



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

MONDAY, NOVEMBER 27, 2023, 6:00 PM

Community & Economic Development Committee

(Schilling [Chm.], Pierce, Snee)

1. Provide a recommendation to Council regarding Ordinance No. O-48-2023, rezoning of 58.093 acres at 3054 W. SR to a Planned Development-Residential and approve General Plan of Somerset Reserve Subdivision Planned Development-Residential as recommended by the Troy Planning Commission.

Law & Ordinance Committee

(Snee [Chm.], Phillips, Severl)

1. Provide a recommendation to Council regarding establishing a moratorium of one-hundred eighty days on the granting of any permits allowing Adult Use Cannabis Operators from establishing within the City of Troy. As the State Issue becomes effective on December 7, consideration of establishing the moratorium by emergency legislation is requested.

Recreation & Parks Committee

(Whidden [Chm.], Rozell, Schilling)

1. Provide a recommendation to Council regarding authorizing the Director of Public Service and Safety and the President of the Board of Park Commissioners to execute the Memorandum of Understanding with the Troy City Schools. So that the MOU can be executed without delay, consideration of emergency legislation is requested.

Streets & Sidewalks Committee

(Phillips [Chm.], Pierce, Snee)

1. Provide a recommendation to Council regarding authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the North Elm Resurfacing Project at a cost not to exceed \$500,000. (Project has a grant revenue offset of approximately \$265,000 from Federal FAST Act and MVRPC CRRSAA funds.)

Other Committees/Items may be added.

11-22-2023

cc: Mayor
Mr. Titterington, Mr. Kerber
Mr. Frigge, Departments, Media
Council-elect

**COMMUNITY &
ECONOMIC DEVELOPMENT
COMMITTEE**

ORDINANCE No. O-48-2023

Dayton Legal Blank, Inc.

AN ORDINANCE CHANGING THE ZONING OF 58.093 ACRES OF PART INLOT 11550, IN THE CITY OF TROY, OHIO FROM THE MIAMI COUNTY ZONING OF A-2, GENERAL AGRICULTURE, TO A PLANNED DEVELOPMENT - RESIDENTIAL (PD-R) AND APPROVING THE GENERAL PLAN OF THE SOMERSET RESERVE SUBDIVISION PLANNED DEVELOPMENT - RESIDENTIAL

WHEREAS, a request for a zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone 58.093 Acres of Part Inlot 11550 (Parcel 4 of Plat of Survey Vol. 62 PG 3) located at 3054 West SR 55, in the City of Troy, Ohio; and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval of the zoning change and the General Plan of the Somerset Reserve Subdivision Planned Development - Residential; 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 58.093 Acres of Part Inlot 11550 (Parcel 4 of Plat of Survey Vol. 62 PG 3), located at 3054 West SR 55, Troy, Ohio, is changed from the Miami County Zoning of A-2, General Agriculture, to a Planned Development - Residential (PD-R).

SECTION II: That the General Plan of the Somerset Reserve Subdivision Planned Development - Residential is approved, as attached hereto as Exhibit A.

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

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

PRELIMINARY/GENERAL PD PLAN SOMERSET RESERVE

STATE ROUTE 55 AND NASHVILLE ROAD
CITY OF TROY
MIAMI COUNTY, OHIO
SECTION 36, TOWN 7, RANGE 5E
OCTOBER 25 2023







































































































































































































































































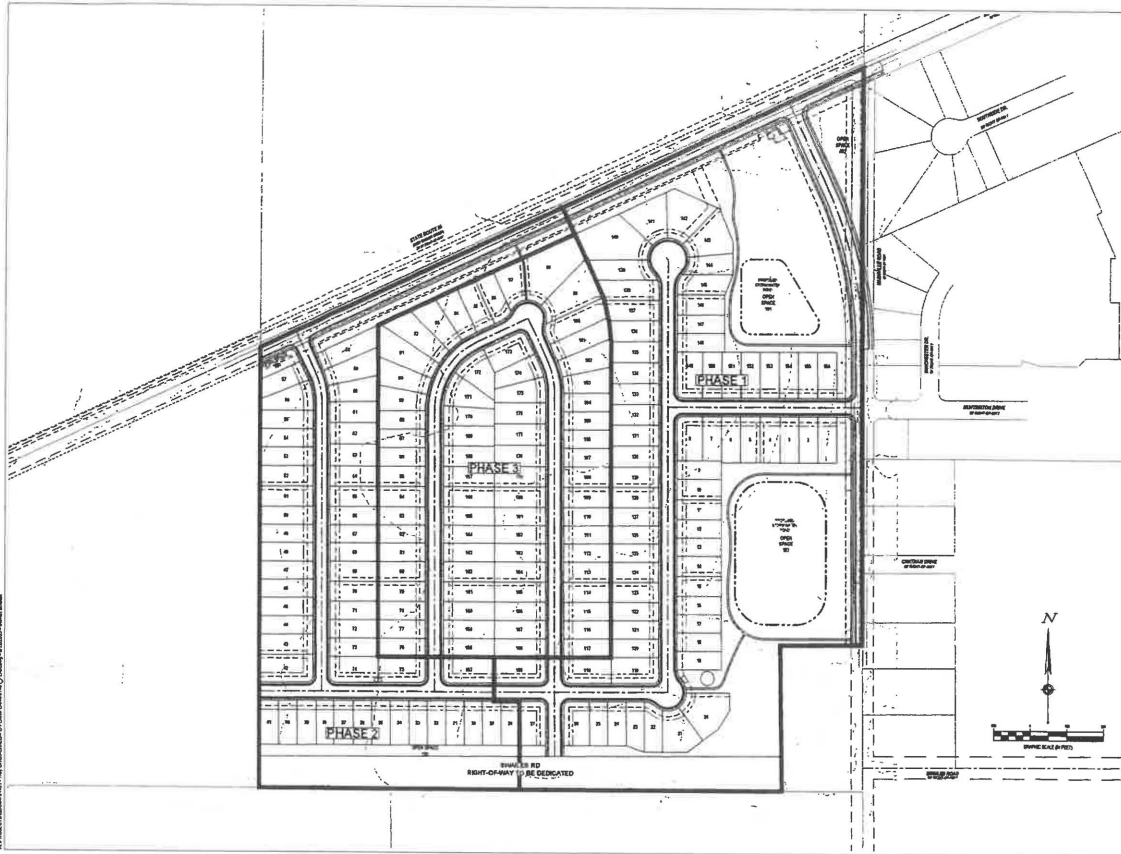










DDCM MANAGEMENT LLC.

SOMERSET RESERVE

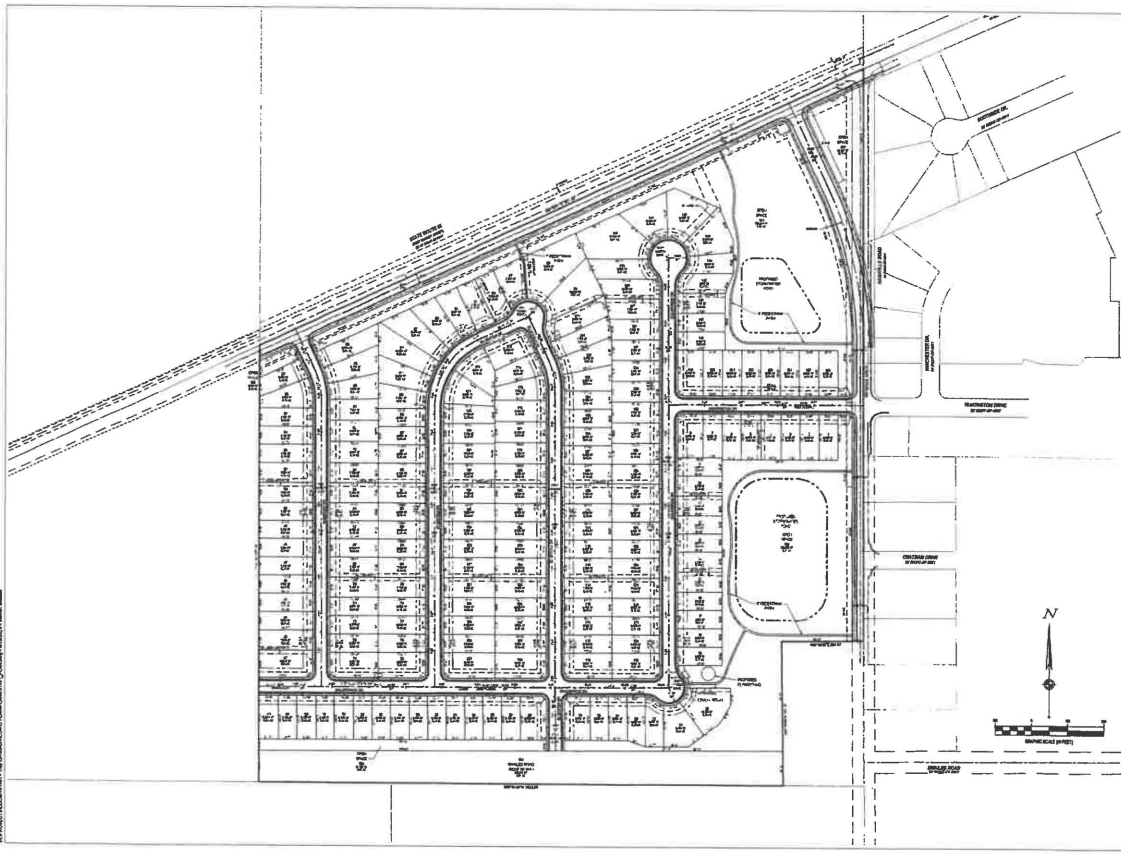
Project / Subproject

10 Description

Project Number: 701-01
 Scale: 1" = 100'
 Drawn By: JLB
 Checked By: JLB
 Date: SEPTEMBER 12, 2003
 Name: PRELIMINARY

Drawing Title: OVERALL PLAN

3



DDCM MANAGEMENT LLC.

SOMERSET RESERVE

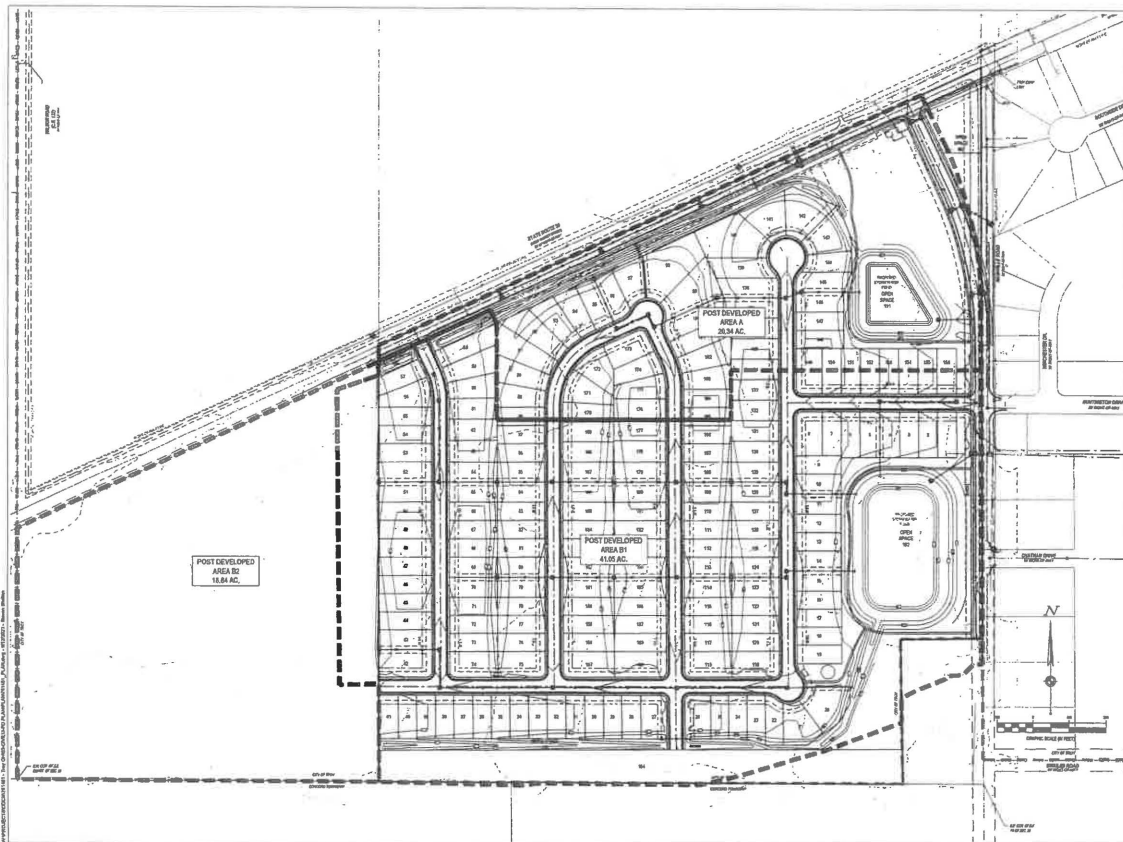
Project / Subproject

10 Description

Project Number: 701-01
 Scale: 1" = 100'
 Drawn By: JLB
 Checked By: JLB
 Date: SEPTEMBER 12, 2003
 Name: PRELIMINARY

Drawing Title: LAYOUT PLAN

4



DCM MANAGEMENT LLC.

SOMERSET RESERVE

Project Number: 721451
Scale: 1" = 100'
Drawn By: JLB
Checked By: JLB
Date: SEPTEMBER 12, 2023
Status: PRELIMINARY
Drawing Title: POST-DEVELOPED DRAINAGE PLAN



MEMORANDUM

TO: Mr. Lutz, President, Troy City Council

FROM: Sue Knight, for the Troy Planning Commission

DATE: November 1, 2023

SUBJECT: **REPORT OF THE PLANNING COMMISSION ON THE REZONING AND GENERAL PLAN FOR THE SOMERSET RESERVE SUBDIVISION PLANNED DEVELOPMENT – RESIDENTIAL (PD-R); 58.093 ACRE AREA LOCATED AT W. MARKET STREET AND NASHVILLE ROAD, REZONING FROM THE COUNTY ZONING OF A-2, GENERAL AGRICULTURE, TO A PLANNED DEVELOPMENT – RESIDENTIAL (PD-R). THE GENERAL PLAN APPROVAL IS THE FIRST STEP OF THE PLANNED DEVELOPMENT PROCESS.**

On October 11, 2023, the Troy Planning Commission considered the rezoning of a 58.093 acre portion of the property known as the Isern-Huegel Annexation. This land is further defined as Part Inlot 11550 (Parcel 4 of Plat of Survey Vol. 62 PG 3) located at 3054 West SR 55, along W. Market Street and Nashville Road. The proposed change is from the County zoning classification of A-2, General Agriculture, to a City of Troy Planned Development- Residential (PD-R). The rezoning is part of the General Plan approval, which is the first step of the Planned Development process. The property owners are Ann Huegel and Charles Isern; the applicant is DDC Management, LLC. The proposal is for the Residential Planned Development to be completed in three phases:

- Phase I consists of 67 single-family residential lots
- Phase II consists of 49 single-family residential lots
- Phase III consists of 73 single-family lots

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 the 58.093 acre Somerset Reserve Subdivision Planned Development – Residential (PD-R), part of the property known as the Isern-Huegel Annexation, Part Inlot 11550 (Parcel 4 of Plat of Survey Vol. 62 PG 3) located at 3054 West SR 55, along W. Market Street and Nashville Road, be rezoned from the County zoning classification of A-2, General Agriculture, to a City of Troy Planned Development-Residential (PD-R), and recommends approval of the General Plan, based on the findings of staff that:

- The proposed rezoning is found to be consistent with the intent and purposes of the City of Troy Zoning Code, Comprehensive Plan, and with similar zoning classifications and uses in the area.

It is noted that the Commission's motion included that the recommendation was subject to the condition that a second egress is established and maintained for each phase in accordance with the regulations of the Troy Fire Department. That condition has been met by a note that has been placed on the General Plan plat.

Attached is a copy of the information reviewed by the Commission, with an updated General Plan plat to include the note. This request is forwarded herewith to Council for consideration. The Public Hearing before Council on the proposed rezoning has been set for the November 20, 2023, meeting of Council.

encl.



MEMORANDUM

TO: Planning Commission

FROM: Austin Eidemiller, Planning & Zoning Manager

DATE: October 11, 2023

SUBJECT: Somerset Reserve Subdivision – General Plan

DISCUSSION:

A request by the applicant DDC Management LLC on behalf of the owner Ann Huegel and Charles Isern for the Planning Commission to consider a General Plan approval for a Planned Development on 3054 W Market Street Part Inlot 11550 (Parcel 4 of Plat of Survey Vol. 62 Page 3) which consist of 58.093 acres and located along W. Market Street and Nashville Road.

The established zoning on this property is Agricultural-Residential. The property is undeveloped and currently being used for agricultural purposes. The surrounding zoning districts include: R-4 Single Family, Planned Unit Development, and R-2 Single Family Residential to the east. County Zoning of A-2 General Agriculture is present to the west, north, and south. Please see attached Exhibit A Zoning Map.

This submittal of the General Plan is the first step of the approval process. Each phase of development will require a Final Development Plan and Record Plan in order to create the lots to be sold and to dedicate the streets and public utilities (in this case, a three-phase development is proposed). Detailed engineering drawings will be required to be submitted for review and approval by the Development and Engineering staff. The Record Plan will be reviewed by Planning Commission who will make a recommendation to City Council. Council ultimately will have final approval of the Record plan.

PROPOSAL:

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. The second phase will consist of 49 single-family residential lots. The final phase consists of 73 single family lots. The total density for the three phases will include 3.25 units per acre.

Roadways: Access to this development will be provided by two connections, one connection from Nashville Road which is aligned with Huntington Drive. The second access point will be from W. Market Street. A future third access point is stubbed on the south side of the development to the future Swailes Road connector. The development will provide private streets that will be accessed via access easements. Maintenance of the private streets will be the responsibility of the Homeowners Association (HOA). The City Engineer and Assistant Fire Chief have reviewed the street layout and have indicated they have no issues with the proposal.

Road Improvements include a realigned Nashville Road and widened W. Market Street. Future Right-of-Way is being proposed on the south side of the development for a Swailes Road connection in accordance with the Thoroughfare Plan. The Nashville Road realignment and Swailes Road connection are referenced in Figure 8-2 of the Comprehensive Plan. Please see Exhibit B (Figure: 8-2 Thoroughfare Plan).

Utilities: This development will be served by city water and sewer lines. Sanitary sewer is being expanded on the north side of W. Market Street to the boundary of the development. The plan seeks to mitigate storm water control by utilizing two storm water ponds throughout the development. Maintenance of these private storm water control facilities will be the responsibility of the HOA.

Parks & Recreation Facilities: This Planned Development proposes a total of 12.54 acres (21.6%) of private open space. 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. Walking trails are being provided around both stormwater ponds with playground equipment on the south side of the development. Maintenance of the walking paths and playground equipment will be the responsibility of the HOA.

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

Comprehensive Plan: The Comprehensive Plan's Future Land Use Map (Figure 14-5) displays this property as future industrial with a Neighborhood Commercial portion on the realigned Nashville/Wilson Road. However, it is important to note that the Comprehensive Plan was adopted in 2005 and is currently in the process of being updated. The Comprehensive Plan states "General residential is indicated south of Swailes Road and Nashville Road because of existing residential development and poor access to major roads or to I-75, these areas are most suitable for residential development to commensurate with City housing needs..."

It is important to note that City Council approved the rezoning of this parcel to A-R Agricultural Residential by O-28-2023.

GENERAL PLANS STANDARDS:

Section 1145.16 of the Zoning Code requires that Planning Commission review the proposed General Plan and may recommend the General Plan to City Council if it determines that the plan satisfies, at a minimum, all of the following criteria:

- (1) The General Plan should follow to the maximum extent practicable the Comprehensive Plan for the City, taking into account current facts and circumstances; displays this property as future industrial with a Neighborhood Commercial portion on the realigned Nashville/Wilson Road. However, it is important to note that the Comprehensive Plan was adopted in 2005 and is currently in the process of being updated. The road improvements are in accordance with Figure 8-2 Thoroughfare Plan.
- (2) An exemption to conventional zoning is justified because the Comprehensive Plan for the City can be more faithfully and reliably implemented by the use of PD zoning; The

- (3) exemption to conventional zoning is justified as the development will fill a need for this style of development inside the City.
- (4) The General Plan is compatible with the location, topographic and other characteristics of the site and will bear a beneficial relationship with surrounding land uses in terms of noise, smoke, dust, debris, or other nuisances; The Plan is compatible with these characteristics.
- (5) The General Plan is carefully designed to support surrounding streets, utilities and other public improvements; The public improvements have been designed to meet city recommendations (water, sewer, and road improvements). The majority of the infrastructure (streets and storm water will be privately owned and maintained).
- (6) The General Plan represents an efficient and economic use of the land in view of the community's need for a balance of land uses; The proposed use does fill a need in the market for this type of development.
- (7) All public streets, utilities and services necessary to carry out the General Plan are available to the site, or will be extended or improved by the developer and/or City in time to permit the development to be properly served; The public improvements will be installed to permit the development to be properly served. The road improvements are in accordance with Figure 8-2 Thoroughfare Plan. Sewer is being expanding on the north side of W. Market Street for the boundary of the development.
- (8) Exception from conventional zoning is warranted by design goals or other criteria and/or the need to provide a variety of development opportunities within the community; An exemption is warranted from regular zoning as this PD proposes to provide different housing options for the community.
- (9) The design of the development protects natural assets such as streams, wood lots, steep terrain, and other critical environments in the City; Not applicable in this request.
- (10) Taken as a whole the development of the proposed PD will have a positive effect on the health, safety, and general welfare of the City; The proposed PD will create a positive effect on the community and will provide additional housing options.
- (11) The General Plan appears capable of being implemented by a Final Development Plan which meets all requirements of this Section. The General Plan is capable of implementation by a Final Development Plan.

ZONING CODE:

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 rezoning would be consistent with the following sections of the Zoning Code:

1131.02 (g) "To provide for creatively designed single-use and mixed-use Planned Developments, and to preserve their character and vitality through ongoing regulatory supervision."

1131.02 (k) "To facilitate the efficient and economical development and use of land and public facilities."

(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.

No changes in the area have created this rezoning request.

(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 of the property is compatible with the other uses in the immediate vicinity. Abutting the eastern and northern property lines are residential developments with the same uses as proposed.

(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.

The proposed PD can and will be served by City water and sewer. All other public services can be provided with the proposed rezoning area.

(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.

The property is surrounded by developed land to the east, and northeast that hold residential zoning districts. There is no other land that holds the proposed PD zoning district designation with the vicinity.

(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.

RECOMMENDATION:

Staff recommends that Planning Commission provide a positive recommendation to City Council to approve this request for PD Planned Development zoning and General Plan subject to the following conditions on the General Plan:

1. A second egress is established and maintained for each phase in accordance with the Troy Fire Department; and,

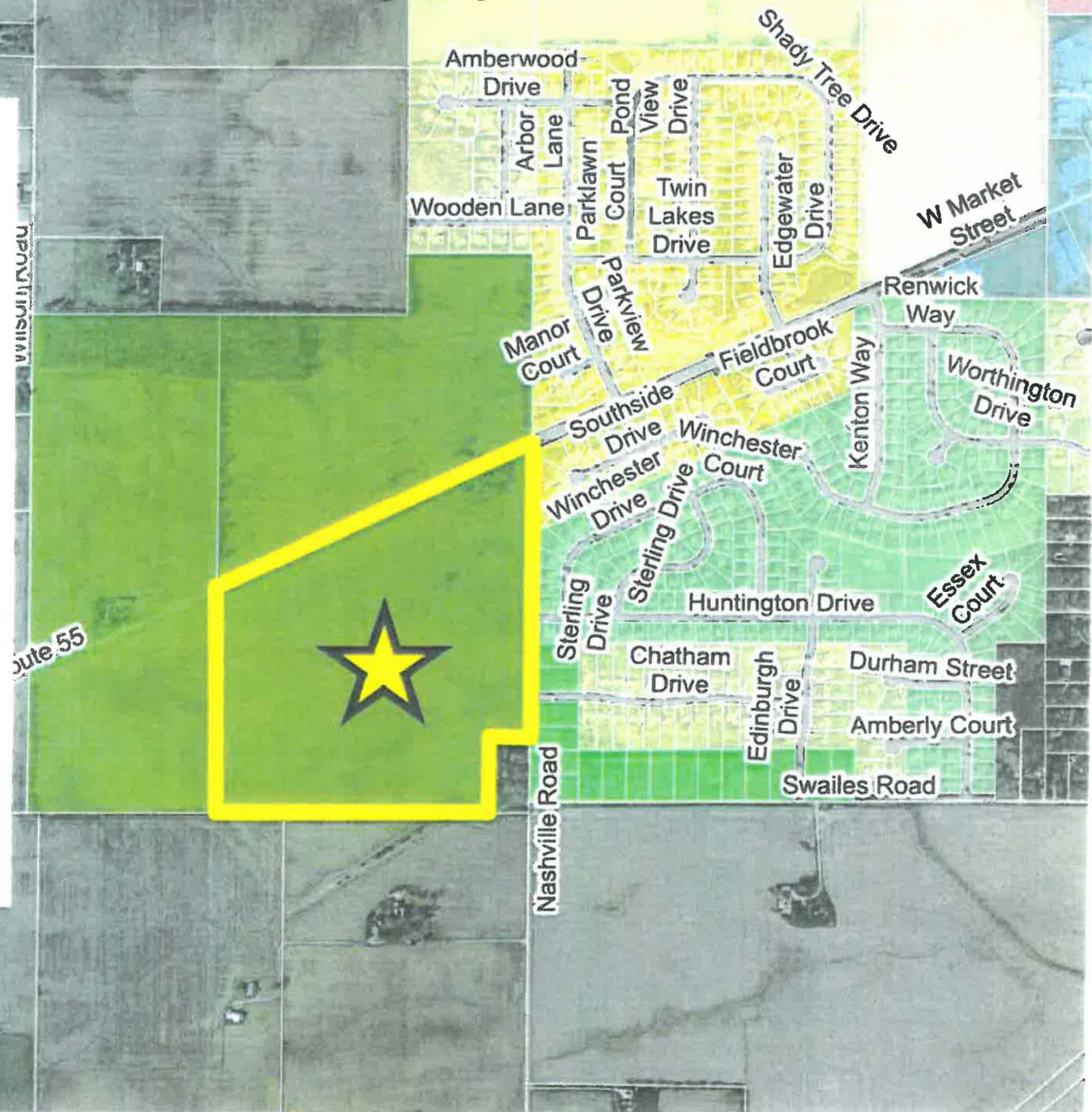
The proposed rezoning is found to be consistent with the intent and purposes of the City of Troy Zoning Code, Comprehensive Plan and with similar zoning classifications and uses in the area.

Exhibit A - Zoning Map

Legend

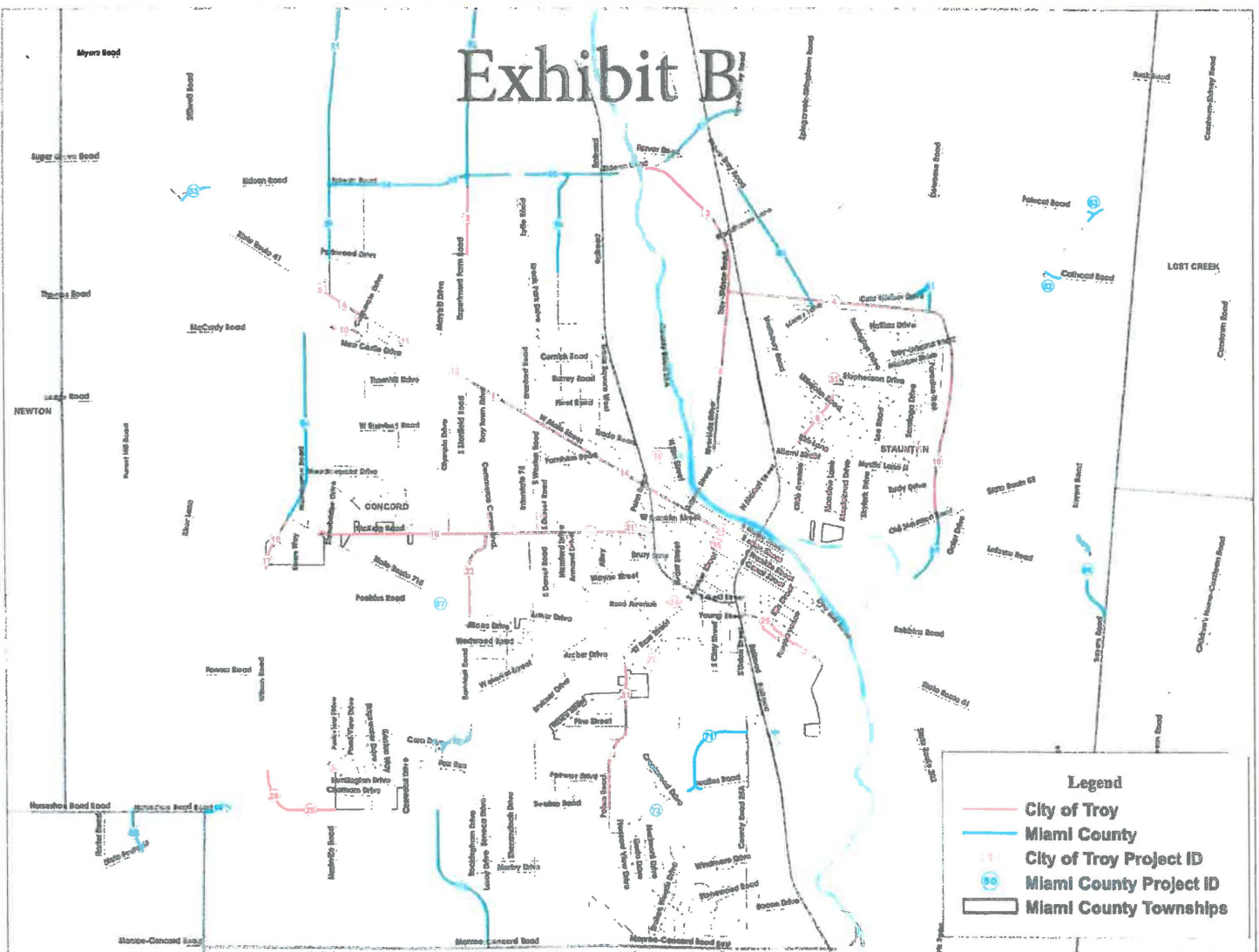
County Zoning (Outside Troy)

- Agriculture: 20 Acre Min.
- Agriculture-Residential: 5 Acre Min.
- R-1 Single Family Residential: 40,000 SqFt.
- R-2 Single Family Residential: 20,000 SqFt.
- R-3 Single Family Residential: 15,000 SqFt.
- R-3B Single Family Residential: 12,000 SqFt.
- R-4 Single Family Residential: 9,000 SqFt.
- R-5 Single Family Residential: 6,000 SqFt.
- R-6 Two Family Residential: 3,000 SqFt/DU
- R-7 Multiple Family Residential: 3,000 SqFt/DU
- OR-1 Office-Residential: 3,000 SqFt/DU
- OC-1 Office-Commercial District
- B-1 Local Retail District
- B-2 General Business District
- B-3 Central Business District
- B-4 Highway Service Business District
- M-1 Planned Industrial District
- M-2 Light Industrial District
- M-3 General Industrial District
- PUD Planned Unit Development
- WO Wellhead Operation District
- City Administered County Zoning



NORTH

Exhibit B



CITY OF TROY

Project ID	L RTP ID#	PROJECT NAME
1	533	Northern Access Interchange Feasibility Study between State Route 41 and County Road 25-A
2	113	Experiment Farm Road Widening from Corporate Drive to Eldean Road
3	509A	Northern Connector (Ph 1) from County Road 25-A to Troy-Sidney Road
4	509B	Northern Connector (Ph 2) from Troy-Sidney Road to Troy-Urbana Road
5		Washington Road Realignment at State Route 41
6	96	State Route 41 Widening from Kings Chapel Dr to Washington Rd
7		Experiment Farm Road and Towne Park Drive Signalization
8	530	Riverside Drive Widening from Community Park to northern Duke Park
9		North Market Street (Ph 2) Improvements from Foss Way/Kirk Lane to Stonyridge Avenue
10		Executive Drive Extension to Old Washington Bend Court
11		State Route 41 and Kings Chapel Drive Signalization
12	537A	State Route 41 Traffic Signal Interconnect (Ph 2) with Dorset Road & Marybill Drive
13	371	State Route 41 Widening from Experiment Farm Road to I-75
14		State Route 41 Improvements from I-75 to Cherry Street
15		Atlantic Street Cul-De-Sac
16	509C	Northern Connector (Ph 3) from Troy-Urbana Road to State Route 55
17		Wilson Road Curve Realignment south of State Route 718
18		Washington Road and Wilson Road Realignment at State Route 718
19	121	McKalg Road Widening (Ph 5) from Dorset Road to Cartwright Court
20		McKalg Road Improvements (Ph 4) from I-75 to Alley west of Lake
21		Ridge Avenue and McKalg Avenue Realignment
22		McKalg Road Improvements (Ph 3) from Alley west of Lake to Madison Street
23	103	Commerce Center Boulevard Extension (Ph 3) from McKalg Road to State Route 718
24		West Street Extension from Garfield Street to Grant Street
25		Williams Street Extension to Patton Street and Jeep Street
26		Floral Avenue Extension to Dye Mill Road
27		Southview Drive Bridge Connector
28		Wilson Road Realignment at State Route 55
29	507	Swalles Road Extension from Nashville Road to State Route 55
30		Nashville Road Realignment at State Route 55
31	508A	Peters Road Widening (Ph 1) from Dickerson Drive to Premwood Drive
32	508B	Peters Road Widening (Ph 2) from Premwood Drive to Swalles Road
33		N Market Street & Troy-Urbana Road Signalization
34		Streetscape - W Main Street from Cherry Street to Plum Street
35		Streetscape - S Market Street from Franklin Street to Canal Street

MIAMI COUNTY

Project ID	L RTP ID#	PROJECT NAME
50	517B	Farrington Road Widening (Ph 2) from Experiment Farm Road to Washington Road
51	516C	Washington Road Widening (Ph 3) from Eldean Road to Farrington Road
52	532	Experiment Farm Road Widening from Eldean Road to Farrington Road
53		Eldean Road and Forest Hill Road Realignment at State Route 41
54	512B	Eldean Road Widening (Ph 2) from Washington Road to Experiment Farm Road
55	113A	Eldean Road and Experiment Farm Road Realignment
56	512A	Eldean Road Widening (Ph 1) from Washington Road to County Road 25-A
57		Eldean Road Realignment from Covered Bridge to Troy-Sidney Road (across Railroad)
58	516B	Washington Road Widening (Ph 2) from State Route 41 to Eldean Road
59		Dorset Road Realigned Extension to Eldean Road
60	514	Piqua-Troy Road Widening from Corp Limit to Troy-Sidney Road
61		Realign Deweese Road at Northern Connector (Ph 2) and add cut-de-sac
62		Cathcart Road Realignment at Troy-Urbana Road
63		Polcart Road Realignment at Troy-Urbana Road
64	516A	Washington Road Widening (Ph 1) from State Route 718 to State Route 41
65		State Route 202 and State Route 55 Realignment
66		Sayers Road Realignment at Lefevre Road
67		Peebles Road Realignment at State Route 718
68		Forest Hill Road Extension to State Route 55
69		Horseshoe Bend Road Realignment at State Route 55
70		Barnhart Road Curve Realignment south of State Route 55
71		Dye Mill Road Extension from County Road 25A to Swalles Road
72		Swalles Road Curve Realignment
73		Barnhart Road Extension from Swalles Road to Monroe-Concord Road

L RTP ID Long Range Transportation Plan Project Identification Number



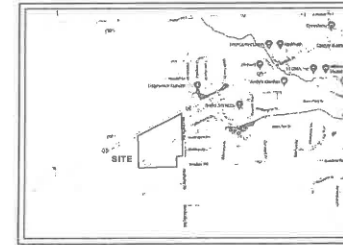
Figure: 8-2 Thoroughfare Improvements

City of Troy
Engineering Department

100 S Market Street
Troy, Ohio 45373
Date: 11/17/2016

PRELIMINARY/GENERAL PD PLAN SOMERSET RESERVE

STATE ROUTE 55 AND NASHVILLE ROAD
CITY OF TROY
MIAMI COUNTY, OHIO
SECTION 36, TOWN 7, RANGE 5E
OCTOBER 25 2023



VICINITY MAP
NTS

NOTES:

- ALL LOTS WILL CONTAIN SINGLE-FAMILY, DETACHED RESIDENCES.
- THE SITE WAS PREVIOUSLY FARMLAND.
- WATER SUPPLY TO BE BY CITY OF TROY.
- WASTEWATER DISPOSAL TO BE BY THE CITY OF TROY.
- STORM WATER SHALL COMPLY WITH THE CITY OF TROY STANDARDS AND GEPA.
- ALL STORM SEWER MAINS ARE PRIVATE UNITS. STORM WATER OUTFALLS.
- ALL INTERNAL STREETS ARE TO BE PRIVATE STREETS OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- STREET LIGHTING SHALL BE PROVIDED TO CITY OF TROY STANDARDS AND IN COORDINATION WITH ELECTRIC UTILITY.
- LANDSCAPING AND MOUNDING WILL BE PROVIDED ALONG SR 55 AND FUTURE SWALES RD PER CITY OF TROY ZONING CODE WITH A MINIMUM 4' MOUNDING AND TREE EVERY 100 FT. A SITE SPECIFIC LANDSCAPING PLAN WILL BE PROVIDED AT THE FINAL DEVELOPMENT PLAN.
- A MINIMUM OF ONE (1) TREE IN THE FRONT YARD WILL BE PROVIDED PER LOT.
- THE OPEN SPACE AREAS AND RECREATIONAL FACILITIES SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- LOT 194 IS RIGHT-OF-WAY TO BE DEDICATED FOR FUTURE SWALES ROAD. PRIOR TO SWALES ROAD EXTENSION, LOT SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- A SECOND EGRESS WILL BE PROVIDED UPON THE COMPLETION OF 30 OR MORE HOMES PER THE FIRE DEPARTMENT'S REQUIREMENTS.
- LANDSCAPING, FENCES, ACCESSORY STRUCTURES, ETC. SHALL NOT BE PERMITTED IN EASEMENTS.
- ALL UTILITY EASEMENTS AS SHOWN SHALL BE RESERVED FOR THE REPAIR, PLACEMENT, AND REMOVAL OF PUBLIC UTILITIES.
- EXISTING ZONING: AR
- PROPOSED ZONING: PD-41

DEVELOPER

DDCM MANAGEMENT, LLC.
3601 RIGBY ROAD, SUITE 300
MIAMISBURG, OH 45342
PH: (937) 516-1500

ENGINEER/SURVEYOR

CESO, INC.
3601 RIGBY ROAD, SUITE 300
MIAMISBURG, OH 45342
PH: (937) 435-6584
JUSTIN ELAM, P.E.

OWNER(S)

HUEGEL ANN
& CHARLES E ISERN
3054 W ST RT 55
TROY OH 45373

JUSTIN ELAM, P.E.
OHIO LICENSE NO. E-76298

DATE

PHASE SCHEDULE

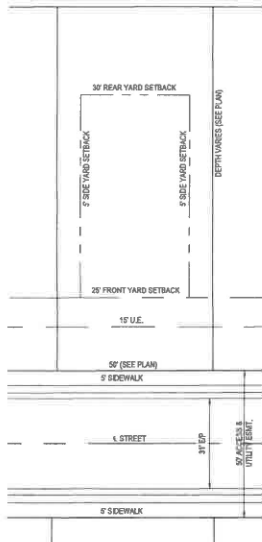
PHASE	LOTS	YEAR
1	67	2024
2	49	2025
3	73	2026

SITE DATA TABLE

OVERALL ACREAGE	58.09 ACRES
LOT COUNT	189
DENSITY	3.25 UNITS/ACRE
ACCESS EASEMENT AREA	7.21 AC
OPEN SPACE	12.54 AC (21.6%)
RIGHT-OF-WAY (S.R. 55, NASHVILLE RD., SWALES RD.)	6.02 AC

SHEET LIST TABLE

NUMBER	TITLE
1	TITLE SHEET
2	EXISTING CONDITIONS
3	OVERALL PLAN
4	LAYOUT PLAN
5	UTILITY PLAN
6	PRE-DEVELOPED DRAINAGE PLAN
7	POST-DEVELOPED DRAINAGE PLAN



TYPICAL LOT DATA
SCALE: 1" = 20'

LOT DATA

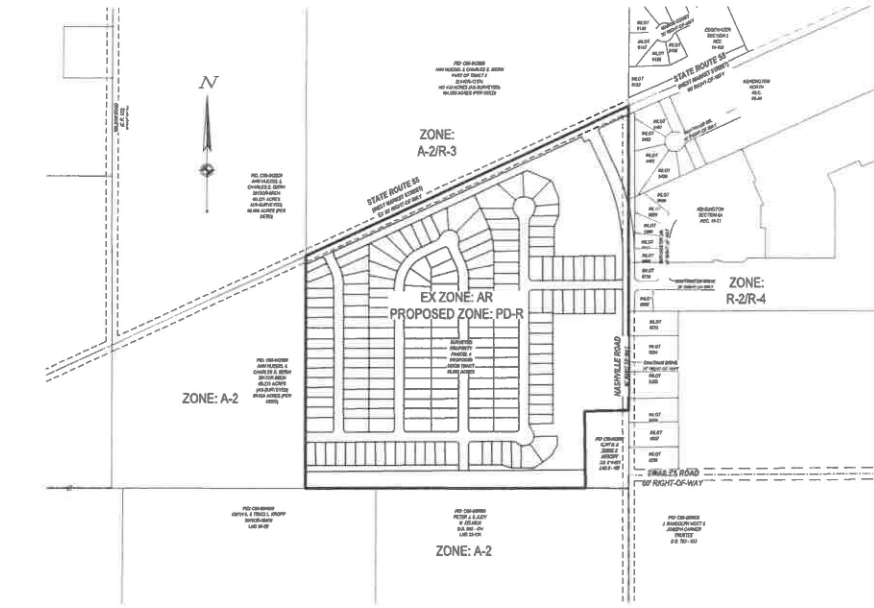
MIN. LOT WIDTHS 50'
MIN. FRONT YARD SETBACK 25'
MIN. REAR YARD SETBACK 30'
MIN. SIDE YARD SETBACK 5', 10' TOTAL
MIN. LOT SIZE 6,000 SF

ROADWAY TABLE

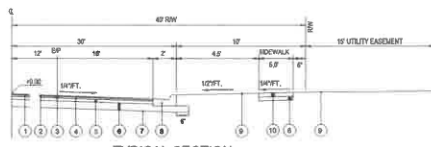
NAME	ACCESS	OWNERSHIP/MAINTENANCE
INTERNAL STREETS	PRIVATE	HOA
STATE ROUTE 55	PUBLIC	CITY OF TROY
NASHVILLE ROAD	PUBLIC	CITY OF TROY

- ITEM 401 - ASPHALT CONCRETE SURFACE COURSE, TYPE 1
- ITEM 402 - TACK COAT @ 1 GAL/SY
- ITEM 403 - ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 2
- ITEM 404 - PRIME COAT @ 4 GAL/SY
- ITEM 301 - ASPHALT CONCRETE BASE
- ITEM 304 - AGGREGATE BASE
- ITEM 608 - SUBGRADE COMPACTION
- ITEM 609 - COMBINATION CURB AND GUTTER - TYPE 2
- ITEM 610 - COMBINATION "REVERSE" CURB AND GUTTER - TYPE 2
- ITEM 600 - SEEDING AND MULCHING
- ITEM 606 - 4" CONCRETE WALK

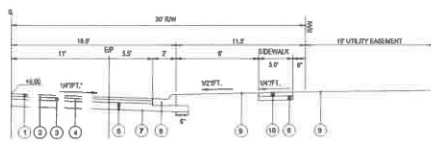
NOTE: COURSE THICKNESS SHALL BE PER CITY OF TROY STANDARDS



AREA MAP
SCALE: 1" = 300'

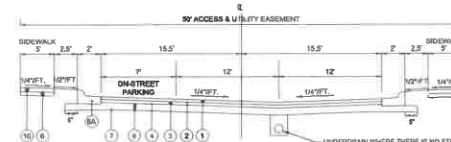


TYPICAL SECTION
STATE ROUTE 55 WIDENING



TYPICAL SECTION
NASHVILLE ROAD WIDENING

*SLOPE MAY VARY BASED ON FINAL ROADWAY DESIGN



TYPICAL SECTION
PRIVATE STREET
HOA MAINTAINED
(INTERNAL STREETS)



DDCM MANAGEMENT LLC.

SOMERSET RESERVE

NASHVILLE ROAD
TROY, OH 45373

Revisions / Submissions
ID Description Date

Project Number: 781451
Scale: 1" = 300'
Drawn By: SJS
Checked By: JEE
Date: OCTOBER 25 2023
Issue: PRELIMINARY
Drawing Title: TITLE SHEET

SURVEYOR'S LEGAL DESCRIPTION

SITUATE IN SECTION 36, TOWN 7, RANGE 6 EAST, IN THE TOWNSHIP OF CONCORD, COUNTY OF HAMILTON AND STATE OF OHIO, AND BEING 58.093 ACRES OUT OF A 104.000 ACRE TRACT, CONVEYED TO CHARLES E. GERN AND ANN HUEGEL, AS RECORDED IN INSTRUMENT 850160-1279 OF THE HAMILTON COUNTY, OHIO RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 36, AND BEING A POINT ON THE CENTERLINE OF HADNVILLE ROAD, AND THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO KURT D. AND DEBBIE S. (TOD) WERKERT, AS RECORDED IN DEED BOOK 6148, AND THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO PETER J. AND JUDY K. ZELNICK, AS RECORDED IN DEED BOOK 6543, AND ON THE WEST LINE OF A TRACT OF LAND CONVEYED TO J. RANDOLPH MOYTT AND JOSEPH CARMER TRUSTEE, AS RECORDED IN DEED BOOK 6543;

THENCE WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 36, AND WITH THE NORTHERLY LINE OF SAID PETER J. AND JUDY K. ZELNICK TRACT, NORTH 89° 54' 00" WEST, A DISTANCE OF 211.49 FEET PASSING A FOUND 1 INCH IRON PIN WITH NO CAP FOUND AT 58.30 FEET TO THE TRUE POINT OF BEGINNING;

THENCE WITH SAID SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 36, AND SAID NORTH LINE OF PETER J. AND JUDY K. ZELNICK TRACT, AND IN PART WITH THE NORTH LINE OF A TRACT OF LAND CONVEYED TO KURT D. AND DEBBIE S. (TOD) WERKERT, AS RECORDED IN INSTRUMENT 850160-1279, NORTH 89° 54' 00" WEST, A DISTANCE OF 143.53 FEET TO A SET IRON PIN AT THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO CHARLES E. GERN AND ANN HUEGEL, AS RECORDED IN INSTRUMENT 850160-1279;

THENCE WITH THE EAST LINE OF SAID CHARLES E. GERN AND ANN HUEGEL TRACT, NORTH 00° 00' 00" WEST, A DISTANCE OF 118.12 FEET PASSING A SET IRON PIN FOUND AT 118.12 FEET TO A SET AND NAIL ON THE CENTERLINE OF SAID STATE ROUTE 66 (WEST MARKET STREET);

THENCE WITH SAID CENTERLINE OF STATE ROUTE 66 (WEST MARKET STREET), NORTH 89° 54' 00" EAST, A DISTANCE OF 181.41 FEET TO A SET AND NAIL ON THE CENTERLINE OF HADNVILLE ROAD, AND ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 36;

THENCE WITH SAID CENTERLINE OF HADNVILLE ROAD, AND SAID EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 36, AND WITH THE WEST LINE OF PLOT 933 THROUGH 834 OF PARCELS SUBDIVISION SECTION 1, AS RECORDED IN RECORD PLAT BOOK 16, PAGE 18, SOUTH 89° 54' 00" EAST, A DISTANCE OF 167.14 FEET TO A SET AND NAIL ON THE NORTHEAST CORNER OF THE AFORESAID PARCELS SUBDIVISION OF PLOT 933, AND DEBBIE S. (TOD) WERKERT TRACT;

THENCE WITH THE NORTH LINE OF SAID KURT D. AND DEBBIE S. (TOD) WERKERT TRACT, SOUTH 89° 54' 00" WEST, A DISTANCE OF 124.43 FEET PASSING A FOUND 1 INCH IRON PIN FOUND AT 58.31 FEET TO A FOUND 1 INCH IRON PIN AT THE NORTHEAST CORNER OF SAID KURT D. AND DEBBIE S. (TOD) WERKERT TRACT;

THENCE WITH THE WEST LINE OF SAID KURT D. AND DEBBIE S. (TOD) WERKERT TRACT, SOUTH 89° 54' 00" EAST, A DISTANCE OF 307.19 FEET TO THE TRUE POINT OF BEGINNING;

CONTAINING 58.093 TOTAL ACRES MORE OR LESS, AND SUBJECT TO ALL COVENANTS, RESTRICTIONS, RESERVATIONS AND EASEMENTS CONTAINED IN ANY INSTRUMENT OF RECORD PERTAINING TO THE ABOVE DESCRIBED TRACT OF LAND;

ALL IRON PINS CALLED TO BE SET ARE 5/8" X 30" IRON REBAR WITH A CAP STAMPED "CESO INC";

BEARINGS BASED UPON THE OHIO NORTH STATE PLANE COORDINATE SYSTEM (NAD 83), COORDINATES SCALAR TO GROUND AT A LATITUDE ANGLE OF 17.107 DEGREES, LONGITUDE WM 1574.1418 AT A HEIGHT OF 796.428 FEET, WITH A GROUND SCALE FACTOR OF 1.0001494, BASED ON AN ACTUAL FIELD SURVEY PERFORMED BY CESO INC. IN SEPTEMBER OF 2023.

SYMBOL LEGEND:

- ANCHOR POLE
- WERT
- CATCH BASIN
- CURB INLET
- STORM MANHOLE
- HYDRANT
- WATER MANHOLE
- WATER VALVE
- WATER METER
- POWER LIGHT POLE
- POWER POLE
- TELEPHONE POLE
- TELEPHONE BOX
- GASTERY MANHOLE
- SEW
- CABLE BOX
- CITY WIRE

MONUMENT LEGEND:

- IRON PIN FOUND AS NOTED
- 8" X 30" IRON PIN WITH "CESO" CAP SET
- MAG NAIL SET
- FENCE POST FOUND
- STONE FOUND
- MAG NAIL FOUND

LINE LEGEND:

- PROPERTY BOUNDARY
- ADJACENT LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- EXISTING CORPORAION LINE
- OVERHEAD LINES
- WATER LINE
- STORM LINE
- SHOULDER LINE
- TRAIL LINE

SURVEYED PROPERTY
PARCEL 4
PROPOSED DDCM TRACT
58.093 ACRES



CESO
WWW.CESODIG.COM

1401 Ridge Rd., Suite 101
Cincinnati, OH 45244
Phone: 513.488.8888 Fax: 513.488.8888

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CESO INC.

DDCM MANAGEMENT LLC.

SOMERSET RESERVE

NASHVILLE ROAD
TROY, OH 45373

Revisions / Submissions

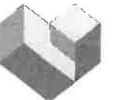
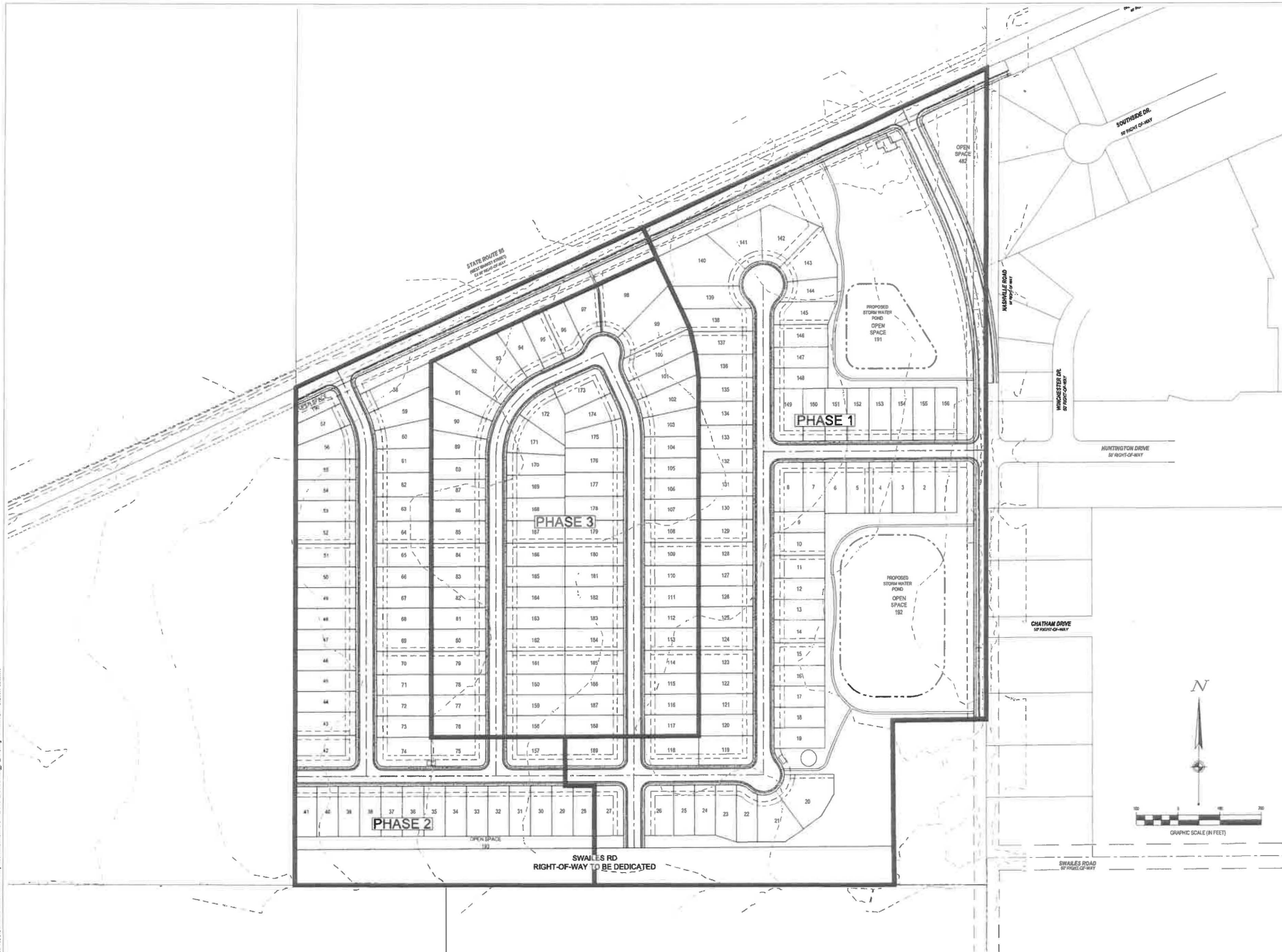
ID Description Date

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Project Number: 761451
Scale: 1" = 100'
Drawn By: SJS
Checked By: JEE
Date: SEPTEMBER 12 2023
Issue: PRELIMINARY

Drawing Title:
EXISTING
CONDITIONS

WORKSHEET DDCM/161451 - Try Check Civil 3D PLAN/ANTH/161_Plan.dwg - 11/20/2023 - Susan Shelton



CESO
WWW.CESODINC.COM

1601 Poppy Rd., Suite 200
Brentwood, TN 37027
Phone: 615.233.0004 Fax: 615.233.1005

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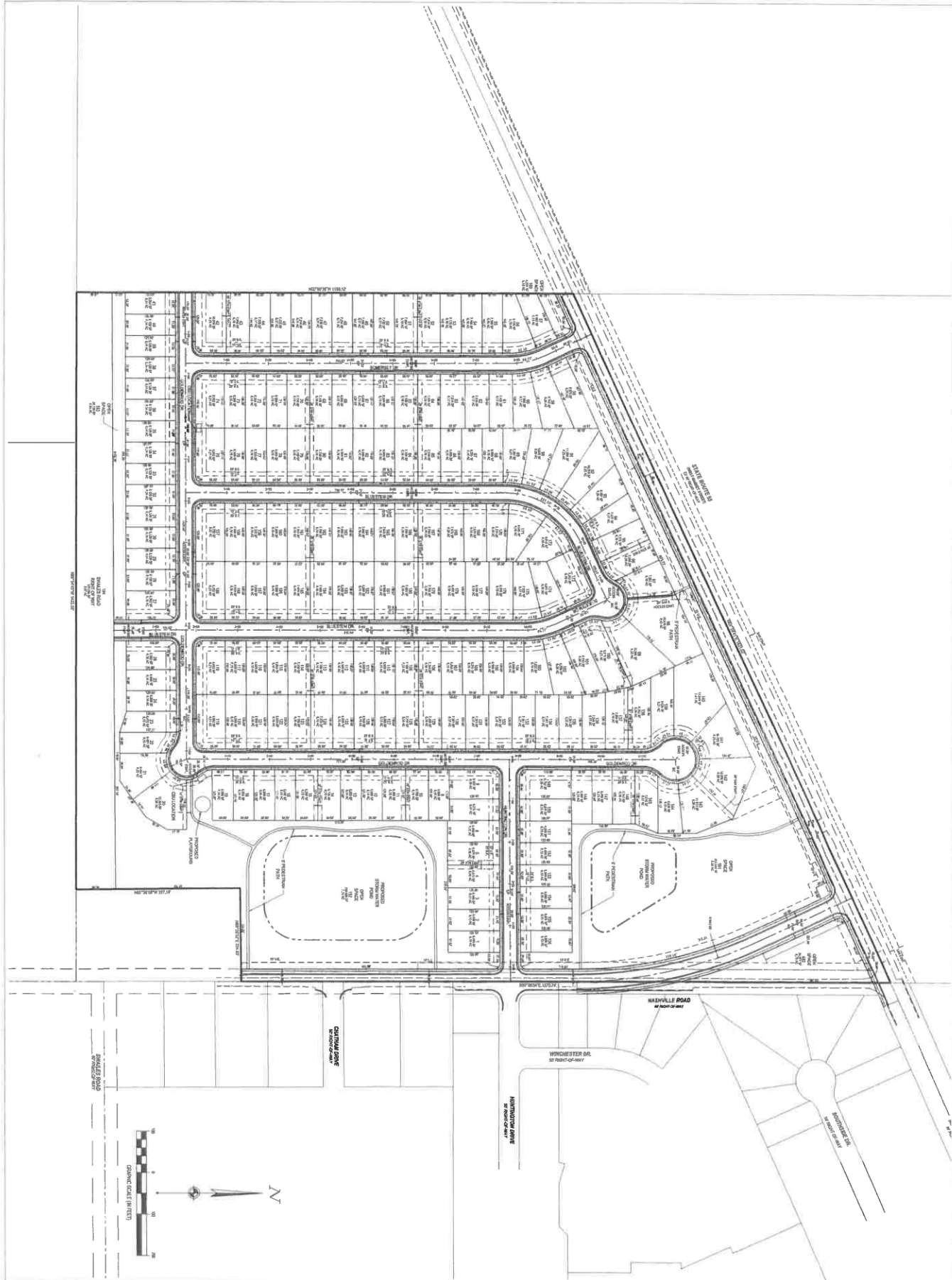
SOMERSET RESERVE

NASHVILLE ROAD
TRIS, CH ESTS

Revisions / Submissions
ID Description Date

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Project Number: 761451
Scale: 1" = 100'
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Date: SEPTEMBER 12 2023
Issue: PRELIMINARY

Drawing Title:
**OVERALL
PLAN**



CESO
www.cesoblog.com

DDCM MANAGEMENT LLC.

SOMERSET RESERVE

NASHVILLE ROAD
TROY, OH 45375

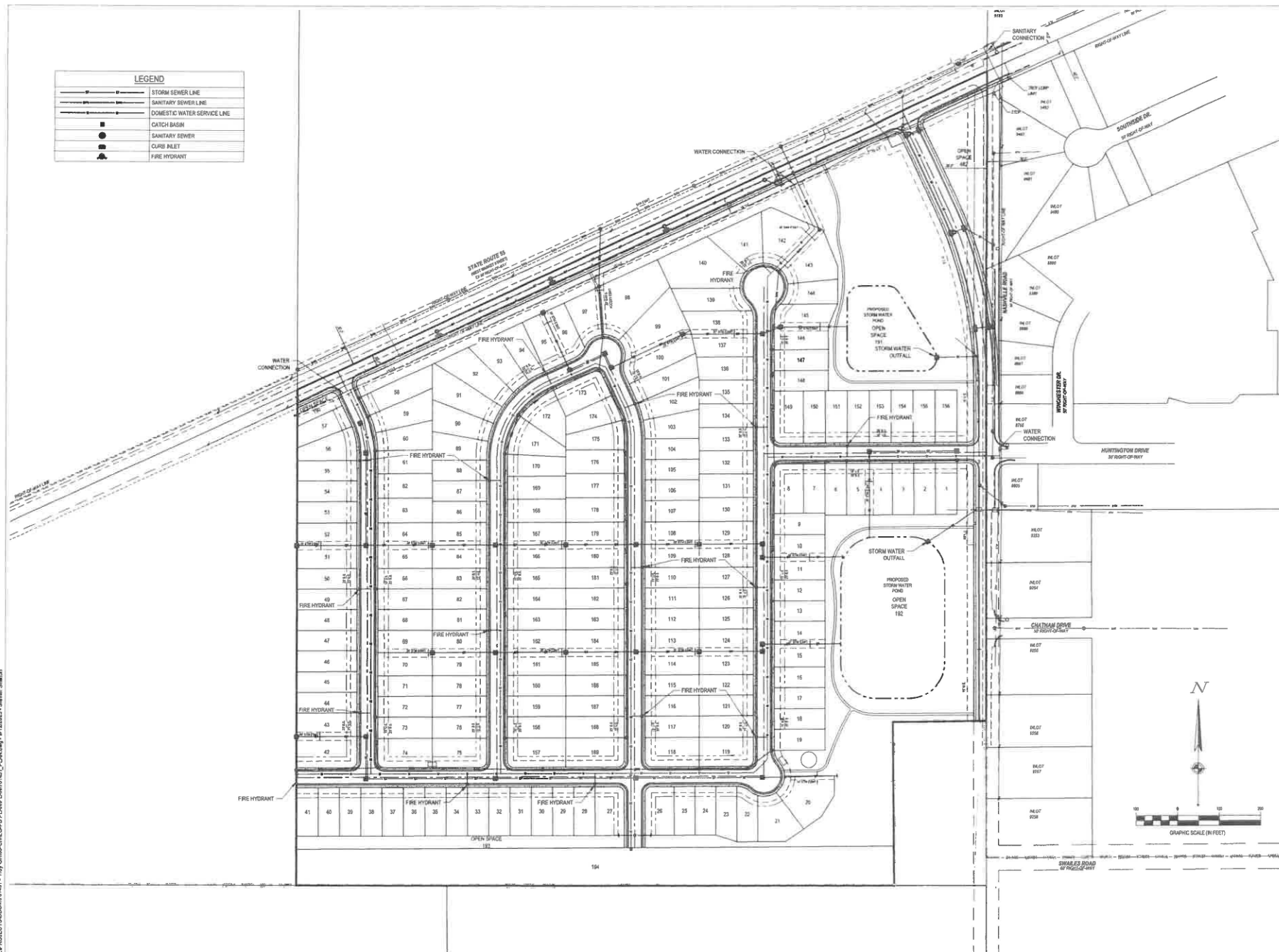
LAYOUT PLAN

4

Project Number: 781451
Scale: 1" = 100'
Drawn By: SJS
Checked By: JEE
Date: SEPTEMBER 12, 2023
Issue: PRELIMINARY

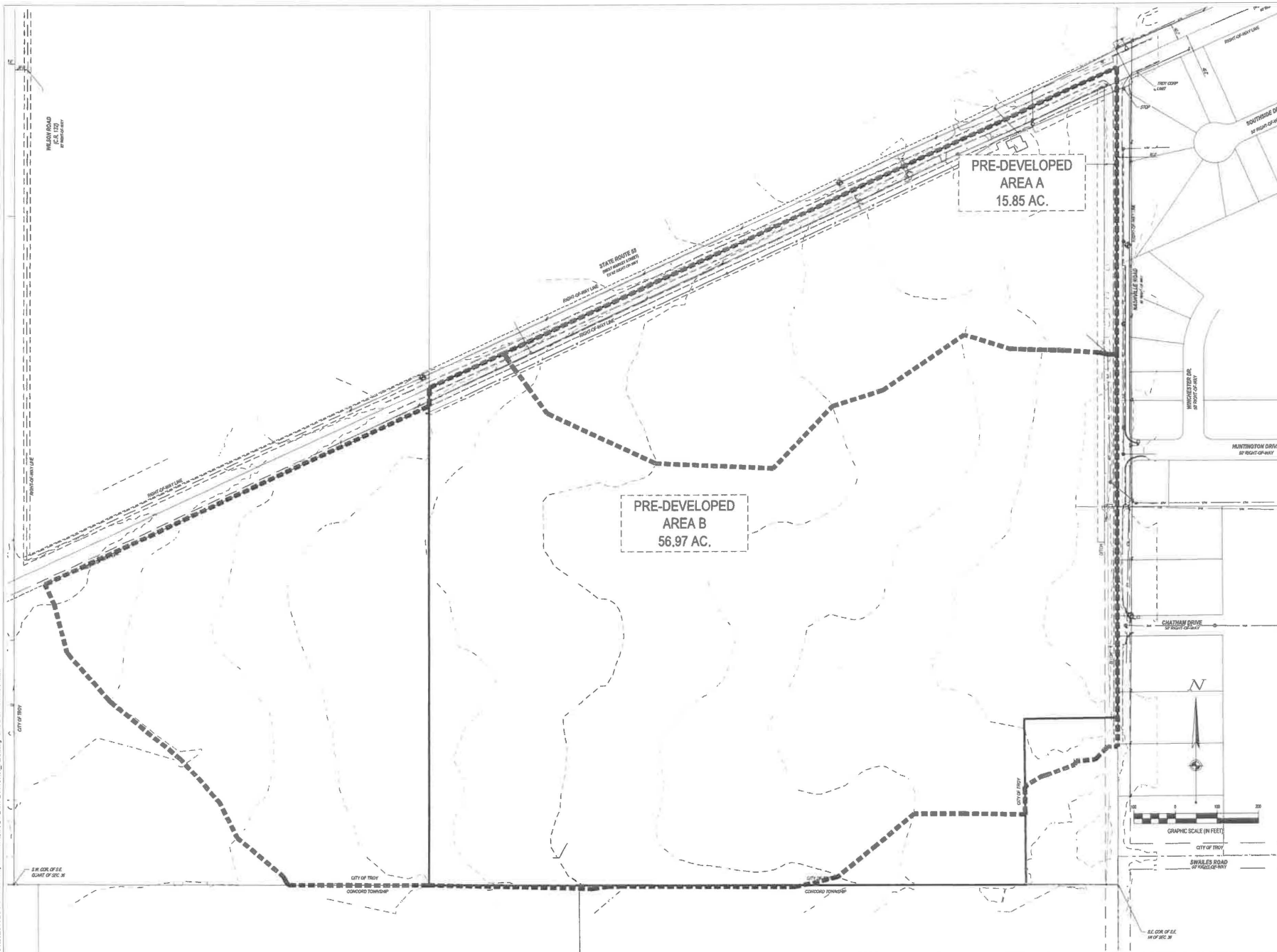
Drawing Title: LAYOUT PLAN

DDCM MANAGEMENT LLC.
10000 N. HIGHWAY 100
TROY, OH 45375
937.250.1234
www.cesoblog.com



5

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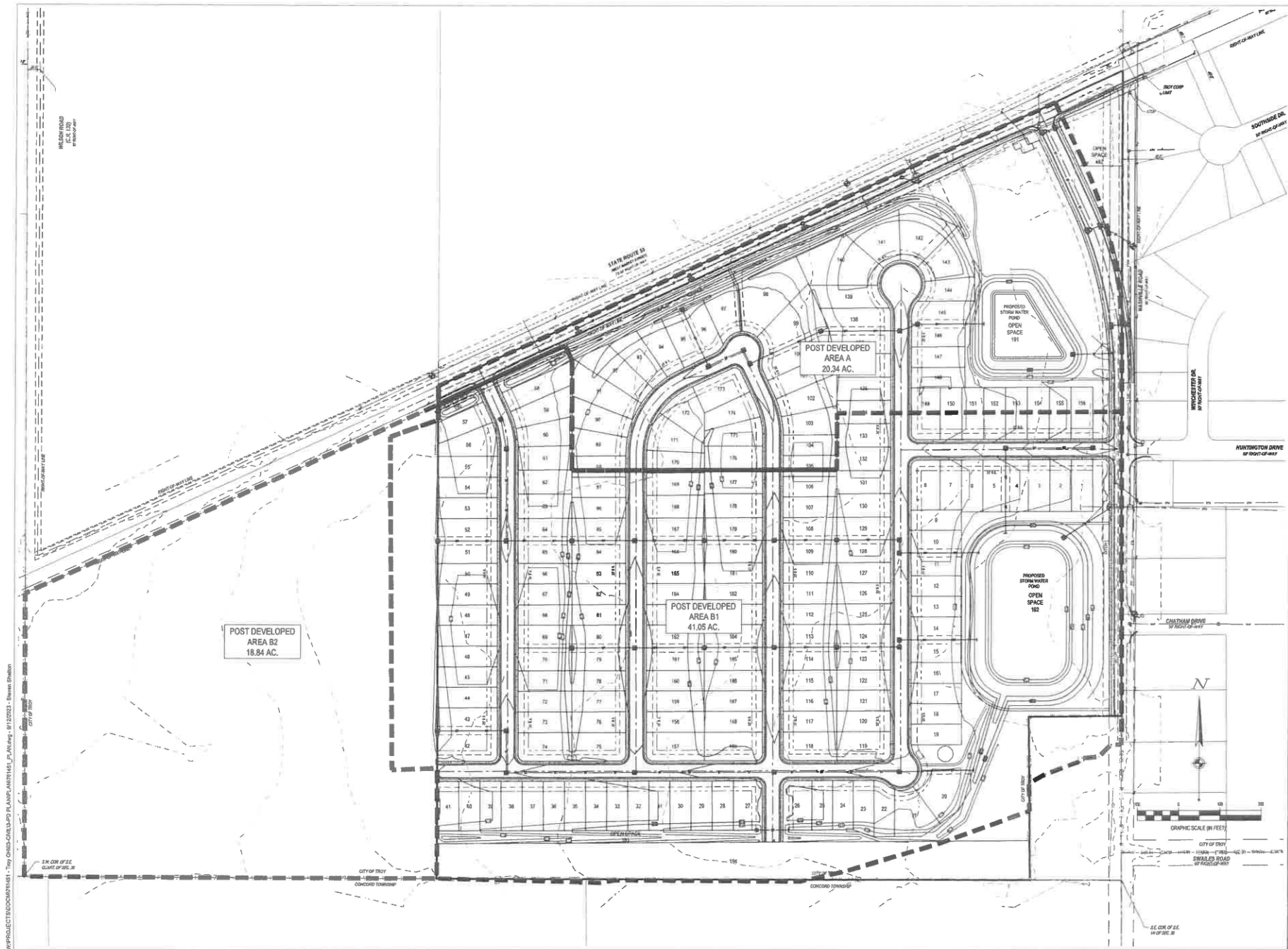
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SOMERSET RESERVE
NASHVILLE ROAD
TROY, OH 45375

Revisions / Submissions		
ID	Description	Date

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Project Number: 761451
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Checked By: JEE
Date: SEPTEMBER 12 2023
Issue: PRELIMINARY

Drawing Title:
PRE-DEVELOPED DRAINAGE PLAN



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SOMERSET RESERVE

NASHVILLE ROAD
TROY, OH 45373

Revisions / Submissions	
ID	Date
1	Designation



APPLICATION FOR A PLANNED DEVELOPMENT

An application for a Planned Development located at 3054 W SR 55 Troy, OH 45373

being lot number(s) C06-043000 (Street Address)
(Parcel Identification Number) PD-R (Proposed Zoning Classification)

OWNER

APPLICANT

Name ANN HUEGEL & CHARLES E ISERN/ Broker - Patrick Coleman
Address 648 Gamewell Drive
City Miamisburg
State OH
Zip Code 45342
Phone No. 937-477-3746 (Owners Broker)
Fax No. N/A
Email pcoleman174@gmail.com

Name DDC Management, LLC
Address 3601 Rigby Rd. Suite 300
City Miamisburg
State OH
Zip Code 45342
Phone No. 937-421-8806
Fax No. N/A
Email kirk.ridder@ddcmgmt.com

The applicant is the Agent/ Potential Buyer of the property, which is subject to this application.
(State the interest of the applicant)

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.

Kirk Ridder

(Applicant Signature)

Subscribed and sworn to before me this 15th day of August, 2023

My Commission Expires 9/15/2024
(Month/Date/Year)

Amanda M. Dorr
Notary Public
Benton County, State of Arkansas
Comm. Exp. 09/15/24
Commission No. 12402195

Amanda M. Dorr
(Notary Public)

102 South Market Street, Troy, OH 45373-7303



EXHIBIT "A"

OWNERSHIP AUTHORIZATION

I, We, Ann Huegel and Charles Isern hereby authorize any representative
(Property Owner(s) – Please Print)
of DDC Management, LLC to submit any/all zoning, rezoning, subdivision, variance and other
applications necessary to obtain plan approvals in the City of Troy, Ohio.

This authorization is for the 58 acres (approximately), located at the southwest corner of
SR 55, and Nashville Road.

Signature:
Ann Huegel, married

Ann Huegel
dotloop verified
04/24/23 12:26 PM EDT
TDPE-HSSE-HYB-W49R

Date: 04/24/2023

Signature:
Charles E, Isern, unmarri

Charles Isern
dotloop verified
04/24/23 10:13 AM EDT
HKJU-AAAP-J4TT-XQMQ

Date: 04/24/2023

LAW & ORDINANCE COMMITTEE



MEMORANDUM

TO: Mr. Lutz, President of Council
FROM: Patrick E. J. Titterington, Director of Public Service and Safety 
DATE: November 22, 2023

SUBJECT: MORATORIUM ON PERMITS ALLOWING ADULT USE CANNABIS OPERATORS

RECOMMENDATION:
That Council enacts emergency legislation imposing a moratorium of 180 days on the granting of any permits allowing Adult Use Cannabis Operators from establishing within the City of Troy.

DISCUSSION:
The State of Ohio recently enacted laws concerning cannabis use and operators. The State Issue becomes effective on December 7. ORC Section 3780.25 allows municipalities to prohibit and/or limit the location of Adult Use Cannabis Operators. So that staff can review and make recommendations on this issue to conform to the City's goals of providing adequate regulations, the City Administration is recommending a moratorium of 180 days on permits for the establishment of Adult Use Cannabis Operators.

REQUESTED ACTION:
It would be appreciated if you would assign to a committee of Council establishing a moratorium of 180 days on the granting of any permits allowing Adult Use Cannabis Operators from establishing within the City of Troy. As the State Issue becomes effective on December 7, consideration of establishing the moratorium by emergency legislation is requested.



RECREATION & PARKS 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: November 21, 2023

SUBJECT: **MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY, BOARD OF PARK COMMISSIONERS AND THE TROY CITY SCHOOLS**

RECOMMENDATION:

That Council authorizes the execution of the Memorandum of Understanding (MOU) between the City, Board of Park Commissioners, and the Troy City Schools.

BACKGROUND:

At the November 21, 2023 meeting of the Board of Park Commissioners, the Board unanimously approved a motion recommending that Council authorize the execution of the attached MOU with the Troy City Schools. The MOU is an expression of mutual intent concerning the transfer of certain property between the City and the School District and information related to the City's use of certain school property that will be defined further as part of an Interagency Operating Agreement. At a later date there would be legislation to consider regarding the Interagency Operating Agreement referenced in the MOU and the conveyance of real property to the School District and accepting the conveyance of real property from the School District.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council authorizing the Director of Public Service and Safety and the President of the Board of Park Commissioners to execute the Memorandum of Understanding with the Troy City Schools. So that the MOU can be executed without delay, consideration of emergency legislation is requested.

encl.



MEMORANDUM OF UNDERSTANDING

The following agreement shall constitute a Memorandum of Understanding (MOU) between the City of Troy, the Troy Board of Park Commissioners (hereinafter 'City of Troy'), and Troy City Schools (henceforth, TCS), reflecting the parties' desire to support future educational and recreational opportunities for residents within the Troy City Schools District. To that end,

- I. The City shall:
 1. Subject to Troy City Council approval, convey to TCS later than December 31, 2024, the properties known as Hook and Campbell Parks, representing approximately 8.25 acres;
 2. Schedule and manage any new ballfields constructed by TCS, as listed in Section II.1 below; and
 3. Draft an 'Interagency Operating Agreement' between TCS and the City that outlines on-going operating and maintenance responsibilities of the new ballfields identified in Section II.1 below.
- II. The Troy City Schools (TCS) shall:
 1. Provide four (4) to six (6) youth-sized ballfields, including backstops and dirt infields to the same specifications as exist currently at Archer Park on the properties owned by TCS (exact locations on said sites to be determined based on detailed design and City engineering input) and identified in the appendix attached hereto and made a part herewith:
 - a. One (1) backstop and dirt infield on the property identified as 'East Elementary School' aka Cookson Elementary School site;
 - b. One (1) backstop and dirt infield on the property identified as 'North Elementary School' aka the Hook Elementary School site;
 - c. One (1) to two (2) backstops and dirt infields on the property identified as 'West Elementary School' aka the McKaig/Arthur Road site;
 - d. One (1) to two (2) dirt infields on the property identified as 'South Middle School' aka the Swailes Road site;
 2. Remediate and demolish Van Cleve, Heywood and Kyle School buildings and convey all vacant properties in 'shovel-ready condition' with clean titles, including Van Cleve parking lot and accessory parcels to the City by general warranty deed no later than by the end of 2027;
 3. Agree to allow the City to utilize the ballfields listed in II.1 above for youth-related baseball and softball programs until such time as the TCS long-term plans dictate the reuse of said property, provided the initial agreement, barring unforeseen circumstances beyond the parties' control, shall be for a minimum of seven (7) years. TCS shall provide the City with notice of at least twenty-four (24) months of its intent to reuse the property and shall support efforts to relocate any displaced ballfields; and,
 4. Transfer to the City any playground equipment identified by TCS to be surplus.

This MOU is only an expression of mutual intent concerning some aspects of the proposed transactions previously described. It is expressly understood that all of the material terms of the proposed transactions are not yet agreed upon between the parties and must still be agreed upon to their mutual satisfaction. It is further understood that this MOU is not intended to constitute a legally binding contract and the parties intend to proceed to negotiate to their mutual satisfaction terms, provisions, and conditions of all exhibits for a proposed sales agreement, but any binding legal obligations of any nature between the parties shall be only those set forth in a final executed transfer agreement. Further, neither party may claim any legal rights against the others by reason of the execution of this MOU or by taking any action in reliance thereon.

Memorandum of Understanding, page 2

This MOU shall have no force and effect in the event that the 2023-2024 Troy City Schools Bond Levy does not pass.

Signed and witnessed on this _____ day of _____, 2023 by:

City of Troy, Director of Public
Service & Safety

Troy Board of Park Commissioners
President

Troy City Schools, Superintendent

Witness:

Appendix: Proposed New Ballfield Sites



East Elementary School (PK-4) - Proposed Site Plan **Facility Master Plan**





North Elementary School (PK-4) - Proposed Site Plan Facility Master Plan





West Elementary School (PK-4) - Proposed Site Plan
Facility Master Plan





South Middle School (5-6) - Proposed Site Plan

Facility Master Plan



STREETS & SIDEWALKS COMMITTEE



MEMORANDUM

TO: Mr. Lutz, President of Council
FROM: Patrick E. J. Titterington, Director of Public Service and Safety
DATE: November 20, 2023
SUBJECT: **Bidding Authorization – North Elm Street Resurfacing Project**

A handwritten signature in blue ink, appearing to be "PAT", located to the right of the "FROM:" line.

RECOMMENDATION:

That Council authorizes the Director of Public Service and Safety to advertise for bids and enter into a contract for the North Elm Street Resurfacing Project (PID 116848) at a cost not to exceed \$500,000.

BACKGROUND:

The North Elm Street Resurfacing Project scope consists of the grinding of the existing asphalt and the installation of a new surface course from the city limits to the intersection of West Main Street meeting where the new asphalt installation for the West Main Street Corridor project ended. Matching funds were awarded to the City of Troy through the grant application that Council authorized in 2021.

This project is to be bid by the City, with approximately \$265,000 in grant funds from the Federal FAST Act and Miami Valley Regional Planning Commission (MVRPC) Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) to help offset the cost. The project is included in the 2024 Capital Improvement Fund (441) budget. The project will be advertised once final approval has been obtained through ODOT, with construction beginning early next year.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the North Elm Resurfacing Project at a cost not to exceed \$500,000.

