive Plan, and the fact that City Council is required to hold a public hearing if the request proceeds on, staff does not feel that a public hearing before the Planning Commission is warranted.

RECOMMENDATION:

It is staff's opinion that the proposed rezoning will achieve the desired transitional district as is discussed in the City of Troy's Comprehensive Plan and Zoning Code. The intent of the OR-1 is act as a transitional area between commercial and residential uses. The Comprehensive Plan shows this area as existing residential and commercial uses and the requested rezoning will not deviate from the Comprehensive Plan.

Staff is recommending that the Planning Commission recommend approval of the proposed rezoning from B-2 General Business District to OR-1 Office Residence District, based on the following:



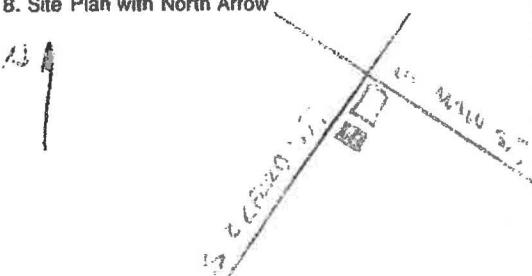
Austin Eidemiller
Planning & Zoning Manager
Austin.eidemiller@troyohio.gov

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- The proposed rezoning is consistent with the surrounding zoning districts; and
- The use is consistent with permitted uses in the OR-1 district; and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

REQUESTED ACTION:

Staff is requesting that Planning Commission provide a positive recommendation to City Council for the proposed rezoning.

OHIO HISTORIC INVENTORY

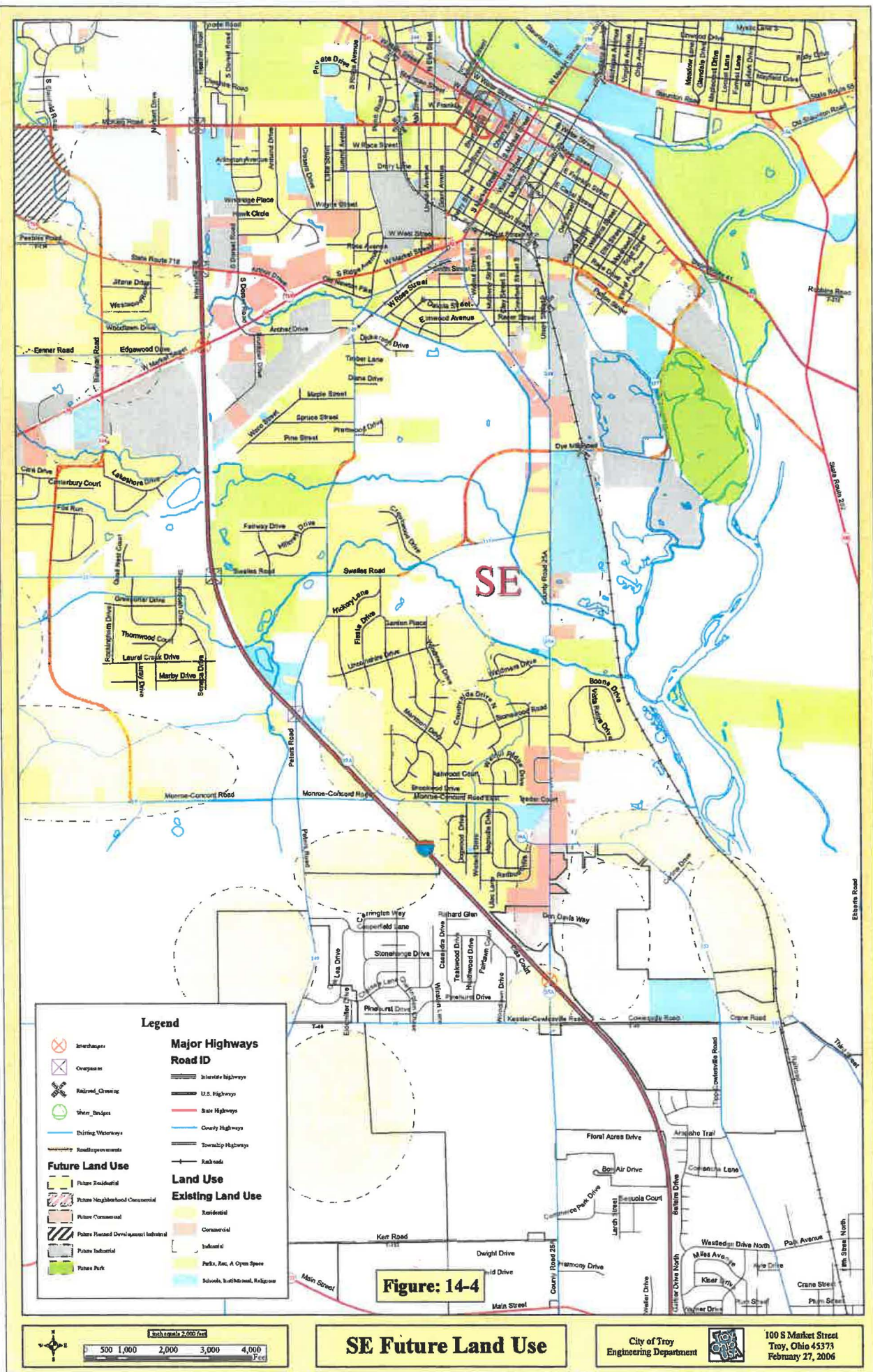
1. No.		2. County Miami		4. Present Name(s) Robin Reck House		☐ Coded	
3. Location of Negatives City of Troy Devel Dept				5. Historic or Other Name(s) Eva LeFevre House			
Roll No. K		Picture No.(s) 13					
6. Specific Address or Location 15 S. Oxford St				16. Thematic Association(s)		28. No. of Stories 1	
6a. Lot, Section or VMD Number				17. Date(s) or Period 1919		29. Basement? Yes ☒ No ☐	
7. City or Village Troy				17b. Alteration Date(s) Unknown		30. Foundation Material Poured Concrete	
8. Site Plan with North Arrow 				18. Style or Design Bungalow		31. Wall Construction Frame	
				☒ High Style ☐ Elements		32. Roof Type & Material Gable/Asphalt	
				18a. Style of Addition or Element(s) N/A		33. No. of Bays Front 2 Side 4	
				19. Architect or Engineer		34. Exterior Wall Material(s) Aluminum siding	
				19a. Design Sources		35. Plan Shape Irregular	
				20. Contractor or Builder		36. Changes (Explain in #42) Addition ☐ Altered ☒ Moved ☐	
				21. Building Type or Plan N/A		37. Window Type(s) ☐ 6 over 6 ☐ 2 over 2 ☐ 4 over 4 ☒ Other 3/1	
9. U.T.M. Reference Quadrangle Name T72-1				22. Original Use, if apparent Single residence		38. Building Dimensions 45 x 45	
Zone 1G		Easting 733240		23. Present Use Same		39. Endangered? Yes ☐ No ☐	
Northing 4435800		10. Site ☐ Building ☒		24. Ownership Public ☐ Private ☐		By What? Yes ☐ No ☐	
11. On National Register? Yes ☐ No ☒		12. N.R. Potential? Yes ☐ No ☐		25. Owner's Name & Address, if known Robin Reck 1304 North Rd Troy, OH		40. Chimney Placement 1 center in inside	
13. Part of Estab. Hist. Dist.? Yes ☒ No ☐		14. District Potential? Yes ☐ No ☐		26. Property Acreage		41. Distance from and Frontage on Road 20 x 55	
15. Name of Established District (N.R. or Local) Troy Historic District				27. Other Surveys in Which Included N/A			
42. Further Description of Important Interior and Exterior Features (Continue on reverse if necessary) A single story frame Bungalow High Style residence. This is a good example of a Bungalow from the peak of that designs popularity. The siding is the only major alteration, all other elements are left intact. CDF: include low roof pitch; 3/1 and other original windows; all porch elements from the base to the roof; bargeboards on the gables; front & screen doors; wood storm windows & screens							
43. History and Significance (Continue on reverse if necessary) Built in 1919 by Eva LeFevre.							
44. Description of Environment and Outbuildings (See #52) Small urban setting of closely spaced building and numerous shade trees.							
45. Sources of Information Field observation City of Troy Miami Co. property records							
46. Prepared by J. Darbee/N. Recchie							
47. Organization F. Conaway & Assoc.							
48. Date Recorded in Field 5/97							
49. Revised by							
50a. Date Revised							
50b. Reviewed by							

PHOTO



Zoning Map





Scheduled Planning Commission Meeting
(Held every 2nd and 4th Wednesday of the month at 3:30 p.m.)

Date Requested: _____
Applicant(s) scheduled on the agenda will be notified

Office Use Only

Date Filed _____
Accepted by _____
Filing Fee Pd. _____
Receipt # _____

APPLICATION IS DUE TWO (2) WEEKS PRIOR TO MEETING

APPLICATION FOR ZONING AMENDMENT CITY OF TROY PLANNING COMMISSION

(MUST BE TYPED OR PRINTED LEGIBLY IN BLACK INK)

(READ SECTION 1139 OF THE ZONING CODE BEFORE COMPLETING APPLICATION)

An application for an amendment to the City of Troy, Ohio Zoning Code that would change the zoning classification for the property located at 15 SOUTH OXFORD STREET

being lot number(s) D08001120 from B-2 to O/R-1
(Parcel Identification Number) (Street Address) (Existing Zoning Classification) (Proposed Zoning Classification)

OWNER

Name STEVEN & PAMELA SPERANZA
Address 549 BAYONNE DR.
City VANDALIA
State OHIO
Zip Code 45317
Phone No. 937-903 2132
Fax No. _____
Email STEVEN.A.SPERSANZA@gmail.com

APPLICANT

Name _____
Address _____
City SAME AS OWNER
State _____
Zip Code _____
Phone No. _____
Fax No. _____
Email _____

The applicant is the OWNERS of the property, which is subject to this application.
(State the interest of the applicant)

PLEASE PROVIDE THE FOLLOWING:

1. The reasons for seeking a change in the zoning classification or zoning text: Attach as **EXHIBIT "A"**.
2. The legal description of the land proposed to be reclassified: Attach as **EXHIBIT "B"**.
3. A site plan prepared by a registered engineer, surveyor or architect in duplicate drawn to such scale as to clearly show:
 - a. The actual dimensions of the subject property according to the recorded plat of such property, lot numbers, it's present zoning classification, existing and proposed uses: Attach as **EXHIBIT "C"**.
 - b. The present zoning classification of all surrounding lands located within two hundred and fifty (250) feet of the land proposed to be reclassified: Attach as **EXHIBIT "D"**.
 - c. A list (see example) of the names, addresses, and lot numbers of the owners of property within a radius of two hundred and fifty (250) feet from the parcel or parcels of land proposed to be reclassified: Attach as **EXHIBIT "E"**
 - i. Include one (1) copy of County Tax Maps
 - ii. Include two (2) sets of mailing labels
4. 2 complete sets (Exhibits A-E) reproducible in a format no larger than 11"x17"
5. Filing Fee of \$250.00 made payable to the City of Troy

I HEREBY DEPOSE AND SAY THAT THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN ALL THE EXHIBITS PREPARED BY ME AND TRANSMITTED HERewith ARE TRUE.

[Signature]

(Applicant Signature)

Subscribed and sworn to before me this 9 day of March, 2023

My Commission Expires August 21, 2027
(Month/Date/Year)



SUSAN BLISS
Notary Public
State of Ohio
My Comm. Expires
August 21, 2027

[Signature]

(Notary Public)

(For Office Use Only - Do Not Write Below This Line)

REQUIRED DOCUMENTS:

- ☒ EXHIBIT A Reasons for Zoning Reclassification
- ☒ EXHIBIT B Legal Description
- ☒ EXHIBIT C Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses
- ☒ EXHIBIT D Site Map with Zoning & Owners within 250 feet of parcel
- ☒ EXHIBIT E Property Owners List within 250 feet of parcel
- ☒ Labels Two (2) Sets of Mailing Labels of Property Owners
- ☒ Copies (1) Complete Sets in a reproducible format 11"x17"
- ☒ Map(s) One (1) County Tax Map(s)
- ☒ Filing Fee Check issued to City of Troy for \$250.00

Additional Documentation (List):

PLANNING COMMISSION DISPOSITION:

_____ PUBLIC HEARING DATE
_____ RECOMMENDATION TO CITY COUNCIL

CITY COUNCIL DISPOSITION:

1st Reading: _____ 2nd: _____ 3rd: _____ PUBLIC HEARING DATE
_____ COUNCIL COMMITTEE RECOMMENDATION
Approved: _____ Denied: _____ CITY COUNCIL ACTION
Ordinance Number: _____
Effective Date: _____

Revised 10/25/11

15 S. Oxford Zoning Amendment

From B-2 to O/R-1

Exhibit A

The subject Property is situated in an area that is predominantly Residential to the due west, south and east. B-2 uses are situated to north towards Main Street, however these uses are currently office type in nature. To stay in harmony with the surroundings on three residential sides and Owner's intended continued purpose of Residential (note: the property has been residential use since its inception in 1922 or 101 years), Owner wishes to solidify and codify this requested change, so no grandfathering is required for Residential use. Also allowing the Office use in the O/R-1 will also permit like kind office uses to be within the property rather than the more liberal B-2 designation should the area need or require office use.

Exhibit B

Property legal description

Situate in the City of Troy in the County of Miami and the State of Ohio; and bounded and described as follows: Being

Fifty (50) feet off the south end of Inlot Number Thirty-eight (38) in the City of Troy, Ohio, as follows:

Commencing at the southwest corner of said lot at an alley; thence North parallel with Oxford Street fifty (50) feet;

thence East parallel with Main Street fifty-seven and one-half (57 1/2) feet, more or less, to the west line of the lot

formerly owned by Emma Thomas; thence south with Emma Thomas' west line to the alley; thence West with alley to

the place of beginning, and being the same premises conveyed to Joseph W. Shilling by Alexander Hamilton and

Helen D. Hamilton, by deed dated June 8, 1936, and recorded in Vol. 218, Page 112, Miami County Deed records.

SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

COMMONLY KNOWN AS: 15 S Oxford Street Troy, OH 45373

PARCEL ID: D08-001120

Exhibit C Site Plan



2/20/2023

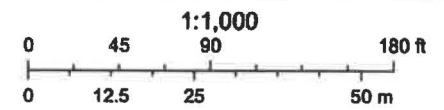


Exhibit C

15 S. Oxford Street Troy, OH

Rezoning Amendment

Property Dimensions: 50' frontage on Oxford Street and 57' depth at alley side

Lot Number: D08001120

Present Zoning: B-2

Existing Use: residential since 1922

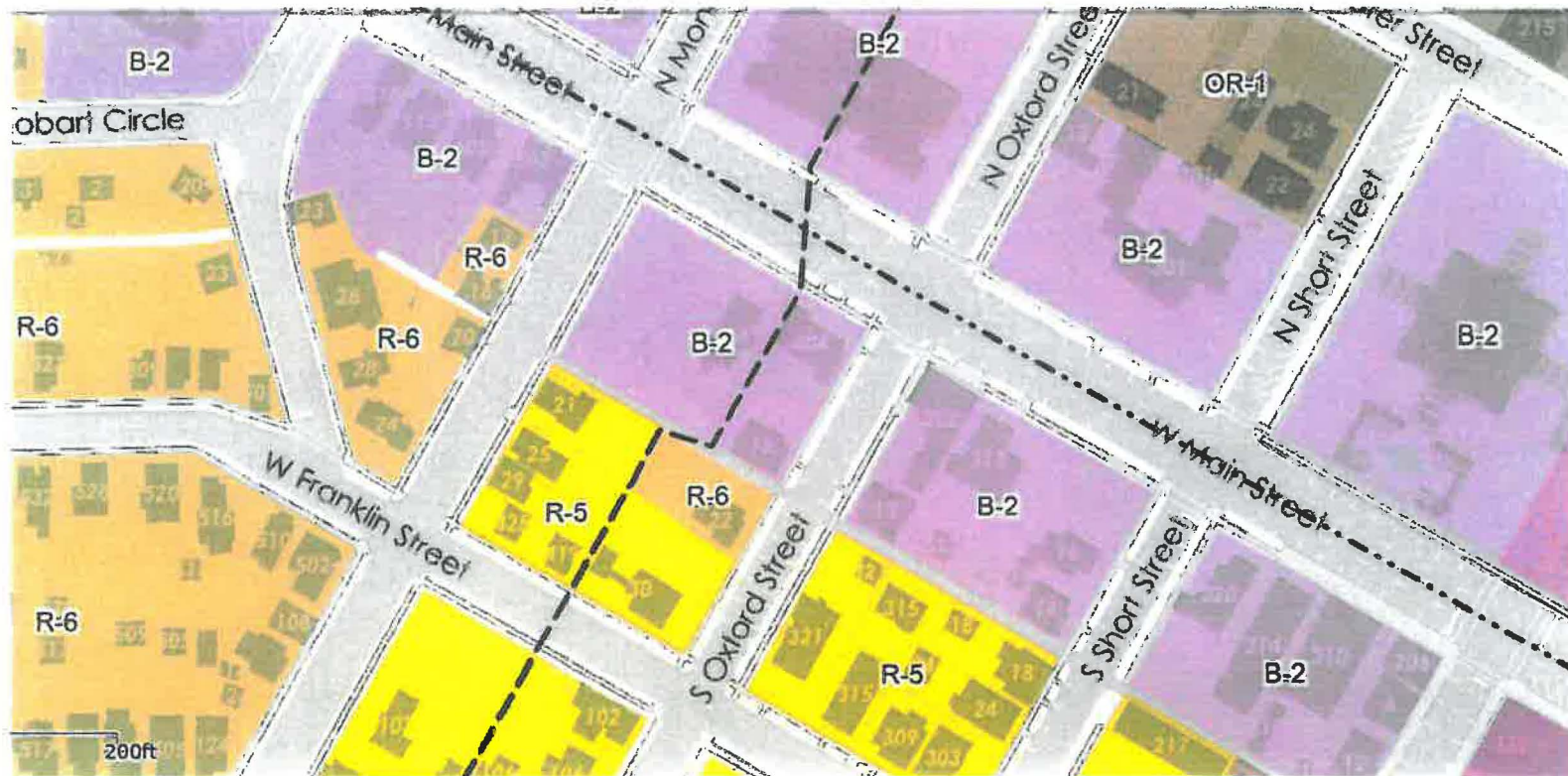
Proposed Use: single dwelling residential with potential for office uses thus O/R-1

Exhibit D

15 S Oxford Street

Application for Zoning Amendment

Zoning Classification Map for properties within 250' of Subject Property





Matthew W. Gearhardt, Miami County Auditor
Miami County OH

Basic Search

Advanced Search

Comparable Sales

View Search Results

Layers Map Tools Help



[Click here for Legal Disclaimer](#)

B-2 GENERAL BUSINESS DISTRICT

(a) Purpose. The "B-2" District is intended to provide for the development of major retail shopping areas and centers outside the downtown area. These districts include much of the strip commercial property existing along the major streets of the City. The uses permitted are intended to accommodate the general retail consumer.

(b) **Principal Permitted Uses** Only those uses set forth below which continuously conform to all the requirements of divisions (d) through (f) of this section shall be permitted: ♣ Accountant's office. ♣ Agricultural implement sales and service. ♣ Apparel stores – retail sales. ♣ Architect's office. ♣ Art and school supplies – retail sales. ♣ Art galleries and museums. ♣ Artist, sculptor and composer studios. ♣ Attorney's office. ♣ Auction sales. ♣ Automobile accessories – retail sales, including incidental installation. ♣ Automobile fuel dispensing station. ♣ Automobile parking garages. ♣ Automobile parking lots. ♣ Automobile repair garages – no body work. ♣ Automobile service stations. ♣ Automobile Wash. ♣ Bakeries – retail sales. ♣ Banks and financial institutions. ♣ Barber and beauty schools. ♣ Barber and beauty shops. ♣ Bicycle sale, rental and repair. ♣ Blueprinting, photocopying, photo finishing services. ♣ Books – retail sales. ♣ Bowling lanes. ♣ Building material sale and storage facilities. ♣ Business, civic, fraternal association and labor meeting rooms. ♣ Business and technical schools. ♣ Cabinet shops. ♣ Cameras and photo supplies – retail sales. ♣ Candy and confectionery – retail sales. ♣ Catering services. ♣ Day-care centers. ♣ Churches, chapels, temples, synagogues. ♣ Cigars, cigarettes, tobacco – retail sales. ♣ Coin-operated amusement centers. ♣ Dance halls. ♣ Dancing schools. ♣ Department stores. ♣ Driver training schools (Automobile). ♣ Drug stores – retail sales. ♣ Dry cleaning and laundromats. ♣ Eating place – carry out. ♣ Eating place – Drive-in. ♣ Eating place - #1. ♣ Eating place - #2. ♣ Electrical appliance repair. ♣ Engineer's office. ♣ Equipment rental services, including cars, trucks and trailers. ♣ Exterminating services. ♣ Florists. ♣ Food brokers – retail, wholesale and storage without processing. ♣ Food stores – retail sales. ♣ Garden stores. ♣ Gift shops. ♣ Government buildings, structures, or premises used exclusively be federal, state, county, township, or municipal governments for public purposes, but not including work shops, warehouse, or open material storage. ♣ Grocery, meat and fish – retail sales. ♣ Gymnasiums. ♣ Hardware – retail sales. ♣ Health studios and clubs. ♣ Heating, A/C, electric and plumbing sales, service and repair. ♣ Hobby shops – retail sales. ♣ Hotels and motels. ♣ Insurance agent's office. ♣ Jewelry – retail sales. ♣ Kennel. ♣ Lawn mower sales, service and repair. ♣ Leather goods and luggage – retail sales. ♣ Libraries. ♣ Locksmiths. ♣ Medical and dental laboratories. ♣ Medical and dental office/clinic. ♣ Mortuaries and funeral parlors. ♣ Motorcycle sales and service. ♣ Newsstand – retail sales. ♣ Office supplies and stationary – retail sales. ♣ Optical goods – retail sales. ♣ Package liquor, beer and wine – retail sales – Drive thru. ♣ Package liquor, beer and wine – retail sales. ♣ Paint, glass and wallpaper – retail sales. ♣ Pet grooming – all day, no overnight. ♣ Pet sales and supplies – retail sales. ♣ Photo studios. ♣ Private clubs. ♣ Professional Office not otherwise mentioned. ♣ Public parks, playgrounds and community centers. ♣ Public utility. ♣ Radio and television – sales, service and repair. ♣ Real estate broker's office. ♣ Repair part – retail sales. ♣ Residential use on second story or above. ♣ Retail and service uses. ♣ Sales offices and service centers. ♣ Schools – primary, intermediate and secondary – public or private. ♣ Seamstress and tailor. ♣ Shoe repair. ♣ Upholstery shop, not involving furniture manufacturing. ♣ Variety stores – retail sales. ♣ Veterinary office – w/boarding. ♣ Watch, clock and jewelry repair.

OR-1 OFFICE-RESIDENCE DISTRICT

(a) Purpose. The "OR-1" Office Residence District is 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 Updated 10/3/2022 71 major thoroughfares, near hospitals and as a transitional area between commercial and residential uses.

(b) Principal Permitted Uses Only those uses set forth below which continuously conform to all the requirements of divisions (d) through (f) of this section shall be permitted:

♣ Accountant's office. ♣ Adult Family Home. ♣ Adult Group Home. ♣ Architect's office. ♣ Art galleries and museums. ♣ Artist, sculptor and composer studios. ♣ Attorney's office. ♣ Automobile parking garages. ♣ Automobile parking lots. ♣ Banks and financial institutions. ♣ Barber and beauty shops. ♣ Bed and Breakfast. ♣ Day-care centers. ♣ Churches, chapels, temples, synagogues. ♣ Engineer's office. ♣ Family Home. ♣ Florists. ♣ Foster Family Home. ♣ Gift shops. ♣ Government buildings, structures, or premises used exclusively be federal, state, county, township, or municipal governments for public purposes, but not including work shops, warehouse, or open material storage. ♣ Group Home. ♣ Halfway House. ♣ Health studios and clubs. ♣ Insurance agent's office. ♣ Intermediate Care Home. ♣ Libraries. ♣ Medical and dental laboratories. ♣ Medical and dental office/clinic. ♣ Mortuaries and funeral parlors. ♣ Multiple-family dwelling. ♣ Newsstand-retail sales. ♣ Nursing homes. ♣ Photo studios. ♣ Professional Offices not otherwise mentioned. ♣ Public parks, playgrounds and community centers. ♣ Public utility. ♣ Real estate broker's office. ♣ Residential use on second story or above. ♣ Rooming houses. ♣ Schools – primary, intermediate and secondary – public or private. ♣ Seamstress and tailor. ♣ Single family dwellings. ♣ Social Care Home. ♣ Two-family dwellings.

STREETS & SIDEWALKS COMMITTEE



Patrick E. J. Titterington
Director of Public Service & Safety
937-335-1725
Patrick.Titterington@troyohio.gov

MEMORANDUM

TO: Mr. Lutz, President of Council

FROM: Patrick E. J. Titterington, Director of Public Service and Safety 

DATE: May 4, 2023

SUBJECT: 2022 SIDEWALK REPAIR PROGRAM, PHASE 14, ORDINANCE OF ASSESSMENT

RECOMMENDATION:

That Council enacts the Ordinance of Assessment for the 2022 Sidewalk Repair Program (Phase 14).

BACKGROUND:

The 2022 Sidewalk Repair Program (Phase 14) generally includes the areas along Morehead Street from Canal to Race; Scott Street from Morehead Street to Canal Street; Long Street from Ellis Street to Floral Avenue; Floral Avenue from Canal Street to Race Street; Jeep Street from Dixie Avenue to Race Street; Patton Street from Dixie Avenue to Race Street; Dixie Avenue from Jeep Street; Fox Harbor Drive from West Main Street to New Castle Drive.

For the properties where the City contracted the work of the 2022 Sidewalk Repair Program (Phase 14), the legal advertisement was published advising of the completion of the project and availability of final assessments for review. That notice provided for objections to be filed. No objections were filed.

The next step is for Council to enact the Ordinance of Assessment. The property owner will then be given written notice to make payment within a 30-day period. Assessments not paid will be certified to the County Auditor for collection with property taxes over a five-year period. The unpaid assessments would be certified for collections to start in 2024.

The legislation will enable the City to recover approximately \$139,563.38 invested in infrastructure rehabilitation in the public right-of-way.

REQUESTED ACTION:

It would be appreciated if the Committee of Council would enact the Ordinance of Assessment for the 2022 Sidewalk Repair Program (Phase 14).





B+U

MEMORANDUM

TO: Mr. Lutz, President of Council

FROM: Patrick E. J. Titterington, Director of Public Service and Safety 

DATE: May 3, 2023

SUBJECT: **EASEMENT AGREEMENT FOR ENCROACHMENT WEST OF MAYFLOWER BUILDING – (9 WEST MAIN STREET)**

RECOMMENDATION:

That the Director of Public Service and Safety is authorized to enter into an Easement Agreement with Busted Brick Realty Group, LLC related to an encroachment into the public right-of-way west of the building known as the Mayflower Art Theater.

BACKGROUND:

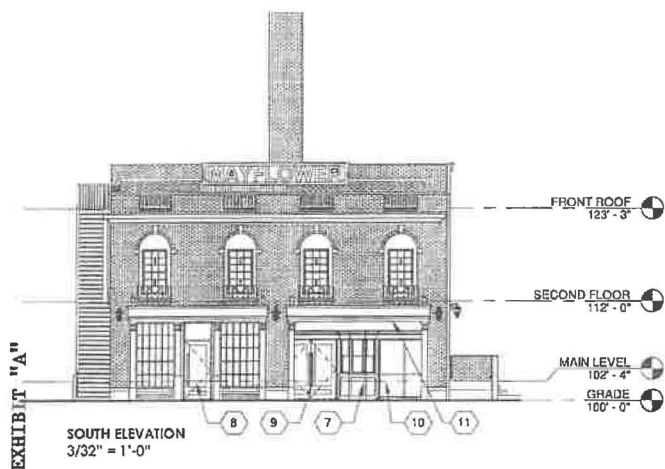
The building known as the Mayflower Art Theater has recently sold and the new owner has requested that there be an Easement Agreement with the City to construct an exterior staircase from the Cherry Street side of the building to the rooftop of the Mayflower Art Theater building. The exterior staircase will encroach five (5) feet in width onto the Cherry Street right-of-way owned by the City. The exterior staircase has received approval from the Troy Planning Commission. The City has no objection to such Easement Agreement and the Law Director has reviewed the Easement Agreement with no objections.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council consideration of authorizing the Director of Public Service and Safety to enter into an Easement Agreement with Busted Brick Realty Group, LLC related to an encroachment into the public right-of-way west of the building known as the Mayflower Art Theater.

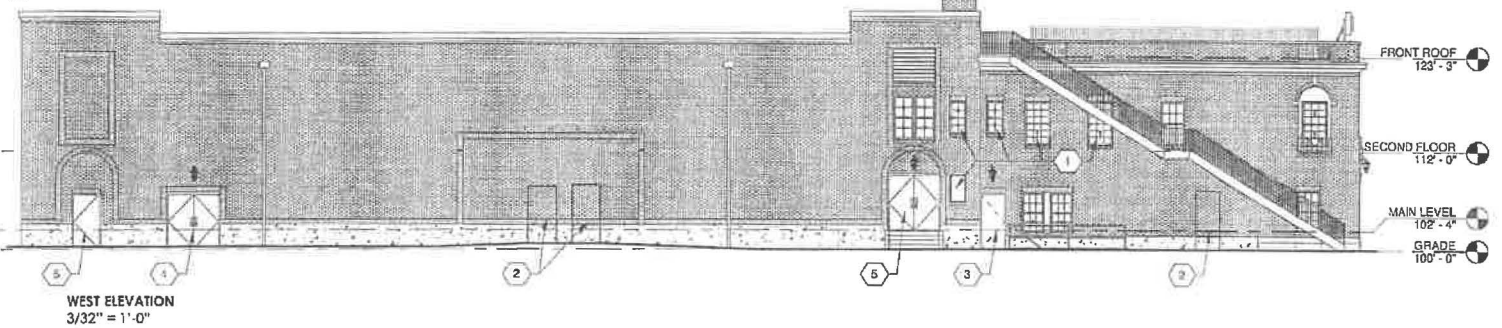
So that the redevelopment of the building can commence without delay, consideration of emergency legislation is requested.





REVISED ELEVATION NOTES

1. NEW DOUBLE HUNG WINDOW TO MATCH EXISTING.
2. NEW BRICK INFILL ON CMU WALL w/ PRE-CAST CONC BAND BELOW. TOOTH IN BRICK @ JAMB. LEAVE UNTEL IN PLACE.
3. NEW ENTRY / EGRESS DOOR IN EXIST FRAME
4. EXIST DOOR TO REMAIN. PAINT
5. EXIST STEEL DOOR TO REMAIN
6. NOT USED
7. NEW RECESSED BAR ENTRY, NEW WOOD FRAMED TICKET BOOTH w/ TRANSACTION WINDOW
8. NEW ALUM ENTRY DOOR w/ FIXED TRANSOM WINDOW IN NEW DROPPED ENTRY
9. NEW ALUM ENTRY DOOR
10. NEW ALUM STOREFRONT
11. ORIGINAL MARQUEE LIGHTING



MAYFLOWER ENTERTAINMENT CO. 9 / 11 W MAIN ST, TROY OH 45373
FACADE UPDATES
02/21/23

AO ANDREW
CIRCLE
ARCHITECT