



AGENDA - TROY PLANNING COMMISSION MEETING
WEDNESDAY, JULY 9, 2025, 3:30 P.M.
CITY HALL, COUNCIL CHAMBERS

1. Roll Call
2. Minutes - June 25, 2025
3. PUBLIC HEARING -- Downtown/Riverfront Overlay (DR-O) District Application, 518 E. Water Street, to allow for 43 single-family and two commercial mixed-use buildings on the west side of the site. This would be an exception to Zoning Code Sections 1143.11 (f) (2) and (4)
Application to have the Downtown/Riverfront Overlay (DR-O) District applied to this property.
Owner - East Troy Development LLC
Applicant - Sam O'Neal, s.m. O'Neal Construction
-recommendation/decision by the Troy Planning Commission
4. Historic District Application - Certificate of Appropriateness, 203 & 203 ½ S. Mulberry Street, for exterior alterations and repairs
Owner / Applicant - Bonnie Kinney
-Commission to make decision
5. Rezoning Application - Smith Annexation, located on S. Wilson Road, from the County Zoning of A-2, General Agriculture, to City of Troy R-4, Single Family Residential Zoning.
Owner: David Smith
Applicant: Rob Harrelson for David Smith
-Commission to determine whether or not to hold a public hearing
-Commission to provide a recommendation to Council
6. Other
7. Adjourn

Next Meeting -- July 23, 2025

Note to Commission members: If you will not be attending, please email or call Sue.

A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall on Wednesday, June 25, 2025 at 3:30 p.m. with Chairman James McGarry presiding. ATTENDING: Members – Westmeyer, McGarry, Wolke, Ehrlich, Oda and Titterington; Development Staff – Eidemiller, Bruner, and Burgei.

APPROVAL OF MINUTES: Upon motion Mr. Westmeyer, seconded by Mrs. Ehrlich, the minutes of the June 11, 2025, meeting were approved by unanimous voice vote.

HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 114 S. MARKET STREET, FOR INSTALLATION OF A 22.6 SQUARE FT. BUILDING SIGN; OWNER – FOUR SONS DEVELOPMENT LLC – WADE WESTFALL; APPLICANT WINNER'S COMPUTER, LLC. Staff reported: The property is located in the B-3 Central Business District; the OHI form lists the property as a two-story brick commercial building built in 1891; the property is not on the Historic Register; 30 square feet of building signage is permitted; application is for a 22.6 square foot sign; proposed sign will be made from routed composite material using black and white lettering, stud mounted to give a three-dimensional appearance; and the digital print graphics will be applied only to the computer area of the sign; and staff recommends approval based on the findings that:

- The proposed sign will meet the City of Troy Sign Code requirements
 - The proposed sign complies with section 5.4 of the Design Manual
- The applicant was present.

ACTION OF THE COMMISSION: A motion was made by Mr. Titterington, seconded by Mr. Westmeyer, to approve the Historic District Application, Certificate of Appropriateness for 114 S. Market Street as submitted, based on the exact materials, colors and design submitted, and based on the findings of staff that:

- The proposed sign will meet the City of Troy Sign Code requirements
- The proposed sign complies with section 5.4 of the Design Manual

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

HISTORIC DISTRICT APPLICATION, CERTIFICATE OF APPROPRIATENESS, 222 EAST MAIN STREET, FOR INSTALLATION OF A 24 SQUARE FT. BUILDING SIGN; OWNER – TROY AUTO DETAILING; APPLICANT – CHRISTINA GREGORY. Staff reported: The property is located in the B-3 Central Business District; there is no OHI Form for the property; 72 square feet of building signage is permitted; application is for a 24 square foot building sign; sign will be made from aluminum composite material using three-dimensional routed lettering. The lettering will be white with a light blue logo and black backing; and staff recommends approval based on the findings that:

- The proposed sign will meet the City of Troy Sign Code requirements.
- The proposed sign complies with section 5.4 of the Design Manual.

In response to Mr. Titterington, staff stated that the applicant has been advised there can be no auto detailing information on the outside of the building. Staff also commented that administratively a garage door replacement was approved as the door had no historic value.

ACTION OF THE COMMISSION: A motion was made by Mr. Titterington, seconded by Mayor Oda, to approve the Historic District Application, Certificate of Appropriateness for 222 E. Main Street as submitted, based on the exact materials, colors and design submitted, and based on the findings of staff that:

- The proposed sign will meet the City of Troy Sign Code requirements
- The proposed sign complies with section 5.4 of the Design Manual

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

PLANNED DEVELOPMENT APPLICATION AND GENERAL PLAN APPLICATION – EAGLES LANDING, LOCATED ON WILSON ROAD SOUTH OF SR 718 AND WEST OF THE STONEBRIDGE MEADOWS SUBDIVISION, CONSISTING OF THREE PARCELS FOR A TOTAL OF 86.88 ACRES. APPLICATION IS FOR REVIEW OF THE GENERAL PLAN/REZONING FROM CITY ADMINISTERED COUNTY ZONING OF A-2, GENERAL AGRICULTURE, TO A PLANNED DEVELOPMENT-RESIDENTIAL (PD-R). THIS IS THE FIRST STEP IN THE PLANNED DEVELOPMENT PROCESS.

OWNER: ELC, LLC; APPLICANT: HARLOW BUILDERS, FRANK HARLOW. Staff reported: the application is for parcels D08-107838, D08-107842, and D08-10784, which consists of 86.88 acres and is located on Wilson Road south of State Route 718 and west of the Stonebridge Meadows Subdivision; the proposed development consists of a variety of lot dimensions of which led to this Planned Development request; based on being annexed, the property is zoned City Administered County Zoning of A-2, General Agriculture; property is currently undeveloped and being used for agricultural purposes; and the surrounding zoning districts include: City zoning of Planned Unit Development at Stonebridge Meadows to the east, County zoning of A-2, General Agriculture to the north, south, and west. The staff report stated:

"This request for Planned Development zoning with 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. 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 layout includes a variety of housing options with lots that range from 9,000 square feet to 13,000 square feet. The lot area breakdowns are as follows:

- (68) 80'x150' Single family, detached lots.
- (104) 70' x 130' Single Family, detached lots.
- (39) 100'x130' Single Family, zero lot line attached (2 Unit).

Roadways: Access to this development will be provided by two connections to Wilson Rd. One collector street will align with Heatherstone Drive in the Stonebridge Meadows subdivision. The internal roadway system consists of two (2) cul-de-sacs.

Utilities: This development will be served by existing City water and sewer lines. Stormwater calculations will be provided and reviewed prior to requesting the Final Development Plan. The development will include a lift station for the sanitary sewer.

Recreation and Open Space: The proposed development proposes 17.19 acres of open space. The open space will include a basketball court, playground, clubhouse and pool, and pickleball courts. The development complies with the 10% open space requirement.

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

Comprehensive Plan Compliance: The Comprehensive Plan indicates this area to be used for future residential. The proposed uses of the property will follow the Comprehensive Plan. Please see attached Future Land Use Map.

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; The Troy Comprehensive Plan indicates the proposed area is for future residential uses and this request is in compliance with the Comprehensive 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 exemption to conventional zoning is justified. A variety of housing options is a stated goal of the Comprehensive Plan. The Planned Development is necessary to achieve the variety of housing options.
- (3) 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 as residential uses are present in the vicinity.
- (4) The General Plan is carefully designed to support surrounding streets, utilities and other public improvements; The General Plan supports surrounding streets and utilities. Stormwater calculations will be provided as part of the Final Development Plan.
- (5) 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; This request achieves this as a variety of housing options is a stated goal of the Comprehensive Plan. Additionally, it complies with the Future Land Use Map.
- (6) 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 property currently has existing water, sanitary, and storm water controls in place. The development will provide a lift station to service the site.
- (7) 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. The PD is exceeding Zoning Code requirements with additional open space amenities as well as complying with the Comprehensive Plan.
- (8) 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.
- (9) 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 with the additional storage locations.
- (10) 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 (v) "To provide for thorough, efficient and lawful Code administration."

(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. Residential uses surround this Planned Development.

(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.

(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, if any, that make a substantial part of such vacant land unavailable for development.

The property is not surrounded by available vacant land inside the City Limits.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

The proposed amendment would not correct an error in the application of this Zoning Code.

PUBLIC HEARING:

Due to the straightforward nature of the rezoning request, the compatibility of the proposed zoning matching the zoning of surrounding properties, and the fact that City Council is required to hold a public hearing if the request proceeds on, staff does not feel that a public hearing before the Planning Commission is warranted.

STAFF RECOMMENDATION:

It is recommended that Planning Commission make a positive recommendation to City Council regarding this Planned Development application, based on the following:

- The PD request complies with comprehensive plan future land use
- The PD complies with the General Plan requirements of Zoning Code 1145.16.*

COMMISSION RECOMMENDATION ON PUBLIC HEARING: A motion was made by Mr. Wolke, seconded by Mrs. Ehrlich, that the Commission not hold a public hearing on the Eagles Landing Planned Development-Residential Application.

MOTION TO NOT HOLD A PUBLIC HEARING ADOPTED BY UNANIMOUS ROLL CALL VOTE

DISCUSSION: Mr. Wolke asked if the School District has expressed any concern with growth adding to the school enrollment. Staff stated the Board of Education was not directly asked about this PD, but in the recent past, when contacted, the Board did not express any particular concern.

In response to Mr. Titterington, it was stated that the areas shown as both orange and yellow would be closest to the R-4 Zoning (minimum lot size of 9,000 square feet). There was a discussion about the area shown as "double": and the owner, Frank Harlow, commented the structures would share a common wall, but be separately owned. Mr. Harlow stated there is an area that he would own and rent. It was also noted that there is no prohibition about someone purchasing one side of a double and later renting it; nor is there a planned percentage of rentals to be owned.

COMMISSION RECOMMENDATION TO COUNCIL: A motion was made by Mr. Titterington, seconded by Mr. Westmeyer, that the Troy Planning Commission recommends to Troy City Council that Parcels D08-107838, D08-107842, and D08-10784, which consists of 86.88 acres, located on Wilson Road south of State Route 718 and west of the Stonebridge Meadows Subdivision; 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 PD request complies with comprehensive plan future land use
- The PD complies with the General Plan requirements of Zoning Code 1145.16

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

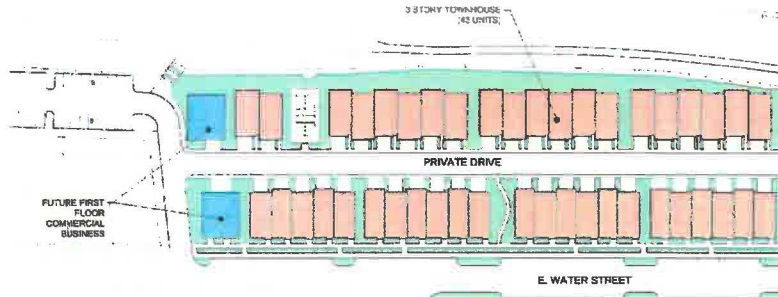
DOWNTOWN/RIVERFRONT OVERLAY (DR-O) DISTRICT APPLICATION, 518 E. WATER STREET, TO ALLOW FOR 43 SINGLE-FAMILY AND TWO COMMERCIAL MIXED-USE BUILDINGS ON THE WEST SIDE OF THE SITE. THIS WOULD BE AN EXCEPTION TO ZONING CODE SECTIONS 1143.11 (F) (2) AND (4) - FIRST READING; OWNER - EAST TROY DEVELOPMENT LLC; APPLICANT - SAM O'NEAL, S.M. O'NEAL CONSTRUCTION. Staff reported:

"INTRODUCTION:

The applicant, Sam O'Neal, on behalf of the owner East Troy Development LLC, requests the Planning Commission to review a Downtown Riverfront Overlay (DR-O) application at the property located at 518 E. Water Street. The property is zoned OR-1, Office-Residential District.

DISCUSSION (DR-O):

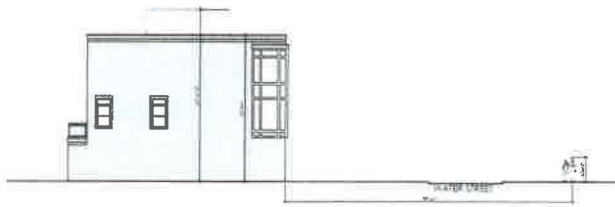
The applicant is requesting a DR-O review to allow forty-three (43) single-family townhome units with two (2) commercial mixed-use buildings on the west side of the site. The proposed buildings will be three-stories of livable floor space with the fourth floor being a rooftop patio that overlooks the Great Miami River. The livable floor space totals about 1,290 square feet per floor. The total acreage of the site includes four (4.2) acres.



Design Elements (facing Water Street). The front façade (facing Water Street) includes several façade variations with bump outs. The first-story includes brick and stone variations, wood trellis, awnings and canopies, and brick soldiers and lintels above the garage doors. The color palette includes Sherwin Williams Gauntlet Gray (SW 7019), Repose Gray (SW 7015), Iron Ore (SW 7069) Shoji White (SW 7042), Still Water (SW 6223), and Rosemary (SW 6187). See below graphic:



It is important to note that the rooftop components are minimally visible from the street. Please see below graphic that identifies viewing angles 70° across Water Street with a person at a height of six (6) feet.



Design Elements (facing riverfront). This rear elevation incorporates many of the design elements from the front façade. Brick is proposed on the first-floor that varies to the second-floor on the adjacent town homes. Brick soldier detail work separates the upper facades. The height is also stepped to create more variation between the townhomes. See below design graphic:



Amenities. The development includes a pickleball court adjacent to the riverfront with sidewalks that connect to the private drive. Additional sidewalk connections to the commercial structures to the west of the site and to the parking lot are also shown. Staff is in discussions with the developer on future river access near the northwest corner of the site.

Public Engagement. Staff presented the proposed plan on vision boards during the Troy Truck Yard Event on May 10, 2025. Staff received positive feedback from the attendees of this event. Additionally, a required public hearing will be held at our next regularly scheduled Planning Commission Meeting.

STAFF ANALYSIS:

Staff analysis can be seen following each section of the DR-O criteria, Bulk Regulations, and Comprehensive Plan in bold.

Zoning Code Deviations. The Zoning Code requirement that led to this request is the bulk regulations of the OR-1 Office Residential District. Zoning Code 1143.11 (f) bulk regulations (2) states a maximum structure height of forty (40) feet. Additionally, (4) states minimum side yard of ten (10) feet or half (1/2) the building height. The application proposes a structure height of 41' - 10". The 1' - 10" is justified with the unique characteristics of the levee height directly behind the site. Additionally, zero feet side yard setbacks are proposed. These are permitted deviations per Zoning Code 1143.25 (g) a. - h. of which states:

"g) Bulk Regulations. Recognizing the long-existing mix of small and large lots in the Downtown Troy area and notwithstanding the requirements of the underlying conventional zoning districts, the Planning Commission and/or City Council may approve a DR-O site redevelopment plan as follows:

- Minimum lot size and dimensions less than required by the underlying conventional zoning district.
- Maximum building lot coverage of one hundred (100) percent for all areas under roof.
- Maximum lot coverage of one hundred (100) percent, including buildings, paved areas, and similar constructed elements.
- No minimum front yard and no minimum corner side yard requirements, except if such a yard is provided it shall have a minimum dimension of five (5) feet. Cornices, doors, windows, awnings.
- signs, canopies, and other similar projections shall not extend over any public right-of-way, unless separate street use approval is obtained from City Council.
- No minimum front yard and no minimum corner side yard requirements, except if such a yard is provided it shall have a minimum dimension of five (5) feet. Cornices, doors, windows, awnings.
- signs, canopies, and other similar projections shall not extend over any public right-of-way, unless separate street use approval is obtained from City Council.
- Minimum side yard of five (5) feet, unless adequate provision, acceptable to the Planning Commission and/or City Council, is made for future maintenance, such as a party wall, cross easements, etc.
- No minimum rear yard, if adequate provision, acceptable to the Planning Commission and/or City Council, is made for future maintenance (a party wall, cross easements, etc.) a minimum space of five (5) feet shall be provided if a wall contains doors and is adjacent to a public alley or other public right-of-way. If such a door is used for automobiles, adequate space and sight distances shall be provided for safe vehicle movement onto the right-of-way."

Zoning Code 1143.25 Downtown Riverfront Overlay District (a) stated purpose: "It is intended to permit alteration and adaptive reuse of existing buildings, and redevelopment of vacant lands, in accordance with a coordinated plan which can be designed with greater flexibility, and consequently, more creative and imaginative redevelopment of this closely built and oldest area of Troy." **The application meets the stated purpose of the DR-O. The application is a redevelopment of vacant land in accordance with a coordinated plan with greater flexibility. This development supports a creative and imaginative redevelopment of an old industrial riverfront property.**

Zoning Code 1143.25 (q) 1. C. (4) To provide for creatively designed single-use and mixed-use Planned Developments, and to preserve their character and vitality through ongoing regulatory supervision. **This creative mixed-use development supports the character of the riverfront. High quality materials are present with brick, stone, and engineered siding. The façades have many variations and design characteristics that preserve the character and vitality in Troy and the riverfront as outlined in the Discussion section of this report.**

Zoning Code 1143.25 (q) 1. C. (8) To facilitate the efficient and economical development and use of land and public facilities. **The application meets this requirement as it is efficiently redeveloping an old vacant industrial site. The site maximizes the potential of the site with forty-three (43) townhomes with zero side lot lines.**

Zoning Code 1143.25 (q) 1. C. (12) To preserve and enhance property values. **Property values will be enhanced with this redevelopment.**

Zoning Code 1143.25 (q) 1. C. (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. **The proposed development is on land best suited for this project physically as identified in the Comprehensive Plan and 2017 Downtown Riverfront Study.**

Zoning Code 1143.25 (q) 1. C. (16) To enhance the predictability and profitability of private investments made in the City. **Private investment in the downtown area, particularly with town homes, is encouraged by the 2017 Downtown Riverfront Study and the Comprehensive Plan.**

Zoning Code 1143.25 (q) 1. C. (17) To continuously improve the aesthetic character of all parts of the City. **The redevelopment of this property will improve the aesthetic character of the riverfront.**

Comprehensive Plan and 2017 Downtown Riverfront Study. The Planning Commission adopted the Comprehensive Plan in October of 2024. The Future Land Use map identifies this location as future trail-oriented development. Critical Path Strategy #5 states: "Continue to plan to use the City's formal industrial areas near the Great Miami River and Downtown to create mixed-use and varied housing options." This strategy also mentions that the time frame is years 1-3. The 2017 Downtown Riverfront Study identifies this property as future mixed use. The proposed development achieves both stated goals."

Staff noted that no action can be taken at this meeting. This reading is the first step in the DR-O process; a second reading (required public hearing) will be held at the next scheduled Planning Commission meeting. The second reading will provide for an opportunity for public input on the project. The Planning Commission can only act after the second reading and public hearing as required by the DR-O process.

DISCUSSION: In response to Mr. McGarry, staff advised that it will not be known by the next meeting if the property would have river access. Staff also stated that this development does not require open space, and the development takes into account the future dam removal project. Mr. Titterington commented that the developer's willingness to move forward was predicated on the Crawford Street Corridor improvements/Herringer Park Improvements/dam removal project, which are investments in the east end. In response to Mrs. Ehrlich that the windows facing Water Street would look out on VanCleve School, Mr. Titterington commented that the VanCleve school property will be transferred to the City in 2027 and will be scraped and temporarily in green space, and what happens there later may be complementary to this project. In response to the Mayor regarding units being rentals, it was stated that the premise is for owner-occupied, but nothing prevents someone from purchasing and then renting a unit.

There being no further business, the meeting adjourned at 3:54 p.m., upon motion of Mrs. Ehrlich, seconded by Mr. Westmeyer, and approved by a unanimous voice vote.

Respectfully submitted,

_____ Chairman

_____ Secretary

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning & Zoning Manager

DATE: June 8, 2025

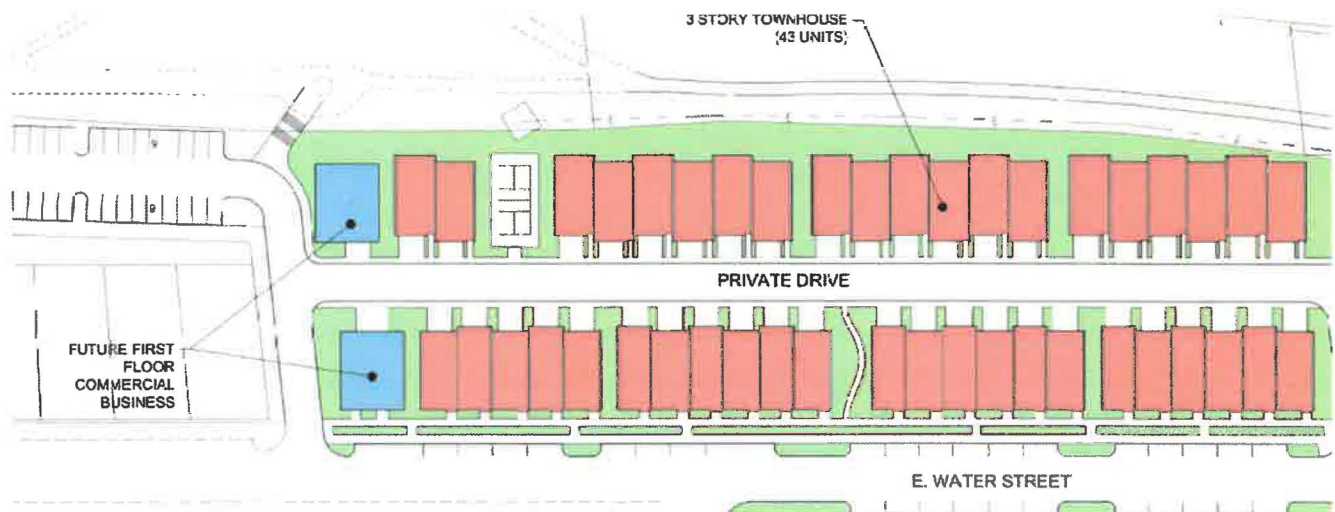
SUBJECT: DR-O Request – 518 E. Water Street

INTRODUCTION:

The applicant, Sam O'Neal, on behalf of the owner East Troy Development LLC, requests the Planning Commission to review a Downtown Riverfront Overlay (DR-O) application at the property located at 518 E. Water Street. The property is zoned OR-1, Office-Residential District.

DISCUSSION (DR-O):

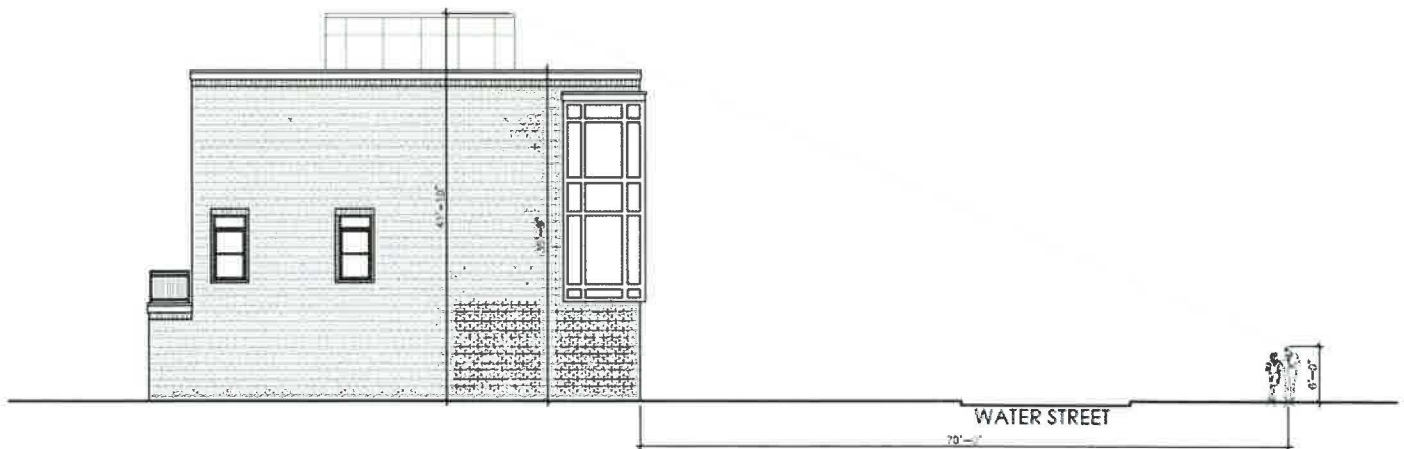
The applicant is requesting a DR-O review to allow forty-three (43) single-family townhome units with two (2) commercial mixed-use buildings on the west side of the site. The proposed buildings will be three-stories of livable floor space with the fourth floor being a rooftop patio that overlooks the Great Miami River. The livable floor space totals about 1,290 square feet per floor. The total acreage of the site includes four (4.2) acres.



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Amenities. The development includes a pickleball court adjacent to the riverfront with sidewalks that connect to the private drive. Additional sidewalk connections to the commercial structures to the west of the site and to the parking lot are also shown. Staff is in discussions with the developer on future river access near the northwest corner of the site.

Public Engagement. Staff presented the proposed plan on vision boards during the Troy Truck Yard Event on May 10, 2025. Staff received positive feedback from the attendees of this event. Additionally, a required public hearing will be held at our next regularly scheduled Planning Commission Meeting.

STAFF ANALYSIS:

Staff analysis can be seen following each section of the DR-O criteria, Bulk Regulations, and Comprehensive Plan in **bold**.

Zoning Code Deviations. The Zoning Code requirement that led to this request is the bulk regulations of the OR-1 Office Residential District. Zoning Code 1143.11 (f) bulk regulations (2) states a maximum structure height of forty (40) feet. Additionally, (4) states minimum side yard of ten (10) feet or half (1/2) the building height. **The application proposes a structure height of 41' - 10". The 1' - 10" is justified with the unique characteristics of the levee height directly behind the site. Additionally, zero feet side yard setbacks are proposed. These are permitted deviations per Zoning Code 1143.25 (g) a. - h. of which states:**

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- Maximum lot coverage of one-hundred (100) percent, including buildings, paved areas, and similar constructed elements.
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- e. signs, canopies, and other similar projections shall not extend over any public right-of-way, unless separate street use approval is obtained from City Council.
- f. No minimum front yard and no minimum corner side yard requirements, except if such a yard is provided it shall have a minimum dimension of five (5) feet. Cornices, doors, windows, awnings,
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- h. Minimum side yard of five (5) feet, unless adequate provision, acceptable to the Planning Commission and/or City Council, is made for future maintenance, such as a party wall, cross easements, etc.
- i. No minimum rear yard, if adequate provision, acceptable to the Planning Commission and/or City Council, is made for future maintenance (a party wall, cross easements, etc.) a minimum space of five (5) feet shall be provided if a wall contains doors and is adjacent to a public alley or other public right-of-way. If such a door is used for automobiles, adequate space and sight distances shall be provided for safe vehicle movement onto the right-of-way."

Zoning Code 1143.25 Downtown Riverfront Overlay District (a) stated purpose: "It is intended to permit alteration and adaptive reuse of existing buildings, and redevelopment of vacant lands, in accordance with a coordinated plan which can be designed with greater flexibility, and consequently, more creative and imaginative redevelopment of this closely built and oldest area of Troy." **The application meets the stated purpose of the DR-O. The application is a redevelopment of vacant land in accordance with a coordinated plan with greater flexibility. This development supports a creative and imaginative redevelopment of an old industrial riverfront property.**

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Zoning Code 1143.25 (q) 1. C. (17) To continuously improve the aesthetic character of all parts of the City. **The redevelopment of this property will improve the aesthetic character of the riverfront.**

Comprehensive Plan and 2017 Downtown Riverfront Study. The Planning Commission adopted the Comprehensive Plan in October of 2024. The Future Land Use map identifies this location as future trail-oriented development. Critical Path Strategy #5 states: "Continue to plan to use the City's formal industrial areas near the Great Miami River and Downtown to create mixed-use and varied housing options." This strategy also mentions that the time frame is years 1-3. The 2017 Downtown Riverfront Study identifies this property as future mixed use. The proposed development achieves both states goals.

NEXT STEPS:

The Planning Commission shall make a formal recommendation to the City Council after a mandatory public hearing, regarding the application by filing the recommendation with the Clerk of Council. The Clerk of Council shall immediately 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. In the event City Council acts upon the recommendation of the Planning Commission, City Council shall act on the recommendation in accordance with Ohio Revised Code Section 713.12 and Chapter 1139 of this Zoning Code.

STAFF RECOMMENDATION:

Based upon the criteria in section 1143.25(q)(1) C. (4-17), used to determine the merits of the DR-O application, it is requested that the Planning Commission provide a positive recommendation to City Council for the proposed DR-O application.

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning & Zoning Manager

DATE: June 8, 2025

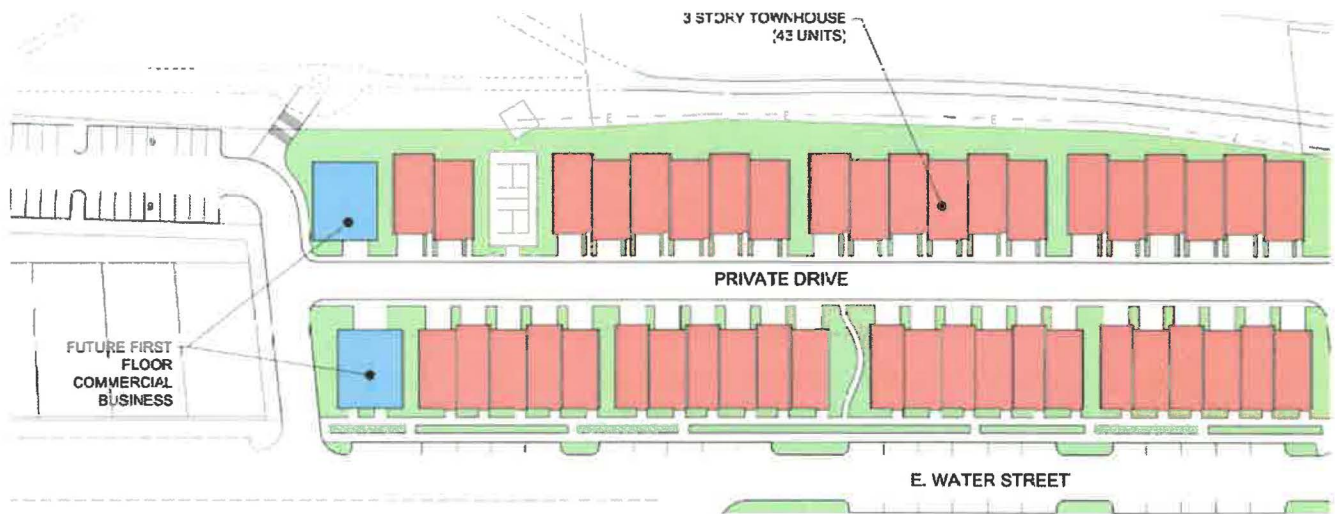
SUBJECT: DR-O Request (Second Reading) – 518 E. Water Street

INTRODUCTION:

The applicant, Sam O'Neal, on behalf of the owner East Troy Development LLC, requests the Planning Commission to review a Downtown Riverfront Overlay (DR-O) application at the property located at 518 E. Water Street. The property is zoned OR-1, Office-Residential District.

DISCUSSION (DR-O):

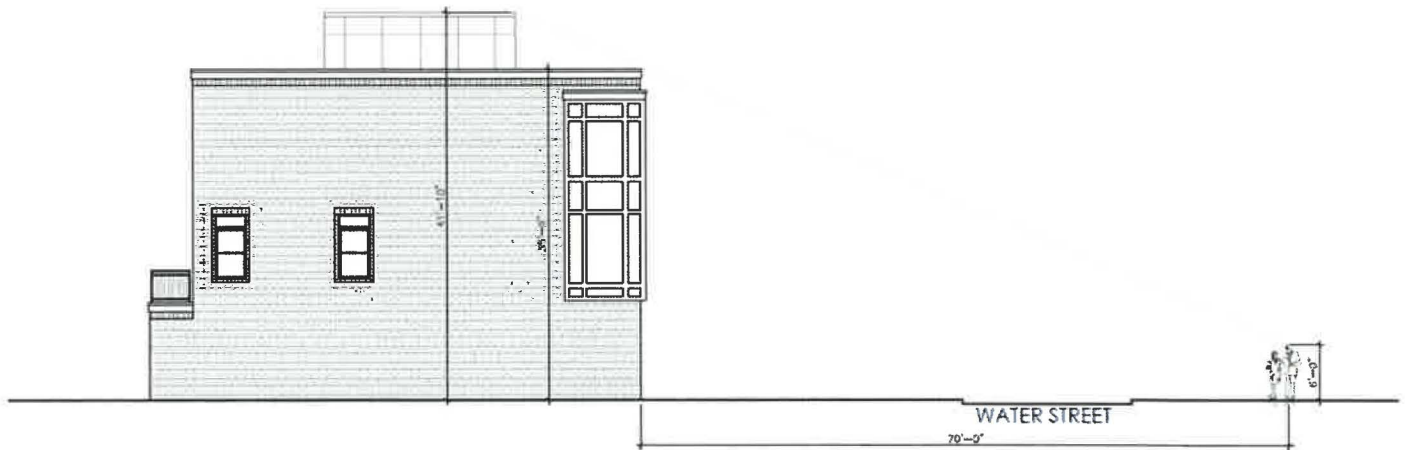
The applicant is requesting a DR-O review to allow forty-three (43) single-family townhome units with two (2) commercial mixed-use buildings on the west side of the site. The proposed buildings will be three-stories of livable floor space with the fourth floor being a rooftop patio that overlooks the Great Miami River. The livable floor space totals about 1,290 square feet per floor. The total acreage of the site includes four (4.2) acres.



Design Elements (facing Water Street). The front façade (facing Water Street) includes several façade variations with bump outs. The first-story includes brick and stone variations, wood trellis, awnings and canopies, and brick soldiers and lintels above the garage doors. The color palette includes Sherwin Williams Gauntlet Gray (SW 7019), Repose Gray (SW 7015), Iron Ore (SW 7069) Shoji White (SW 7042), Still Water (SW 6223), and Rosemary (SW 6187). See below graphic:



It is important to note that the rooftop components are minimally visible from the street. Please see below graphic that identifies viewing angles 70' across Water Street with a person at a height of six (6) feet.



Design Elements (facing riverfront). This rear elevation incorporates many of the design elements from the front façade. Brick is proposed on the first-floor that varies to the second-floor on the adjacent town homes. Brick soldier detail work separates the upper facades. The height is also stepped to create more variation between the townhomes. See below design graphic:



Amenities. The development includes a pickleball court adjacent to the riverfront with sidewalks that connect to the private drive. Additional sidewalk connections to the commercial structures to the west of the site and to the parking lot are also shown. Staff is in discussions with the developer on future river access near the northwest corner of the site.

Public Engagement. Staff presented the proposed plan on vision boards during the Troy Truck Yard Event on May 10, 2025. Staff received positive feedback from the attendees of this event. Additionally, a required public hearing will be held at our next regularly scheduled Planning Commission Meeting.

STAFF ANALYSIS:

Staff analysis can be seen following each section of the DR-O criteria, Bulk Regulations, and Comprehensive Plan in **bold**.

Zoning Code Deviations. The Zoning Code requirement that led to this request is the bulk regulations of the OR-1 Office Residential District. Zoning Code 1143.11 (f) bulk regulations (2) states a maximum structure height of forty (40) feet. Additionally, (4) states minimum side yard of ten (10) feet or half (1/2) the building height! **The application proposes a structure height of 41' - 10". The 1' - 10" is justified with the unique characteristics of the levee height directly behind the site. Additionally, zero feet side yard setbacks are proposed. These are permitted deviations per Zoning Code 1143.25 (g) a. – h. of which states:**

"(g) Bulk Regulations. Recognizing the long-existing mix of small and large lots in the Downtown Troy area and notwithstanding the requirements of the underlying conventional zoning districts, the Planning Commission and/or City Council may approve a DR-O site redevelopment plan as follows:

- a. Minimum lot size and dimensions less than required by the underlying conventional zoning district.
- b. Maximum building lot coverage of one-hundred (100) percent for all areas under roof.
- c. Maximum lot coverage of one-hundred (100) percent, including buildings, paved areas, and similar constructed elements.
- d. No minimum front yard and no minimum corner side yard requirements, except if such a yard is provided it shall have a minimum dimension of five (5) feet. Cornices, doors, windows, awnings,

- e. signs, canopies, and other similar projections shall not extend over any public right-of-way, unless separate street use approval is obtained from City Council.
- f. No minimum front yard and no minimum corner side yard requirements, except if such a yard is provided it shall have a minimum dimension of five (5) feet. Cornices, doors, windows, awnings,
- g. signs, canopies, and other similar projections shall not extend over any public right-of-way, unless separate street use approval is obtained from City Council.
- h. Minimum side yard of five (5) feet, unless adequate provision, acceptable to the Planning Commission and/or City Council, is made for future maintenance, such as a party wall, cross easements, etc.
- i. No minimum rear yard, if adequate provision, acceptable to the Planning Commission and/or City Council, is made for future maintenance (a party wall, cross easements, etc.) a minimum space of five (5) feet shall be provided if a wall contains doors and is adjacent to a public alley or other public right-of-way. If such a door is used for automobiles, adequate space and sight distances shall be provided for safe vehicle movement onto the right-of-way."

Zoning Code 1143.25 Downtown Riverfront Overlay District (a) stated purpose: "It is intended to permit alteration and adaptive reuse of existing buildings, and redevelopment of vacant lands, in accordance with a coordinated plan which can be designed with greater flexibility, and consequently, more creative and imaginative redevelopment of this closely built and oldest area of Troy." **The application meets the stated purpose of the DR-O. The application is a redevelopment of vacant land in accordance with a coordinated plan with greater flexibility. This development supports a creative and imaginative redevelopment of an old industrial riverfront property.**

Zoning Code 1143.25 (q) 1. C. (4) To provide for creatively designed single-use and mixed-use Planned Developments, and to preserve their character and vitality through ongoing regulatory supervision. **This creative mixed-use development supports the character of the riverfront. High quality materials are present with brick, stone, and engineered siding. The façades have many variations and design characteristics that preserve the character and vitality in Troy and the riverfront as outlined in the Discussion section of this report.**

Zoning Code 1143.25 (q) 1. C. (8) To facilitate the efficient and economical development and use of land and public facilities. **The application meets this requirement as it is efficiently redeveloping an old vacant industrial site. The site maximizes the potential of the site with forty-three (43) townhomes with zero side lot lines.**

Zoning Code 1143.25 (q) 1. C. (12) To preserve and enhance property values. **Property values will be enhanced with this redevelopment.**

Zoning Code 1143.25 (q) 1. C. (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. **The proposed development is on land best suited for this project physically as identified in the Comprehensive Plan and 2017 Downtown Riverfront Study.**

Zoning Code 1143.25 (q) 1. C. (16) To enhance the predictability and profitability of private investments made in the City. Private investment in the downtown area, particularly with townhomes, is encouraged by the 2017 Downtown Riverfront Study and the Comprehensive Plan.

Zoning Code 1143.25 (q) 1. C. (17) To continuously improve the aesthetic character of all parts of the City. The redevelopment of this property will improve the aesthetic character of the riverfront.

Comprehensive Plan and 2017 Downtown Riverfront Study. The Planning Commission adopted the Comprehensive Plan in October of 2024. The Future Land Use map identifies this location as future trail-oriented development. Critical Path Strategy #5 states: "Continue to plan to use the City's formal industrial areas near the Great Miami River and Downtown to create mixed-use and varied housing options." This strategy also mentions that the time frame is years 1-3. The 2017 Downtown Riverfront Study identifies this property as future mixed use. The proposed development achieves both states goals.

NEXT STEPS:

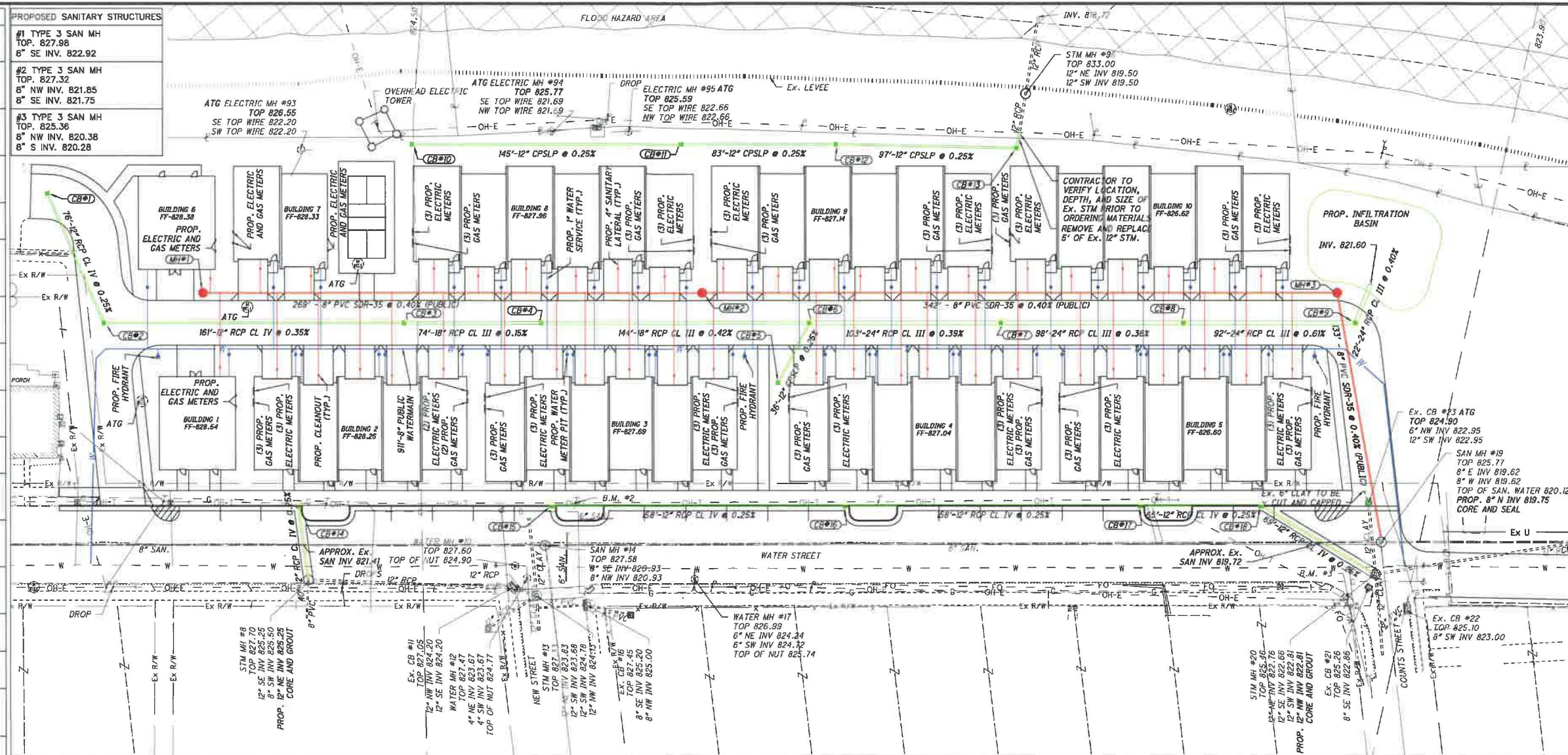
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STAFF RECOMMENDATION:

Based upon the criteria in section 1143.25(q)(1) C. (4-17), used to determine the merits of the DR-O application, it is requested that the Planning Commission provide a positive recommendation to City Council for the proposed DR-O application.

PROPOSED STORM STRUCTURES	
#1 TYPE 2-2C CB	TOP 826.64
12" S INV.	824.47
#2 TYPE 2-2C CB	TOP 827.11
12" SE INV.	824.28
12" N INV.	824.28
#3 TYPE 2-2C CB	TOP 826.93
18" SE INV.	823.72
12" NW INV.	823.72
#4 TYPE 2-2C CB	TOP 826.88
18" NW INV.	823.61
18" SE INV.	823.61
#5 TYPE 2-2B CB	TOP 826.44
12" NE INV.	823.27
#6 TYPE 2-3 CB	TOP 826.23
18" NW INV.	823.00
24" SE INV.	823.00
12" SW INV.	823.18
#7 TYPE 2-3 CB	TOP 825.94
24" NW INV.	822.60
24" SE INV.	822.60
#8 TYPE 2-3 CB	TOP 825.55
24" NW INV.	822.25
24" SE INV.	822.25
#9 TYPE 2-3 CB	TOP 824.84
24" NW INV.	821.69
24" NE INV.	821.69
#10 TYPE 2-2B CB	TOP 825.16
12" SE INV.	822.79
#11 TYPE 2-2B CB	TOP 824.60
12" SE INV.	822.43
12" NW INV.	822.43
#12 TYPE 2-2B CB	TOP 824.61
12" NW INV.	822.22
12" SE INV.	822.22
#13 TYPE 2-2B CB	TOP 824.47
12" NW INV.	821.98
12" NE INV.	821.98
#14 TYPE 1 CB	TOP 827.87
B/C	827.87
12" SW INV.	825.35
#15 TYPE 1 CB	B/C 827.39
12" SE INV.	823.94
#16 TYPE 1 CB	B/C 826.75
12" SE INV.	823.54
12" NW INV.	823.54
#17 TYPE 1 CB	B/C 826.30
12" SE INV.	823.15
12" NW INV.	823.14
#18 TYPE 1 CB	B/C 825.57
12" SE INV.	822.98
12" NW INV.	822.98

PROPOSED SANITARY STRUCTURES	
#1 TYPE 3 SAN MH TOP. 827.98 8" SE INV. 822.92	
#2 TYPE 3 SAN MH TOP. 827.32 6" NW INV. 821.85 8" SE INV. 821.75	
#3 TYPE 3 SAN MH TOP. 825.36 6" NW INV. 820.38 8" S INV. 820.28	



NOTE:
PROPOSED WATER MAIN AND SANITARY SEWER MAIN TO BE PUBLIC UTILITIES.
PROPOSED STORM SEWER ALONG WATER STREET TO BE PUBLIC UTILITIES.
PROPOSED SITE STORM SEWER TO BE PRIVATE.



BENCHMARK #1 ELEV. 831.33
MAG NAIL IN POWER POLE ON
THE SOUTHEAST CORNER OF THE
INTERSECTION OF WATER STREET
AND CRAWFORD STREET

BENCHMARK #2 ELEV. 828.43
MAG NAIL IN POWER POLE ON
THE NORTH SIDE OF THE
INTERSECTION OF WATER STREET
AND NEW STREET

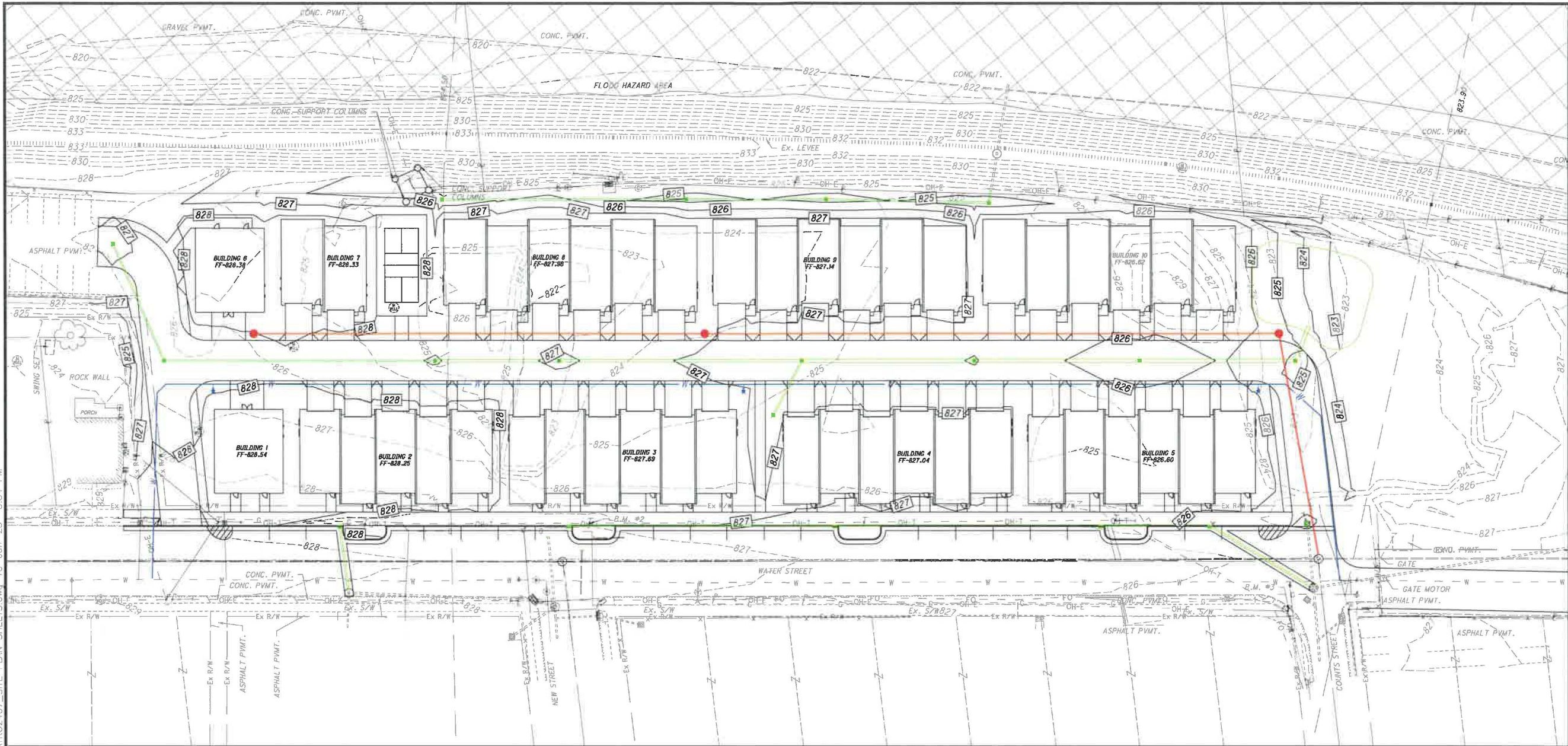
BENCHMARK #3 ELEV. 826.96
MAG NAIL IN POWER POLE ON
THE SOUTHWEST CORNER OF THE
INTERSECTION OF WATER STREET
AND COUNTS STREET

**TROY TOWNHOMES DEVELOPMENT
CITY OF TROY
UTILITY PLAN**

REVISIONS:

FILE NAME	UTILITY
DRAWN BY	JLH
CHECKED BY	JSP
PROJECT No.	MIATRO2407
DATE	06-10-2025
SHEET NUMBER	

Z:\project\Miami\Troy\Troy-MIA-TRO-2407\WaterStreetConceptPlan\MIATRO2407_SITE PLAN SHEETS.dwg 10-Jun-25 3:54 PM



LEGEND

- 830- EXISTING CONTOURS
- 826- PROPOSED CONTOURS
- PROPOSED STORM SEWER
- PROPOSED EDGE PAVEMENT

BENCHMARK #1 ELEV. 831.33
MAG NAIL IN POWER POLE ON
THE SOUTHEAST CORNER OF THE
INTERSECTION OF WATER STREET
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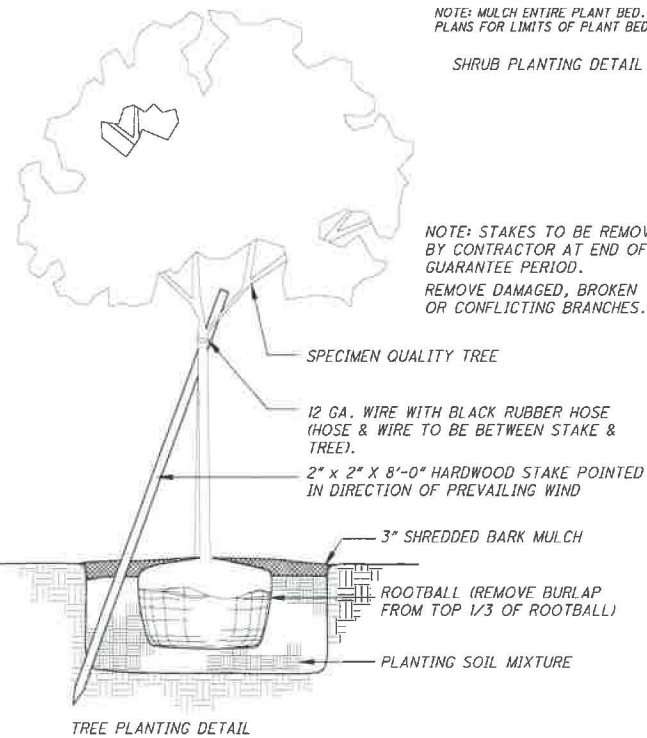
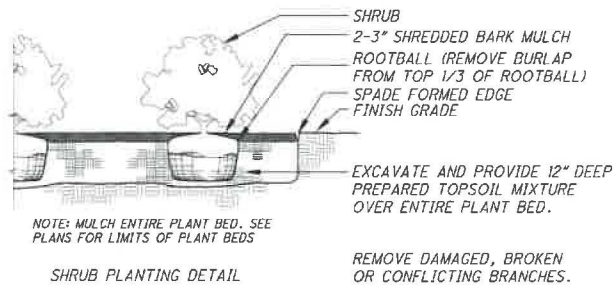
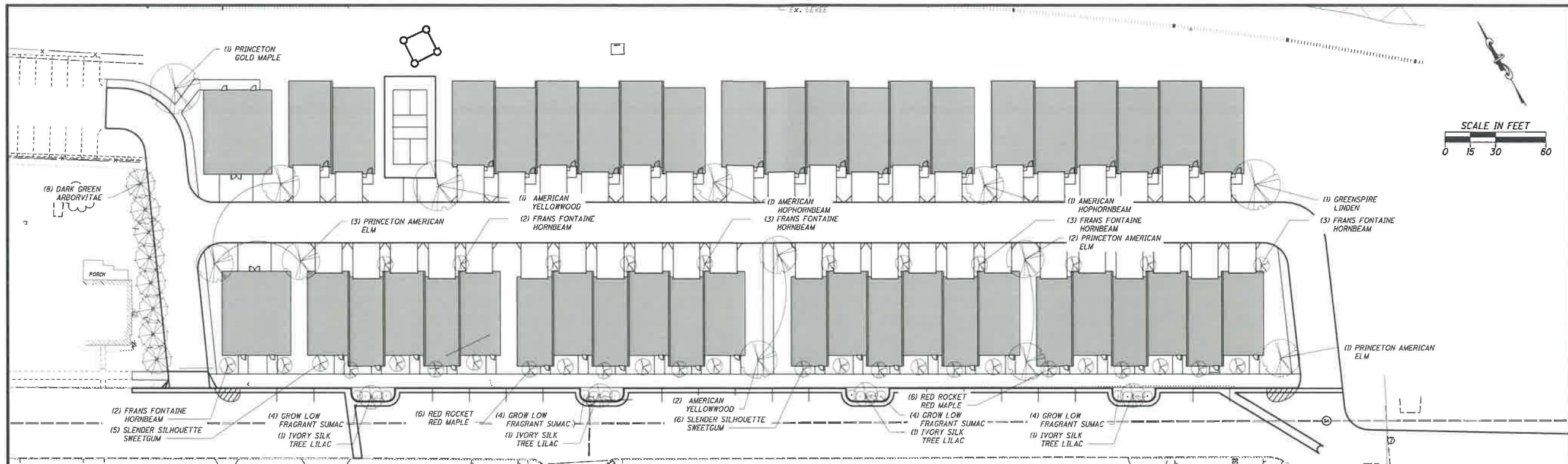
SIDNEY, OHIO 937.497.0200
LOVELAND, OHIO 513.239.8554
WWW.CHOICEONEENGINEERING.COM

TROY TOWNHOMES DEVELOPMENT
CITY OF TROY
GRADING AND EROSION CONTROL PLAN

REVISIONS:

FILE NAME	GRADING
DRAWN BY	JLH
CHECKED BY	JSP
PROJECT No.	MIATRO2407
DATE	06-10-2025
SHEET NUMBER	

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PLANTING SCHEDULE

QTY.	COMMON NAME	BOTANICAL NAME	SIZE	ROOT
TREES				
4	IVORY SILK TREE LILAC	SYRINGA RETICULATA 'IVORY SILK'	1.75"	B&B
12	RED ROCKET RED MAPLE	ACER R. 'RED ROCKET'	2.5" CAL.	B&B
11	SLENDER SILHOUETTE SWEETGUM	LIQUIDAMBAR S. 'SLENDER SILHOUETTE'	2" CAL.	B&B
3	AMERICAN YELLOWWOOD	CLADASTRIS KENTUCKEA	2.5" CAL.	B&B
13	FRANS FONTAINE HORNBEAM	CARPINUS B. 'FRANS FONTAINE'	2.5" CAL.	B&B
6	PRINCETON AMERICAN ELM	ULMUS A. 'PRINCETON'	2.5" CAL.	B&B
1	GREENSPIRE LINDEN	TILIA CORDATA 'GREENSPIRE'	2.5" CAL.	B&B
2	AMERICAN HOPHORNBEAM	OSTRYA VIRGINIANA	2.5" CAL.	B&B
1	PRINCETON GOLD MAPLE	ACER PLAT. 'PRINCETON GOLD'	2" CAL.	B&B
8	DARK GREEN ARBORVITAE	THUJA O. 'NIGRA'	2" CAL.	B&B
SHRUBS				
16	GROW LOW FRAGRANT SUMAC	RHUS AROMATICA 'GROW LOW'	18" SPR.	NO. 3 CONT.

INSTALLATION NOTES

- IF NOT READILY APPARENT, LOCATE ROOT FLARE BY REMOVING TWINE, BURLAP, AND EXCESS SOIL.
- DIG TREE HOLE AT LEAST TWO TIMES WIDER THAN THE TREE BALL, WITH SIDES SLOPED TO AN UNEXCAVATED OR FIRM BASE. DIG HOLE TO A DEPTH SO THE LOCATED ROOT FLARE, AT THE FIRST ORDER LATERAL ROOT, WILL BE AT FINISHED GRADE.
- LIFT ONLY FROM THE BOTTOM OF THE ROOT BALL, POSITION TREE ON FIRM PAD SO THAT IT IS STRAIGHT AND TOP OF ROOT FLARE IS LEVEL WITH THE SURROUNDING SOIL.
- REMOVE ALL TWINE FROM THE ROOT BALL. IF PRESENT, REMOVE AND DISCARD AT LEAST THE TOP ONE HALF OF THE WIRE BASKET. BURLAP SHALL BE REMOVED FROM THE TOP TO A POINT HALFWAY DOWN THE ROOT BALL AND DISCARDED.
- WITH CLEAN, SHARP PRUNING TOOLS, PRUNE OFF ANY SECONDARY/ADVENTITIOUS, GIRDLING, AND POTENTIAL GIRDLING ROOTS.
- MULCH THE ENTIRE PLANTING SURFACE WITH MULCH APPLIED NO LESS THAN TWO INCHES DEEP AND NO MORE THAN THREE INCHES DEEP, LEAVING THREE INCHES ADJACENT TO THE TREE TRUNK FREE OF MULCH.
- SPECIES AND SIZE IDENTIFIED IN PLANT SCHEDULE, GROWN IN CLIMATIC CONDITIONS SIMILAR TO THOSE IN LOCALITY OF THE WORK.
- PROVIDE HEALTHY, SOUND, VIGOROUS PLANT MATERIALS, FREE FROM PLANT DISEASES, INSPECT PESTS, HEALTHY WELL-DEVELOPED ROOT SYSTEMS, FRESHLY DUG, NURSERY GROWN, WELL-BRANCHED, DENSELY FOLIATED WHEN IN LEAF AND WELL-PROPORTIONED, PARTICULARLY WITH RESPECT TO THE WIDTH-HEIGHT RELATIONSHIP.
- DAMAGED OR BROKEN BRANCHES, BROKEN BALL AND LOOSE TOP BALL ARE.
- SET PLANTS IN CENTER OF HOLE, PLUMB AND STRAIGHT. REMOVE 1/3 TOP OF BURLAP (IF APPLICABLE).
- SATURATE SOIL WITH WATER WHEN THE HOLE IS HALF FULL OF TOPSOIL AND AGAIN WHEN FULL.
- DO NOT INSTALL PLANT LIFE WHEN AMBIENT TEMPERATURES MAY DROP BELOW 35 DEGREES F OR RISE ABOVE 90 DEGREES F.

GENERAL NOTES

- PRIOR TO INSTALLATION, THE LANDSCAPE CONTRACTOR SHALL INSPECT THE GENERAL SITE CONDITIONS AND VERIFY THE SUBGRADE, ELEVATIONS, UTILITY LOCATIONS AND TOPSOIL PROVIDED BY GENERAL CONTRACTOR. THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE GENERAL CONTRACTOR OF ANY UNSATISFACTORY CONDITIONS AND WORK SHALL NOT PROCEED UNTIL SUCH CONDITIONS HAVE BEEN CORRECTED AND ARE ACCEPTABLE TO THE LANDSCAPE CONTRACTOR.
- SUBSTITUTIONS SHALL BE PERMITTED WITH NOTIFICATION AND WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT. SUBSTITUTED MATERIAL SHALL BE EQUIVALENT OR GREATER IN SIZE THAN THE SPECIFIED PLANT. SUBSTITUTED PLANTS SHALL HAVE THE SAME ESSENTIAL CHARACTERISTICS AND GROWTH HABIT OF THE SPECIFIED PLANT.
- CONFIRM LOCATION OF ALL UTILITIES AND SUBSURFACE DRAIN LINES PRIOR TO PLANT INSTALLATION.
- CONTRACTOR MAY SLIGHTLY FIELD ADJUST PLANT LOCATIONS AS NECESSARY TO AVOID UTILITIES. FINISHED PLANTING BEDS SHALL BE GRADED TO PROVIDE POSITIVE DRAINAGE.
- CONTRACTOR SHALL REPAIR ALL LAWN AREAS DISTURBED DURING CONSTRUCTION WITH SEED AND WARRANT A HEALTHY, WEED FREE LAWN PRIOR TO PROJECT ACCEPTANCE.
- SEED ALL AREAS WITHIN CONTRACT LIMITS THAT ARE NOT COVERED BY PAVING, BUILDINGS OR PLANTING BEDS UNLESS OTHERWISE NOTED. SEEDING SHALL NOT BEGIN UNTIL AREA HAS RECEIVED TOPSOIL AND FINISHED GRADE.
- MULCH PLANTING BEDS WITH SHREDDED HARDWOOD MULCH OF UNIFORM DARK BROWN COLOR. IT SHALL BE FREE OF TWIGS, LEAVES DISEASE, PEST OR OTHER MATERIAL UNSIGHTLY OR INJURIOUS TO PLANTS. AVERAGE APPLIED THICKNESS SHALL BE 3" DEPTH. MULCH HEDGES IN A CONTINUOUS BED.
- BED EDGE SHALL BE SMOOTH, CONSISTENT, HAND TRENCHED 6" DEEP AND "V" SHAPED UNLESS OTHERWISE NOTED. ALL EXCAVATED MATERIAL SHALL BE REMOVED FROM THE BED EDGE AND PLANTING BED.
- ALL PLANTING BED EDGES TO BE SMOOTH FLOWING ARCS OR STRAIGHT LINES AS SHOWN ON PLAN.
- INSTALL ALL PLANTS IN ACCORDANCE WITH PLANING DETAILS AND SPECIFICATIONS.
- PARKING LOT AND STREET TREES SHALL HAVE A CLEAR CANOPY HEIGHT OF 6' MIN.
- TREE SHALL BE PLACED A MINIMUM OF 3' FROM SIDEWALKS AND CURBS.
- LAWN AREAS TO BE BACKFILLED WITH TOPSOIL TO A MINIMUM SETTLED THICKNESS OF 6 INCHES.
- CONTRACTOR TO DETERMINE PLANT LIST QUANTITIES FROM THE PLAN. GRAPHIC REPRESENTATION ON PLAN SUPERSEDES IN CASE OF DISCREPANCY WITH QUANTITIES ON SCHEDULE.
- CONTRACTOR SHALL THOROUGHLY WATER ALL PLANTS AT TIME OF INSTALLATION AND AS NEEDED UNTIL PROJECT ACCEPTANCE BY OWNER. CONTRACTOR SHALL GUARANTEE ALL PLANTS INSTALLED FOR ONE FULL YEAR FROM DATE OF ACCEPTANCE BY THE OWNER. ALL PLANTS SHALL BE ALIVE AND AT A VIGOROUS RATE OF GROWTH AT THE END OF GUARANTEE PERIOD.



VISIONS Artist Rendering - Concept Only

TROY TOWNHOMES - WATER STREET - TROY, OHIO

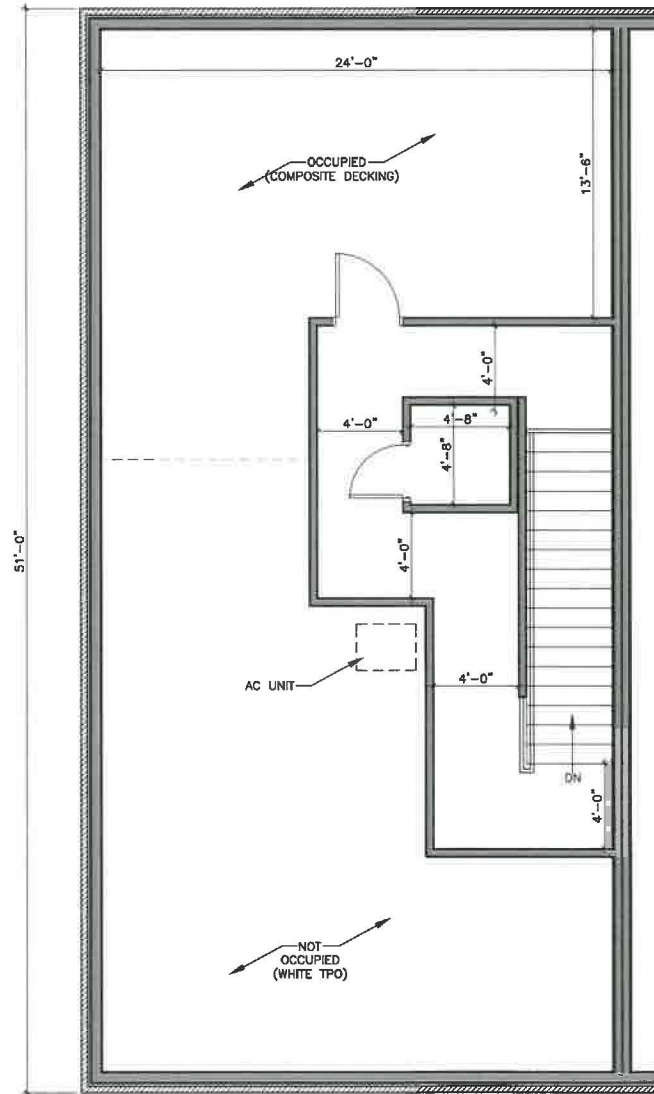




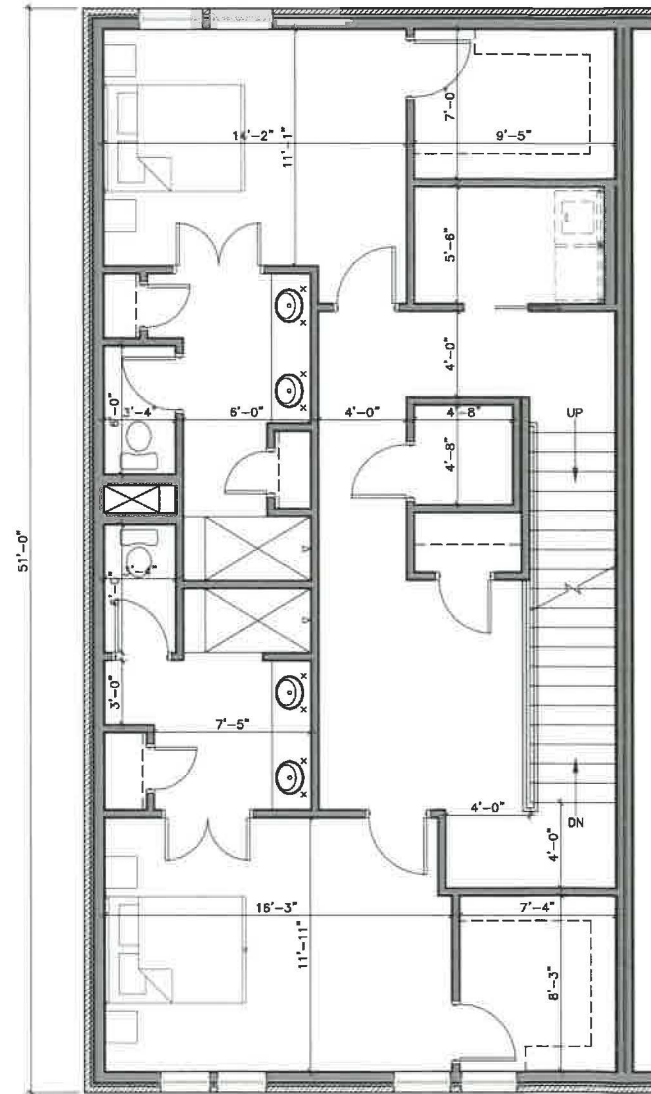
VISIONS Artist Rendering - Concept Only

TROY TOWNHOMES - WATER STREET - TROY, OHIO

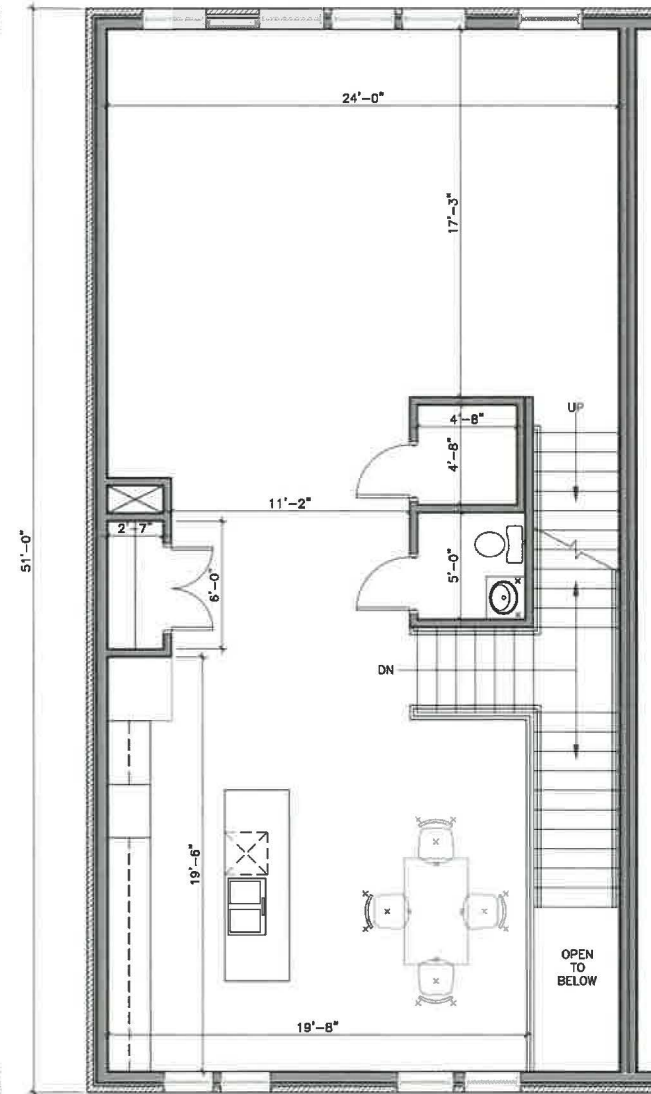




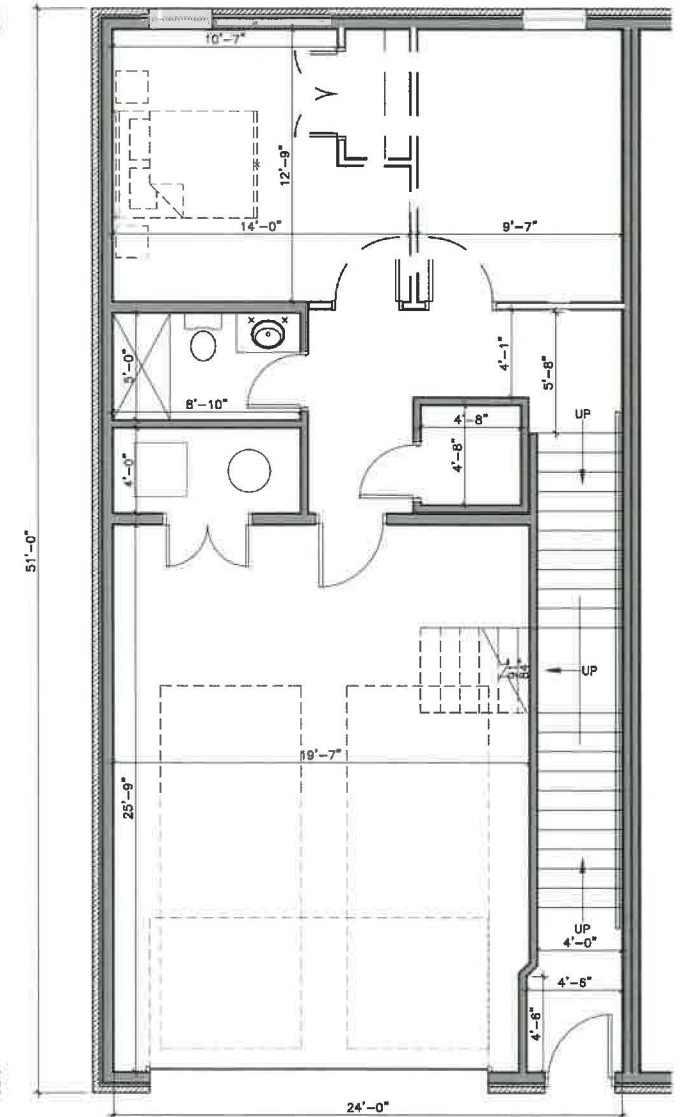
4TH FLOOR
443 +/- SF ROOF PATIO
305 +/- SF 'DOG HOUSE'



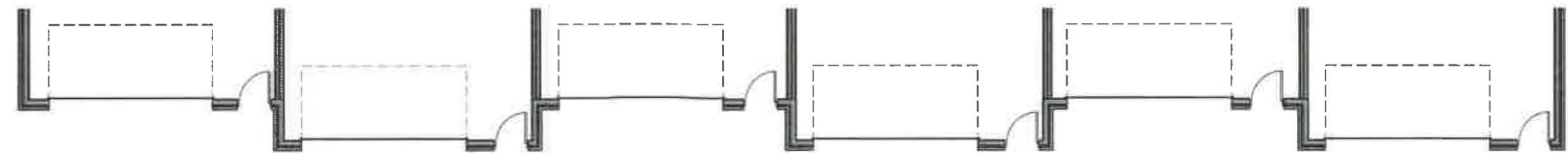
3RD FLOOR
1290 +/- SF



2ND FLOOR
1290 +/- SF



1ST FLOOR
1290 +/- SF
729 +/- HEATED SF



BRICK-01



MANUFACTURE: BELDEN
COLOR: GARNET BLEND

BRICK-02



MANUFACTURE: TRIANGLE BRICK
COLOR: CHESAPEAKE GREY

STONE-01



MANUFACTURE: DUTCH QUALITY
COLOR: WEATHER LEDGE, WINTER POINT

STAIN-01



DOOR COLOR OPTIONS



MANUFACTURE: SHERWIN WILLIAMS
COLOR: IRON ORE SW7069



MANUFACTURE: SHERWIN WILLIAMS
COLOR: SMOKY AZURITE SW9148



MANUFACTURE: SHERWIN WILLIAMS
COLOR: GREEN ONYX SW9128



MANUFACTURE: SHERWIN WILLIAMS
COLOR: CANYON CLAY SW6054



PAINT-01



MANUFACTURE: SHERWIN WILLIAMS
COLOR: GAUNTLET GRAY SW7019

PAINT-02



MANUFACTURE: SHERWIN WILLIAMS
COLOR: REPOSE GRAY SW7015

PAINT-03



MANUFACTURE: SHERWIN WILLIAMS
COLOR: IRON ORE SW7069

PAINT-04



MANUFACTURE: SHERWIN WILLIAMS
COLOR: SHOJI WHITE SW7042

PAINT-05



MANUFACTURE: SHERWIN WILLIAMS
COLOR: STILL WATER SW6223

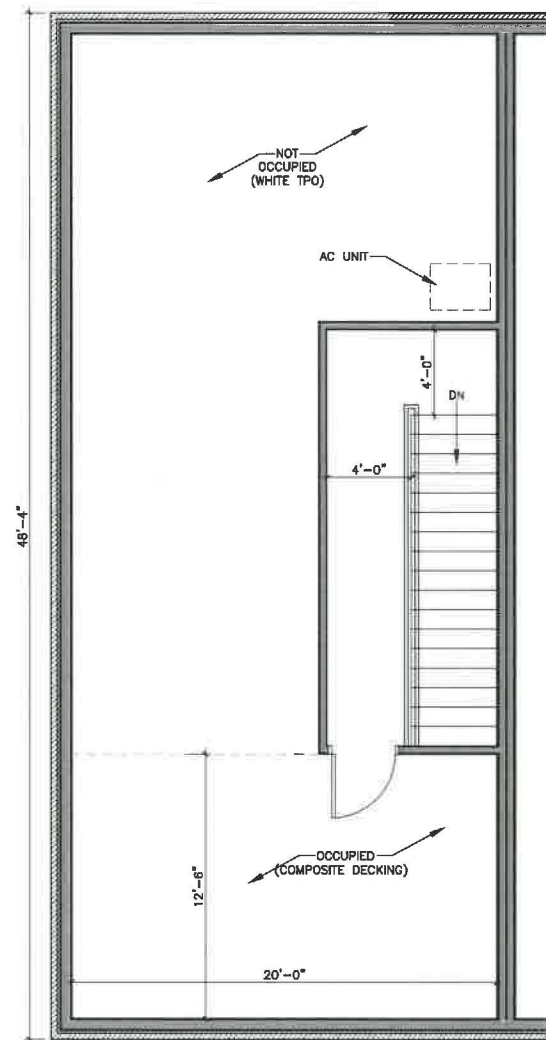
PAINT-06



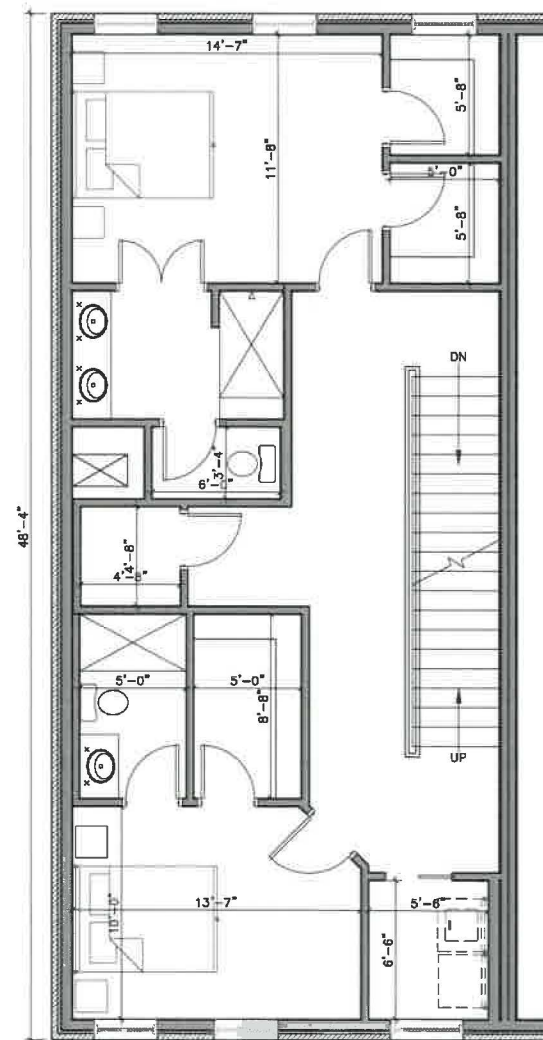
MANUFACTURE: SHERWIN WILLIAMS
COLOR: ROSEMARY SW6187



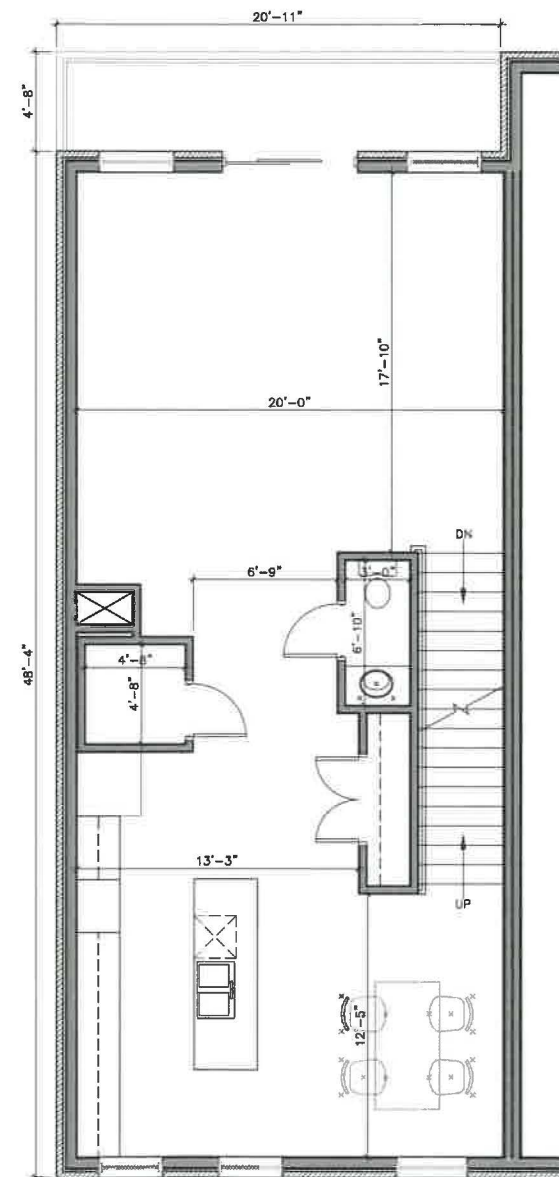
VISIONS
ARCHITECTS



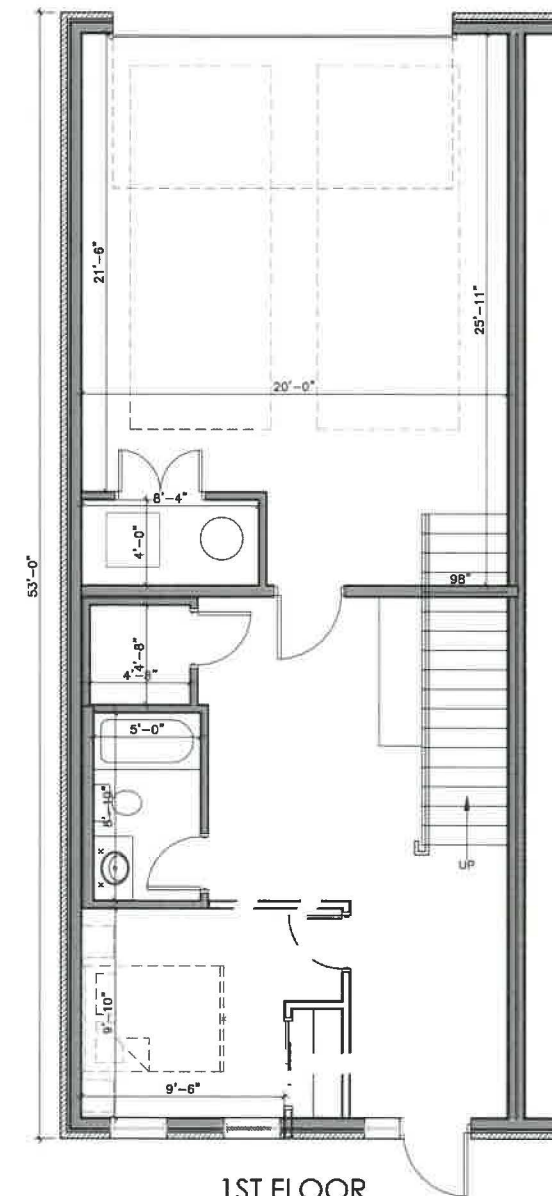
4TH FLOOR
288 +/- SF ROOF PATIO
179 +/- SF 'DOG HOUSE'



3RD FLOOR
1035 +/- SF

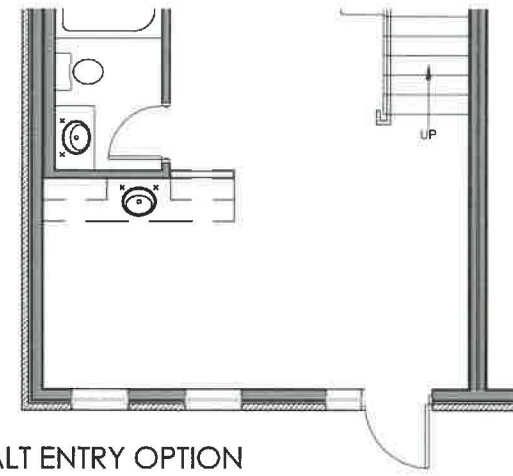


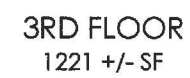
2ND FLOOR
1041 +/- SF +
98 +/- PATIO

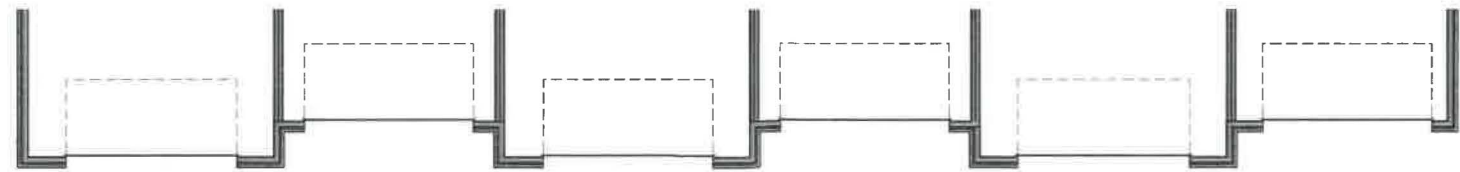


1ST FLOOR
1142 +/- TOTAL SF
599 +/- HEATED SF

ALT ENTRY OPTION







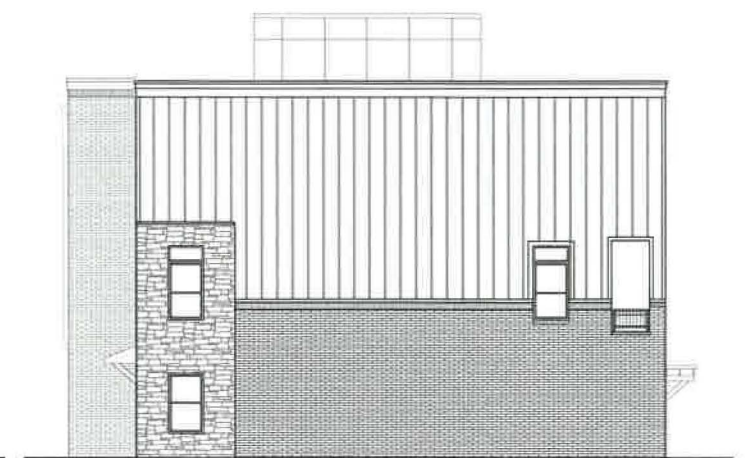
OPT B OPT A OPT B OPT A OPT B OPT A
ELEVATION (PRIVATE DRIVE)



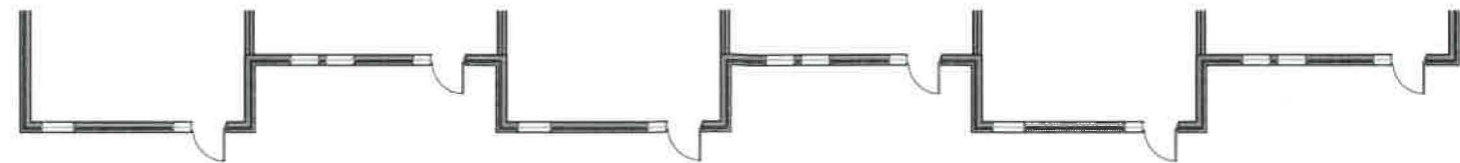
SIDE ELEVATION



OPT A OPT B OPT A OPT B OPT A OPT B
ELEVATION (WATER STREET)



SIDE ELEVATION



DOOR COLOR OPTIONS



MANUFACTURE: SHERWIN WILLIAMS
COLOR: IRON ORE SW7069



MANUFACTURE: SHERWIN WILLIAMS
COLOR: SMOKY AZURITE SW9148



MANUFACTURE: SHERWIN WILLIAMS
COLOR: GREEN ONYX SW9128



MANUFACTURE: SHERWIN WILLIAMS
COLOR: CANYON CLAY SW6054

BRICK-01



MANUFACTURE: BELDEN
COLOR: GARNET BLEND

BRICK-02



MANUFACTURE: TRIANGLE BRICK
COLOR: CHESAPEAKE GREY

STONE-01



MANUFACTURE: DUTCH QUALITY
COLOR: WEATHER LEDGE, WINTER POINT

STAIN-01

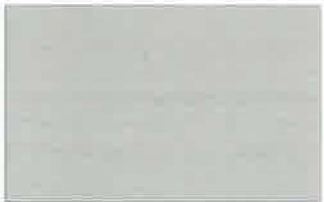


PAINT-01



MANUFACTURE: SHERWIN WILLIAMS
COLOR: GAUNTLET GRAY SW7019

PAINT-02



MANUFACTURE: SHERWIN WILLIAMS
COLOR: REPOSE GRAY SW7015

PAINT-03



MANUFACTURE: SHERWIN WILLIAMS
COLOR: IRON ORE SW7069

PAINT-04



MANUFACTURE: SHERWIN WILLIAMS
COLOR: SHOJI WHITE SW7042

PAINT-05



MANUFACTURE: SHERWIN WILLIAMS
COLOR: STILL WATER SW6223

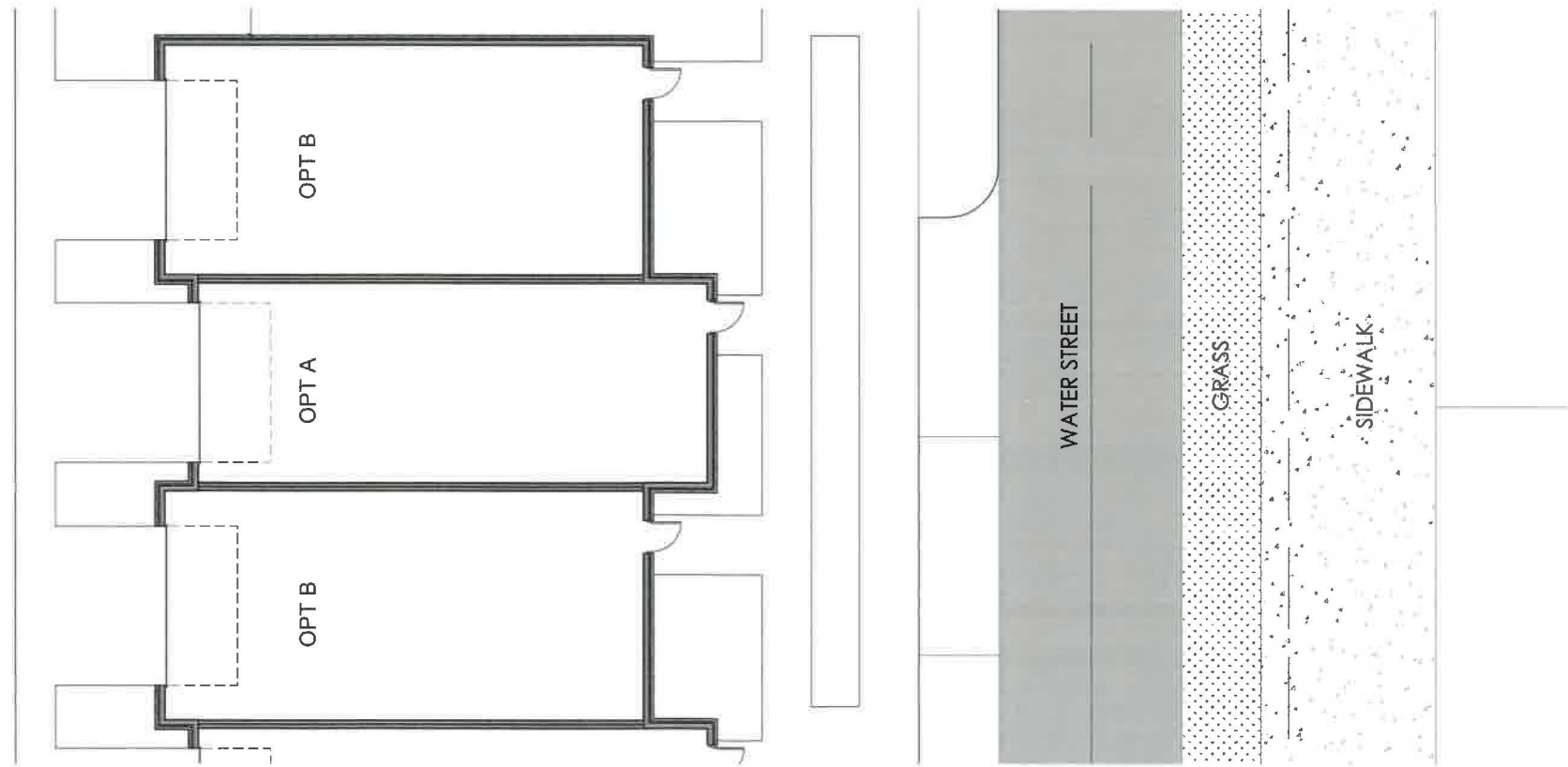
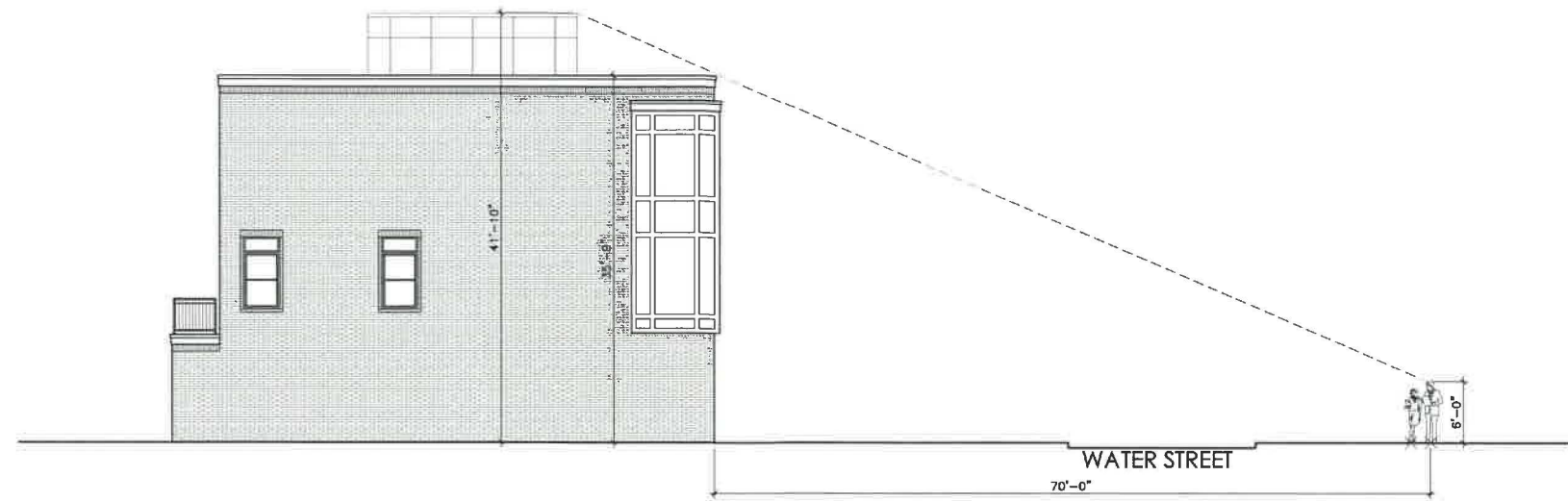
PAINT-06



MANUFACTURE: SHERWIN WILLIAMS
COLOR: ROSEMARY SW6187



VISIONS
Architecture



MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Andrew Burgei, Zoning Inspector

DATE: July 3, 2025

SUBJECT: Certificate of Appropriateness – 203 & 203 ½ S. Mulberry Street

PROPOSAL:

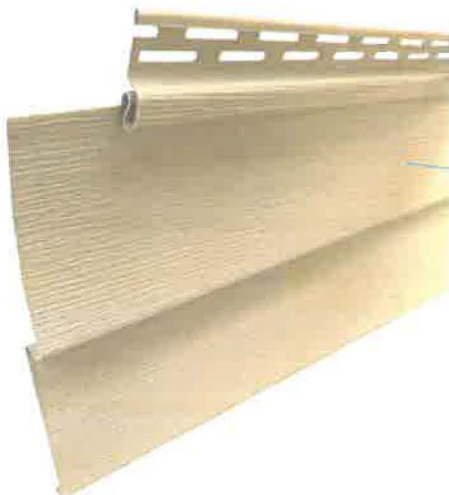
The Owner, Bonnie Kinney, has requested the Planning Commission to review the exterior alterations/repair at the property located at 203 & 203 ½ S. Mulberry Street. The property is located in the R-7 Multi-Family Residential District.

BACKGROUND:

The Ohio Historic Inventory (OHI) form describes this property as a two-story brick and frame residence with Queen Anne elements. Unusual brick first floor and frame second. The second-floor flares out at the top of the brick portion. Contributing features include: round-end wood shingles; 2 dormers; 1/1 and ornate 1/1 windows; front porch. Alterations include a shed roof addition and stairs & porch added at the rear for second floor access.

DISCUSSION:

Exterior Alterations/Repair. The applicant proposes alterations and repairs including replacement of deteriorated boards and new vinyl siding. The vinyl siding that is proposed will replace the fish-scale wood siding on the upper floors of the structure. The proposed color is beige (sunny maize). It is important to note that vinyl is present on the dormers, however it appears that this was altered without approval in between 2017-2021.



STAFF ANALYSIS (Design Manual):

Staff analysis can be found following each **bold** Design Manual guideline below:

Section 2.1 C. If it is not practical to retain the original materials or features due to the condition, unavailability, safety, or energy efficiency of original materials, then quality, contemporary, substitute materials, when approved by the Board, should replicate the material being replaced in composition, design, color, texture, and other visual qualities. Contemporary materials may be used if it is demonstrated that they have the same quality and character as historic materials. **The new siding will not match the fish scaled siding. Staff reached out to the property owner about looking into an alternative to the traditional horizontal vinyl siding. The applicant responded with cost concerns. Per the OHI form, the fish scale siding is a listed contributing feature to the district. The proposal does not meet this guideline. Properties in the vicinity to the north have found vinyl options of the fish scaled siding that match the design characteristics of the contributing features.**

Section 2.3 A. Original wood siding should not be covered over. **The original wood siding proposed to be covered. The proposal does not meet this guideline.**

Section 2.3 B. Wood siding should be used in one of the traditional forms as found on the building (e.g. shingle, board-and-batten, shiplap, or beveled siding). **The new siding will not match the existing style. The proposal does not meet this guideline.**

RECOMMENDATION (Vinyl Siding):

Staff recommends denial of the proposed alteration based upon the following:

1. The proposed alteration will alter a contributing feature as referenced on the OHI Form, and;
2. The alteration does not comply with design manual section 2.1 and 2.3 as outlined above.



CITY OF TROY PLANNING COMMISSION
APPLICATION FOR HISTORICAL TROY ARCHITECTURAL DISTRICT

Date 5-13-25

Applicant Bonnie Kinney Telephone No. 937-214-2035

Owner of Property Bonnie Kinney Has the Owner been Notified?

Address of Project 203 & 203 1/2 S. Mulberry St.

Contact Address (if different than Project Address) 9069 Union Shelby Rd. Piquette, OH 45356

Name of Architect/Engineer and/or Contractor Data Roofing, LLC

Application for renovation to include the following:

☒ Alteration

☐ Construction

☐ Moving A Building

☐ Painting

☒ Repair

☐ Demolish - Principal Structure

☐ Demolish - Accessory Structure

☐ Other:

Will the work require use of the public right of way? (Blocking of sidewalk, parking spaces, etc?) ☐ Yes ☒ No

*If yes, a use of public space application is required

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

- (a) Site Plan drawn to scale shall be provided showing structure in question & its relationship to adjacent structures.
- (b) Description of proposed use, if different than existing use.
- (c) Plans illustrating the proposed structural or exterior changes, including changes in parking facilities, landscaping, screening, fences, signs and other relevant structures and fixtures, and relationship to surrounding structures.
- (d) Description and samples of materials proposed to be used in the project.
- (e) Paint samples for painting applications.
- (f) Any other photographs or illustrative visual aids and/or materials relevant to the project.
- (g) A written letter from the owner acknowledging the application, or a printed signature from the property owner on this form.
- (h) Application fee: \$25.00

*The Planning Commission meets on the second and fourth Wednesday of every month. Completed applications are due a minimum of two weeks prior to the requested meeting date.

SIGNATURE OF APPLICANT:

bkinney0621@gmail.com

OFFICE USE ONLY:

DATE FILED:

SIGNATURE OF PROPERTY OWNER:

PRINTED NAME OF PROPERTY OWNER:

Bonnie Kinney Bonnie Kinney

CASE #:

DATE OF MEETING:



OHIO HISTORIC INVENTORY

Ohio Historic Preservation Office

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



OHIO
HISTORICAL
SOCIETY
SINCE 1885

1. No.		2. County Miami		4. Present Name(s) 203 S. Mulberry St.		☐ Coded		1. No.
3. Location of Negatives City of Troy Devel Dept		5. Historic or Other Name(s)						
Roll No. M		Picture No.(s) 17, 18						2. County
6. Specific Address or Location 203 S. Mulberry St.		16. Thematic Association(s)		28. No. of Stories 2		29. Basement? Yes ☒ No ☐		
6a. Lot, Section or VMD Number		17. Date(s) or Period 1887		17b. Alteration Date(s) 1898		30. Foundation Material Ashlar Stone		4.5. Present or Historic Name
7. City or Village Troy		18. Style or Design Queen Anne		☐ High Style ☒ Elements		31. Wall Construction Brick & Frame		
8. Site Plan with North Arrow		18a. Style of Addition or Element(s) N/A		19. Architect or Engineer		32. Roof Type & Material Hip/Ashphalt Shingle		6. Specific Address or Location
		19a. Design Sources		20. Contractor or Builder		33. No. of Bays Front 3 Side 3		
		21. Building Type or Plan N/A		22. Original Use, if apparent Residential		34. Exterior Wall Material(s) Running bond		6. Specific Address or Location
9. U.T.M. Reference Quadrangle Name Troy		23. Present Use Residential, 2 apartment		24. Ownership Public ☐ Private ☒		35. Plan Shape Shingles round end Square		
Zone Easting Northing		25. Owner's Name & Address, if known Elco Assoc. P.O. Box 853 Troy, OH		26. Property Acreage N/A		36. Changes (Explain in #42) Addition ☒ Altered ☒ Moved ☐		6. Specific Address or Location
11. On National Register? Yes ☐ No ☒		12. N.R. Potential? Yes ☐ No ☐		27. Other Surveys in Which Included N/A		37. Window Type(s) ☐ 6 over 6 ☒ 2 over 2 ☐ 4 over 4 ☒ Other		
13. Part of Estab. Hist. Dist.? Yes ☒ No ☐		14. District Potential? Yes ☐ No ☐		15. Name of Established District (N.R. or Local) Troy Historic District		38. Building Dimensions 35 x 35		6. Specific Address or Location
						39. Endangered? By What? Yes ☐ No ☐		
42. Further Description of Important Interior and Exterior Features (Continue on reverse if necessary) Two story brick and frame residence with Queen Anne elements. Unusual brick first floor and frame second. The second floor flares out at the top of the brick portion. CDF: include round-end wood shingles; 2 dormers; 1/1 and ornate 1/1 windows; front porch. Alterations include a shed roof addition and stairs & porch added at the rear for second floor access.		43. History and Significance (Continue on reverse if necessary) Built in 1887 with the front porch added in 1898.		44. Description of Environment and Outbuildings (See #52) Small urban setting of closely spaced buildings and numerous shade trees.		45. Sources of Information Field observation City of Troy Miami Co. property records		6. Specific Address or Location
						46. Prepared by J. Darbee/N. Recchie		
						47. Organization F. Conaway & Assoc.		6. Specific Address or Location
						48. Date Recorded in Field 5/97		
						49. Revised by		6. Specific Address or Location
						50a. Date Revised		
						50b. Reviewed by		

DATA Roofing LLC

Richard Booker Jr.
Owner

(937) 570-2337
DATAHOOFING@yahoo.com

8210 Mill Rd
Troy, OH 45373

Contractors Invoice

WORK PERFORMED AT:

TO: **BONNIE KINNEY**
203 Mulberry
Troy OH 45373

DATE

5-7-2025

YOUR WORK ORDER NO.

0025-0079

OUR BID NO.

DESCRIPTION OF WORK PERFORMED

Install New J-channel
Install New Siding *San Sunny Maize 82*
Install Corner
Install New Soffit
Wrap all Windows & Doors
Wrap all Fascia
Replace all Bad Boards
Remove all TRASH

$\$22,000 -$
 $1,540 -$

 $23,540$

PD OK 523
11,770
5-8-25

~~22,000 -~~
~~1,600~~

~~24,600~~

$\$11,770$

1/2 Down ~~12,300~~ Balance on Completion

COLOR - Sunny MAIZE

Bonnie Kinney

All Material is guaranteed to be as specified, and the above work was performed in accordance with the drawings and specifications provided for the above work and was completed in a substantial workmanlike manner for the agreed sum of

SUNNY MAIZE 22

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning & Zoning Manager

DATE: July 3, 2025

SUBJECT: Smith Annexation - Rezoning Request

BACKGROUND:

A request by the applicant, William Harrelson II, on behalf of the owner David Smith for the Planning Commission to consider the rezoning of the property located on S. Wilson Rd Parcel ID: C06-043500 from City Administered County Zoning to R-4 Single Family Residential. The property is located on the southeast corner of Wilson Rd and Fenner Rd. This property was annexed per Ordinance 16-25.

The land is currently used as agriculture. The surrounding zoning districts include the R-4 Single Family Residential District to the east, County zoning of A-2, General Agriculture to the north, west, and south. Please see attached Exhibit A – Zoning Map.

DISCUSSION:

The Zoning Code describes the proposed R-4 zoning district as “designed to accommodate single-family dwellings on lots with areas of at least nine thousand (9,000) 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. The Comprehensive Plan describes the R-4 District as medium to high density.”

The Comprehensive Plan’s Future Land Use Map displays this property as Future Single Unit Attached. Please see Exhibit B – Future Land Use Map.

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

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

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

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.

The changing condition that led to this rezoning request is the development of the Reserve at Cliff Oaks Subdivision to the east and the annexation. The proposed zoning district will not have any adverse effects in the area. Residential uses exist to the east of the subject property.

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.

The proposed use is compatible and similar to the residential uses that currently exist to the east with the Reserve at Cliff Oaks Subdivision.

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

Adequate utilities are being provided or will be provided to the property in reference.

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

In the vicinity of the subject property, there is no available vacant land for development with the R-4 zoning classification.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

Not applicable in this request.

PUBLIC HEARING:

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

RECOMMENDATION:

It is staff's opinion that the proposed rezoning will achieve the desired residential uses as outlined in the Future Land Use Map of the Comprehensive Plan and Zoning Code. Staff recommends the Planning Commission provide a positive recommendation to City Council for the proposed rezoning based upon the following:

- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code and Comprehensive Plan; and

- The proposed rezoning is consistent with the surrounding zoning districts; and
- The proposed use is consistent with permitted uses in the R-4 Single Family Residential District.

Exhibit A Zoning Map

Legend

 Proposed Rezoning

Zones

-  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
-  Code Enforcement
-  Point

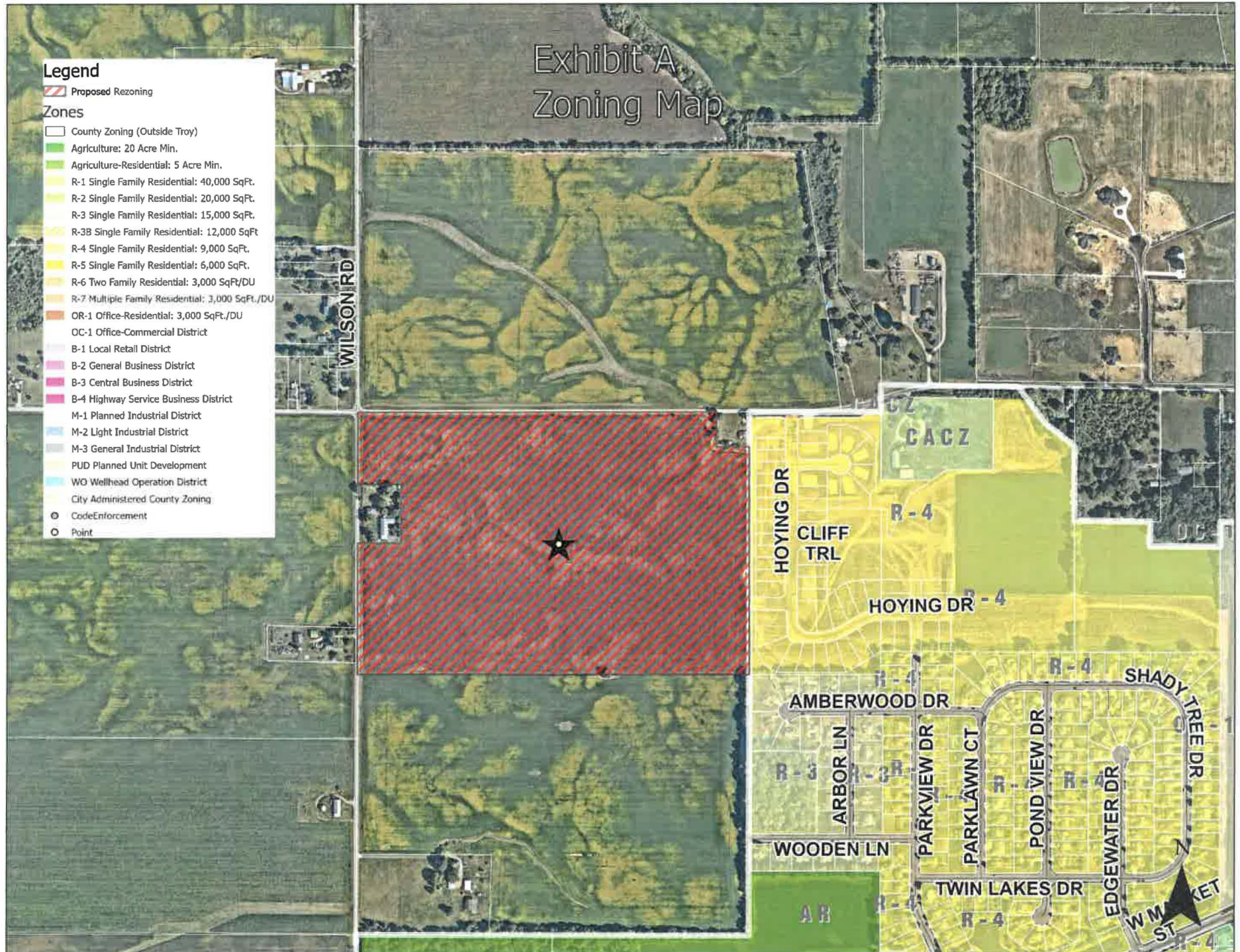
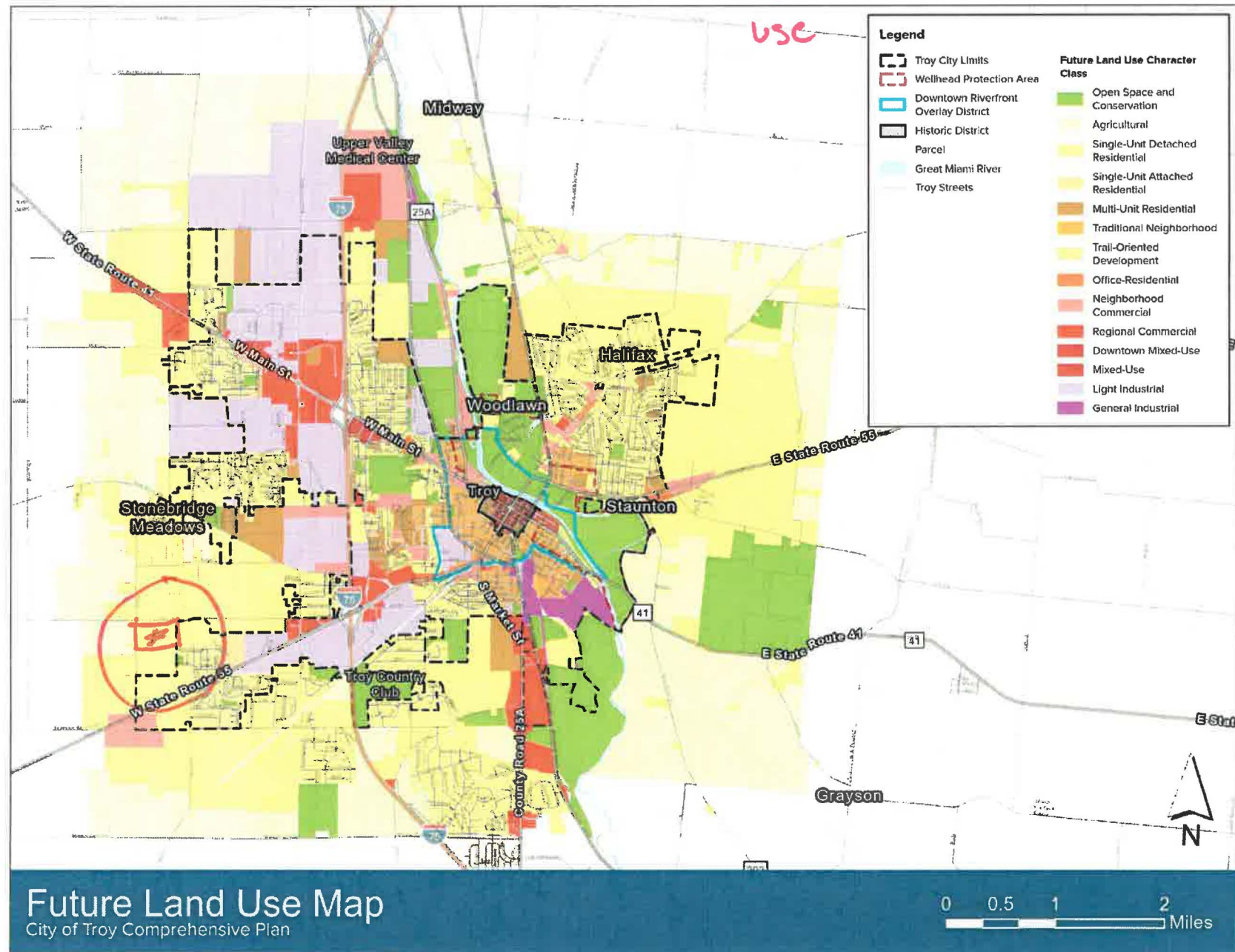


FIGURE 11: FUTURE LAND USE MAP

Exhibit B - Future Land Use



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

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

20250278
Office Use Only

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

APPLICATION IS DUE TWO (2) WEEKS PRIOR TO MEETING

APPLICATION FOR ZONING AMENDMENT CITY OF TROY PLANNING COMMISSION

(MUST BE TYPED OR PRINTED LEGIBLY IN BLACK INK)

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

An application for an amendment to the City of Troy, Ohio Zoning Code that would change the zoning classification for the property located at S. Wilson Road, Troy, Ohio 45373 (see attached legal description)

being lot number(s) C06-043500 from A to R-4
(Parcel Identification Number) (Existing Zoning Classification) (Proposed Zoning Classification)

OWNER

Name David Smith
Address 445 E. Crystal Lake Road
City Burnsville
State MN
Zip Code 55306
Phone No. 612-499-8378
Fax No. _____
Email linerman55124@yahoo.com

APPLICANT

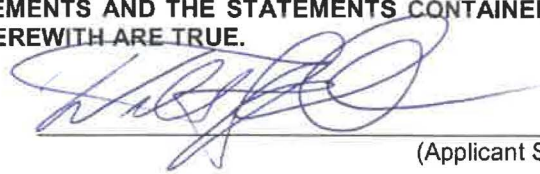
Name William M. Harrelson II
Address 9 West Water Street
City Troy
State OH
Zip Code 45373
Phone No. 937-552-9400
Fax No. _____
Email will@harrelsonllp.com

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

PLEASE PROVIDE THE FOLLOWING:

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

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



(Applicant Signature)

Subscribed and sworn to before me this 3rd day of June, 2025

My Commission Expires 3/19/2030
(Month/Date/Year)



Kate Reinhart
Notary Public, State of Ohio
My Commission Expires:
03/19/2030



(Notary Public)

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

REQUIRED DOCUMENTS:

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

Additional Documentation (List):

PLANNING COMMISSION DISPOSITION:

PUBLIC HEARING DATE

RECOMMENDATION TO CITY COUNCIL

CITY COUNCIL DISPOSITION:

1st Reading: 2nd: 3rd: PUBLIC HEARING DATE

COUNCIL COMMITTEE RECOMMENDATION

Approved: Denied: CITY COUNCIL ACTION

Ordinance Number: _____

Effective Date: _____

Revised 10/25/11

TROY, OHIO REZONING PETITION

EXHIBIT "A"

The current owner is currently seeking a rezoning as a contingency to a real estate purchase contract entered into between David Smith and Toro Real Estate Partners LLC.

The subject property is currently zoned A-2 on the Miami County zoning map and is pending annexation to the City of Troy. After annexation, we anticipate a zoning designation of "A" under the City of Troy's zoning ordinances.

The purchaser is seeking to develop the property into a residential neighborhood adjacent to the existing development at Fenner Road (and Hoying Drive). Thus, the purchaser is seeking to develop the subject property under an R-4 zoning classification for the construction over an approximate 170 lots measuring 60'x150' with rights of way and setbacks compliant with the City of Troy zoning ordinances.

A site plan is attached as Exhibit "C" and will be developed in accordance and in collaboration with the City of Troy staff.

Exhibit B.

LEGAL DESCRIPTION
ANNEXATION OF 57.679 ACRES TO THE CITY OF TROY, OHIO

SITUATE IN SECTION 36, TOWN 7, RANGE 5, CONCORD TOWNSHIP, MIAMI COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS;

Beginning at a Mag nail found at the intersection of the centerline of Fenner Road and the centerline of Wilson Road, being the southwest corner of a 71.037-acre tract of land owned by Vaughn A. Jackson as conveyed in 2024OR-06605, the northeast corner of a 98.162-acre tract of land owned by Sharon L. Frasure, Beverly A. Shannon, and Stanley C. Fouts as conveyed in Deed Book 800, Page 207, and being the northwest corner of the northeast quarter of Section 36 and the southwest corner of the southeast quarter of Section 25;

thence, South 89°-56'-54" East, 1809.73 feet, along the centerline of Fenner Road and the north line of Section 36 to a Mag nail set on the west line of a 0.67-acre tract of land owned by Charles E. and Sandra K. McAdams as conveyed in 2021OR-19913, and the south line of said 71.037-acre Jackson tract;

thence, South 00°-04'-56" East, 176.00 feet, along the west line of said 0.67-acre McAdams tract to an iron pin with cap set, passing for reference an iron pin with cap set on the south right-of-way of Fenner Road at 30.00 feet;

thence, South 89°-56'-54" East, 165.00 feet, along the south line of said 0.67-acre McAdams tract to the remnants of a wood post, witness at South 69°-10'-01" West, 0.56 feet, on the west line of Inlot 11662 of The Reserves at Cliff Oaks-Phase One as shown on Record Plat Book 30, Page 87;

thence, South 00°-04'-56" East, 1145.08 feet, along the west line of said Inlot 11662 to an iron pin found with a "Northmont" cap at the southwest corner of Inlot 11663 of said Reserves at Cliff Oaks, the northwest corner of Inlot 9880 of Edgewater Section Four as shown on Record Plat Book 21, Pages 9-9A, and being at the northeast corner of a 53.4846-acre tract of land owned by Vaughn A. Jackson as conveyed in 2024OR-06605;

thence, North 89°-47'-44" West, 1978.10 feet, along the north line of said 53.4846-acre Jackson tract to a Mag nail found in the centerline of Wilson Road, said centerline being the half section line of Section 36 and being on the east line of said 98.162-acre Frasure tract, passing for reference an iron pin with cap set on the east right-of-way line at 1948.18 feet;

thence, North 00°-03'-50" East, 658.57 feet, along the centerline of Wilson Road and the east line of said 98.162-acre Frasure tract to a railroad spike found at the southwest corner of a 1.475-acre tract of land owned by Alan C. and Barbara A. Duling as conveyed in Deed Book 602, Page 587, passing for reference Mag nail found at 59.46 feet on the southeast corner of a 1.838-acre tract of land owned by Gabriel L. and Lauren H. W. Kirk as conveyed in 2015OR-08632 and a Mag nail found at the northeast corner of said 1.838-acre Kirk tract at 235.46 feet;

thence, South 89°-33'-11" East, 218.01 feet, along the south line of said 1.475-acre Duling tract to an iron pin found, passing for reference a bent iron pin found on the east right-of-way line of Wilson Road at 30.00 feet;

thence, North 00°-03'-49" East, 295.46 feet, along the east line of said 1.475-acre Duling tract to an iron pin found with a "Turner" cap;

thence, North 89°-56'-11" West, 218.00 feet, along the north line of said 1.475-acre Duling tract to a railroad spike found in the centerline of Wilson Road and the east line of said 98.162-acre Frasure tract, passing for reference a bent iron pin found on the east right-of-way at 188.11 feet;

thence, North 00°-03'-50" East, 363.23 feet, along the centerline of Wilson Road and the east line of said 98.162-acre Frasure tract to the place of beginning.

Containing 57.679 acres more or less and all being subject to any legal highways and easements of record.

The bearings are based on NAD 83 CORS 2011 adjustment, Ohio South Zone, OHIO REAL TIME NETWORK (ORTN).

The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a field survey performed under his direct supervision and dated January 28, 2025.

All iron pins set are 5/8" x 30" rebar with caps reading "C.O.E.C./AJB LS-8629".


Allen J. Bertke, PS #8629



02/03/2025
Date

Exhibit C.

ANNEXATION TO THE
CITY OF TROY

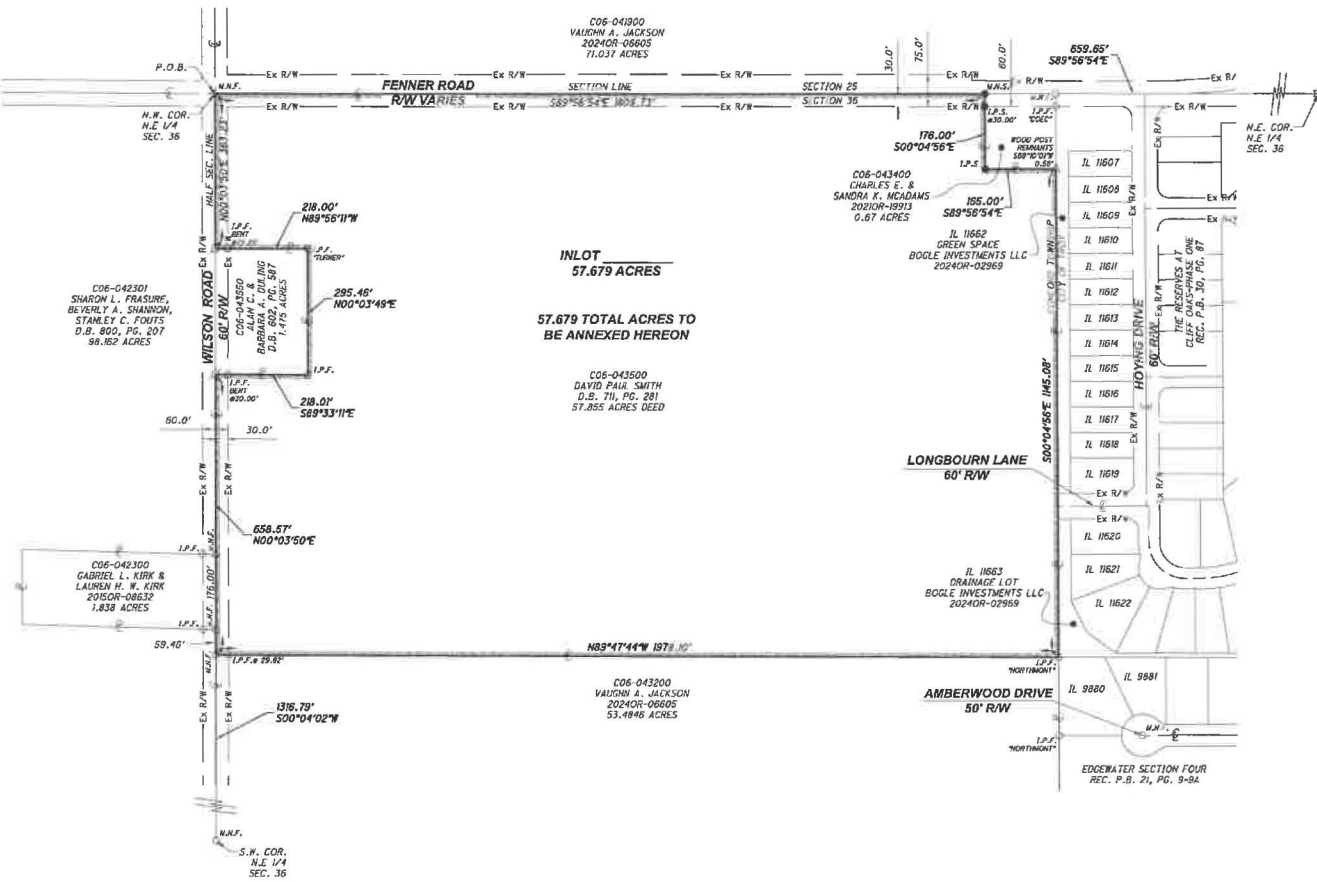
VOLUME _____, PAGE _____
MIAMI COUNTY RECORDER'S RECORD OF PLATS

THE BEARINGS ARE BASED ON
NAD 83 CORS 2011 ADJUSTMENT,
OHIO SOUTH ZONE,
OHIO REAL TIME NETWORK (ORTN)



- LEGEND**
- I.P.S. 5/8" X 30" REBAR W/CAP SET
 - I.P.F. IRON PIN FOUND
 - M.N.S. MAG NAIL SET
 - M.N.F. MAG NAIL FOUND
 - ⚡ RAILROAD SPIKE FOUND
 - △ POST FOUND
 - ⊛ STONE FOUND
 - ||||| EXISTING CORP. LIMITS
 - NEW CORP. LIMITS

7 5 36
TOWN RANGE SECTION
57.679 CONCORD TROY MIAMI
ACRES TOWNSHIP CITY COUNTY



FEE \$ _____
MIAMI COUNTY RECORDER BY DEPUTY RECORDER
MIAMI COUNTY AUDITOR
APPROVED AND TRANSFERRED _____, 20__.
MIAMI COUNTY AUDITOR BY DEPUTY AUDITOR
ANNEXATION PROCEEDINGS RECORDED IN
20__ OR-_____

MIAMI COUNTY COMMISSIONERS

THIS PLAT WAS REVIEWED AND APPROVED BY US
THIS ____ DAY OF _____, 20__.

TED S. MERCER, PRESIDENT

WADE H. WESTFALL, VICE-PRESIDENT

GREGORY A. SIMMONS, MEMBER

MIAMI COUNTY ENGINEER

THIS PLAT WAS INSPECTED AND APPROVED BY US
THIS ____ DAY OF _____, 20__.

MIAMI COUNTY ENGINEER

CITY OF TROY COUNCIL

THIS PLAT WAS REVIEWED AND ACCEPTED BY THE CITY OF TROY COUNCIL
THIS ____ DAY OF _____, 20__ BY
ORDINANCE NO. _____

MAYOR PRESIDENT OF COUNCIL CLERK OF COUNCIL

SURVEY REFERENCE
LAND SURVEY 36, PAGE 6
LAND SURVEY 39, PG. 155
LAND SURVEY 51, PG. 191
LAND SURVEY 61, PG. 56
REC. P.B. 10, PG. 88
REC. P.B. 21, PG. 9-9A
REC. P.B. 23, PG. 74
REC. P.B. 30, PG. 29
REC. P.B. 30, PG. 87-87C

CONTIGUITY NOTE:

TOTAL PERIMETER OF THE ANNEXATION AREA IS 7027.18 FEET
TOTAL OF 1145.08 FEET CONTIGUOUS WITH THE EXISTING CITY
OF TROY CORPORATION LINE OF RECORD.
16.295% CONTIGUITY OF THE ANNEXED AREA IS CONTIGUOUS TO
THE EXISTING CITY OF TROY CORPORATION LINE OF RECORD.

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, 2025. ALL MEASUREMENTS ARE CORRECT AND
MONUMENTS ARE SET OR TO BE SET AS SHOWN.

ALLEN J. BERTKE, P.S. #8629 DATE _____



PREPARED BY:
ChoiceOne
Engineering
SIDNEY, OHIO 937-497-0200
LOVELAND, OHIO 513.239.8554
www.CHOICEONEENGINEERING.com

DATE:
02-03-2025
DRAWN BY:
MBK
JOB NUMBER:
MIATRO2501
SHEET NUMBER
1 OF 1

TROY, OHIO REZONING PETITION

EXHIBIT "A"

The current owner is currently seeking a rezoning as a contingency to a real estate purchase contract entered into between David Smith and Toro Real Estate Partners LLC.

The subject property is currently zoned A-2 on the Miami County zoning map and is pending annexation to the City of Troy. After annexation, we anticipate a zoning designation of "A" under the City of Troy's zoning ordinances.

The purchaser is seeking to develop the property into a residential neighborhood adjacent to the existing development at Fenner Road (and Hoying Drive). Thus, the purchaser is seeking to develop the subject property under an R-4 zoning classification for the construction over an approximate 170 lots measuring 60'x150' with rights of way and setbacks compliant with the City of Troy zoning ordinances.

A site plan is attached as Exhibit "C" and will be developed in accordance and in collaboration with the City of Troy staff.

**LEGAL DESCRIPTION
ANNEXATION OF 57.679 ACRES TO THE CITY OF TROY, OHIO**

SITUATE IN SECTION 36, TOWN 7, RANGE 5, CONCORD TOWNSHIP, MIAMI COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS;

Beginning at a Mag nail found at the intersection of the centerline of Fenner Road and the centerline of Wilson Road, being the southwest corner of a 71.037-acre tract of land of owned by Vaughn A. Jackson as conveyed in 2024OR-06605, the northeast corner of a 98.162-acre tract of land owned by Sharon L. Frasure, Beverly A. Shannon, and Stanley C. Fouts as conveyed in Deed Book 800, Page 207, and being the northwest corner of the northeast quarter of Section 36 and the southwest corner of the southeast quarter of Section 25;

thence, South 89°-56'-54" East, 1809.73 feet, along the centerline of Fenner Road and the north line of Section 36 to a Mag nail set on the west line of a 0.67-acre tract of land owned by Charles E. and Sandra K. McAdams as conveyed in 2021OR-19913, and the south line of said 71.037-acre Jackson tract;

thence, South 00°-04'-56" East, 176.00 feet, along the west line of said 0.67-acre McAdams tract to an iron pin with cap set, passing for reference an iron pin with cap set on the south right-of-way of Fenner Road at 30.00 feet;

thence, South 89°-56'-54" East, 165.00 feet, along the south line of said 0.67-acre McAdams tract to the remnants of a wood post, witness at South 69°-10'-01" West, 0.56 feet, on the west line of Inlot 11662 of The Reserves at Cliff Oaks-Phase One as shown on Record Plat Book 30, Page 87;

thence, South 00°-04'-56" East, 1145.08 feet, along the west line of said Inlot 11662 to an iron pin found with a "Northmont" cap at the southwest corner of Inlot 11663 of said Reserves at Cliff Oaks, the northwest corner of Inlot 9880 of Edgewater Section Four as shown on Record Plat Book 21, Pages 9-9A, and being at the northeast corner of a 53.4846-acre tract of land owned by Vaughn A. Jackson as conveyed in 2024OR-06605;

thence, North 89°-47'-44" West, 1978.10 feet, along the north line of said 53.4846-acre Jackson tract to a Mag nail found in the centerline of Wilson Road, said centerline being the half section line of Section 36 and being on the east line of said 98.162-acre Frasure tract, passing for reference an iron pin with cap set on the east right-of-way line at 1948.18 feet;

thence, North 00°-03'-50" East, 658.57 feet, along the centerline of Wilson Road and the east line of said 98.162-acre Frasure tract to a railroad spike found at the southwest corner of a 1.475-acre tract of land owned by Alan C. and Barbara A. Duling as conveyed in Deed Book 602, Page 587, passing for reference Mag nail found at 59.46 feet on the southeast corner of a 1.838-acre tract of land owned by Gabriel L. and Lauren H. W. Kirk as conveyed in 2015OR-08632 and a Mag nail found at the northeast corner of said 1.838-acre Kirk tract at 235.46 feet;

thence, South 89°-33'-11" East, 218.01 feet, along the south line of said 1.475-acre Duling tract to an iron pin found, passing for reference a bent iron pin found on the east right-of-way line of Wilson Road at 30.00 feet;

thence, North 00°-03'-49" East, 295.46 feet, along the east line of said 1.475-acre Duling tract to an iron pin found with a "Turner" cap;

thence, North 89°-56'-11" West, 218.00 feet, along the north line of said 1.475-acre Duling tract to a railroad spike found in the centerline of Wilson Road and the east line of said 98.162-acre Frasure tract, passing for reference a bent iron pin found on the east right-of-way at 188.11 feet;

thence, North 00°-03'-50" East, 363.23 feet, along the centerline of Wilson Road and the east line of said 98.162-acre Frasure tract to the place of beginning.

Containing 57.679 acres more or less and all being subject to any legal highways and easements of record.

The bearings are based on NAD 83 CORS 2011 adjustment, Ohio South Zone, OHIO REAL TIME NETWORK (ORTN).

The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a field survey performed under his direct supervision and dated January 28, 2025.

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Allen J. Bertke, PS #8629



02/03/2025
Date

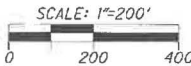
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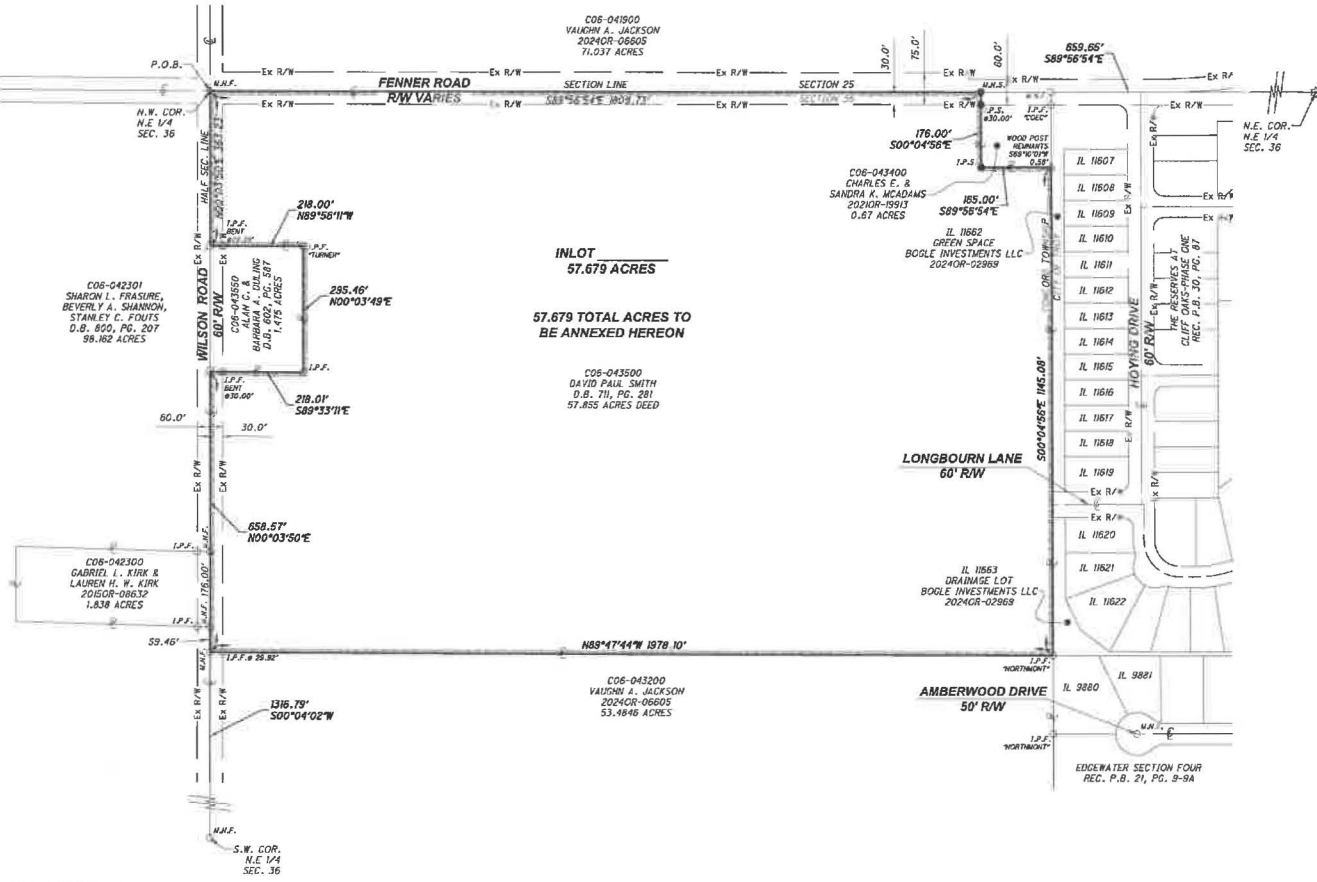
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ALLEN J. BERTKE, P.S. #8629 DATE _____

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GREGORY A. SIMMONS, MEMBER

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MAYOR PRESIDENT OF COUNCIL CLERK OF COUNCIL



PREPARED BY:
ChoiceOne Engineering
SIDNEY, OHIO 937.497.0200
LOVELAND, OHIO 513.239.8354
www.CHOICEONEENGINEERING.com

DATE:
02-03-2025
DRAWN BY:
MBK
JOB NUMBER:
MIATRO2501
SHEET NUMBER
1 OF 1