



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

TUESDAY, MAY 28, 2024, 6:00 PM

Community & Economic Development Committee

(Schilling [Chm.], Pierce, Snee)

1. Provide a recommendation to Council regarding authorizing application for the PY 2024 CDBG Allocation Program and PY 2024 CDBG Neighborhood Revitalization Program applications:
CDBG ALLOCATION PROGRAM:
\$ 130,000 Crawford Street Pedestrian Pathway – Street Improvements
\$ 3,000 Fair Housing Program
\$ 17,000 General Administration
\$ 150,000 TOTAL

CDBG NEIGHBORHOOD REVITALIZATION PROGRAM
\$ 750,000 Crawford Street Pedestrian Pathway Project and Herrlinger Park Improvements

Consideration of emergency legislation requested due to the June 12 application date for both programs.
2. Provide a recommendation to Council regarding approval of the Anti-Displacement Relocation Assistance Plan requested by the Ohio Department of Development. As this document is part of the PY 2024 CDBG grant application, which is due June 12 consideration of emergency legislation is requested.
3. Provide a recommendation to Council regarding the recommendation of the Troy Planning Commission that Council accepts the Final Plat of Fox Harbor Section 10 and the dedication of right-of-way. Plat is located west of the Kings Chapel neighborhood, just south of W. Main Street.
4. Provide a recommendation to Council regarding the annexation petition filed for 107.559 acres from Concord Township, the ELC, LLC & Pour Annexation, located on the west side of Wilson Road.
 - A. Statement of municipal services to be provided to the area proposed for annexation,
 - B. Statement of buffering related to incompatible uses,
 - C. Acceptance

As the City is required to provide the above to the County within 20 days of the filing of the annexation with the County, which date was May 21, 2024, consideration of emergency legislation is requested.

Streets & Sidewalks Committee

(Phillips [Chm.], Schilling, Westfall)

1. Provide a recommendation to Council regarding approval of the ODOT preliminary consent legislation, safety improvements at I-75 & SR 41 interchange, second quarter State FY 2026 (Oct-Dec 2025). Based on the usual ODOT format, consideration of emergency legislation is requested.

Other Committees/Items may be added.

5-24-2024

Cc: Council
Mayor
Mr. Titterington, Mr. Kerber
Mr. Frigge, Departments, Media

**COMMUNITY &
ECONOMIC DEVELOPMENT
COMMITTEE**



CJED

Patrick E. J. Titterington
City Director
Patrick.Titterington@TroyOhio.gov

MEMORANDUM

TO: Mr. Rozell, President of Council

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

DATE: May 23, 2024

SUBJECT: **PY 2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COMMUNITY DEVELOPMENT ALLOCATION PROGRAM AND NEIGHBORHOOD REVITALIZATION PROGRAM APPLICATIONS**

RECOMMENDATION:

That Council authorize applications to be filed with the Ohio Department of Development (ODOD) for Program Year (PY) 2024 Community Development Block Grant (CDBG) Community Development Allocation Program and Neighborhood Revitalization Program (NRP) funds.

BACKGROUND:

In 2017, the *Troy Downtown Riverfront Strategic Development Study* identified an objective to "strengthen connections to an active river and trail network" and included specific recommendations to improve economic and recreational opportunities to the residents of Southeast Troy by providing direct trail connections to the Great Miami River (GMR) and other downtown amenities, such as: Treasure Island, Troy Community Park, Hobart Arena, Troy Aquatic Center, and other recreational amenities. Currently, downtown Troy sits along one of the nation's most robust bicycle trails but has very few direct connections from its downtown. The *Troy Downtown Riverfront Strategic Development Study* was adopted in the City's Comprehensive Plan by the Troy Planning Commission in 2023.

The proposed Crawford Street Pedestrian Pathway Project is located in Southeast Troy (runs along Crawford Street from E. Water Street to Herrlinger Park) and is a part of the Great Miami River Low-Head Dam Removal and River Improvement Project. The Crawford Street Pedestrian Pathway Project will provide direct connections to the recreational trail for the residents of Southeast Troy as described in the Comprehensive Plan. Funding assistance for this project can be provided by the 2024 Community Development Block Grant (CDBG) Community Development Allocation Program and Neighborhood Revitalization Program (NRP) funds.

The CDBG program requires two public hearings prior to submitting an application. Troy Development Department Staff hosted six (6) public informational meetings this year, with four (4) of these meetings being held at Forest Elementary School, and also provided surrounding neighbors with NRP surveys. The proposed project is located in the CDBG eligible service area. This service area is eligible to receive funding because it meets the CDBG National Objective of low-to-moderate income (LMI) benefit area; and being over 51% LMI persons residing in this service area. To be eligible to apply for the CDBG Neighborhood Revitalization Program funding there must be a minimum of three (3) eligible CDBG activities identified in the grant application. As a result of these public informational meetings and the NRP surveys completed from residents living in this service area, the following eligible CDBG activities were identified: street improvements (which includes stormwater improvements) on Crawford Street, sidewalk improvements (including new curb and gutter) on Crawford Street, and park and recreation facilities at Herrlinger Park.

The City is eligible to receive \$150,000 of PY 2024 CDBG Community Development Allocation Program funds to be used for qualifying projects in 2025 and 2026. Proposed CDBG-qualified projects include:

\$ 130,000 Crawford Street Pedestrian Pathway – Street Improvements
\$ 3,000 Fair Housing Program
\$ 17,000 General Administration
\$ 150,000 TOTAL



In addition, the City is eligible to compete for up to \$750,000 of PY 2024 CDBG Neighborhood Revitalization Program (NRP) funding, which includes the Crawford Street Pedestrian Pathway Project and Herrlinger Park Improvements. The Crawford Street Pedestrian Pathway Project will include replacing the sidewalks on both sides of the street with the west side width being 10 feet to allow for a shared bike trail and the east side width being 5 feet with bump outs at each intersection along Crawford Street; stormwater improvements, and paving of Crawford Street from E. Water Street to Herrlinger Way. The total Crawford Street Pedestrian Pathway Project is estimated to cost \$1,730,984 (includes design/engineering and construction).

The breakdown of Crawford Street Pedestrian Pathway Project funding is as follows:

Funding Sources	Amount	CDBG Eligible Activity
CDBG NRP	\$ 650,000	Street and Sidewalk Improvements
CDBG PY 2024 Allocation	\$ 130,000	Street Improvements
Troy CDBG ED RLF	\$ 250,000	Street and Sidewalk Improvements
Troy Stormwater Funds-2026	\$ 250,000	Street Improvements
Troy Water Funds-2026	\$ 50,984	Street Improvements
City of Troy Gen funds (Sidewalk & CIP)	<u>\$ 400,000</u>	Street and Sidewalk Improvements
TOTAL \$1,730,984		

The Herrlinger Park Improvements include: new playground equipment; 9-hole disc golf course; installation of pickleball courts; new lighting; improved parking; and fencing around the playground equipment and pickleball courts. The estimated cost for this project is \$160,000, from the following sources:

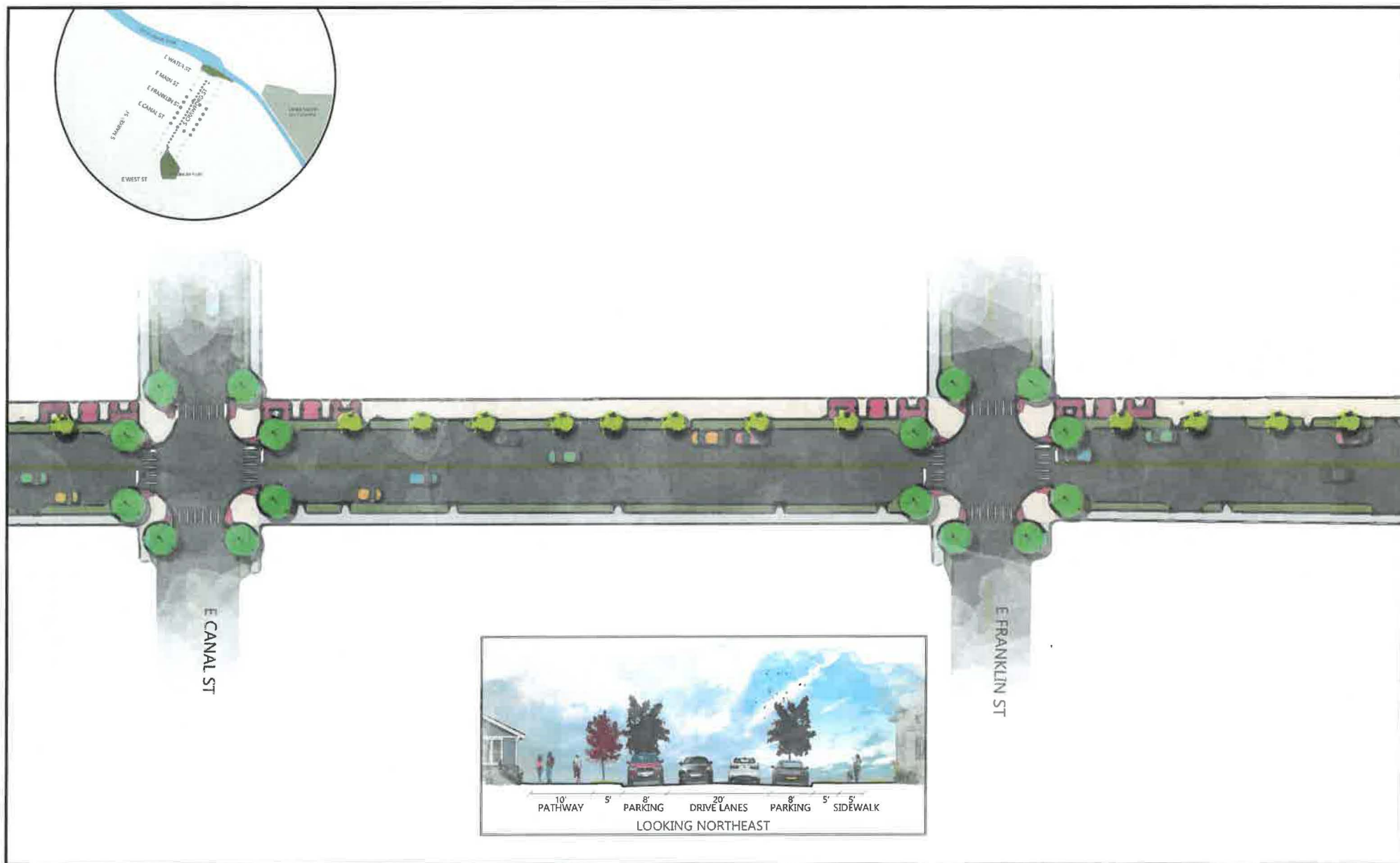
Funding Sources	Amount	CDBG Eligible Activity
CDBG NRP	\$ 100,000	Park and Recreation Facilities
Troy Park Budget-2025	<u>\$ 60,000</u>	Park and Recreation Facilities
TOTAL \$ 160,000		

If the PY 2024 CDBG Neighborhood Revitalization Program (NRP) and PY 2024 CDBG Community Development Allocation grant applications are funded, then the City will have a total of \$1,130,000 in grant funding dedicated for the Crawford Street Pedestrian Pathway and Herrlinger Park Improvement Projects, which is 65% of the total cost for these projects. The Troy Development Department will continue to explore other grant and local foundation funding sources for both these projects to offset using City funds. If neither of the PY 2024 CDBG grant applications are awarded then both the Crawford Street Pedestrian Pathway and Herrlinger Park Improvement Projects will be delayed until grant funding can be secured.

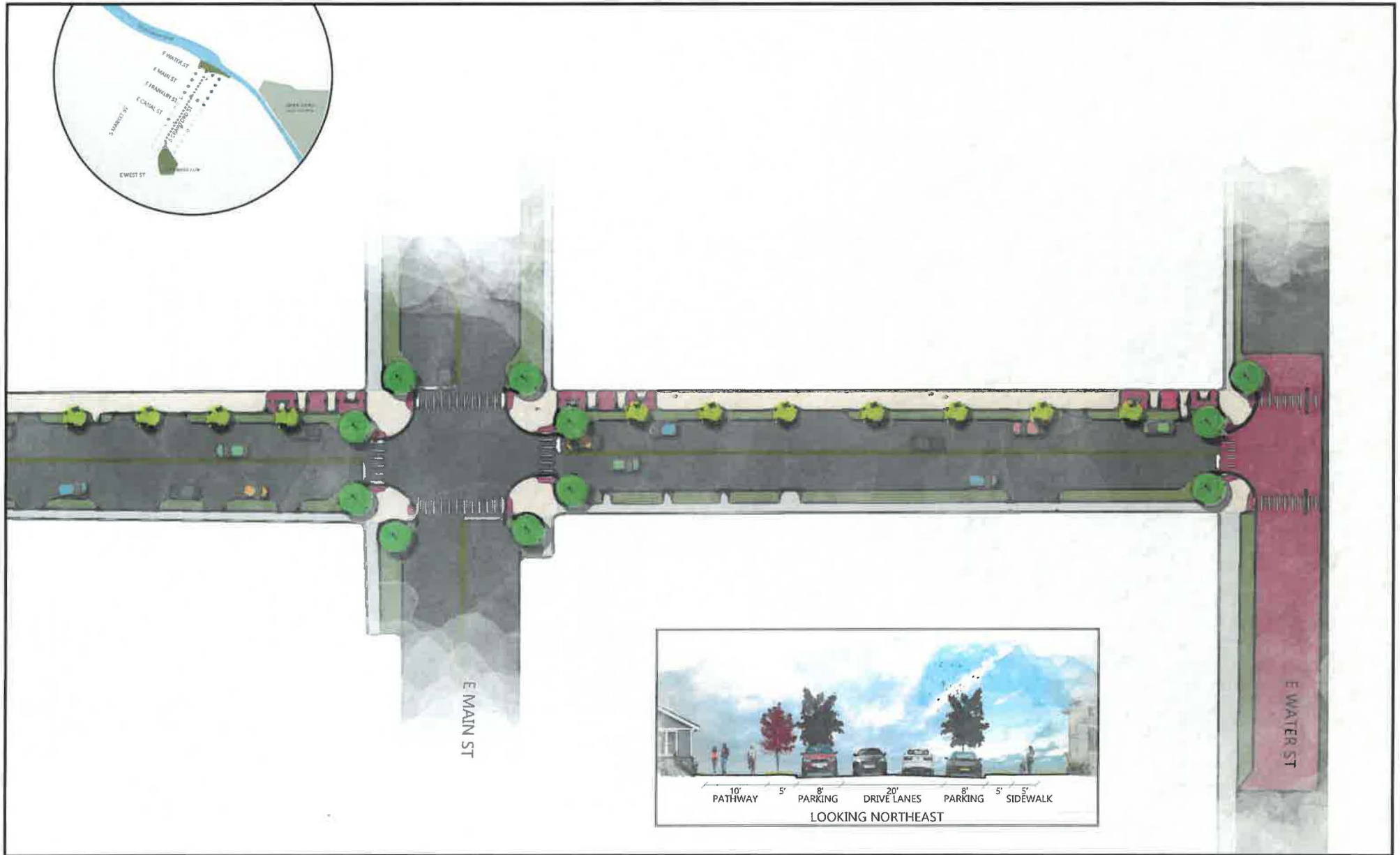
Both PY 2024 CDBG applications (Allocation and NRP) are due to ODOD on June 12, 2024 and the City will be notified in October 2024 if they are funded.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council consideration of the above projects so that legislation can be authorized for applications to be filed for use of PY 2024 CDBG Allocation and NRP funds for the selected projects. Based on the application deadline, consideration of emergency legislation is requested.



CRAWFORD STREET PEDESTRIAN PATHWAY TROY, OHIO



CRAWFORD STREET PEDESTRIAN PATHWAY

TROY, OHIO

MEMORANDUM

TO: Mr. Rozell, President of Council

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

DATE: May 20, 2024

SUBJECT: OHIO DEPARTMENT OF DEVELOPMENT RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

RECOMMENDATION:

That Council approves the Ohio Department of Development (ODOD) Anti-Displacement and Relocation Assistance Plan.

BACKGROUND:

In 1994 Council adopted the Anti-Displacement and Relocation Assistance Plan by adopting Ordinance No. O-20-94, as provided by the ODOD. Adopting such plan is a requirement related to CDBG funding whether or not demolition activities are planned. On May 13, the City was advised that the State has amended their rules to require that the Anti-Displacement and Relocation Assistance Plan is to be reviewed and enacted every five years. The submittal of the Plan is part of the City's annual CDBG Allocation Grant application, which is due by June 12.

Attached is a copy of the Plan to be approved, which follows that previously adopted.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council consideration of adopting the Anti-Displacement and Relocation Assistance Plan to comply with the rules of ODOD. In order to have the plan approved and included in the CDBG Allocation Grant application, consideration of emergency legislation is requested.

encl.





Residential Anti-Displacement and Relocation Assistance Plan

General Information: An Anti-Displacement and Relocation Assistance Plan is required by all grantees prior to funding, whether or not demolition activities are planned. This plan must be updated every five (5) years. If you have not previously adopted a plan, utilize this format at a minimum to adopt a plan. If you have previously adopted a plan, you may submit an executed copy of that plan in lieu of completing this form (if your activities include demolition or conversion, you will need to get clearance from the Office of Community Infrastructure (OCI) prior to proceeding with any demolition or conversion.) Attach requested information from this form to your Plan.

Ordinance Number: _____ **Date of Ordinance:** _____

The City of Troy will replace all occupied and vacant-occupiable low-to-moderate-income (LMI) dwelling units demolished or converted to a use other than LMI housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, and as described in 24 CFR 570.488. HUD regulation have extended this requirement to the HOME program as well. All replacement housing will be provided within three years of beginning the demolition or rehabilitation related to conversion. Before obligating or expending funds that will directly result in demolition or conversion, the community will make public and submit to OCI the following information in writing:

1. A description of the proposed activity;
2. The location of each site on a map and the number of dwelling units by bedroom size that will be demolished or converted to a use other than as LMI dwelling units as a direct result of the activities;
3. A time schedule for the demolition or conversion commencement and completion;
4. The general location on a map and approximate number of dwelling units by bedroom size that will be provided as replacement dwelling units;
5. The funding source and a time schedule for providing replacement dwelling units;
6. An explanation of how the replacement dwelling unit will remain a LMI unit for at least 10 years from the date of initial occupancy;
7. An analysis determining whether a dwelling unit proposed to be demolished is occupiable or not; and
8. An analysis determining whether a dwelling unit proposed to be demolished or converted is considered a LMI unit.

The City of Troy will provide relocation assistance, as described in 24 CFR 570.488, to each LMI household displaced by housing demolition or conversion of a LMI dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives under the Act, the City of Troy agrees to provide substantial levels of assistance to individuals displaced by HUD-assisted programs and will further seek to minimize displacing individuals as a result of assisted activities.

Signature of Authorized Designee

Name of Authorized Designee

Title of Authorized Designee



REPORT OF THE TROY PLANNING COMMISSION

TO: Mr. Rozell, President of Council

FROM: Troy Planning Commission

DATE: May 20, 2024

SUBJECT: RECOMMENDATION THE TROY PLANNING COMMISSION - FINAL PLAT APPROVAL, FOX HARBOR SUBDIVISION SECTION 10 AND DEDICATION OF RIGHT-OF-WAY

At the March 27, 2024 meeting of the Troy Planning Commission the request for the final approval of Fox Harbor Subdivision Section 10 was submitted for review. Details are:

- Fox Harbor Subdivision is located west of the Kings Chapel neighborhood, just south of West Main Street (State Route 41)
- Section 10 is an area of 11.455 acres
- There will be 27 building lots on 10.105 acres
- Right-of Way to be dedicated is an area of 1.35 acres -- Executive Drive, Liette Drive and Darla Circle
- The zoning is R-4 Single-Family Residential which requires a minimum lot size of 9,000 square feet. Actual lot sizes range from .207 acres (9,016 square feet) to .415 acres (18,077 square feet)
- Fees-in-lieu of dedicated green space will be paid to the City
- The Final Plat is in general conformance with the approved Preliminary Plan

By unanimous vote the Troy Planning Commission recommends to Troy City Council that the Final Plat of the Fox Harbor Subdivision Section 10 be approved, including the dedication of Right-of-Way. A copy of the plat map is attached.

Transmittal of the Commission's recommendation was delayed until the Escrow Agreement had been finalized. That Escrow Agreement has now been finalized.

encl.

DEDICATION

THE UNDERSIGNED, BEING THE OWNER OF 11.455 ACRES OF LAND, BEING PART OF INLOT NUMBER 7446 IN THE CITY OF TROY, MIAMI COUNTY, OHIO, DO HEREBY ASSENT TO AND ADOPT THE ACCOMPANYING PLAT OF SUBDIVISION TO BE KNOWN AS FOX HARBOR SECTION 18, AND DO HEREBY DEDICATE TO THE PUBLIC, FOR THE USE AND BENEFIT OF THE CITY OF TROY, MIAMI COUNTY, OHIO, THE STREETS AND ROADWAYS AS SHOWN ON SAID PLAT, AND DECLARE THE SAME TO BE FREE AND UNENCUMBERED.

UTILITY EASEMENT

UTILITY EASEMENTS ARE PROVIDED FOR OTHER PUBLIC USES AS DESIGNATED AND SHALL BE USED FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF ELECTRIC, GAS, WATER, SEWERS, STORM WATER DRAINS, OPEN CHANNELS, CABLE TELEVISION, TELEPHONE AND FOR ANY PUBLIC OR QUASI-PUBLIC UTILITY OR FUNCTION, CONDUCTED, MAINTAINED OR PERFORMED BY ORDINARY METHODS BENEATH OR ABOVE THE SURFACE OF THE GROUND, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER AND ACROSS LOTS TO AND FROM SAID EASEMENTS. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENTS, NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED SO AS TO (1) REDUCE THE CLEARANCE OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; (3) IMPAIR THE ABILITY TO MAINTAIN THE FACILITY; OR (4) CREATE A HAZARD.

DRAINAGE NOTES

THE CITY OF TROY DOES NOT ACCEPT ANY DRAINAGE EASEMENTS SHOWN ON THIS PLAT. THE CITY OF TROY IS NOT OBLIGATED TO MAINTAIN OR REPAIR ANY CHANNELS OR INSTALLATIONS IN SAID EASEMENTS. THE OWNER OF THE LOT SHALL MAINTAIN THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT CONTINUOUSLY. MAINTENANCE OF ALL IMPROVEMENTS WITHIN THE DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE FOX HARBOR HOMEOWNERS ASSOCIATION AS PROVIDED FOR IN THE DECLARATION AND IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE CITY OF TROY ON FILE WITH THE CITY ENGINEER. WITHIN THE EASEMENT AREA, NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR CHANGE THE DIRECTION OF THE WATER FLOW.

THE CITY OF TROY SHALL HAVE THE PERMANENT AND IRREVOCABLE RIGHT AND AUTHORITY TO INSPECT SUCH INTERIOR STREETS, ACCESS EASEMENTS, WATERWAYS, COMMON SPACES AND IMPROVEMENTS THEREON AS ARE DEVELOPED IN THIS SUBDIVISION.

THE CITY OF TROY SHALL HAVE THE RIGHT, BUT NOT THE RESPONSIBILITY, TO ENTER UPON ANY LOT IN THE SUBDIVISION TO INSPECT AND AUDITOR ANY STORM WATER DETENTION BASIN AREA OR DRAINAGE FACILITIES CONSTRUCTED IN THE SUBDIVISION. IN THE EVENT THAT THE FACILITIES ARE NOT PROPERLY CONSTRUCTED OR MAINTAINED, UPON THE FAILURE OF THE DEVELOPER, LOT OWNER, OR THE ASSOCIATION TO TAKE CORRECTIVE ACTION AFTER BEING DULY NOTIFIED IN WRITING BY THE CITY, THE CITY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION TO TAKE WHATEVER ACTION IS NECESSARY TO CORRECT ANY IMPROPER CONSTRUCTION OR TO MAINTAIN STORM WATER DETENTION BASIN AREAS AND DRAINAGE FACILITIES. PROVIDED, HOWEVER, THAT THE DEVELOPER, LOT OWNER, AND/OR ASSOCIATION SHALL FIRST HAVE A REASONABLE PERIOD OF TIME, TAKING INTO ACCOUNT THE URGENCY OF THE MATTER, TO TAKE CORRECTIVE ACTION. ANY COST INCURRED BY THE CITY OF TROY FOR SUCH MAINTENANCE MAY BE ASSESSED TO THE ASSOCIATION OR, IF THERE IS NO ASSOCIATION, OR THE ASSOCIATION HAS CEASED TO EXIST, AGAINST INDIVIDUAL LOT OWNER. THESE RESTRICTIONS SHALL RUN WITH THE LAND, AND SHALL BIND THE OWNERS, SUCCESSORS, AND ASSIGNS UNLESS AND UNTIL A MODIFICATION IS AGREED TO AND APPROVED BY THE COUNCIL OF THE CITY OF TROY.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

HARBOR WEST LAND CO., LLC
FRANK D. HARLOW JR.
MANAGING MEMBER

LIEN HOLDER:

ANNETTE BAKER
GREENVILLE FEDERAL BANK

COUNTY OF MIAMI, STATE OF OHIO

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2023, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME THE OWNER, BY ITS MANAGING MEMBER, FRANK D. HARLOW JR. AND PERSONALLY CAME THE LIEN HOLDER, GREENVILLE FEDERAL BANK BY ANNETTE BAKER, AND EACH ACKNOWLEDGED THE SAVING AND EXECUTION OF THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE HEREIN SET MY HAND AND AFFIRMED MY NOTARIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR MIAMI COUNTY, OHIO
MY COMMISSION EXPIRES _____

COUNTY OF MIAMI, STATE OF OHIO

FRANK D. HARLOW JR., MANAGING MEMBER, HARBOR WEST LAND CO., LLC, BEING DULY SWORN THIS _____ DAY OF _____, 2023, SAY THAT ALL PERSONS AND CORPORATIONS TO THE BEST OF HIS KNOWLEDGE INTERESTED IN THIS DEDICATION HAVE UNITED IN ITS EXECUTION.

FRANK D. HARLOW JR., MANAGING MEMBER
HARBOR WEST LAND CO., LLC.

IN TESTIMONY WHEREOF, I HAVE HEREIN SET MY HAND AND AFFIRMED MY NOTARIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR MIAMI COUNTY, OHIO
MY COMMISSION EXPIRES _____

FOX HARBOR SECTION 18

LOCATED IN

CITY OF TROY, MIAMI COUNTY, OHIO

PART INLOT 7446

11.455 ACRES

MARCH 15, 2024



VICINITY MAP

~NTS~

DESCRIPTION

BEING A SUBDIVISION CONTAINING A TOTAL OF 11.455 ACRES COMPRISED OF 1,393 ACRES REMAINING OF PART INLOT 7446 AS DESCRIBED TO HARBOR WEST LAND CO., LLC BY 201808-01012 AND PART OF THE 55.047 ACRE TRACT AS DESCRIBED TO LUTTE REALTY 1, LLC BY O.R. 94-4662 OF THE MIAMI COUNTY RECORDER'S OFFICE.

HOME OWNERS ASSOCIATION RESTRICTIONS

ALL OF THE LOTS IN THE SUBDIVISION ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF THE FOX HARBOR HOME OWNERS ASSOCIATION, AS RECORDED IN 201808-10028 OF THE MIAMI COUNTY, OHIO RECORDER'S OFFICE. RESTRICTIONS CREATED IN THIS DECLARATION ARE INTENDED FOR THE BENEFIT OF AND ARE BINDING IN ALL LOTS IN THE SUBDIVISION.

CURVE DATA

CHORD BEARING	CHORD LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	61.5	13.0	N 34° 14' 30" E	51.15
C2	9.7	0° 0'	N 34° 14' 30" E	51.15
C3	20.10	175.00	S 55° 45' 30" W	25.09
C4	20.10	175.00	S 55° 45' 30" W	25.09
C5	4.64	175.00	S 55° 45' 30" W	25.09
C6	6.7	175.00	S 55° 45' 30" W	25.09
C7	6.7	175.00	S 55° 45' 30" W	25.09
C8	1.5	175.00	S 55° 45' 30" W	25.09
C9	11.0	175.00	S 55° 45' 30" W	25.09
C10	38.14	22.00	N 88° 52' 30" E	34.35
C11	38.69	55.00	N 88° 52' 30" E	34.35
C12	4.3	22.00	N 88° 52' 30" E	34.35
C13	4.3	22.00	N 88° 52' 30" E	34.35
C14	40.14	00.00	N 88° 52' 30" E	34.35
C15	41.1	00.00	N 88° 52' 30" E	34.35
C16	12.0	00.00	N 88° 52' 30" E	34.35
C17	14.0	00.00	N 88° 52' 30" E	34.35
C18	14.0	00.00	N 88° 52' 30" E	34.35
C19	59.14	00.00	N 88° 52' 30" E	34.35
C20	59.14	00.00	N 88° 52' 30" E	34.35
C21	17.0	175.00	S 55° 45' 30" W	25.09
C22	17.0	175.00	S 55° 45' 30" W	25.09
C23	17.0	175.00	S 55° 45' 30" W	25.09
C24	17.0	175.00	S 55° 45' 30" W	25.09
C25	35.77	175.00	S 55° 45' 30" W	25.09
C26	35.77	175.00	S 55° 45' 30" W	25.09
C27	35.77	175.00	S 55° 45' 30" W	25.09
C28	35.77	175.00	S 55° 45' 30" W	25.09
C29	35.77	175.00	S 55° 45' 30" W	25.09
C30	35.77	175.00	S 55° 45' 30" W	25.09
C31	56.5	00.00	N 88° 52' 30" E	34.35
C32	56.5	00.00	N 88° 52' 30" E	34.35
C33	118.5	00.00	N 88° 52' 30" E	34.35
C34	118.5	00.00	N 88° 52' 30" E	34.35
C35	118.5	00.00	N 88° 52' 30" E	34.35
C36	118.5	00.00	N 88° 52' 30" E	34.35

PLAT BOOK _____ PAGE _____
MIAMI COUNTY RECORDER'S RECORD OF PLATS

FEE \$ _____

JESSICA A. LOPEZ, MIAMI COUNTY RECORDER

DEPUTY RECORDER

TRANSFERRED ON THE _____ DAY OF _____, 2023.

MATTHEW W. DEARHART
AUDITOR, MIAMI COUNTY, OHIO

BY: DEPUTY AUDITOR

APPROVALS

BE, THE CITY COUNCIL FOR THE CITY OF TROY, MIAMI COUNTY, OHIO, DO HEREBY APPROVE AND ACCEPT THE DEDICATION OF LAND FOR THE STREETS AS SHOWN ON THIS PLAT OF FOX HARBOR, SECTION 18, ON THE _____ DAY OF _____, 2023.

THIS PLAT WAS REVIEWED AND APPROVED BY ORDINANCE No. _____

MAJOR

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF TROY, OHIO, HELD THE _____ DAY OF _____, 2023, THIS PLAT WAS REVIEWED AND APPROVED.

CHAIRPERSON

SECRETARY

CERTIFICATION: I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND UNDERSTANDING THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733.37 STANDARDS FOR SURVEYS AND ALSO CONFORMS TO THE OHIO REVISED CODE CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION, BASED ON FIELDWORK PERFORMED THROUGHOUT JULY, 2023. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC. IRON PINS TO BE SET AT ALL LOT CORNERS ARE 5/8" X 30" IRON.

JOHN J. BRUMBAUGH
OHIO REGISTERED
PROFESSIONAL SURVEYOR #9218

DEVELOPER
HARBOR WEST LAND CO., LLC.
701 NORTH MARKET STREET
TROY, OHIO 45373

8 HOURS ONLY
BEFORE YOU DIG 2764
CALL TOLL FREE 800-362-2764
OHIO PUBLIC PROTECTION BOARD

PREPARED BY
BRUMBAUGH
ENGINEERING &
SURVEYING, LLC

2270 SOUTH MIAMI STREET
WEST HILTON, OHIO 45383
(937) 698-3000
PAGE 1 OF 2

BES JOB #398.23 DRAWN BY: SES CHECKED BY: JUB

FOX HARBOR SECTION 10
LOCATED IN
CITY OF TROY, MIAMI COUNTY, OHIO
PT. INLOT 7446
11.455 ACRES
MARCH 15, 2024

LEGEND

- 1/2" x 5/8" OD IRON PIN (SET) WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH E&S"
- 5/8" IRON PIN FOUND

FRONT YARD BUILDING SETBACK LINE: 30 FT.
REAR YARD BUILDING SETBACK LINE: 30 FT.
SIDE YARD BUILDING SETBACK LINE: 7 FT. WITH A TOTAL MINIMUM COMBINED SIDE YARD DISTANCE OF 15 FEET.
SETBACKS ARE TYPICAL UNLESS OTHERWISE NOTED.
MAXIMUM BUILDING COVERAGE: 40%.

PT. 7448
(KITE REALTY L.
25.017 AC
ON 84-082)



NOTES:

EACH LOT IS SUBJECT TO A 10' UTILITY EASEMENT ALONG EACH LOT STREET RIGHT OF WAY.

THERE IS A 5' UTILITY EASEMENT ALONG EACH LOT'S SIDE LOT LINE, UNLESS OTHERWISE NOTED.

OTHER EASEMENTS ARE SHOWN HEREON.

WHERE RECORD PLAN DENOTES A STORM SEWER & DRAINAGE EASEMENT ONLY, THE EASEMENT SHALL NOT BE USED AS A UTILITY EASEMENT.

NO CONSTRUCTION IS PERMITTED WITHIN ANY DRAINAGE EASEMENT.

REFERENCES

LAND SURVEY VOL. 58, PAGE 37
LAND SURVEY VOL. 58, PAGE 72

RECORD PLAT BOOK 12, PAGE 115
RECORD PLAT BOOK 13, PAGE 20
RECORD PLAT BOOK 17, PAGE 57
RECORD PLAT BOOK 27, PAGE 97-97A
RECORD PLAT BOOK 29, PAGE 13-13A
RECORD PLAT BOOK 29, PAGE 98-98A

ACREAGE SUMMARY

10.005 ACRES IN LOTS
1.330 ACRES IN RIGHT OF WAY

PARCEL ID#-028807	PARCEL ID#-028804
1.335 AC.	25.017 AC.
-1.385 AC.	-10.050 AC.
0 AC. REMAINING	14.967 AC. REMAINING

CERTIFICATION: I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND UNDERSTANDING THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733.37 STANDARDS FOR SURVEYS AND ALSO CONFORMS TO THE OHIO REVISED CODE CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION, BASED ON FIELDWORK PERFORMED THROUGH JULY, 2023. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC. IRON PINS TO BE SET AT ALL LOT CORNERS ARE 1/2" X 30" REBAR.

JOHN J. BRUMBAUGH
OHIO REGISTERED
PROFESSIONAL SURVEYOR #6218

PREPARED BY
**BRUMBAUGH
ENGINEERING &
SURVEYING, L.L.C.**

2270 SOUTH MIAMI STREET
WEST MILTON, OHIO 45383
(937) 698-3000

0' 60' 120' 180'
GRAPHIC SCALE IN FEET 1"=60'

THE BASIS OF BEARING IS THE OHIO STATE PLANE COORDINATE SYSTEM, OHIO SOUTH ZONE, NAD83 (GCRS).



C & ED

MEMORANDUM

TO: Mr. Rozell, President of Council

FROM: Patrick E. J. Titterington

DATE: May 22, 2024

SUBJECT: ANNEXATION FROM CONCORD TOWNSHIP, ELC, LLC AND POUR ANNEXATION, 107.559 ACRES, MORE OR LESS; LOCATED ON WEST SIDE OF WILSON ROAD

An annexation petition from Concord Township was filed with the Miami County Commissioners on May 21, 2024, and with the Clerk of Council on May 22, 2024, by Frank Harlow, agent on behalf of ELC, LLC., Stephen R. and Melissa Ann Pour, and Richard D. and Jodie L. Pour. The annexation petition is for a total of 107.559 acres, more or less, located on the west side of Wilson Road. A copy of the annexation plat is attached. This annexation was filed under the Type 2 Expedited Procedure, which has requirements of:

1. Twenty days from the date of filing with the County, the City is required to approve a statement of what municipal services will be provided to the area proposed for annexation and a time frame for providing those services.
2. Twenty days from the date of filing with the County, the City is required to approve legislation that the City will require buffering of any incompatible uses developed on the newly annexed territory from existing uses on land remaining in the Township.
3. Twenty-five days from the date of filing with the County, the City is to enact legislation consenting to or objecting to the annexation. Failure to do so shall be considered consent by the City when reviewing the annexation petition.

Based on the Statutory time frame, we ask for consideration of emergency legislation.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council consideration of the ELC, LLC and Pour Annexation. Copies of the appropriate statements are attached.

encl.

EXHIBIT B

MUNICIPAL SERVICES

ANNEXATION OF: 107.559 ACRES, MORE OR LESS, CONCORD TOWNSHIP
ELC, LLC and POUR ANNEXATION
Located on the West Side of Wilson Road

PETITIONERS: ELC, LLC
Samuel O'Neal, General Manager
Frank Harlow, General Manager
701 N. Market Street
Troy, OH 45373

Stephen R. Pour and Melissa Ann Pour
346 S. Wilson Road
Troy, Ohio 45373

Richard D. Pour and Jodie L. Pour
256 S. Wilson Road
Troy, Ohio 45373

AGENT FOR PETITIONERS: Frank Harlow
701 N. Market Street
Troy, Ohio 45373

The Ohio Revised Code requires that a municipal corporation shall adopt, by ordinance or resolution, a statement indicating what services the municipal corporation will provide, and an approximate date by which it will provide them, to the territory proposed for annexation, upon annexation. Under the ORC Section that the ELC, LLC and Pour Annexation was filed, the statement of services must be approved by Council and filed with the County not later than 20 days after the annexation petition was filed with the County.

Such statement is as follows:

That immediately upon the effective date of the annexation of the 107.559 acre territory, the City of Troy, Ohio will provide to the entire annexed territory such services as are otherwise provided to incorporated areas under the Code of Ordinances of the City of Troy, Ohio in accordance with applicable contemporary law, practice, custom, regulation, rates and resources. The services of the City of Troy currently include, but are not limited to: police, fire, emergency medical service, refuse collection, repair and maintenance of publicly dedicated streets, access to existing municipal sewer and water lines, municipal zoning, municipal parks, municipal recreation, and general municipal government.

5-22-2024

EXHIBIT B

MUNICIPAL ZONING REQUIRING BUFFERING

ANNEXATION OF: 107.559 ACRES, MORE OR LESS, CONCORD TOWNSHIP
ELC, LLC and POUR ANNEXATION
Located on the West Side of Wilson Road

PETITIONERS: ELC, LLC
Samuel O'Neal, General Manager
Frank Harlow, General Manager
701 N. Market Street
Troy, OH 45373

Stephen R. Pour and Melissa Ann Pour
346 S. Wilson Road
Troy, Ohio 45373

Richard D. Pour and Jodie L. Pour
256 S. Wilson Road
Troy, Ohio 45373

AGENT FOR PETITIONERS: Frank Harlow
701 N. Market Street
Troy, Ohio 45373

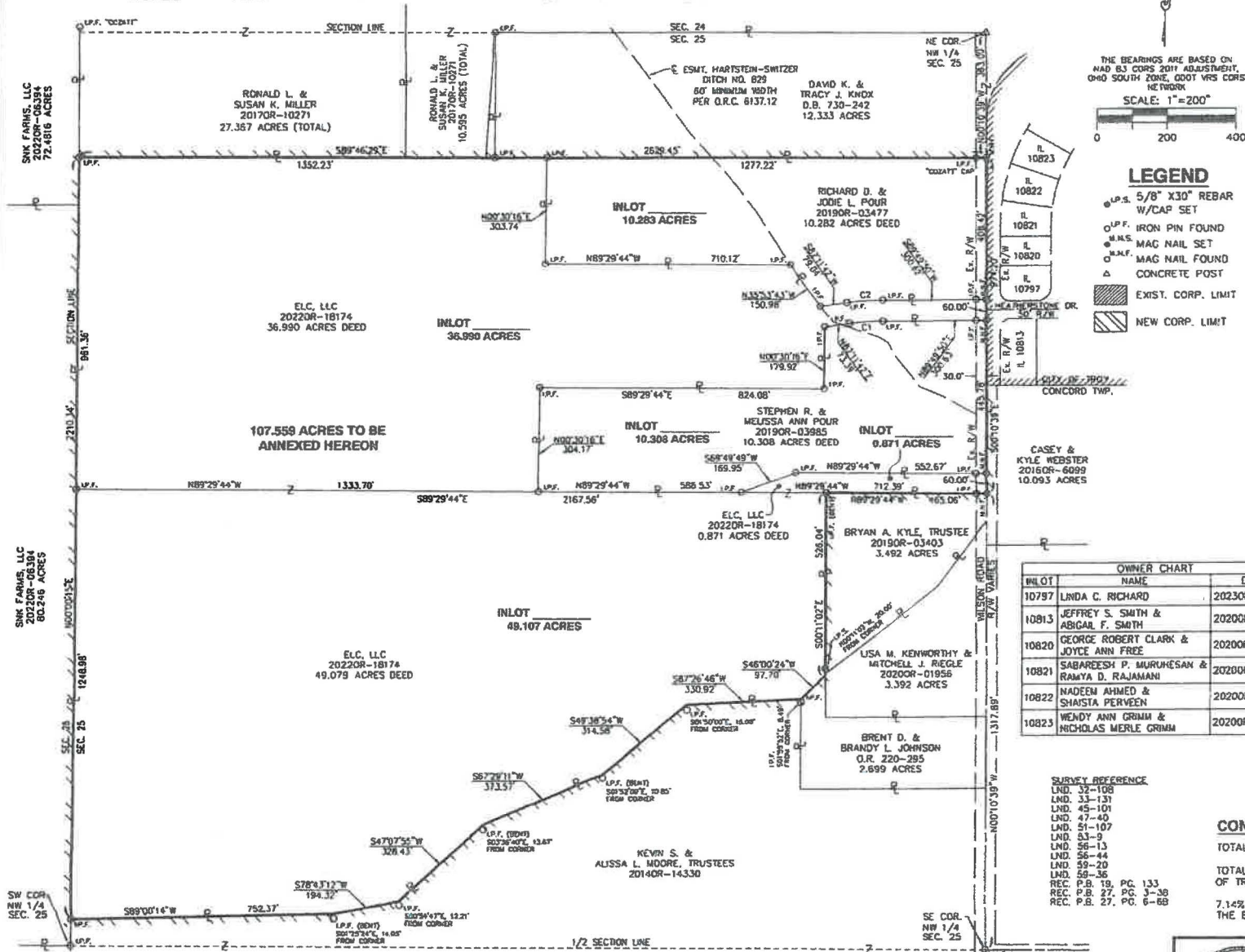
The Ohio Revised Code requires that a municipal corporation shall adopt, by ordinance or resolution, a statement indicating that the municipal corporation shall require buffering of any incompatible uses developed on the newly annexed territory from existing uses on land remaining in the township. Under the ORC Section that the ELC, LLC and Pour Annexation was filed, this statement must be approved by City Council not later than 20 days after the annexation petition was filed with the County.

Such statement is as follows:

If the 107.559 acres known as the ELC, LLC and Pour Annexation is annexed and becomes subject to zoning by the City of Troy and that City of Troy zoning permits uses in the annexed area that the City of Troy determines are clearly incompatible with the uses permitted under current Miami County or Concord Township Zoning Regulations in the adjacent land remaining within Concord Township from which the territory was annexed, the Troy City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township. For the purposes of this statement, "buffer" shall include open spaces, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks.

ANNEXATION TO THE CITY OF TROY

107.559 ACRES 7 TOWN 5 RANGE 25 SECTION CONCORD TOWNSHIP TROY CITY MIAMI, OHIO COUNTY



CURVE DATA				
CURVE	RADIUS	Δ	LENGTH	CHORD
C1	720.00'	07°38'08"	95.95'	95.88'
C2	780.00'	07°38'08"	103.95'	103.87'

CERTIFICATION

I HEREBY CERTIFY THIS PLAT WAS PREPARED IN ACCORDANCE WITH O.A.C. CHAPTER 4733.37 STANDARDS OF PLAT OF SURVEYS AND ALSO CONFORMS TO THE O.R.C. CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND BASED ON ACTUAL FIELDWORK PERFORMED IN JANUARY, 2024. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE SET OR TO BE SET AS SHOWN.

ANNEXATION PROCEEDINGS RECORDED IN 20____OR____

ALLEN J. BERTKE, P.S. #8629

DATE _____

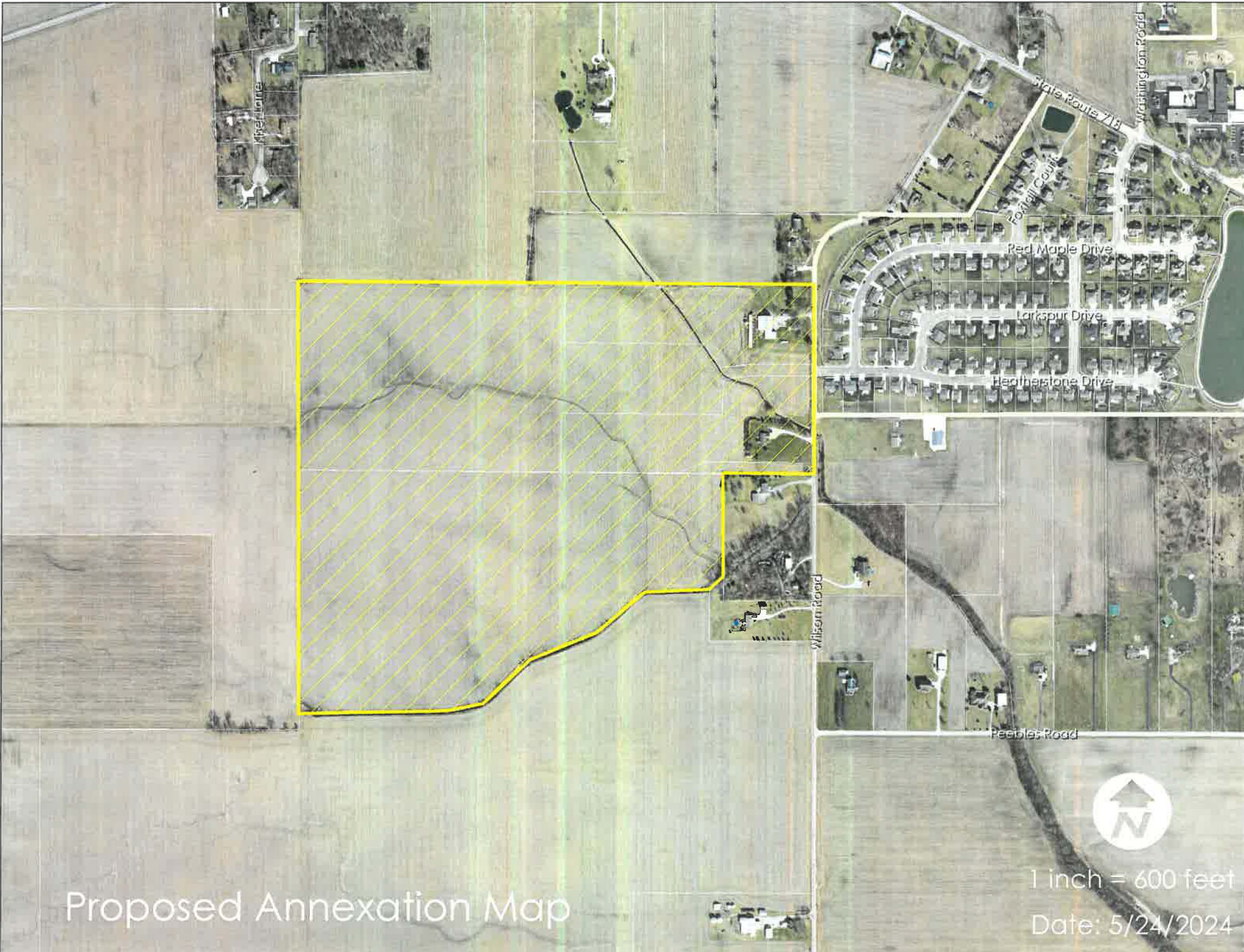


PREPARED BY:

ChoiceOne
Engineering

DEWEY, OHIO 43027-4972
CLEVELAND, OHIO 44122-2554
PORTLAND, OREGON 97208-2530
www.choiceoneengineering.com

DATE: 03-19-2024
DRAWN BY: RMF
JOB NUMBER: MIACON2204
SHEET NUMBER: 1 of 1



Proposed Annexation Map

1 inch = 600 feet
Date: 5/24/2024

STREETS & SIDEWALKS COMMITTEE



MEMORANDUM

TO: Mr. Rozell, President of Council

FROM: Patrick E. J. Titterington 

DATE: May 17, 2024

SUBJECT: ODOT PRELIMINARY CONSENT LEGISLATION, SAFETY IMPROVEMENTS AT I-75 AND SR 41 INTERCHANGE, SECOND QUARTER STATE FY 2026

RECOMMENDATION:

That the preliminary consent legislation provided by the Ohio Department of Transportation (ODOT) related to ODOT making safety improvements to the I-75 and SR 41 Interchange and constructing pedestrian facilities on SR 41 is approved by Council.

BACKGROUND:

ODOT has provided the preliminary consent legislation for a project of safety improvements to the I-75 and SR-41 Interchange and constructing pedestrian facilities on SR 41 (PID 118156). This project is currently scheduled to be let by ODOT in the second quarter of State FY 2026 (October – December 2025 time frame). Troy's preliminary estimated project cost is \$93,500 of a project currently estimated to cost just over \$4 Million. ODOT has advised that the estimate is subject to change, based on City of Troy's participation and the final contract award. City funding will be included in the 2025 Budget. In accordance with the ODOT format, consideration of emergency legislation is requested.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council consideration of this consent legislation requested by ODOT.

