

A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall on Wednesday, March 26, 2025 at 3:30 p.m. with Chairman James McGarry presiding. ATTENDING: Members – McGarry, Oda, Westmeyer, Erlich, Wolke, and Titterington; Development Staff – Eidemiller, Bruner and Burgei; and Development Director Davis.

APPROVAL OF MINUTES: Upon motion of Mrs. Ehrlich, seconded by Mr. Westmeyer, the minutes of the February 12, 2025, meeting were approved by unanimous voice vote.

REZONING APPLICATION – 191 COMMERCE CENTER BOULEVARD, A PORTION OF PARCEL NO. D08-105472, FROM R-4, SINGLE-FAMILY RESIDENCE DISTRICT, AND OC-1, OFFICE COMMERCIAL DISTRICT, TO M-2, LIGHT INDUSTRIAL DISTRICT, NORTH OF MCKAIG ROAD; OWNER - KOMYO AMERICA CO., INC.; APPLICANT – CRAIG E. SWEENEY, 40 N. MAIN STREET, SUITE 1700, DAYTON, OH. Staff reported: The land is currently vacant; the surrounding zoning districts include the M-2 Light Industrial District to the north and west; the OC-1 Office Commercial District is present to the south; County zoning of R-1AAA, One Family Residential, is present to the south; and the property is bounded by interstate 75 to the east. Staff noted that the property has multiple zoning districts on the same lot. The majority of the lot is currently zoned M-2 Light Industrial District.

The Zoning Code describes the proposed M-2 Light Industrial District as “Purpose. The "M-2" Light Industrial District is designed to provide for industrial uses, which can be operated in such a manner as to conform to the applicable performance standards specified in the district. These performance standards regulate such uses in order to prohibit congestion and for the protection of adjacent residential and business activities.”

The Comprehensive Plan’s Future Land Use Map displays this property as future light industrial land. 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. **Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.**

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions. **The proposed rezoning is not made necessary because of changing conditions in the affected area. The proposed use will not have any adverse effects in the area and is similar to the industrial uses that currently exist to the north.**

(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 industrial uses that currently exist to directly to the north. It is important to note that the property is currently zoned M-2 Light Industrial District with the R-4 Single Family Residential and the OC-1 Office Commercial District being present on the same lot.**

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

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development. **In the vicinity of the subject property, there is minimal vacant industrial land available for development. Only sixteen (16) acres of M-2 Light Industrial District are vacant in the immediate vicinity of the subject property.**

(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.**

Due to the straightforward 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 did not recommend a public hearing before the Planning Commission is warranted.

Staff’s opinion is that the proposed rezoning will achieve the desired M-2 Light Industrial District as identified in the City of Troy’s Comprehensive Plan. Additionally, about 23 acres of the 29-acre tract is currently zoned M-2 Light Industrial District. Staff recommend that the Planning Commission recommend approval of the proposed rezoning from OC-1 Office Commercial District and the R-4 Single Family Residential District to the M-2 Light Industrial District based on the following:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code
- The proposed rezoning is consistent with the surrounding zoning districts
- The proposed rezoning is consistent with the City’s Comprehensive Plan

DISCUSSION. Mr. McGarry asked how the current zoning came to be, with staff suggesting it may have been as a buffer.

PUBLIC HEARING. A motion was made by Mr. Titterington, seconded by Mrs. Ehrlich, that the Planning Commission does not hold a public hearing on the rezoning application for 191 Commerce Center Blvd., noting that Council will hold a public hearing.

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

RECOMMENDATION. A motion was made by Mayor Oda, seconded by Mr. Westmeyer, that the Planning Commission recommends to Troy City Council the application to rezone 191 Commerce Center Boulevard, a Portion of Parcel No. D08-105472, from R-4, Single-Family Residence District, and OC-1, Office Commercial District, to M-2, Light Industrial District, be approved as submitted and based on the findings of staff that:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code
- The proposed rezoning is consistent with the surrounding zoning districts
- The proposed rezoning is consistent with the City’s Comprehensive Plan

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

OTHER: Annie Shoemaker, 263 Elmwood Dr., Troy, Ohio, asked the Commission to recommend to Troy City Council that residents be permitted to raise chickens in the City limits. She commented that this has been allowed by the City of Piqua, and discussed benefits, including that fresh eggs have more nutrients; people can share food with neighbors; they can be used as educational tool for children; chickens are more noisy or smelly than keeping a dog in a yard; a roster is not required for chickens to lay eggs; and she does not think many people would actually raise chickens. In response to Mrs. Ehrlich, Ms. Shoemaker indicated she did not know of requirements to identity and deal with bird flu. The Commission did not provide a response to Ms. Shoemaker.

There being no further business, the meeting adjourned at 3:45 p.m. upon motion of Mr. Titterington, seconded by Mayor Oda, and approved by a unanimous voice vote.

Respectfully submitted,

____Chairman

____Secretary