



AGENDA - TROY PLANNING COMMISSION MEETING
WEDNESDAY, MARCH 23, 2022, 3:30 P.M.
CITY HALL, COUNCIL CHAMBERS

1. Roll Call
2. Minutes - 3-9-2022
3. Downtown/Riverfront Overlay (DR-O) District, Lincoln Community Center, 110 Ash Street
-Public Hearing - related to applying the DR-O District to the property to allow an accessory use in the side yard. The underlying R-6 Zoning District requires accessory uses and structures to be located in the rear yard only.
-Commission to make recommendation to Council regarding the DR-O District Application
4. Rezoning Application - Parcel D08-106932, IL 11400, consisting of 2.99 acres located on Barnhart Road, from the County zoning of A-2, General Agriculture, to the City zoning of A-R, Agricultural-Residential District. This parcel is part of the Ferryman-Kerber Annexation.
Property Owner: Grant and Anna Kerber
Rezoning initiated by City of Troy to apply a City zoning to an annexed parcel.
-Commission to determine whether or not to hold a public hearing
-Commission to make recommendation to Council
5. Rezoning Application - Parcel D08-106934, IL 11401, consisting of 0.717 acres located at 2077 Fenner Road, from the County zoning of R-1AAA, One Family Residential, to the City zoning of R-2, Single-Family Residential District. This parcel is part of the Ferryman-Kerber Annexation.
Property Owner: Monica and Michael Ferryman
Rezoning initiated by City of Troy to apply a City zoning to an annexed parcel.
-Commission to determine whether or not to hold a public hearing
-Commission to make recommendation to Council
6. Rezoning Application - Rezone the 12.524 acres known as the Blackmore-Hill Annexation from the County zoning of A-2, General Agriculture, to the City zoning of A-R, Agricultural-Residential District.
Property Owners: Grant and Anna Kerber, 10.002 Acres, 820 Barnhart Road
Ronnie and Deanna Hill, 2.522 Acres, 826 Barnhart Road
Rezoning initiated by City of Troy to apply a City zoning to an annexed parcel.
-Commission to determine whether or not to hold a public hearing
-Commission to make recommendation to Council
7. Other

3-18-2022

Note Next Meeting -- April 13, 2022

Note to Commission members:

If you will not be attending, please email or call Sue.

March 9, 2022

A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall on Wednesday, March 9, 2022 at 3:30 PM with Chairman Alan Kappers presiding. ATTENDING: Members – Titterington, Ehrlich, McGarry, Wolke, Oda, Kappers and Westmeyer; Development Director Davis; Zoning Inspectors Eidemiller and Bruner; and Mark Wendling recently appointed Assistant Director of Public Service & Safety.

APPROVAL OF MINUTES: Upon motion of Mayor Oda, seconded by Mr. Westmeyer, the minutes of the February 23, 2022 meeting were approved by unanimous roll call vote.

DOWNTOWN/RIVERFRONT OVERLAY (DR-O) DISTRICT, LINCOLN COMMUNITY CENTER, 110 ASH STREET – FIRST READING - OWNER: CITY OF TROY, OHIO; APPLICANT: CITY OF TROY AND LINCOLN COMMUNITY CENTER, INC. The staff reported:

"Lincoln Community Center is requesting the Planning Commission to review the accessory use in the side yard of the property located at 110 Ash Street, using the Downtown/Riverfront Overlay District. The property is currently zoned R-6, Two-Family Residential District. This DR-O consideration includes the property located at 130 ½ Ash Street that is pending a replat and transfer to the City of Troy.

DISCUSSION:

The applicant is proposing an outdoor playground and storage building at the property located at 110 Ash Street (including 130 ½ Ash Street). The property is currently zoned R-6, Two-Family Residential and is located on Ash Street between W. Franklin Street and Sherman Avenue.

The proposal is to allow for an outdoor playground area, storage building, and community garden area in the side yard. The playground will include the following equipment: "Inclusive spinner, Calvin the caterpillar, max play swing set, and harry the hippo" equipment. The proposed equipment follows the ASTM F1487 and CPSC Handbook for safety and public use. There will be four raised garden beds to the west of the proposed 24' x 40' storage building. The proposed site plan and equipment detail have been attached to this report.

The Zoning Code requires accessory uses and structures to be located in the rear yard. All other aspects of the project do meet the requirements of the Zoning Code. Using the DR-O process outlined in the Zoning Code, the proposed side yard location will need to be approved by the Planning Commission (through the DR-O process) for the property at 130 ½ Ash Street to continue forward.

As stated in section 1143.25(q)(1)(c) of City of Troy Zoning Code, Planning Commission shall review all DR-O applications and shall grant, modify, or deny/and or recommend the denial, or modifications of such application based upon the following criteria:

1. To prevent hazards to the health and safety of the public and of all occupants of the improved real property.
2. To assure adequate light, air, and convenience of access for all properties.
3. To promote the delivery of public services such as utilities, streets, refuse collection, emergency medical services, fire and police protection.
4. To provide for creatively designed single-use and mixed-use Planned Developments, and to preserve their character and vitality through ongoing regulatory supervision.
5. To assure, through an appropriate site plan review that the general, district and supplementary regulations of this Zoning Code are being followed in the design of each new site improvement or redevelopment.
6. To minimize adverse effects on traffic safety caused by development and certain land uses.
7. To minimize adverse effects on the environment resulting from development and certain land uses.
8. To facilitate the efficient and economical development and use of land and public facilities.
9. To allocate to each site development, rather than to the public, the maximum feasible portion of the infrastructure and operating costs which arise as a result of that development.
10. To fairly balance the interest of property owners and occupants in continuing their nonconforming land uses against the community interest in achieving full compliance with this Zoning Code.
11. To protect floodways and flood plains from development which increases the general risk of flooding or puts occupants of the development at risk.
12. To preserve and enhance property values.
13. To protect public and private water supplies, both in quality and quantity.
14. To promote the economic vitality of business and industry.
15. To direct particular land uses to the parcels of land best suited for them physically and in terms of access to highways and public services.
16. To enhance the predictability and profitability of private investments made in the City.
17. To continuously improve the aesthetic character of all parts of the City.

With the creation of the Downtown/Riverfront Overlay District, the intent is for the district to be applied when the conventional zoning requirements are inappropriate or the underlying zoning district is unduly restrictive or prevents the reuse of buildings or properties in downtown Troy. Utilizing the criteria intended to justify a DR-O application; you will find the proposed project will have a positive effect on the environment and neighborhood, as the proposed uses of playground area, storage building, and garden area are customarily found in residential zoning districts. The proposed uses are located in the rear of the original building, however, are on the side of the new addition.

NEXT STEPS:

This is the first step in the DR-O process which is the first reading of the proposal to the Planning Commission. A second reading (required hearing) will be held at the next scheduled Planning Commission meeting. The second reading will provide an opportunity for public input on the project. Planning Commission can only take action after the second hearing as required by the DR-O process and a decision will be requested by the Planning Commission at the second meeting."

As indicated by the staff report, at this meeting the application is only noted, no action can be taken, the Commission is required to hold a public hearing at the next meeting, and then to make a determination/provide a recommendation to Council.

DISCUSSION:

-Mr. Titterington commented that a few years ago the ownerships associated with the Lincoln Community Center (LCC) were rather convoluted, working with the Center's Board and the Troy City Schools (as the schools had some property ownership), the property came under the ownership of the City with a lease agreement through the Community Improvement Corporation (CIC) that allowed the LCC Board to operate the Center. He further noted that the DR-O was determined to be best mechanism, as well as transparent, to include a separate parcel (130 ½ Ash) under the ownership of the City so that LCC can use the side yard to place some accessory structures related to the LCC operation.

-In response to Mr. Kappers, it was stated that the boundary of the DR-O does not include the entire City, but does include the area where LCC is located.

-In response to Mr. Wolke (who noted that Mr. Titterington, as signer of the application, will recuse himself from voting to avoid the appearance of a conflict), it was stated that staff will confirm with the Director of Law if it is necessary for the Mayor to also recuse herself.

There being no further business, the meeting adjourned at 3:37 p.m. upon motion of Mr. Westmeyer, seconded by Mayor Oda, and approved by unanimous voice vote.

Respectfully submitted,

Chairman

Secretary

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning and Zoning Manager

DATE: March 23, 2022

SUBJECT: 110 Ash Street – Lincoln Community Center - DR-O Consideration

The Planning Commission held the first reading of the requested Downtown Riverfront Overlay (DR-O) at the March 9, 2022 meeting. Lincoln Community Center is requesting the Planning Commission to review the accessory use in the side yard of the property located at 110 Ash Street, using the Downtown/Riverfront Overlay District. The property is currently zoned R-6, Two-Family Residential District. This DR-O consideration includes the property located at 130 ½ Ash Street that is pending a replat and transfer to the City of Troy.

The proposal is to allow for an outdoor playground area, storage building, and community garden area in the side yard. The playground will include the following equipment: “Inclusive spinner, calvin the caterpillar, max play swing set, and harry the hippo” equipment. The proposed equipment follows the ASTM F1487 and CPSC Handbook for safety and public use. There will be four raised garden beds to the west of the proposed 24' x 40' storage building. The proposed site plan and equipment detail have been attached to this report.

The Zoning Code requires accessory uses and structures to be located in the rear yard. All other aspects of the project do meet the requirements of the Zoning Code. Using the DR-O process outlined in the Zoning Code, the proposed side yard location will need to be approved by the Planning Commission (through the DR-O process) for the property at 130 ½ Ash Street to continue forward.

As stated in section 1143.25(q)(1)(c) of City of Troy Zoning Code, Planning Commission shall review all DR-O applications and shall grant, modify, or deny/and or recommend the denial, or modifications of such application based upon the following criteria:

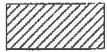
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5. To assure, through an appropriate site plan review that the general, district and supplementary regulations of this Zoning Code are being followed in the design of each new site improvement or redevelopment.
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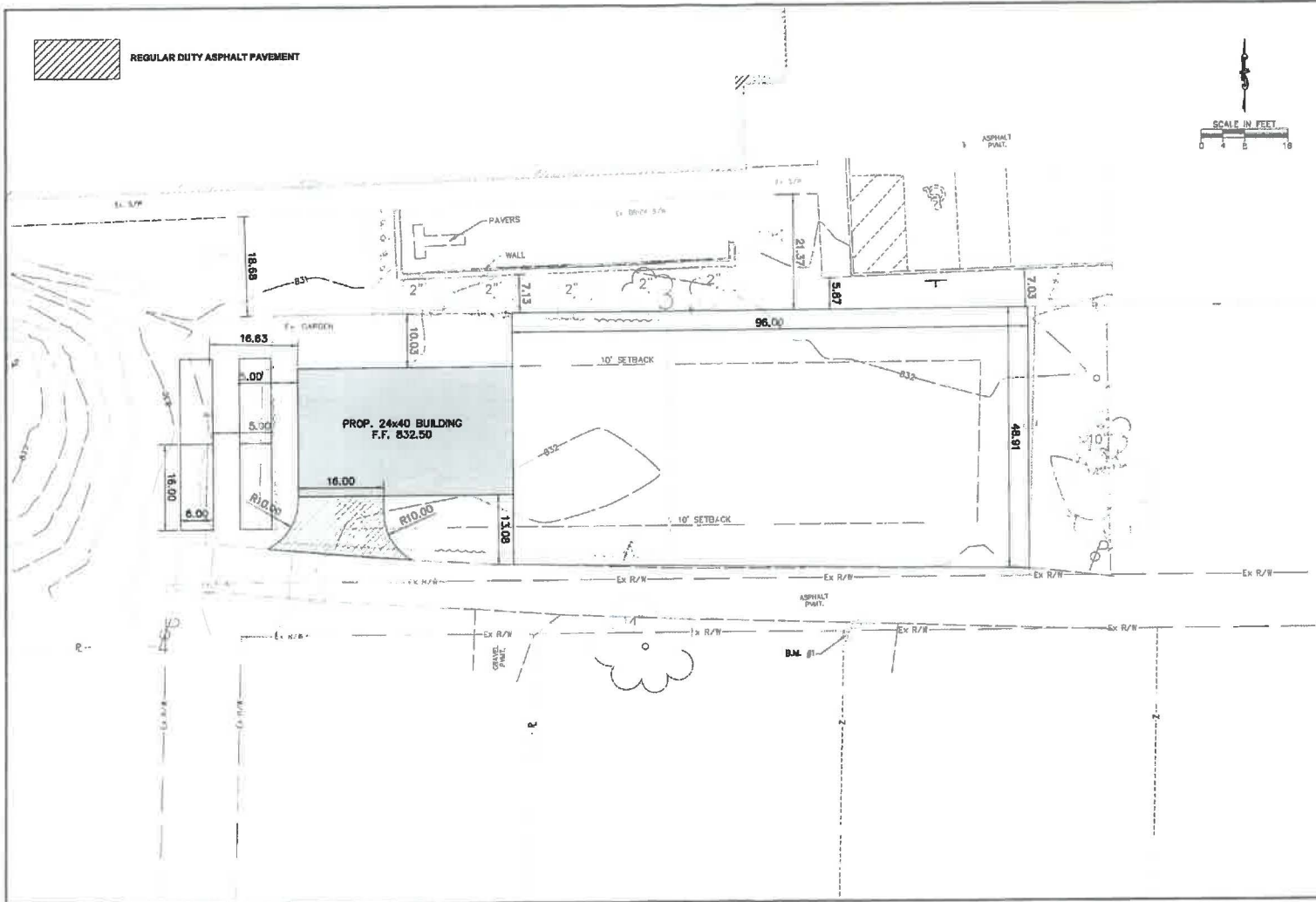
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RECCOMENDATION:

Staff recommends that the Planning Commission makes a positive recommendation to the City Council. The next step is the Clerk of Council will forward the recommendation to the President of Council and City Council. In the event that the City Council takes no action within five business days of the filing of the Planning Commission's recommendation, the recommendation of the Planning Commission shall be adopted and become final.



REGULAR DUTY ASPHALT PAVEMENT



Choice One
Engineering

CHART, CADD, 427.497.2000
LYNN, MA 01901 781.379.8204
WWW.CHOICEONEENGINEERING.COM

LCC MAINTENANCE BARN
CITY OF TROY
CONCEPT PLAN

REVISIONS:

FILE NAME	CONCEPT
REVISION BY	N/A
CHECKED BY	ATC
PROJECT NO.	MA-180-2145
DATE	01-27-2022
SHEET NUMBER	

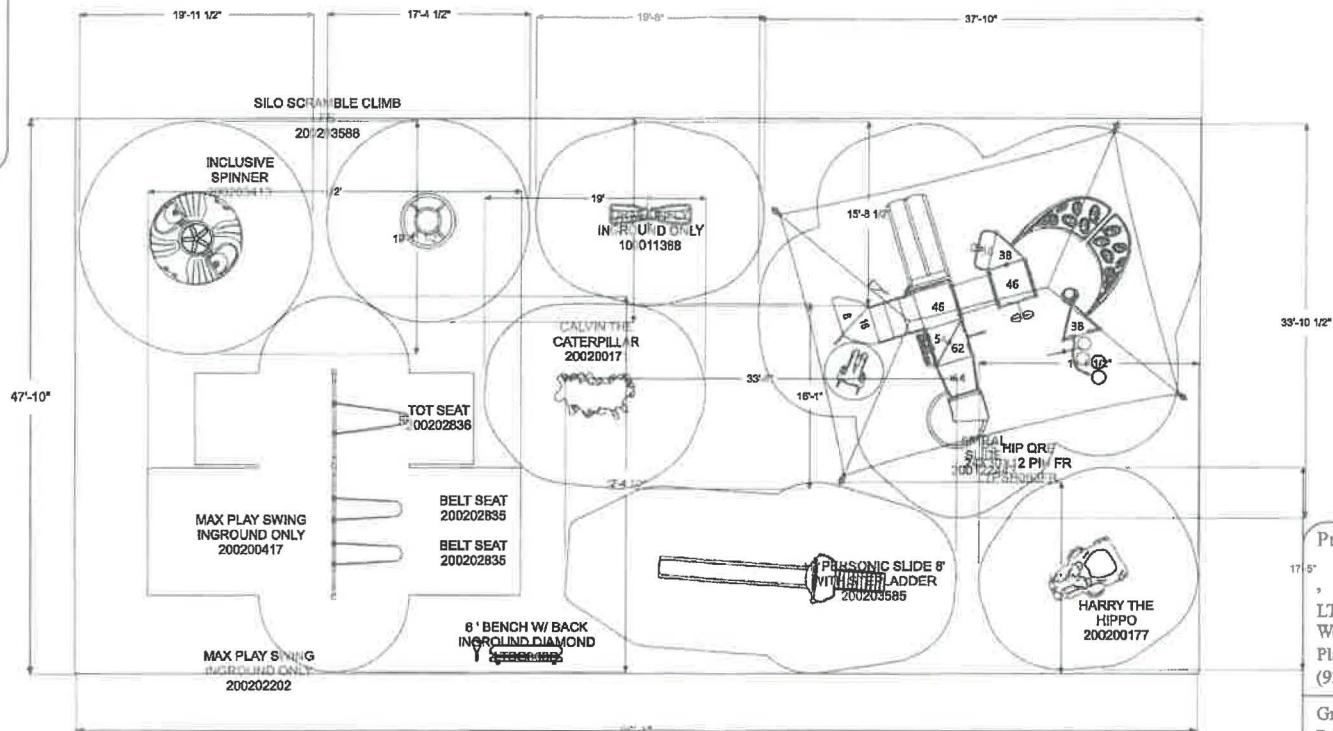
1 OF 1

General Notes:

Age Group

☐ 2-5yrs ☒ 5-12 yrs ☐ 2-12yrs ☐ 13+ yrs

- The Americans with Disabilities Act (ADA) may require that you make your park and/or playground accessible when viewed in its entirety. Please consult your legal counsel to determine if the ADA applies to you.
- For playground equipment to be considered accessible, accessible surfacing must be utilized in applicable areas.
- Although a particular playground design may not meet the proposed Access Board Regulations in regards to the appropriate number of ground level events, the actual playground may be in compliance when considering existing play components.
- All deck heights are measured from top of ground cover.
- Fall absorbing ground cover is required under and around all play equipment.
- The minimum recommended fall zone around the entire playstructure is shown. This zone is to be free of all tripping or collision hazards (i.e. roots, rocks, border material, etc.).
- All post lengths are identified by text showing the post lengths. i.e. 36 represents a 36 inch post.
- Not all equipment may be appropriate for all children. Supervision is required.



Project:

LTCPS rep:
Weston Sale
PlayCare Playground Specialists
(937) 335-8284

Ground Space: 89'-0" x 43'-0"
Protective Area: 96'-6" x 48'-0"

Drawn by: Weston Sale
Date: 1/27/2022
DWG Name: R0335_44588374198

LTCPS - Farmington
878 East Highway 60
Monett, Missouri 65708
Voice: 1-800-325-8828
Fax: 417-354-2273

Playground Layout
Compliance:

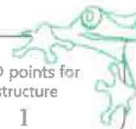
- ☒ ASTM F1487 - Playground Equipment for Public Use.
- ☒ CPSC Handbook for Public Playground Safety



The play components identified in this plan are IPEMA certified. The use and layout of these components conform to the requirements of ASTM F1487.

LEED points for
this structure

1





APPLICATION FOR DOWNTOWN / RIVERFRONT OVERLAY DISTRICT

Date 01-24-2022

Applicant Lincoln Community Cntr Telephone No. 937-604-8845

Owner of Property Lincoln Community Center

Address of Project 130.5 Ash St

Contact Address (if different than Project Address) 1291 Archer Dr

Name of Architect/Engineer and/or Contractor Denlinger & Sons

Application for DR-O includes the following items (which do not meet standard zoning requirements):

- | | |
|---|---|
| ☐ Setbacks Requirements | ☐ Landscaping Requirements |
| ☐ Lot Size/Coverage Requirements | ☐ Open Space Requirements |
| ☐ Parking Requirements | ☐ Pedestrian/Bicycle Circulation |
| ☐ Signage Regulations | ☒ Other: <u>Accessory Use</u> |

ONE (1) COPY OF INFORMATION TO BE SUPPLIED BY APPLICANT:

- A complete description, in narrative form, of all uses proposed for the property, including expected employment levels, shift operating times, estimated frequency and volume of truck movements, the number and type of vehicles to be kept on the property for use in operations, a description of materials and general processes to be utilized, and all other pertinent facts relating to the proposed operation that are necessary to provide a true and complete understanding of the proposed use.
- A complete site plan, including locations, sizes and descriptions of all ground surfaces, impervious surfaces such as paving, buildings, and all other structures. The site plan shall also provide locations and details for all proposed and existing landscaping, utility connections and sizes, fire protection systems and access, details of exterior lighting fixtures and proposed illumination levels throughout the grounds, and details of other accessory uses and/or accessory structures on the grounds including but not limited to stormwater management facilities, trash enclosures, fences, and signs.
- A complete floor plan of the proposed and/or existing buildings and structures, showing the sizes and proposed specific uses of all rooms and areas; and showing the location and sizes of all windows, doors, and other openings in the walls.
- Complete elevation views of all exterior sides of all buildings and structures, showing details of construction and materials, windows and doors, exterior lighting fixtures, exterior equipment details and locations, all signs, and other details of exterior construction and proposed usage.



- e) Complete roof plans, showing its design and materials, and including the locations and details of any rooftop equipment, including, but not limited to process equipment, HVAC equipment, chimneys, and access or elevator enclosures.
- f) The Zoning Administrator may require the plan to be prepared and signed by a registered architect, engineer, surveyor or other licensed professional.
- g) The Planning Commission and/or City Council shall review any proposed declaration of restrictions and covenants.
- h) Any other information deemed necessary by the Planning Commission and/or City Council for it to complete its review of a submitted plan, including written permission from other governing entities as deemed appropriate.
- i) Two (2) sets of mailing labels of the owners of property abutting the applicant's property and owners of property directly across any street or alley.

REQUIRED SIGNATURES

By signing this application, I acknowledge that I am authorized by the owner to make this application. I agree to allow City of Troy employees to enter the property in order to complete necessary inspections. I agree to conform to all applicable laws of the City



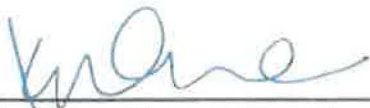
Bart Denlinger

01-24-2022

Signature of Applicant:

Printed Name

Date



Karen Boone President

01-24-2022

Signature of Property Owner*:

Printed Name of Property Owner:

Date

***A letter or email from Property owner granting permission for the DR-O request will suffice in-lieu-of signature**

OFFICE USE ONLY

Date Filed: _____ **Case #:** _____

Date : _____

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	Patrick E. J. Titterington	3/2/2022
Signature of Applicant:	Printed Name	Date

	Patrick E.J. Titterington	3/2/2022
Signature of Property Owner:	Printed Name of Property Owner:	Date

***A letter or email from Property owner granting permission for the DR-O request will suffice in-lieu-of signature**

OFFICE USE ONLY

Date Filed: _____ **Case #:** _____

Date : _____

Lincoln Community Center

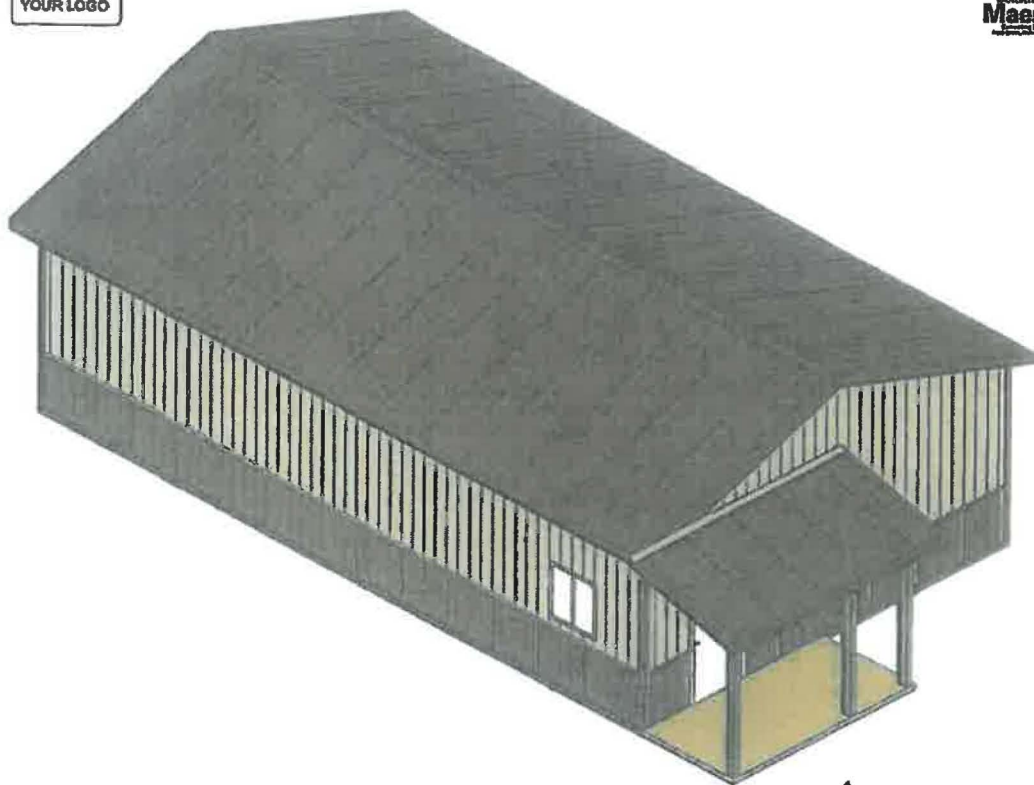
130.5 Ash St

Repurpose Plan

- Construction of a 24' x 40' accessory building to support the functions of the Lincoln Community Center
- Storage for LCC vans used for student transport
- Storage for seasonal recreational equipment
- Storage for supplies and equipment for the community gardens
- Install playground equipment and security fencing
- Construct raised planting beds for community gardens

YOUR LOGO

Countertops
Maestro
Kitchen & Bath
Remodeling



"84 Tray 84 Tray"
Estimate Number: 142
1/1/12/2021

YOUR LOGO

Construction
Maestro
We Build Your Vision



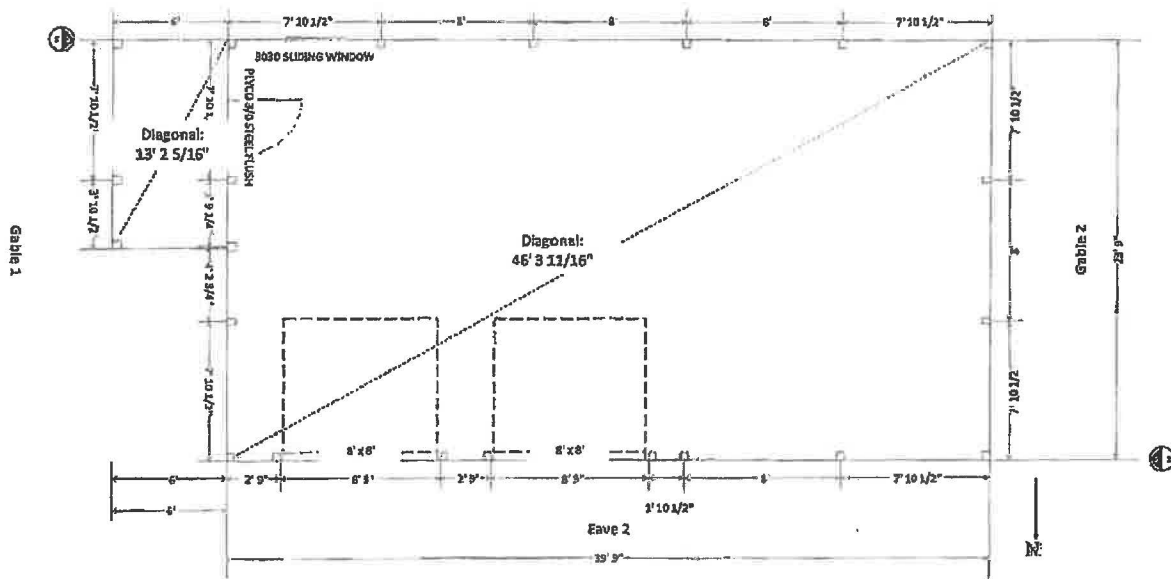
"04 Troy 04 Troy
Estimate Number: 142
11/19/2021"

YOUR LOGO

POLE LAYOUT
Personal Use, 800 sq. ft.

Construction
Maestro
Building. Reimagined.

Eave 1

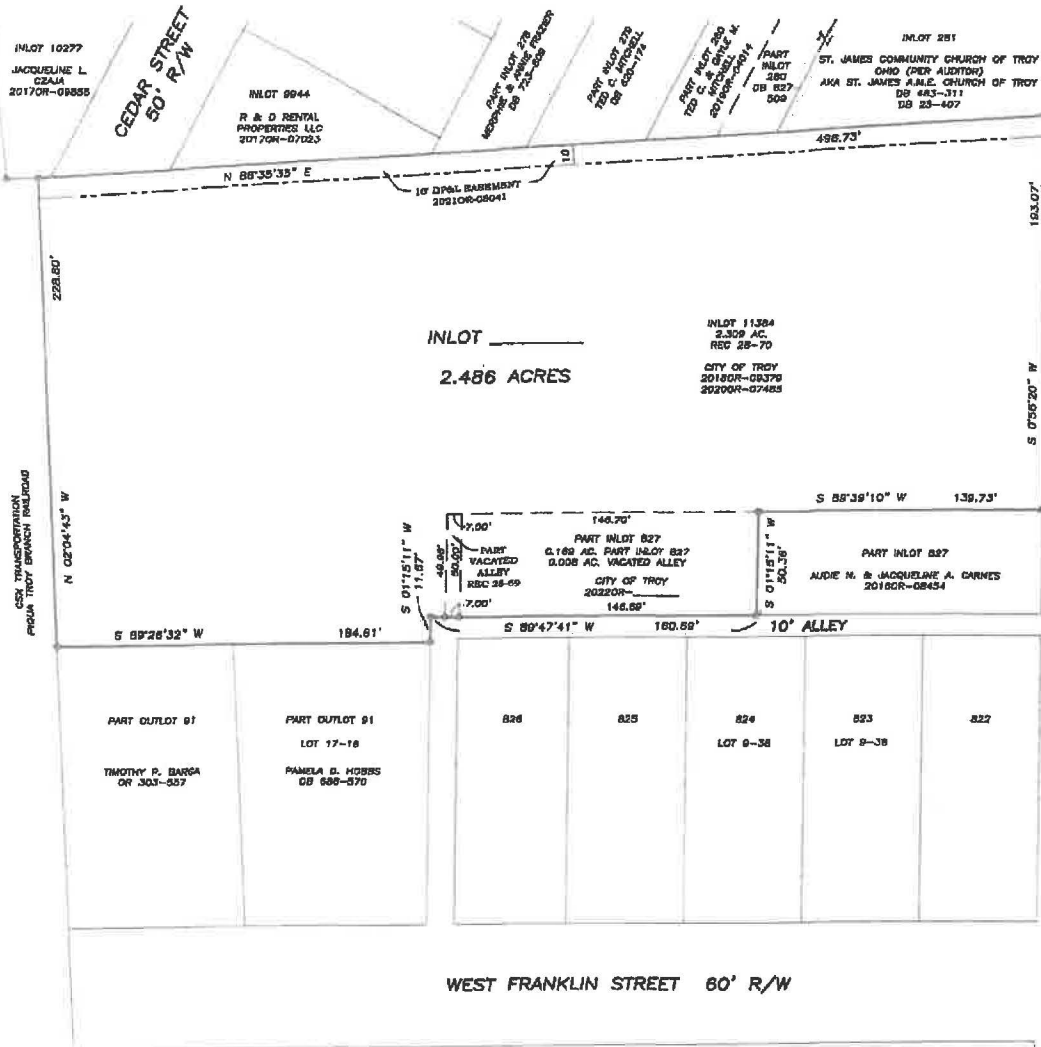


*04 Troy 04 Troy
Estimate Number: 142
11/18/2021

REPLAT OF PART INLOT 827, PART VACATED ALLEY & INLOT 11384

CITY OF TROY, MIAMI COUNTY, OHIO

VOLUME _____ PAGE _____
MIAMI COUNTY RECORDER'S RECORD OF PLATS



FEE \$ _____

MIAMI COUNTY RECORDER BY DEPUTY RECORDER _____

MIAMI COUNTY AUDITOR _____

APPROVED AND TRANSFERRED _____, 20____.

MIAMI COUNTY AUDITOR BY DEPUTY AUDITOR _____

DESCRIPTION
BEING A REPLAT OF PART INLOT 827, PART VACATED ALLEY AND INLOT 11384, AS CONVEYED TO THE CITY OF TROY BY DEED RECORDED DOCUMENT NUMBER 20220R-_____, 20200R-07485, 20180R-09379, RECORD PLAT 28, PAGE 89, OF THE MIAMI COUNTY RECORDER'S RECORDS AND BEING LOCATED IN THE CITY OF TROY.

CONSENT TO REPLAT
WE, THE UNDERSIGNED, BEING ALL OF THE OWNERS AND LIEN HOLDERS OF THE PARCEL HEREIN REPLATTED, DO HEREBY CONSENT TO THE EXECUTION OF SAID REPLAT AS SHOWN HEREON.
OWNER: CITY OF TROY

AUTHORIZED SIGNATURE _____ **TITLE** _____
STATE OF OHIO, MIAMI COUNTY, SS:
BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME _____, ON BEHALF OF THE CITY OF TROY, WHO ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE FOREGOING PLAT TO BE HIS VOLUNTARY ACT AND DEED, IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND NOTORIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

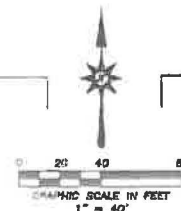
CITY OF TROY
THIS RECORD PLAT REVIEWED AND APPROVED
THIS _____ DAY OF _____, 20____.

BASIS OF BEARING:
BEARINGS ARE BASED ON THE OHIO DEPARTMENT OF TRANSPORTATION V.L.R.S. NAD 83 (2011 ADJ.) OHIO STATE PLANE SOUTH ZONE 3402

MIAMI COUNTY ENGINEER'S RECORDS OF SURVEYS:
LOT SURVEY 9, PAGE 38
LOT SURVEY 17, PAGE 18
LAND SURVEY 51, PAGE 22

MIAMI COUNTY RECORDER'S RECORDS:
PLAY BOOK 1, PAGE 343
PLAY BOOK 27, PAGE 27
PLAY BOOK 28, PAGE 89
PLAY BOOK 28, PAGE 70
DEEDS AS SHOWN HEREON

LEGEND
○ 5/8" CAPPED IRON PIN SET
● IRON PIN FOUND
✱ MAG NAIL FOUND



MARCH 2, 2022	REPLAT FOR LOCA INC. IN MIAMI COUNTY, OHIO
	NEIL E. TEAFORD 5260 TROY-URBANA ROAD CASTTOWN, OHIO 45312 OHIO REGISTERED PROFESSIONAL SURVEYOR # 7724

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Development Staff

DATE: March 9, 2022

SUBJECT: 110 Ash Street – Lincoln Community Center – DR-O Consideration

PROPOSAL:

Lincoln Community Center is requesting the Planning Commission to review the accessory use in the side yard of the property located at 110 Ash Street, using the Downtown/Riverfront Overlay District. The property is currently zoned R-6, Two-Family Residential District. This DR-O consideration includes the property located at 130 ½ Ash Street that is pending a replat and transfer to the City of Troy.

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MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning and Zoning Manager

DATE: March 23, 2022

SUBJECT: Parcel ID: D08-106932 – Map Amendment (Rezoning)

The City of Troy is requesting the Planning Commission to consider the rezoning of Parcel ID: D08-106932, that was annexed under Ordinance O-5-21. The property is currently zoned county zoning of A-2 General Agriculture. The City is requesting that the zoning district for this parcel be rezoned to A-R Agriculture Residential District (5 Acres).

The property is located on Barnhart Road north of Fenner Road. This property was annexed under Ordinance O-5-21. The annexation plat can be found on (*Exhibit A*). The surrounding zoning districts include County zoning of R-1AAA One Family Residential to the south and north, and County zoning of A-2, General Agriculture to the west (*Exhibit B*).

DISCUSSION:

The Zoning Code describes the proposed A-R zoning district as “designated to provide for both agricultural and residential activity on large tracts and open land with a minimum of five (5) acres or greater of lot area per dwelling unit. This district will be mapped in undeveloped areas along existing roadways where there is minimal water and sewer service”.

The Comprehensive Plan for future land use map identifies this property as future residential (*Exhibit C*). The majority of the adjacent property in this area is currently zoned County Zoning of A-2 General Agriculture of which is comparable to the City zoning of the A-R Agriculture Residential District.

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

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

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.

(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 rezoning is necessary

due to the annexation. The proposed use will not have any adverse effects in the area and is similar to the residential uses that currently exist in the surrounding area.

(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 and agricultural uses that currently exist in the surrounding area.

(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 water can be provided to the referenced property. All other utilities will be reviewed upon any future development.

(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 these subject properties, there is no available vacant land inside the city limits with the A-R zoning classification that is suitable for development due to flood plain restrictions.

(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 recommend a public hearing.

RECOMMENDATION:

It is staff's opinion that the proposed rezoning is consistent with the established surrounding areas, and the Comprehensive Plan which shows this area to be developed as residential. Staff is recommending that the Planning Commission recommend approval of the proposed rezoning from City Administered County Zoning to A-R, Agriculture-Residential, based on the following:

1. The properties are currently being utilized as an agricultural types of use;
2. The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
3. The proposed rezoning is consistent with the surrounding zoning districts; and
4. The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Annexation to the City of Troy

OHIO
STATE

COZATT ENGINEERING COMPANY
Civil Engineer Land Surveyor
534 N. Elm St. Suite C Troy, OH 45373
Job No. 21715 (937) 339-2921
File Name: C:\WORK\2015\21715.dwg
Drawn by: DWG - Checked by: JMC

100 South Market Street, Troy, OH 45373-7303

Exhibit B



Exhibit B.1 – County Zoning Map



(5)

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning and Zoning Manager

DATE: March 23, 2022

SUBJECT: 2077 Fenner Road – Map Amendment (Rezoning)

The City of Troy is requesting the Planning Commission to consider the rezoning of 2077 Fenner Road, Parcel ID: D08-106934, that was annexed under Ordinance O-5-21. The property is currently zoned county zoning of R-1AAA One Family Residential, and after annexation designated under City Administered County Zoning. The City is requesting that the zoning district for this parcel be rezoned to R-2 Single-Family Residential (20,000 square feet).

The property is located on Fenner Road west of Barnhart Road. This property was annexed under Ordinance O-5-21. The annexation plat can be found on *(Exhibit A)*. The surrounding zoning districts include M-2 Light Industrial District to the south, County zoning of R-1AAA One Family Residential to the east and west, and County zoning of A-2, General Agriculture to the north *(Exhibit B)*.

DISCUSSION:

The Zoning Code describes the proposed R-2 zoning district as “designed to accommodate single-family dwellings on lots with areas of at least twenty thousand (20,000) square feet per dwelling unit. This district will be mapped to protect areas that now meet these minimum lot sizes and for comparable areas which will develop in the future. Such areas will generally be located in neighborhoods with large lots and which warrant protection of the neighborhood's residential environment”.

The Comprehensive Plan for future land use map identifies this property as future residential (Exhibit C). The majority of the adjacent property in this area is currently zoned County Zoning of R-1AAA of which is comparable to the City zoning of the R-2 Single Family Residential District.

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

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

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.

(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 rezoning is necessary



due to the annexation. The proposed use will not have any adverse effects in the area and is similar to the residential uses that currently exist in the surrounding area.

(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 in the surrounding area.

(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 can be provided to the referenced property.

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.

In the vicinity of these subject properties, there is no available vacant land inside the city limits with the R-2 zoning classification that is suitable for development due to flood plain restrictions.

(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 recommend a public hearing.

RECOMMENDATION:

It is staff's opinion that the proposed rezoning is consistent with the established surrounding areas, and the Comprehensive Plan which shows this area to be developed as residential. Staff is recommending that the Planning Commission recommend approval of the proposed rezoning from City Administered County Zoning to R-2, Single-Family Residential, based on the following:

1. The property is currently being utilized as single-family residential property
2. The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
3. The proposed rezoning is consistent with the surrounding zoning districts; and
4. The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Exhibit A - Annexation Plat

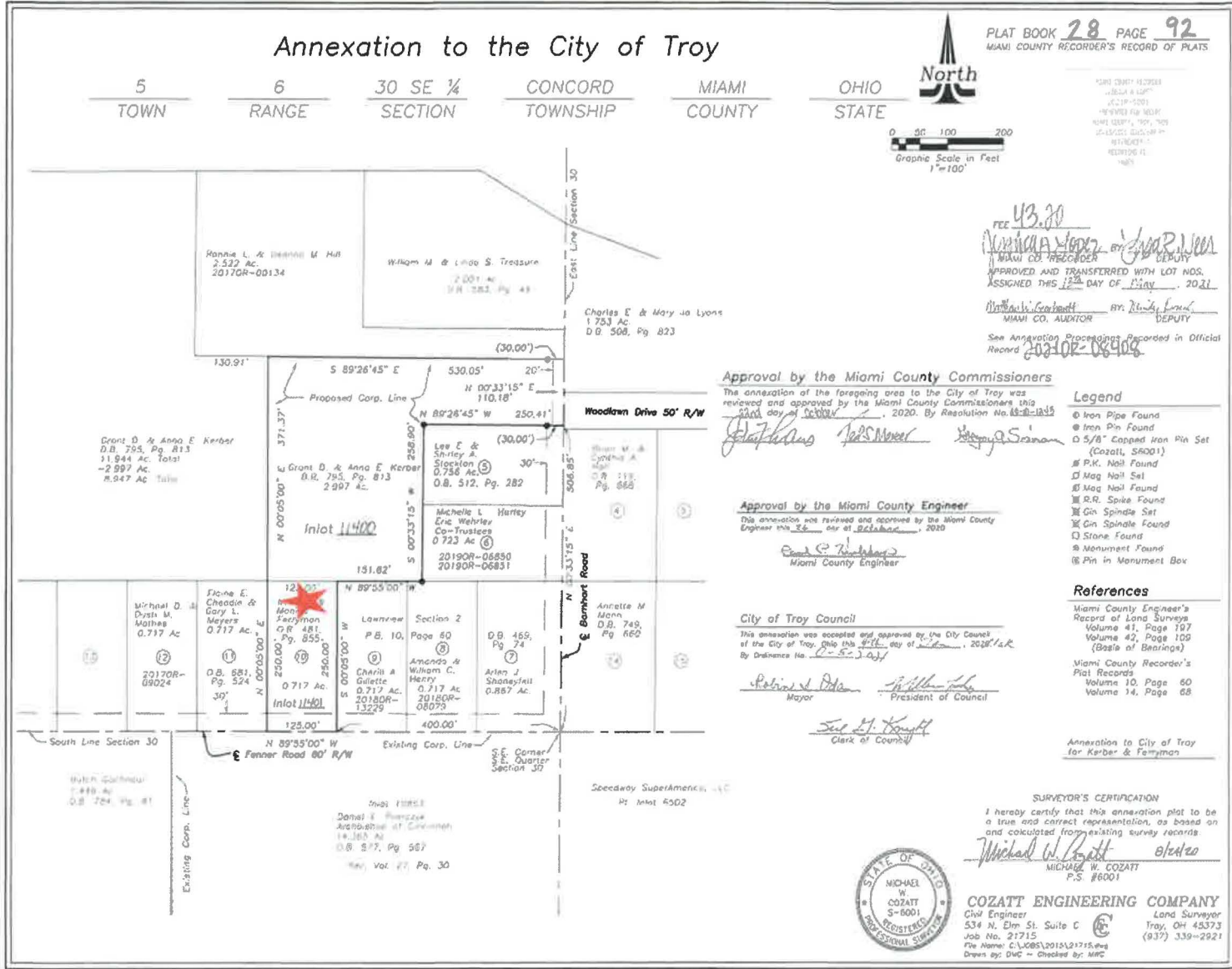


Exhibit B – Zoning Map

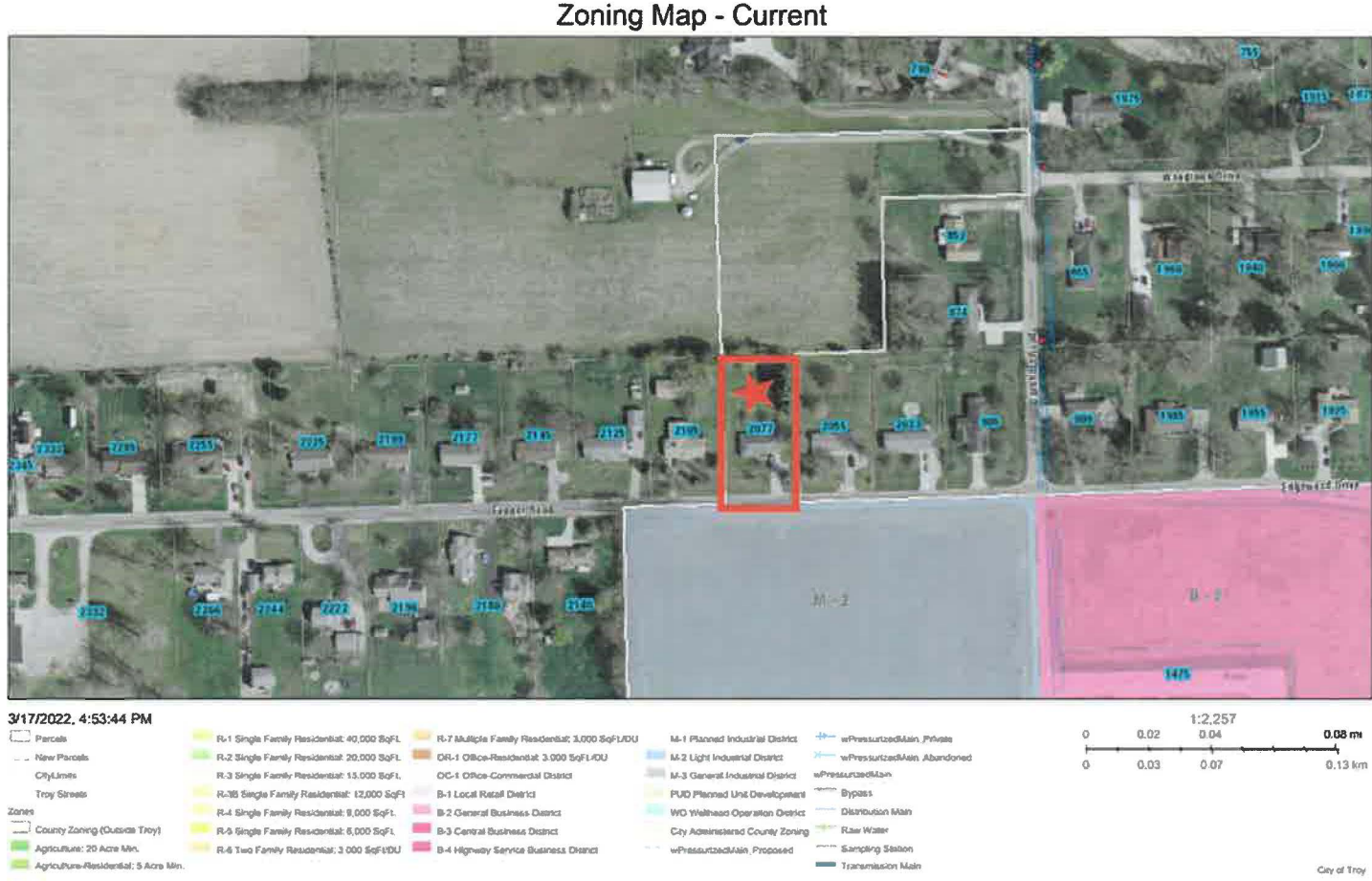
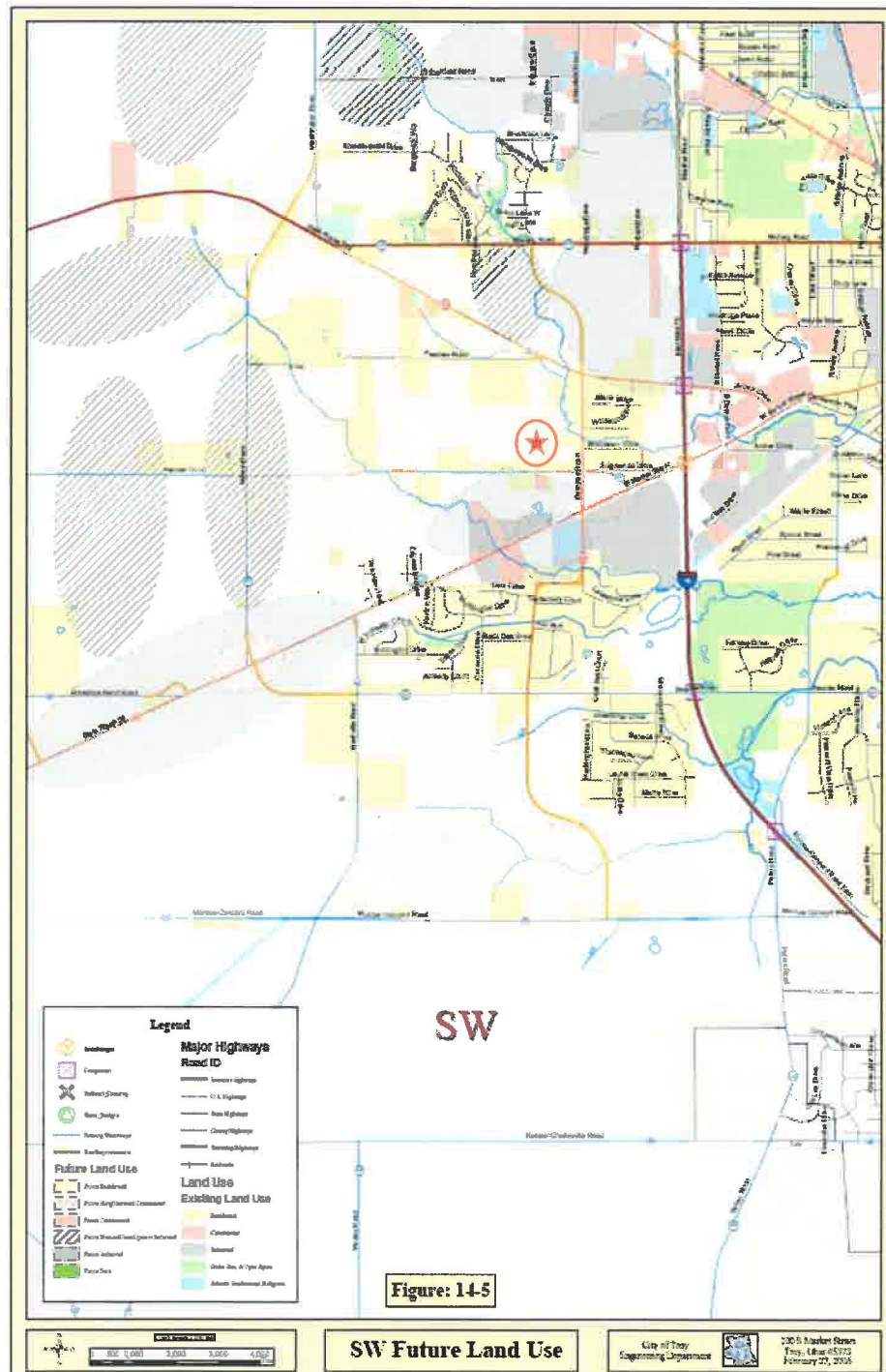


Exhibit B.1 – County Zoning Map



Exhibit C – Comp Plan Future Land Use Map





MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning and Zoning Manager

DATE: March 23, 2022

SUBJECT: Inlot 11465 & Parcel ID: C06-067350 – Map Amendment (Rezoning)

The City of Troy is requesting the Planning Commission to consider the rezoning of Inlot 11465 and Parcel ID: C06-067350, that was apart of the Blackmore Hill Annexation that was approved under Ordinance O-71-21. The property is currently zoned county zoning of A-2 General Agriculture. The City is requesting that the zoning district for these parcels be rezoned to A-R Agriculture Residential District.

These properties are located on Barnhart Road north of Fenner Road and were annexed under Ordinance O-71-21. Please see attached annexation plat (*Exhibit A*). The surrounding zoning districts include County zoning of R-1AAA One Family Residential to the south and north, and County zoning of A-2, General Agriculture to the west (*Exhibit B*).

DISCUSSION:

The Zoning Code describes the proposed A-R zoning district as “designated to provide for both agricultural and residential activity on large tracts and open land with a minimum of five (5) acres or greater of lot area per dwelling unit. This district will be mapped in undeveloped areas along existing roadways where there is minimal water and sewer service”.

The Comprehensive Plan for future land use map identifies this property as future residential (*Exhibit C*). The majority of the adjacent property in this area is currently zoned County Zoning of A-2 General Agriculture of which is comparable to the City zoning of the A-R Agriculture Residential District.

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

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

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.

(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 rezoning is necessary

due to the annexation. The proposed use will not have any adverse effects in the area and is similar to the residential and agricultural uses that currently exist in the surrounding area.

(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 and agricultural uses that currently exist in the surrounding area.

(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 water can be provided to the referenced property. Other utilities will be reviewed upon any future development.

(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 these subject properties, there is no available vacant land inside the city limits with the A-R zoning classification that is suitable for development.

(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 recommend a public hearing.

RECOMMENDATION:

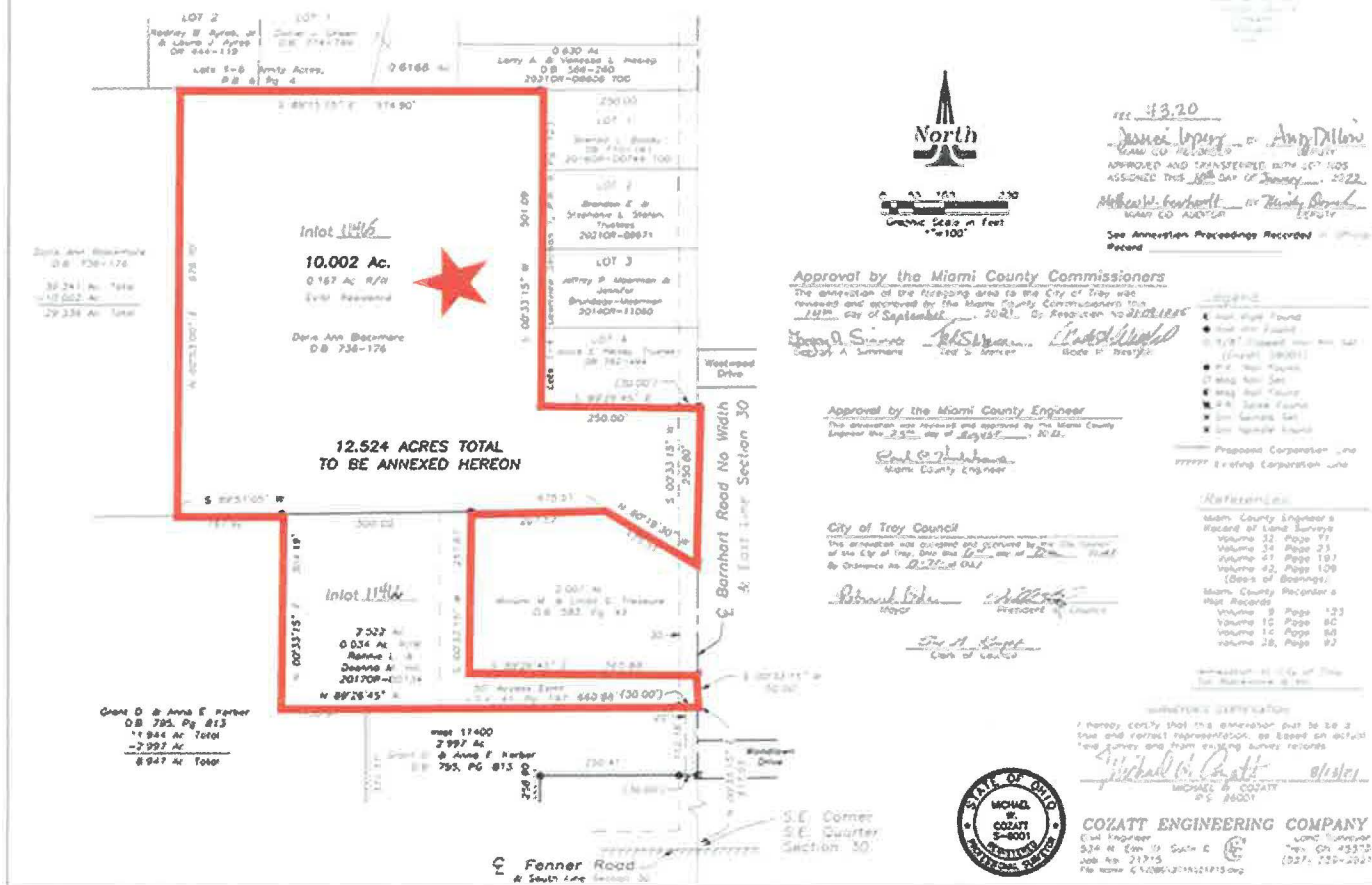
It is staff's opinion that the proposed rezoning is consistent with the established surrounding areas, and the Comprehensive Plan which shows this area to be developed as residential. Staff is recommending that the Planning Commission recommend approval of the proposed rezoning from City Administered County Zoning to A-R, Agriculture-Residential, based on the following:

1. The properties are currently being utilized as an agricultural and residential type of uses;
2. The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
3. The proposed rezoning is consistent with the surrounding zoning districts; and
4. The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Annexation to the City of Troy

<u>5</u>	<u>6</u>	<u>30 SE ¼</u>	<u>CONCORD</u>	<u>MIAMI</u>	<u>OHIO</u>
TOWN	RANGE	SECTION	TOWNSHIP	COUNTY	STATE

PLAT BOOK 29 PAGE 41
 WASH COUNTY RECORDER'S RECORD OF PLATS



100 South Market Street, Troy, OH 45373-7303

Exhibit B – Zoning Map



Exhibit B.1 – County Zoning Map



Legend

Major Highways
 Road ID
 Interstate Highway
 State Highway
 County Highway
 City Highway
 Local Highway
 Access Road

Future Land Use
 Future Suburban
 Future Neighborhood Commercial
 Future Commercial
 Future General/Industrial
 Future Industrial
 Future Park

Land Use
 Existing Land Use
 Suburban
 Commercial
 Industrial
 Future Suburban
 Future Industrial
 Future Park

SW

Figure: 14-5

SW Future Land Use

City of Troy
 Engineering Department

2005 Market Street
 Troy, Ohio 45375
 January 23, 2006