

AGENDA
CITY PLANNING COMMISSION

City Hall - Council Chambers
6131 Taylorsville Road
May 11, 2021
6:00 P.M.

1. Call Meeting To Order

2. Roll Call

3. Opening Remarks By The Chair and Commissioners

4. Citizens Comments

5. Swearing of Witnesses

6. Pending Business

   A. None

7. New Business

   A. LOT SPLIT - The applicant, Campbell Berling Huber Heights, is requesting approval of a Lot Split of 0.154 acres at 4820 Chambersburg Road (ZC 21-13).

   B. MAJOR CHANGE AND REZONING - The applicant, Campbell Berling Huber Heights, is requesting approval of a Major Change to the Basic Development Plan and Rezoning from R-4 Residence to PR Planned Residential for Property located on the South Side of Chambersburg Road (ZC 21-14).

   C. MAJOR CHANGE - The applicant, Roger White, is requesting approval of a Major Change for a Dog Training facility at property located at 6166 Apache Street (ZC 21-15).

   D. REZONING AND BASIC DEVELOPMENT PLAN - The applicant, Broad Reach Retail Partners, LLC, is requesting approval of a Rezoning and Basic Development Plan for 17.2 acres at the Old Troy Pike and Taylorsville Road intersection (ZC 21-16).

8. Additional Business

   A. None

9. Approval of Minutes

   A. Planning Commission April 27, 2021

10. Reports and Calendar Review

   A. Major Change, Take 5 Oil Change

   B. Minor Change, Callamere Farms

11. Upcoming Meetings

   A. May 25, 2021

   B. June 15, 2021

12. Adjournment

AI-7590 **7. A.**

Planning Commission

Meeting Date: 05/11/2021

LOT SPLIT

Information

Agenda Title

LOT SPLIT - The applicant, Campbell Berling Huber Heights, is requesting approval of a Lot Split of 0.154 acres at 4820 Chambersburg Road (ZC 21-13).

Purpose and Background

Attachments

Staff Report

Decision Record

Drawing

Memorandum

Staff Report for Meeting of May 11, 2021

To: Huber Heights City Planning Commission

From: Scott P. Falkowski, Assistant City Manager

Date: May 6, 2021

Subject: ZC 21-13 Lot Split 4820 Chambersburg Road

- Application dated April 15, 2021

Department of Planning and Zoning City of Huber Heights

APPLICANT/OWNER:	Campbell Berling Huber Heights – Applicant Kathleen L Eavenson – Owner
DEVELOPMENT NAME:	Quail Ridge
ADDRESS/LOCATION:	4820 Chambersburg Road
ZONING/ACREAGE:	Residence (R-4) / 1.582 acres
EXISTING LAND USE:	Residential
ZONING ADJACENT LAND:	PR, R-4
REQUEST:	The applicant requests approval of a lot split of 0.154 acres at 4820 Chambersburg Road
ORIGINAL APPROVAL:	N/A
APPLICABLE HHCC:	Chapter 1107
CORRESPONDENCE:	In Favor – None Received In Opposition – None Received

STAFF ANALYSIS AND RECOMMENDATION:

Overview

The applicant requests a lot split of a 1.582-acre parcel to split off a 0.154 acre tract. The 0.154 acre tract is being proposed to be combined with the neighboring Quail Ridge Development. The remainder parcel is currently used as a residential property and will remain that way. The new lot does not meet the frontage or size requirements of the R-4 Zoning District, so it shall be combined with the neighboring property and rezoned to PR- Planned Residential.

Recommendation

After review of the applicant's proposal, staff recommends approval of the lot split in accordance with the conditions contained in the proposed Decision Record for Planning Commission's consideration.

Planning Commission Decision Record

WHEREAS, on April 15, 2021, the applicant, Campbell Berling Huber Heights, requested approval of a Lot Split of 0.154 acres from parcel P70 04004 0091 on the Montgomery County, Ohio Records (Zoning Case 21-13), and;

WHEREAS, on May 11, 2021, the Planning Commission did meet and fully discuss the details of the request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby approved the request.

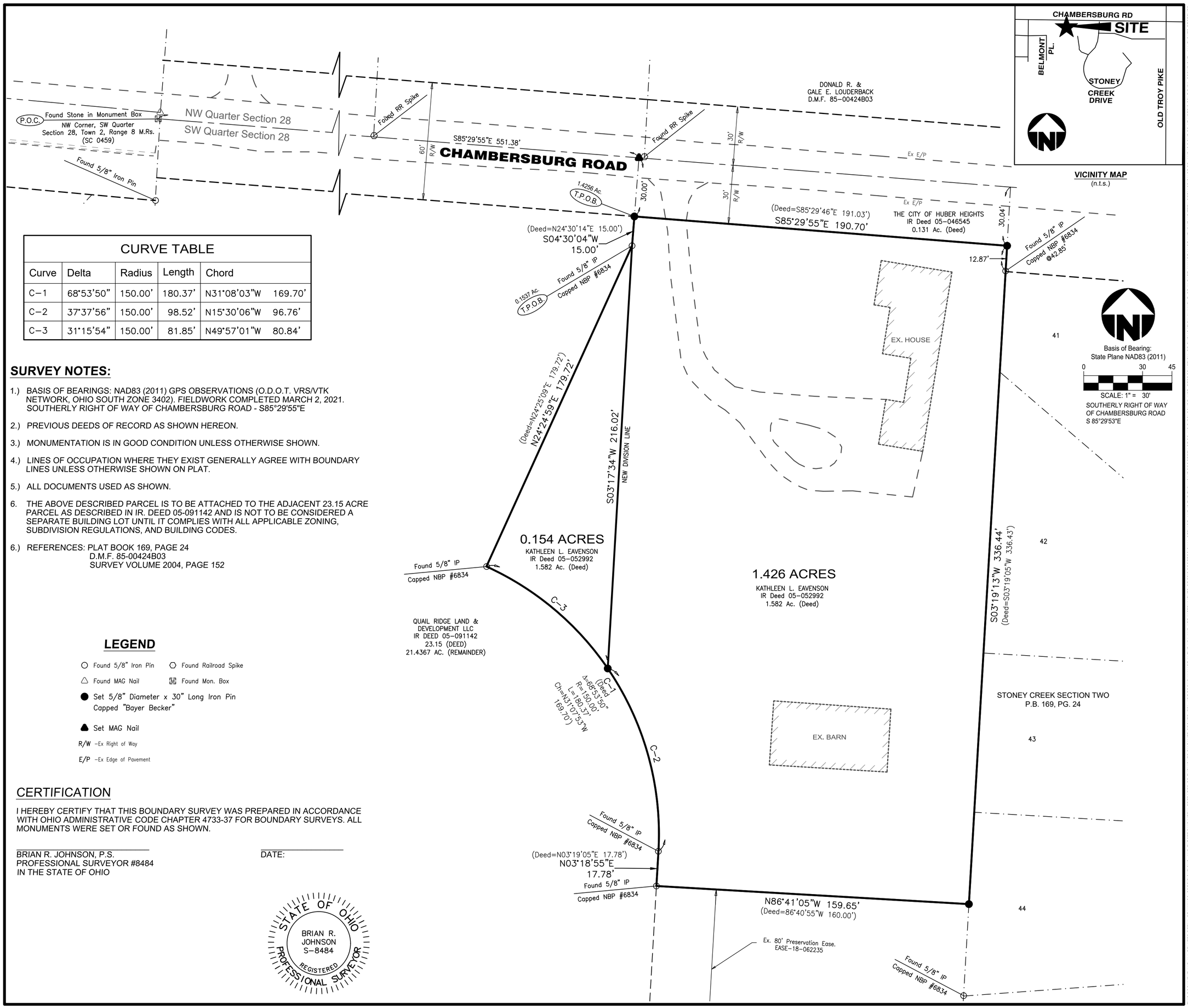
_____ moved to approve the request by Campbell Berling Huber Heights for approval of a Lot Split of 0.154 acres from parcel P70 04004 0091 on the Montgomery County, Ohio Records (Zoning Case 21-13) in accordance with the recommendation of Staff's Memorandum dated May 6, 2021, with the following conditions:

1. The Lot Split shall be the plans stamped received by the City of Huber Heights Planning Department on April 28, 2021.
2. The new lot created shall be combined with the adjacent property.
3. The property shall be rezoned to match the zoning of the adjacent property.

Seconded by _____. Roll call showed: YEAS: ____. NAYS: ____. Motion to approve carried ____.

_____ _____

Terry Walton, Chair Date
Planning Commission



CURVE TABLE					
Curve	Delta	Radius	Length	Chord	
C-1	68°53'50"	150.00'	180.37'	N31°08'03"W	169.70'
C-2	37°37'56"	150.00'	98.52'	N15°30'06"W	96.76'
C-3	31°15'54"	150.00'	81.85'	N49°57'01"W	80.84'

SURVEY NOTES:

1.) BASIS OF BEARINGS: NAD83 (2011) GPS OBSERVATIONS (O.D.O.T. VRS/VTK NETWORK, OHIO SOUTH ZONE 3402). FIELDWORK COMPLETED MARCH 2, 2021. SOUTHERLY RIGHT OF WAY OF CHAMBERSBURG ROAD - S85°29'55"E

2.) PREVIOUS DEEDS OF RECORD AS SHOWN HEREON.

3.) MONUMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE SHOWN.

4.) LINES OF OCCUPATION WHERE THEY EXIST GENERALLY AGREE WITH BOUNDARY LINES UNLESS OTHERWISE SHOWN ON PLAT.

5.) ALL DOCUMENTS USED AS SHOWN.

6. THE ABOVE DESCRIBED PARCEL IS TO BE ATTACHED TO THE ADJACENT 23.15 ACRE PARCEL AS DESCRIBED IN IR. DEED 05-091142 AND IS NOT TO BE CONSIDERED A SEPARATE BUILDING LOT UNTIL IT COMPLIES WITH ALL APPLICABLE ZONING, SUBDIVISION REGULATIONS, AND BUILDING CODES.

6.) REFERENCES: PLAT BOOK 169, PAGE 24
D.M.F. 85-00424B03
SURVEY VOLUME 2004, PAGE 152

LEGEND

- ○ Found 5/8" Iron Pin
- ⎔ Found Railroad Spike
- △ Found MAG Nail
- ▣ Found Mon. Box
- ● Set 5/8" Diameter x 30" Long Iron Pin Capped "Bayer Becker"
- ▲ Set MAG Nail
- R/W –Ex Right of Way
- E/P –Ex Edge of Pavement

CERTIFICATION

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733-37 FOR BOUNDARY SURVEYS. ALL MONUMENTS WERE SET OR FOUND AS SHOWN.

BRIAN R. JOHNSON, P.S.
PROFESSIONAL SURVEYOR #8484
IN THE STATE OF OHIO

DATE:

STATE OF OHIO
BRIAN R. JOHNSON
S-8484
REGISTERED
PROFESSIONAL SURVEYOR

RECORD OF LAND SURVEYS
VOLUME 2021, PAGE 0131

Item	Revision Description	Date	Drwn:	Chk:

0.1537 ACRES & 1.4256 ACRES

SECTION 28, TOWN 2, RANGE 8 M.Rs
CITY OF HUBER HEIGHTS
MONTGOMERY COUNTY, OHIO

PLAT OF SURVEY

bayer becker
www.bayerbecker.com
6900 Tylersville Road, Suite A
Mason, OH 45040 - 513.336.6600

Drawing: 20-0257 SP
Drawn by: BJR
Checked By: BRJ
Issue Date: 4-28-21
Sheet: 1/1

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Plot time: May 03, 2021 - 3:36pm
Drawing name: J:\2020\20-0257\SV\DWG\20-0257 SP.dwg - Layout Tab: SP

AI-7592 **7. B.**

Planning Commission

Meeting Date: 05/11/2021

MAJOR CHANGE AND REZONING

Information

Agenda Title

MAJOR CHANGE AND REZONING - The applicant, Campbell Berling Huber Heights, is requesting approval of a Major Change to the Basic Development Plan and Rezoning from R-4 Residence to PR Planned Residential for Property located on the South Side of Chambersburg Road (ZC 21-14).

Purpose and Background

Attachments

Staff Report

Decision Record

Drawing

Fire Assessment

Memorandum

Staff Report for Meeting of May 11, 2021

To: Huber Heights City Planning Commission

From: Scott P. Falkowski, Assistant City Manager

Date: May 6, 2021

Subject: ZC 21-14 (Major Change and Rezoning from R-4 Residence to PR Planned Residential) Quail Ridge Subdivision Chambersburg Road

- Application dated April 15, 2021

Department of Planning and Development City of Huber Heights

APPLICANT/OWNER: Campbell Berling Huber Heights, LLC, Applicant
Quail Ridge Land & Development, LLC, Owner

DEVELOPMENT NAME: Quail Ridge

ADDRESS/LOCATION: Chambersburg Road

ZONING/ACREAGE: R-4 / 21.55 Acres

EXISTING LAND USE: Residential

ZONING ADJACENT LAND:
South R-1
East R-4
West R-4B
North R-1

REQUEST: The applicant requests a Major Change to the Basic Development Plan and rezoning from R-4 Residence to PR Planned Residential.

ORIGINAL APPROVAL:

APPLICABLE HHCC: 1147 & 1130

CORRESPONDENCE:
In Favor – None Received
In Opposition – None Received

OVERVIEW:

The applicant requests a Major Change to the Basic Development Plan and rezoning from R-4 Residence to PR Planned Residential.

STAFF ANALYSIS AND RECOMMENDATION:

The applicant received approval of a rezoning of 21.4 acres to Planned Residential on the south side of Chambersburg Road. The approval was for sixty-eight (68) residential lots. After said approval, the applicant performed some more soil boring test and found an area on the east side of the property that has rock that would be difficult to remove for development. Due to this, the proposal is to reduce the number of residential lots and increase the green space. The lot and building requirements would remain the same for all but four (4) of the residential lots. The request also includes four (4) flag lots with twelve and a half (12.5) foot frontages and shared drives. Easements for access will be supplied in the platting process. The new request is for forty three (43) residential lots. The street will now end in a cul-de-sac, but the emergency access will still be connected to Hialeah Park. In order to make this plan work, the applicant has a deal to obtain additional land on the northeast side of the property. That property shall be split and combined with this property. That property was zoned R-4, so it is to be rezoned to Planned Residential as part of this development.

The Zoning Code is as follows:

CHAPTER 1172 - (PR) PLANNED RESIDENTIAL DISTRICT[42]

1172.01 - Principal permitted uses.

The following principal uses are permitted, provided that they are approved as provided for in this chapter:

(a) All residential uses permitted in all other chapters of the Zoning Ordinance such as: one family dwellings, two family dwellings, multiple family dwellings, including garden apartments, row houses, quadraminiums and condominiums;

(b) Churches and other places of worship;

(c) Colleges, primary and secondary schools under School Board or Parochial supervision, and public libraries;

(d) Public recreation buildings, parks, playgrounds and athletic fields under School Board, Parochial, other governmental supervision or "homeowners association" supervision; and

(e) Uses designed solely to serve in a complimentary way the needs of this District above.

1172.02 - Accessory uses.

The following accessory uses are permitted:

(a) Uses customarily incidental to all permitted uses; and

(b) Temporary structures and uses required during construction in this District.

1172.03 - Development standards.

Except when specifically modified herein, the provisions of Chapter 1181, "General Provisions", shall govern. In addition, the following development standards apply:

(a) *Minimum "PR" Land Area Requirement.*

(1) A minimum of one acre shall be required.

(b) *Dwelling Unit Density—Five Dwelling Units.*

(1) The average dwelling unit density for the entire district shall not exceed five dwelling units (DU) per acre.

(2) Minimum area standards such as individual lot size, frontage, setbacks, side and rear yards shall be those prescribed in the City approved detailed final development plans, except that:

A. Lots for detached single family dwellings shall meet each of the standards set forth in Section 1147.04.

(c) *Dwelling Unit Density—Eight Dwelling Units.*

(1) Dwelling unit density for the entire district shall not exceed eight dwelling units per acre of land on which dwellings are constructed. For example, if the entire district is three acres but dwellings are constructed on two acres only, dwelling unit density for the entire district shall not exceed 16 dwellings.

(2) Minimum area standards such as individual lot size, frontage, setbacks, side, and rear yards shall be those prescribed in the City approved detailed final development plans, except that:

A. Lots for detached single family dwellings shall meet each of the standards set forth in Section 1147.04.

(d) *Dwelling Unit Density—Twelve Dwelling Units.*

(1) Dwelling unit density for the entire district shall not exceed 12 dwelling units per acre of land on which dwellings are constructed. For example, if the entire district is three acres but dwellings are constructed on two acres only, dwelling unit density for the entire district shall not exceed 24 dwellings.

(2) Minimum area standards such as individual lot size, frontage, setbacks, side and rear yards shall be those prescribed in the City approved detailed final development plans, except that:

A. Lots for detached single family dwellings shall meet each of the standards set forth in Section 1147.04.

(e) *Character of Neighborhood.* Use of the Planned Residential Zoning District for developments with a proposed dwelling unit density greater than five dwelling units per acre shall be considered only when the district is bounded at least on one side by R-5, R-6, R-7, O-1, B, I, or Planned Development Districts.

1172.04 - Parking and loading.

(a) The provisions of Chapter 1185, "Parking and Loading", shall apply, except that at least two permanently maintained parking spaces shall be provided for each family unit, except for detached single family dwellings.

(b) Required parking spaces shall not be part of public thoroughfares, private roads leading to and serving the sites of the various uses in this district.

1172.05 - Utilities.

The distribution systems for utilities are required to be underground.

1171.07 - Review and recommendations by planning commission.

The Planning Commission shall review the proposed PUD as presented in the application and basic development plan in terms of the standards in Section 1171.06 and the specific requirements as outlined in all Planned Unit Developments. The Commission shall hold a public hearing on the proposed PUD. At least ten days in advance of such hearing, notice of time and place of such hearing shall be published in a newspaper of general circulation in the City. Written notice of such hearing shall be mailed at least ten days before the public hearing to the owners of property located within 200 feet of the property proposed for the PUD. The Planning Commission shall make its recommendation, indicating approval, approval with modifications, or disapproval. If the Commission recommends approving rezoning of land to a PUD District and also approves a basic development plan for the area to be rezoned, it may impose upon that plan any additional requirements or conditions deemed appropriate by the Commission to ensure that the development shall meet the standards described in Section 1171.06 and shall comply with the intention and objectives of this Zoning Ordinance.

If the owner chooses to submit a combined development plan, the Planning Commission shall review the aspects of it constituting the basic development plan pursuant to the standards set out in Section 1171.06. The detailed development plan aspects shall be reviewed in the same manner as provided herein for review of detailed development plans.

(Ord. 93-O-602, Passed 3-22-93)

1171.08 - Action by council.

Council shall hold a public hearing for application for rezoning and approval of the basic development plan (or combined development plan) after receiving the proposal from the Planning Commission. At least 15 days' notice of the time and place of such public hearing shall be placed in a newspaper of general circulation in the City. Written notice of such hearing shall be mailed at least ten days before the public hearing to the owners of property located within 200 feet of the property proposed for the PUD. Council shall approve, reject or approve with modifications the rezoning and basic development plan in the same manner as other rezoning requests. If the applicant has chosen to submit a combined development plan, Council shall review the aspects of it constituting the basic development plan pursuant to the standards set out in Section 1171.06. If Council approves the basic development plan aspects of a combined development plan, the detailed development plan shall be deemed to be approved and no further action shall be required for the area covered by the combined development plan. If the basic development plan aspects of a combined development plan are modified, the combined development plan shall be changed in all aspects to meet that modification. The City staff in charge of plan review shall determine when the basic development plan or combined plan meets the modification required by Council.

(Ord. 93-O-602, Passed 3-22-93)

1171.11 - Changes in the basic and detailed development plans.

A PUD shall be developed only according to the approved and recorded detailed development plan and supporting data together with all recorded amendments and shall be binding on the applicants, their successors, grantees and assigns and shall limit and control the use of premises (including the internal use of buildings and structures) and location of structures in the PUD as set forth therein.

(a) Major Changes. Changes which alter the concept, uses or intent of the PUD including increases in the number of units per acre, change in location or amount of nonresidential land uses, more than 15 percent modification in proportion of housing types, significant redesign of roadways, utilities or drainage, may be approved only by submission of a new basic plan and supporting data in accordance with Sections 1171.03, 1171.04 and 1171.05.

(b) Minor Changes. The Zoning Officer recommends to the Planning Commission approval or disapproval of the minor changes in the PUD. Minor changes are defined as any change not defined as a major change.

(Ord. 89-O-339, Passed 2-6-89)

Recommendation

Staff recommends approval in accordance with the conditions within the proposed Planning Commission Decision Record.

Planning Commission Decision Record

WHEREAS, on April 15, 2021, the applicant, Campbell Berling Huber Heights, LLC, requested approval of a Major Change and rezoning from R-4 (Residence) to PR (Planned Residential) for properties located on Chambersburg Road, Parcel Number P70 04004 0009 and part of parcel P70 04004 0091 of the Montgomery County, Ohio Records (ZC 21-14); and

WHEREAS, on May 11, 2021, the Planning Commission did meet and fully discuss the details of the request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommended approval of the request.

_____ moved to recommend approval of the request by the applicant, Campbell Berling Huber Heights, LLC, for a Major Change and rezoning from R-4 (Residence) to PR (Planned Residential) for properties located on Chambersburg Road, Parcel Number P70 04004 0009 and part of parcel P70 04004 0091 of the Montgomery County, Ohio Records (ZC 21-14) in accordance with the recommendation of Staff's Memorandum dated May 6, 2021, with the following conditions:

1. All previous Planned Unit Development approvals and conditions shall remain in full force and effect unless specifically modified herein.

2. The approved plans shall be those stamped as received by the Planning Department on April 16, 2021 except as modified herein.

3. The emergency access to Hialeah Park shall meet Fire Code requirements for width and construction materials.

4. Chambersburg Road will be improved to a forty-five (45) foot half right-of-way section per our City's Thoroughfare Plan.

5. No drive access shall be permitted from any residential lot onto Chambersburg Road.

6. Prior to the issuance of a zoning permit, the applicant shall submit and receive approval of a Detailed Development Plan through the Planning Commission.

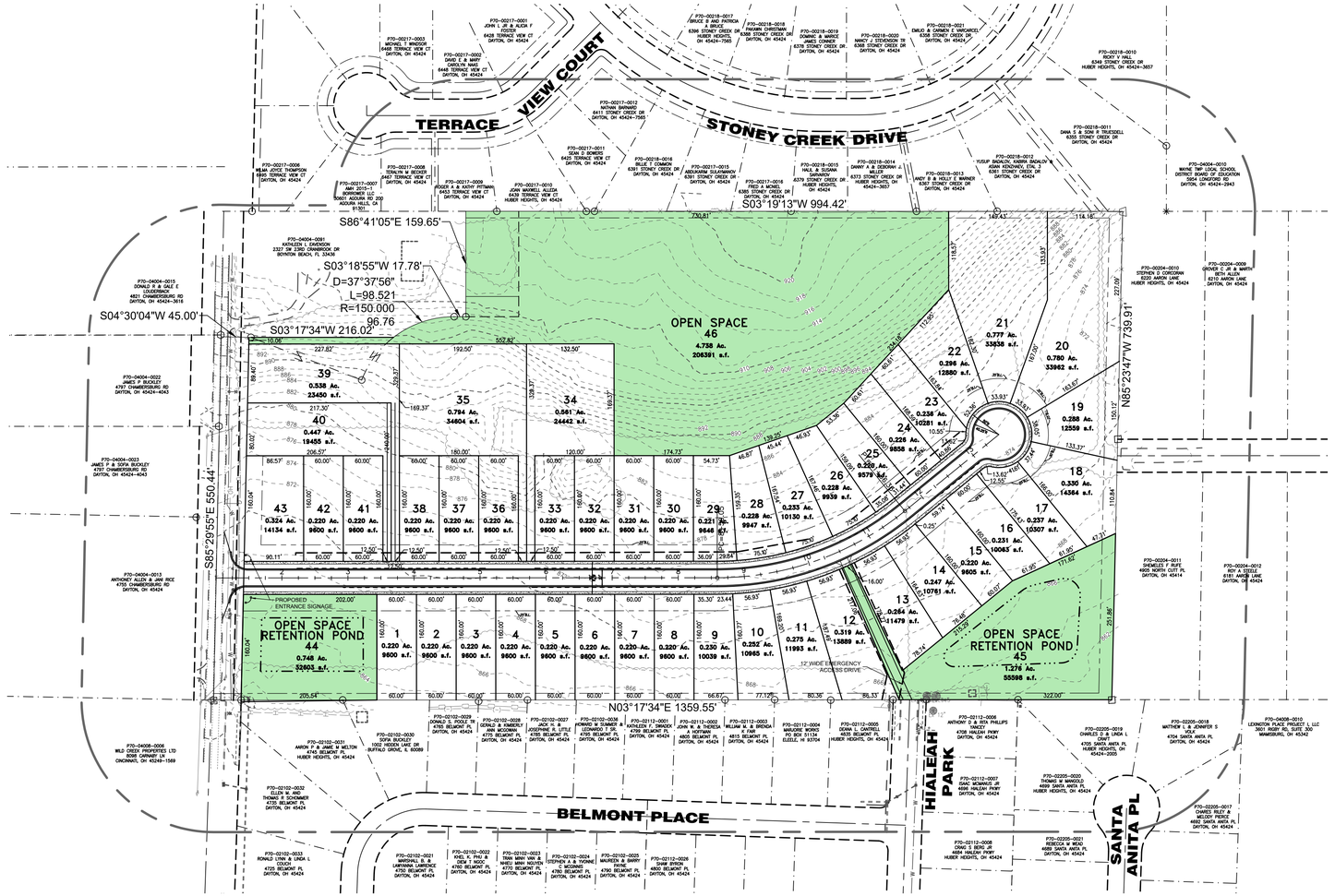
Seconded by _____. Roll call showed: YEAS: ____. NAYS: ____. Motion to recommend approval carried ____.

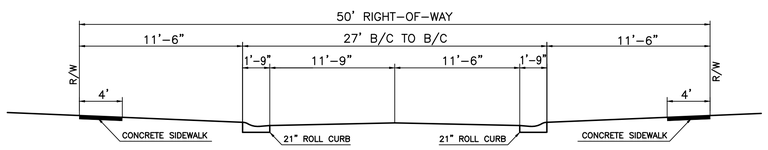
_____ _____
Terry Walton, Chair Date
Planning Commission

BASIC DEVELOPMENT PLAN

QUAIL RIDGE

SECTION 34, TOWN 2, RANGE 8
CITY OF HUBER HEIGHTS
MONTGOMERY COUNTY, OHIO





TYPICAL SECTION

LEGEND

OPEN SPACE

CONCRETE WALK



VICINITY MAP

1"=1,000'

OWNER

Quail Ridge Land and Development LLC
2327 SW 23rd Cranbrook Drive
Boynton Beach, FL 33436
(561) 445 - 5441

APPLICANT

Campbell Berling Development
3333 Madison Pike, Suite C
Ft. Wright, KY 41017
(513) 252 - 4376

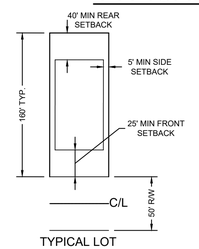
ENGINEER & SURVEYOR

Bayer Becker
6900 Tylersville Road, Suite A
Mason, OH 45040
(513) 336 - 6600

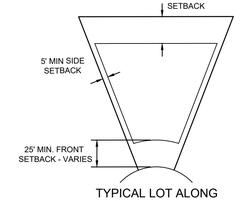
GENERAL NOTES

1. Sanitary to be tied into City of Huber Heights System.
2. Water to be installed and connected to City of Huber Heights System.
3. Electric to be supplied by Dayton Power and Light Co..
4. All proposed streets to be public streets and are to be constructed according to City of Huber Heights Standard Construction Drawings and State of Ohio Department of Transportation Specifications, latest edition.
5. Existing contours furnished from topographic survey performed by Bayer Becker in March 2021 and from Montgomery County GIS Mapping.
6. Existing utility information shown per survey performed by Bayer Becker in March 2021 and available records.
7. Existing site drains northwest and southwest to existing storm sewers. Retention pond outlets to preserve existing drainage patterns.
8. 4' concrete walk to be installed on both sides of the street.
9. Proposed Use: Single Family Residential Development
10. Total Site Acreage: 21.55 Acres
11. Existing Zoning: R-4 & PUD
12. Proposed Zoning: PUD
13. Number of Single Family Residential Lots: 43
14. Proposed Right-of-Way: 2.04 Acres
15. Overall Density: 2.00 D.U./Acre
16. Open Space Provided: 6.76 Acres (31.4%)
17. Lots 34 & 35 and Lots 39 & 40 to access proposed street via shared drives with cross-access easements as-needed.

TYPICAL LOT DETAILS



TYPICAL LOT



TYPICAL LOT ALONG ROADWAY CURVE

57' MIN. LOT WIDTH MEASURED AT SETBACK LINE

Basis of Bearing:
State Plane NAD83 (2011)

0 100 150

SCALE: 1" = 100'

Item	Revision Description	Date	Drwn.	Chk.
1	Revised Open Space	5-3-21	JAB	

QUAIL RIDGE

SECTION 34N TOWN 2, RANGE 8
CITY OF HUBER HEIGHTS
MONTGOMERY COUNTY, OHIO

BASIC DEVELOPMENT PLAN

bayer becker
www.bayerbecker.com
6900 Tylersville Road, Suite A
Mason, OH 45040 - 513.336.6600

Drawing:	20-0257 CD
Drawn by:	JAB
Checked By:	EMR
Issue Date:	04-16-21
Sheet:	1 OF 1

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Plot time: May 03, 2021 - 4:11pm
Drawing name: J:\2020\20-0257\CVIDWG\20-0257 CD.dwg - Layout Tab: Pre PUD

Huber Heights Fire Division

Inspections require two business days advance notice! (OAC)1301:7-7-09(A)(5)

Occupancy Name:	Quail Ridge – Revision 1
Occupancy Address:	Chambersburg Road

Type of Permit:	HHP&D Site Plan
Additional Permits:	Choose an item.
Additional Permits:	Choose an item.

MCBR BLD:	Not Yet Assigned	HH P&D:	
MCBR MEC:	Not Yet Assigned	HHFD Plan:	21-019/21-081
MCBR ELE:	Not Yet Assigned	HHFD Box:	
REVIEWER:	Susong	DATE:	5/3/2021

Fire Department Comments:

The Huber Heights City Code Part 15 Refers to Fire Code Requirements and has adopted by reference OFC and IFC Appendices

Approved per Review of Ohio Fire Code and adopted Life Safety Standards based on the following:

- **One- or two-family residential projects having more than 30 dwelling units shall be equipped with two separate and approved fire apparatus access roads in accordance with Ohio Fire Code D106.1. A secondary access is shown connecting Hialeah Park and new road. This access shall comply with the following:**
  - **Be a minimum 20 feet wide, access is currently shown as 12 feet. (Ohio Fire Code 503.2.1)**
  - **Constructed of materials capable of handling 75,000 pounds (Ohio Fire Code D102.1.)**
- **Site utility plan showing fire hydrants has not been provided.**

Code Reference	Standard Requirement Comment
2017 OFC / IFC Appendices B and C and (OAC)1301:7-7-05(G) and HH City Code 1521	***Fire Hydrants***: Locations and Distribution shall comply with the referenced code (75' Spacing from FDC to hydrant and minimum 40'spacing from hydrant to building exterior walls)

	(See city code for more detail)
Specific Code Requirement Comments (In Accordance with (OAC)1301:7-7-01 to 44 Including IFC Appendices as adopted by HH City Code Part 15) Go To: Ohio Fire Code Go To: HH City Code Go To: OAC/OBC	
OFC 2017	**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with *paragraph* (C)(6)(503.6) *of this rule,* and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). **D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds. **D107.1 One- or two-family dwelling residential developments.** Developments of one- or two-family *dwellings* where the number of *dwellings units* exceeds 30 shall be provided with two separate and *approved* fire apparatus access roads. **Exception:** 1) Where there are more than 30 *dwelling units* on a single public or private fire apparatus access road and all *dwelling units* are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required. 2) The number of *dwelling units* on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.
Huber Heights Codified Ordinance	**1521.06 FIRE HYDRANT PLACEMENT AND STANDARDS** c) Hydrants in multi-family and commercial districts shall be placed not more than 300 feet apart, measured on the main and not more than 400 feet from any opening in any building. All new fire hydrants and any existing fire hydrants that are in need of replacement, shall meet the Huber Heights hydrant standard for this district of two (2), five (5) inch diameter steamer nozzles. These steamer nozzles shall have a five (5) inch STORTZ quick connection and one steamer shall have a four (4) inch STORTZ connection approved by the Code Official. (1) The Fire Code Official shall make a determination if a double STORTZ hydrant can be omitted in commercial and multi-family districts. When determining the need, the Code Official shall reference the capacity of the hydrant and fire flow requirements listed in the 2006 International Fire Code appendix B. Reductions shall be given for automatic sprinkler systems. (d) The Fire Code Official shall make a determination on the location and distribution of fire hydrants. The fire official shall make this determination by referencing the location and distribution listed in the 2006 International Fire Code appendix C. (Ord. 2010-0-1845. Passed 9-13-10.) **1521.01 HYDRANT LOCATION, NUMBER AND APPROVAL.** (e) A fire hydrant meeting the specifications and installed according to this standard and connected to a public water supply, shall be installed at a location designated by the Code Official that is within seventy-five feet of a suppression system Fire department connection, but no closer than forty feet to the building or structure unless otherwise approved by the Code Official.

Please reference contact information below for questions or concerns with this document.

Plans reviewed by the Huber Heights Fire Division are reviewed with the intent they comply in **ALL** respects to this code, as prescribed in **SECTION (D) 104.1 of the 2017 Ohio Fire Code**. Any omissions or errors on the plans or in this review do not relieve the applicant of complying with **ALL** applicable requirements of this code. These plans have been reviewed for compliance with the Ohio Fire Code adopted by this jurisdiction. There may be other regulations applicable under local, state, or federal statues and codes, which this department has no authority to enforce and therefore have not been evaluated as part of this plan review.

AI-7593 **7. C.**

Planning Commission

Meeting Date: 05/11/2021

MAJOR CHANGE

Information

Agenda Title

MAJOR CHANGE - The applicant, Roger White, is requesting approval of a Major Change for a Dog Training facility at property located at 6166 Apache Street (ZC 21-15).

Purpose and Background

Attachments

Staff Report

Decision Record

Street Map

Fire Assessment

Memorandum

Staff Report for Meeting of May 11, 2021

To: Huber Heights City Planning Commission

From: Scott Falkowski, P.E., Assistant City Manager

Date: May 6, 2021

Subject: ZC 21-15 (Major Change for Dog Training Facility – 6166 Apache Street)

- Application dated April 16, 2021

Department of Planning and Zoning City of Huber Heights

APPLICANT/OWNER:	Roger White – Applicant Shirley White - Owner
DEVELOPMENT NAME:	
ADDRESS/LOCATION:	6166 Apache Street
ZONING/ACREAGE:	Planned Public and Private Buildings and Grounds (PP) / 1 Acre
EXISTING LAND USE:	Place of Worship
ZONING ADJACENT LAND:	RMV, I-1
REQUEST:	The applicant seeks approval of a major change for a Dog Training Facility
APPLICABLE HHCC:	1171 and 1174

Staff Analysis

The applicant proposes to utilize the existing building and site for a dog training facility. In order to accommodate the operation, the request is as follows:

The existing site has been approved for a place of worship. The applicant proposes to train dogs inside and outside under control of the dog's dedicated trainer. There will be no unattended or boarding of animals at any time, dogs go home with trainers if needed. Outside training doesn't take place until the trainers are confident the dogs will respond to any and all commands. The applicant has stated that he intends to install complete fencing. https://daytonohiooffleashdogtrainers.com/ is his website.

The Planned Public and Private Building and Grounds zoning district allows for animal hospitals and kennels as Principal permitted uses.

The current site includes an existing parking area of fourteen (14) spaces. There is an existing curb cut at Apache Road. No new utility extensions are required for this use.

Staff recommends that the area to be used for training be surrounded by a minimum of six feet tall privacy fence.

1171.06 - General standards for approval.

The Planning Commission shall review the application, prepared development plan and the facts presented at the hearing. The applicant shall have the burden of proof. No approval shall be given unless the Commission shall find by a preponderance of the evidence that such PUD on the proposed locations:

(a) Is consistent with official thoroughfare plan, comprehensive development plan and other applicable plans and policies;

(b) Could be substantially completed within the period of time specified in the schedule of development submitted by the developer;

(c) Is accessible from public roads that are adequate to carry the traffic that shall be imposed upon them by the proposed development. Further, the streets and driveways on the site of the proposed development shall be adequate to serve the residents or occupants of the proposed development;

(d) Shall not impose an undue burden on public services such as utilities, fire, and police protection, and schools;

(e) Contains such proposed covenants, easements and other provisions relating to the proposed development standards as may reasonably be required for the public health, safety and welfare;

(f) Shall be landscaped or otherwise improved and the location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities shall be

compatible with the existing intended uses, and any part of a PUD not used for structures, parking and loading areas, or accessways;

(g) Shall preserve natural features such as water courses, trees, and rock outcrops, to the degree possible, so that they can enhance the overall design of the PUD;

(h) Is designed to take advantage of the existing land contours in order to provide satisfactory road gradients and suitable building lots and to facilitate the provision of proposed services;

(i) Shall place underground all electric and telephone facilities, streetlight wiring and other wiring conduits and similar facilities in any development which is primarily designed for or occupied by dwellings, unless waived by the Commission because of technical reasons;

(j) Shall not create excessive additional requirements at public cost of public facilities and services and shall not be detrimental to the economic welfare of the community;

(k) Shall not involve uses, activities, processes, materials, equipment, and conditions of operation that shall be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors; and

(l) Rezoning of the land to the PUD District and approval of the development plan shall not adversely affect the public peace, health, morals, safety, or welfare.

(Ord. 93-O-602, Passed 3-22-93)

Recommendation

Staff recommends approval of the Major Change in accordance with the conditions contained in the proposed Decision Record.

Planning Commission Decision Record

WHEREAS, on April 16, 2021, Roger White requested approval of a Major Change for use of the property at 6166 Apache Street as a Dog Training Facility (ZC 21-15); and

WHEREAS, on May 11, 2021, the Planning Commission did meet and fully discuss the details of the request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommended approval of the request.

_____ moved to recommend approval of the request by Roger White for approval of a Major Change for use of the property at 6166 Apache Street as a Dog Training Facility (ZC 21-15) with the following conditions:

1. All previous Planned Unit Development approvals and conditions shall remain in full force and effect unless specifically modified herein.
2. The use of the building and site for a dog training and kennel facility is hereby approved.
3. No exterior building modifications are approved with this plan.
4. The applicant shall install a six feet tall privacy fence around any outdoor training area.
5. No overnight boarding shall be allowed at this facility.

Seconded by _____. Roll call showed: YEAS: ____. NAYS: ____. Motion to recommend approval carried ____.

_____ _____

Terry Walton, Chairman Date
Planning Commission



HUBER HEIGHTS

1 in = 47 ft

6166 Apache St. Property Lines

Date: 4/26/2021

N

Huber Heights Fire Division

Inspections require two business days advance notice! (OAC)1301:7-7-09(A)(5)

Occupancy Name:	Dog Training Facility
Occupancy Address:	6166 Apache Street

Type of Permit:	Structure (New/Alterations)
Additional Permits:	Choose an item.
Additional Permits:	Choose an item.

MCBR BLD:	Not Yet Applied For	HH P&D:	
MCBR MEC:		HHFD Plan:	21-082
MCBR ELE:		HHFD Box:	18
REVIEWER:	Susong	DATE:	5/7/2021

Fire Department Comments:

The Huber Heights City Code Part 15 Refers to Fire Code Requirements and has adopted by reference OFC and IFC Appendices

- **Approved based on the following requirements:**

The proposed development will need to meet the requirements of the Ohio Fire Code 2017, Ohio Building Code 2017 and the Huber Heights Codified Ordinance.

Requirements:

- **Building site access is acceptable based on the footprint of the building remaining unchanged and no new site work being performed. If the building shall be enlarged or any fencing installed additional requirements may be forthcoming.**
- **A permit shall be obtained from Montgomery County Building Regulations for a proposed possible Change of Use in Occupancy.**
- **Requirements for exiting, exit signs, emergency lights and any fire protection systems will be addressed during building permit review.**
- **Please contact the Huber Heights Fire Division to schedule an inspection. 48-hour notice is required.**

Please reference contact information below for questions or concerns with this document.

Plans reviewed by the Huber Heights Fire Division are reviewed with the intent they comply in **ALL** respects to this code, as prescribed in **SECTION (D) 104.1 of the 2017 Ohio Fire Code**. Any omissions or errors on the plans or in this review do not relieve the applicant of complying with **ALL** applicable requirements of this code. These plans have been reviewed for compliance with the Ohio Fire Code adopted by this jurisdiction. There may be other regulations applicable under local, state, or federal statues and codes, which this department has no authority to enforce and therefore have not been evaluated as part of this plan review.

Administrative Office: 7008 Brandt Pike Huber Heights, Ohio 45424
Telephone: (937) 233 - 1564 Fax Number: (937) 233 - 4520

AI-7594 **7. D.**

Planning Commission

Meeting Date: 05/11/2021

REZONING AND BASIC DEVELOPMENT PLAN

Information

Agenda Title

REZONING AND BASIC DEVELOPMENT PLAN - The applicant, Broad Reach Retail Partners, LLC, is requesting approval of a Rezoning and Basic Development Plan for 17.2 acres at the Old Troy Pike and Taylorsville Road intersection (ZC 21-16).

Purpose and Background

Attachments

Staff Report

Decision Record

Drawings

Memorandum

Staff Report for Meeting of May 11, 2021

To: Huber Heights City Planning Commission

From: Scott Falkowski, Assistant City Manager

Date: May 6, 2021

Subject: ZC 21-06 (Rezoning of a total of 17.2 acres to PM-Planned Mixed Use and approval of a Basic Development Plan)

- Application dated February 17, 2021

Department of Planning and Zoning City of Huber Heights

APPLICANT/OWNER:	Broad Reach Retail Partners, LLC– Applicant HF 2 SUB, LLC- Owner
DEVELOPMENT NAME:	Huber Heights Crossing
ADDRESS/LOCATION:	Northeast corner Old Troy Pike and Taylorsville Road
ZONING/ACREAGE:	R-6 and B-3 / 17.2 acres
EXISTING LAND USE:	Residential/Office and Vacant
ZONING ADJACENT LAND:	A, PEP
REQUEST:	The applicant requests approval of a Rezoning and Basic Development Plan for 17.2 acres at the Old Troy Pike and Taylorsville intersection
PREVIOUS APPROVAL:	
APPLICABLE HHCC:	Chapter 1179
CORRESPONDENCE:	In Favor – None Received In Opposition – None Received

STATEMENT OF FACT:

The applicant requests approval of a Rezoning and Basic Development Plan for the properties at the northeast corner of Old Troy Pike and Taylorsville Road, which includes commercial and multi-family uses.

STAFF ANALYSIS AND RECOMMENDATION:

Overview

The above described properties have two current uses. The northern parcel is currently vacant and is zoned B-3 Commercial District. The southern parcel is currently zoned R-6 Residence District.

The City's 2011 Comprehensive Plan Update shows this area as Commercial Business and Mixed Density Residential, which includes retail, office, and service uses and represents traditional automotive oriented development. This land use requires high levels of access and visibility. The Mixed Density Residential area allows for higher density residential development and features a mix of detached and attached housing types. The district recommends a density of 6-8+ units per acre and allows flexibility in housing development. This land use category is appropriate for residential redevelopment and new mixed housing type areas.

The current zoning districts allow for the following:

CHAPTER 1150 - "R-6" RESIDENCE DISTRICT[28]

1150.01 - Principal permitted uses.

Only the following uses as approved by the Planning Commission shall be permitted of all property located in this District:

(a) One or more two-to-ten family dwellings; and

(b) Home occupations.

(Case 301; Ord. 96-O-928, Passed 11-25-96)

1150.02 - Accessory uses.

Only the following accessory uses shall be permitted in this District:

(a) Uses customarily incident to all principal uses;

(b) One name plate for each family unit indicating the name of the occupant;

(c) Directional signs pertaining to public carriers and real estate; and

(d) Temporary buildings and uses for construction purposes not to exceed 12 months.

(Case 301; Ord. 96-O-928, Passed 11-25-96; Ord. No. 2019-O-2398 , § 1, 10-14-19)

1150.03 - Height standard.

No building shall exceed two stories or 35 feet in height.

(Case 301; Ord. 96-O-928, Passed 11-25-96)

CHAPTER 1155 - "B-3" COMMERCIAL DISTRICT[34]

Footnotes:

*--- (**34**) ---*

***Cross reference—** Planned Residential District—See Ch. 1171, 1172; Zoning general provisions—See Ch. 1181; Exceptions and modifications—See Ch. 1183; Parking and loading—See Ch. 1185; Signs—See Ch. 1189; Accessory buildings—See Ch. 1191; Trailers, trucks and recreational vehicles—See Ch. 1193.*

1155.01 - Principal permitted uses.

The following principal uses and no other shall be permitted in this District:

(a) All uses permitted in the "B-1" and "B-2" Districts;

(b) Hotel and Motel;

(c) Animal hospital, veterinary clinic or kennel, provided, however, any structure or premises used for such purposes shall be at least 200 feet from any "R" District and, provided further, that any exercise runways shall be effectively screened by a masonry wall or solid fence minimum six feet in height;

(d) Drive-in eating and drinking establishments, summer gardens when approved by the Board of Zoning Appeals;

(e) Establishments for display, hire, sale, and repair of new and used farm implements, automobiles, trailers and boats;

(f) Theatres, provided the screen shall be set back at least 200 feet from any established right-of-way;

(g) Lumber yard;

(h) Sign shop;

(i) Newspaper publishing establishment;

(j) Commercial greenhouse.

(k) Sweepstakes cafe.

(Ord. 2012-O-1948, Passed 3-12-12)

1155.02 - Accessory uses.

Only the following accessory uses shall be permitted in this District unless otherwise considered and approved by the Board of Zoning Appeals to be of similar character:

(a) Accessory uses and structures permitted and as regulated in the "B-1" and "B-2" Districts;

(b) Accessory uses and structures customarily incidental to any permitted principal use; and

(c) Any kind of manufacturing or treatment incidental to the conduct of a retail business conducted on the premises.

(Ord. 2011-O-1910, Passed 9-12-11)

1155.03 - Height standard.

No structure shall exceed three stories or 40 feet in height.

(Ord. 81-O-08, Passed 8-3-81)

1155.04 - Area standard.

All lots shall have an area, frontage and yard requirements as follows:

	Lot Area	*Lot Frontage*	*Lot Area Per Family*	**Front Yard Depth*	*Side Yard Widths Each Side Yard*	*Rear Yard Depths*
Permitted uses			*25 feet*	*None required except adjacent to any "R" District in which case, not less than 50 feet landscaped buffer zone, or as herein specified.*		*40 feet with 15 feet landscaped buffer zone when adjoining any "R" District, or as herein specified.*
Dwellings	*Same as specified in any "R" District*					

** The front yard depth shall be measured from the legal established right-of-way lines as shown on the legal Official Thoroughfare Plan.*

(Ord. 81-O-08, Passed 8-3-81)

1155.05 - Conditions.

In any "B-3" District fronting directly across the street from any "R" District the parking and loading facilities shall be distant, at least 25 feet from the established right-of-way line, and the building or the structures at least 75 feet from the established right-of-way line per the Official Thoroughfare Plan or the recorded plat.

(Case 443, 4-2-80; Ord. 81-O-08, Passed 8-3-81)

1155.06 - Special uses.

The following shall be permitted as a special use:

(a) Fraternal organizations, service clubs and other nonprofit organizations in accordance with the provisions of Chapter 1135. In addition to the criteria set forth in Chapter 1135, the parking requirements have to be reviewed yearly; and

(b) Places of worship.

(Case 469, 9-24-81; Ord. 81-O-08, Passed 8-3-81; Case 55, 7-3-85; Ord. 85-175, Passed 6-3-85; Case 101, 6-29-87)

1150.04 - Area standard.

Only the following area standards as approved by the Planning Commission shall be permitted of all property located in this District:

(a) The minimum lot area shall be five and five-tenths acres retained under single ownership or as a co-operative owned by a corporation.

(b) The minimum lot area per family unit shall be 3,000 square feet.

(c) The minimum yard area per family unit shall be 2,400 square feet.

(d) The minimum distance between any building and the established right-of-way as shown on the legal Official Thoroughfare Plan shall be 25 feet.

(e) The minimum distance between any building and the adjoining lots shall be 25 feet.

(f) The minimum distance between any two buildings shall be 40 feet.

(g) The minimum distance between any building and any automobile driveway, cul-de-sac or parking area shall be 20 feet.

(h) The minimum width of any automobile driveway or cul-de-sac shall be 20 feet.

(i) All cul-de-sacs shall be provided with a turnaround at the closed end.

(j) The minimum parking area for each family unit shall be adequate for one and one-half automobiles. The parking area shall be in the vicinity of the family unit and shall not be part of the driveway, cul-de-sac, or public thoroughfare.

(Case 301, 10-8-96; Ord. 96-O-928, Passed 11-25-96)

By Code, the southern 9.67-acre parcel would allow for 140 multi family residential units. The northern 7.53-acre parcel would allow for any of the commercial uses described above.

Site

The site currently has two multifamily buildings, three office buildings, an additional residential building and five accessory buildings. The proposal is to raze all of those buildings to provide for a new multi-use development.
Parking will be provided following Chapter 1185 of the City's Zoning Code.

Storm water will be handled through storm sewers flowing into an existing retention pond located on the southern parcel.

Sanitary will flow into existing public sanitary sewers which flow along Old Troy Pike and through the existing property.

Water will be public and is located along Old Troy Pike, on Taylorsville Road and in the neighborhood to the east.

A traffic analysis was completed by the applicant and from that analysis and discussion with staff a master plan was created as shown on the submitted drawings. The improvements included are as follows:

- Old Troy Pike shall be widened to add an express lane along the frontage.
- Old Troy Pike & Access 1 shall be right-in/right-out only.
- Old Troy Pike & Access 2 (across from IHOP) shall restrict left turns out of the development.
- Old Troy Pike & Access 3 (across from Burger King) shall have a signalized intersection installed.
- Taylorsville Road shall be widened on the north side to match the widening of the existing northbound turn lane at the intersection of Old Troy Pike and Taylorsville.
- Access shall be provided directly from the multifamily area to Taylorsville Road.
- Huber Road will be vacated with this development.
- Access easements shall be granted to the public for access from the businesses to the north to access the signalized intersection.

Buildings

The City Code for buildings are as follows:

1181.24 COMMERCIAL BUILDING DESIGN STANDARDS.

(a) Applicability: The Commercial Building Design Standards shall apply to all newly constructed or reconstructed/remodeled non-residential structures located in the O-1, B-1, B-2, and B-3 zoning districts.

(1) Exceptions: The requirements of this section shall not apply to:

A. Existing structures as of the adoption of this Section shall be exempt from these commercial building design standards unless an exempted structure is expanded by 10% or more of its original size.

B. Deviation from the design standards contained in this Section may only be approved through the Planned Unit Development Approval Process.

(b) Design Standards.

(1) Building materials.

A. All exterior walls, including parking structures, garages, and accessory structures shall be 100% masonry materials.

B. Masonry coverage calculation does not include doors, windows, chimneys, dormers, window box-outs, bay windows that do not extend to the foundation, or any exterior wall that does not bear on the foundation.

C. Masonry Materials shall be defined as:

1. Hard fired brick: Shall be kiln fired clay or slate material and can include concrete brick if it is to the same American Society for Testing and Materials (ASTM) standard for construction as typical hard fired clay brick. Unfired or under-fired clay, sand or shale brick shall be prohibited.

2. Stone: Includes naturally occurring granite, marble, limestone, slate, river rock, and other similar hard and durable all-weather stone that is customarily used in exterior construction material. Cast or manufactured stone product may be approved, provided that such product yields a highly textured, stone-like appearance.

3. Decorative concrete block: Shall be highly textured finish such as split-faced, indented, hammered, fluted, ribbed, or similar architectural finish. Coloration shall be integral to the masonry material and shall not be painted on.

4. Concrete pre-cast or tilt wall panel: Shall be of an architectural finish that is equal to or exceeds the appearance and texture of face brick or stone. Coloration shall be integral to the masonry material and shall not be painted on.

5. Stucco: An exterior plaster made from a mixture of cement, sand, lime, and water spread over metal screening or chicken wire or lath.

6. Exterior Insulated Finish System (EIFS): A synthetic stucco cladding system that typically consists of these main components:

a. Panels of expanded polystyrene foam insulation installed with adhesive or mechanically fastened to the substrate, usually plywood or oriented strand board;

b. A base coat over the foam insulation panels,

c. A glass fiber reinforcing mesh laid over the polystyrene insulation panels and fully imbedded in the base coat; and

d. A finishing coat over the base coat and the reinforcing mesh.

7. Other: The Director of the Planning and Development Department, or his/her designee, may approve the use of other materials not specifically mentioned herein if it is determined that said materials exhibit comparable characteristics as those materials already approved herein.

(2) Roofing design and materials.

A. Asphalt shingles, industry approved synthetic shingles, standing seam metal or tile roofs are allowed.

B. Gable roofs, if provided, shall have a minimum pitch of 6/12.

C. Pitch roofs, if provided, shall have a minimum pitch of 9/12.

D. Architectural elements that add visual interest to the roof, such as dormers and masonry chimneys, are encouraged.

E. Flat roofs shall require parapet screening in accordance with Section 1181.18.

F. Parapet shall require cornice detailing or similar design.

(3) Prohibited Materials. The following materials shall be prohibited as primary cladding or roofing materials:

A. Aluminum or vinyl siding or cladding.

B. Galvanized steel or other metal.

C. Wood or plastic siding.

D. Cementitious fiberboard.

E. Unfinished concrete block.

F. Exposed aggregate.

G. Wood roof shingles.

H. Reflective glass.

(4) Architectural design features.

A. All non-residential buildings shall be architecturally finished on all sides with the same materials and detailing (e.g. tiles, moldings, cornices, wainscoting, etc.)

B. Structures 20,000 square feet or less shall require a minimum of two distinct building materials from the approved masonry list be utilized on all facades to provide architectural detail and interest.

C. Structures over 20,000 square feet shall require a minimum of three distinct building materials from the approved masonry list be utilized on all facades to provide architectural detail and interest.

D. Secondary materials must cover a minimum of ten percent (10%) of the building façade on all sides.

E. No blank walls shall front along any public right-of-way.

F. All non-residential buildings shall be designed to include no less than four of the architectural design features listed as follows. Buildings over 20,000 square feet must include a minimum of six of the architectural design features listed as follows.

1. Canopies, awnings, arcades, covered walkways or porticos.

2. Recesses, projections, columns, pilasters projecting from the planes, offsets, reveals or projecting ribs used to express architectural or structural bays.

3. Varies roof heights for pitched, peaked, sloped or flat roof styles.

4. Articulated cornice line.

5. Arches.

6. Display windows, faux windows, or decorative windows.

7. Architectural details (such as tile work and molding) or accent materials integrated into the building façade.

8. Integrated planted or wing walls that incorporate landscaping and sitting areas or outdoor patios.

9. Integrated water features.

10. Other architectural features approved by the Planning and development Director or his/her designee.

The Proposed Architectural Styling is as follows:

Commercial Buildings:

- The proposal calls for six commercial buildings to be located on individual lots.

The buildings are proposed to be buildings that are composed of all masonry with a combination of stone, brick, and fiber cement board siding. The buildings will come back individually to Planning Commission for approval at the Detailed Development Plan stage.

Multi-Family Housing:

- The proposal calls for a maximum of 192 market rate apartment units.

The buildings are proposed to be three story multi-family buildings that are composed of all masonry with a combination of stone, brick, and fiber cement board siding.

Landscaping

The City's Code for Planned Mixed Use Districts is as follows and will be followed for this development:

1179.07 LANDSCAPING

To protect and promote a harmonious development that ensures a functional and logical arrangement of mixed uses, the effective and efficient use of landscaping and buffering is required. Therefore, a PM development shall include the following landscaping and buffering:

(a) Development Landscaping. Within the PM development that is proposed, entirely residential buildings shall be screened from nonresidential and mixed-use buildings with a twenty (20) foot wide buffer strip that includes a six (6) foot high earth mound, wooden or vinyl fence, wall, landscaping and/or mixture thereof that shall maintain an opaqueness of at least eighty percent (80%) year around. Parking areas, accessways, or any impervious surfaces are prohibited within this buffer strip. If planted materials are used, the screen must achieve the required height, width, and opaqueness within two years of planting. The use of pre-existing trees, natural features, or amenities as

part of this buffer is encouraged. The Planning Commission may approve some other arrangement of buffering if it determines that such an arrangement meets the intent of this requirement.

(b) Perimeter Landscaping. In a section of a PM development that contains nonresidential, mixed use, or multi-family buildings that abut a neighboring property with a single-family residential zoning designation or in a PM development section that contains an entirely residential section that abuts a neighboring property with a commercial, office, or multi-family zoning designation, the perimeter of the section of the PM development shall be screened with a twenty-five (25) foot wide buffer strip that includes a six (6) foot high earth mound, wooden or vinyl fence, wall, landscaping and/or mixture thereof that shall maintain an opaqueness of at least eighty percent (80%) year-round. Parking areas, accessways or impervious surfaces are prohibited within this buffer strip. If planted materials are used, the screen must achieve the required height, width, and opaqueness within two years of planting. The use of pre-existing trees, natural features, or amenities as part of this buffer is encouraged. The Planning Commission may approve some other arrangement of buffering if it determines that such an arrangement meets the intent of this requirement.

(c) Parking Lot Landscaping. All parking lots are required to have interior landscaped areas as outlined in Chapter 1185, "Parking and Loading".

(d) Street Tree Requirement. All frontage property within a PM development that abuts public rights of way and is developed with nonresidential, mixed use, and/or multi-family buildings is required to have one street tree per forty (40) feet of frontage planted just outside of the street right-of-way. Unless determined to be inappropriate by the City Engineer, street trees shall be planted at least four (4) feet from the edge of the sidewalk on private property. All frontage property within a PM development along a major collector or better as defined by the Huber Heights Thoroughfare Plan, no matter what use, shall meet this requirement. The type of tree and size shall be proposed by the developer at the Detailed Development Plan application stage and approved by the Planning Commission. A list of appropriate trees with required caliper is available in the City Engineer's Office.

Lighting

Proposed lighting shall follow Section 1181.21 of the City Zoning Code:

Signage

Signage will follow Section 1189 of the City's Zoning Code.

Recommendation:

Staff's analysis of the applicant's proposal leads it to recommend approval of the Basic Development Plan in accordance with the approval conditions detailed in the proposed legislation for Planning Commission's consideration.

Planning Commission Decision Record

WHEREAS, on April 19, 2021, the applicant, Broad Reach Retail Partners, LLC, requested approval of a Rezoning from R-6 Residence and B-3 Commercial to Planned Mixed Use and Basic Development Plan for property at the northeast corner of Taylorsville Road and Old Troy Pike, including parcels P70 04005 0043 and P70 04005 0015 of the Montgomery County, Ohio Recorder's Office (Zoning Case 21-16), and;

WHEREAS, on May 11, 2021 the Planning Commission did meet and fully discuss the details of the request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommended approval of the request.

_____ moved to recommend approval of the application by Broad Reach Retail Partners, LLC, and the applicant's request for approval of a Rezoning from R-6 Residence and B-3 Commercial to Planned Mixed Use and Basic Development Plan for property at the northeast corner of Taylorsville Road and Old Troy Pike, including parcels P70 04005 0043 and P70 04005 0015 of the Montgomery County, Ohio Recorder's Office (Zoning Case 21-16) in accordance with the recommendation of Staff's Memorandum dated May 6, 2021, with the following conditions:

1. The Basic Development Plan shall be the plans stamped received by the City of Huber Heights Planning Department on May 5, 2021 unless specifically modified below.

2. The allowable uses shall be those that are permitted within the PM – Planned Mixed Use District as described in Chapter 1179 of the City's Zoning Code.

3. Prior to the issuance of a zoning permit, the applicant shall submit and receive approval of a Detailed Development Plan through the Planning Commission.

4. Prior to the issuance of a zoning permit, the applicant shall obtain approval of a final subdivision of the subject property for the purpose, but not the sole purpose, of establishing all necessary public easements on the subject property.

5. A drop express lane shall be installed along the frontage of Old Troy Pike at the development.

6. Old Troy Pike & Access 3 (across from Burger King) shall have a signalized intersection installed.

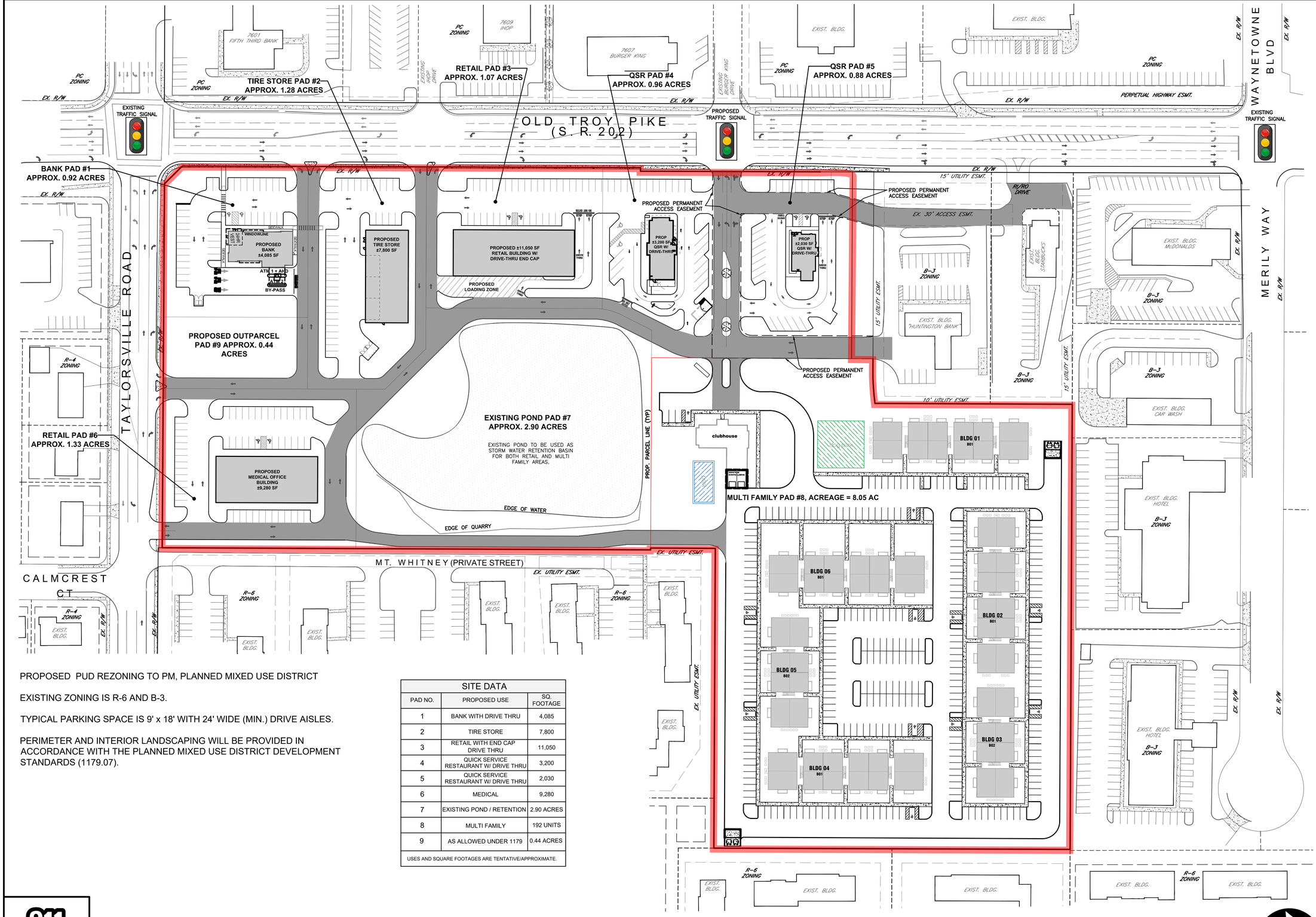
7. Taylorsville Road shall be widened on the north side to match the widening of the existing northbound turn lane at the intersection of Old Troy Pike and Taylorsville.

8. Access shall be provided directly from the multi family area to Taylorsville Road.

9. Access easements shall be granted to the public for access from the businesses to the north to access the signalized intersection.

Seconded by _____. Roll call showed: YEAS: ____. NAYS: ____. Motion to recommend approval approved ____.

_____ _____
Terry Walton, Chair Date
Planning Commission



PROPOSED PUD REZONING TO PM, PLANNED MIXED USE DISTRICT

EXISTING ZONING IS R-6 AND B-3.

TYPICAL PARKING SPACE IS 9' x 18' WITH 24' WIDE (MIN.) DRIVE AISLES.

PERIMETER AND INTERIOR LANDSCAPING WILL BE PROVIDED IN ACCORDANCE WITH THE PLANNED MIXED USE DISTRICT DEVELOPMENT STANDARDS (1179.07).

SITE DATA		
PAD NO.	PROPOSED USE	SQ. FOOTAGE
1	BANK WITH DRIVE THRU	4,085
2	TIRE STORE	7,800
3	RETAIL WITH END CAP DRIVE THRU	11,050
4	QUICK SERVICE RESTAURANT W/ DRIVE THRU	3,200
5	QUICK SERVICE RESTAURANT W/ DRIVE THRU	2,030
6	MEDICAL	9,280
7	EXISTING POND / RETENTION	2.90 ACRES
8	MULTI FAMILY	192 UNITS
9	AS ALLOWED UNDER 1179	0.44 ACRES
USES AND SQUARE FOOTAGES ARE TENTATIVE/APPROXIMATE.		

GRAPHIC SCALE
60 0 30 60
1 inch = 60 ft.

811 Know what's below. Call before you dig.

Item | Description | Date

SITE DEVELOPMENT PLANS FOR
HUBER HEIGHTS COMMON
BROAD REACH RETAIL
OLD TROY PIKE & TAYLORSVILLE ROAD
CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

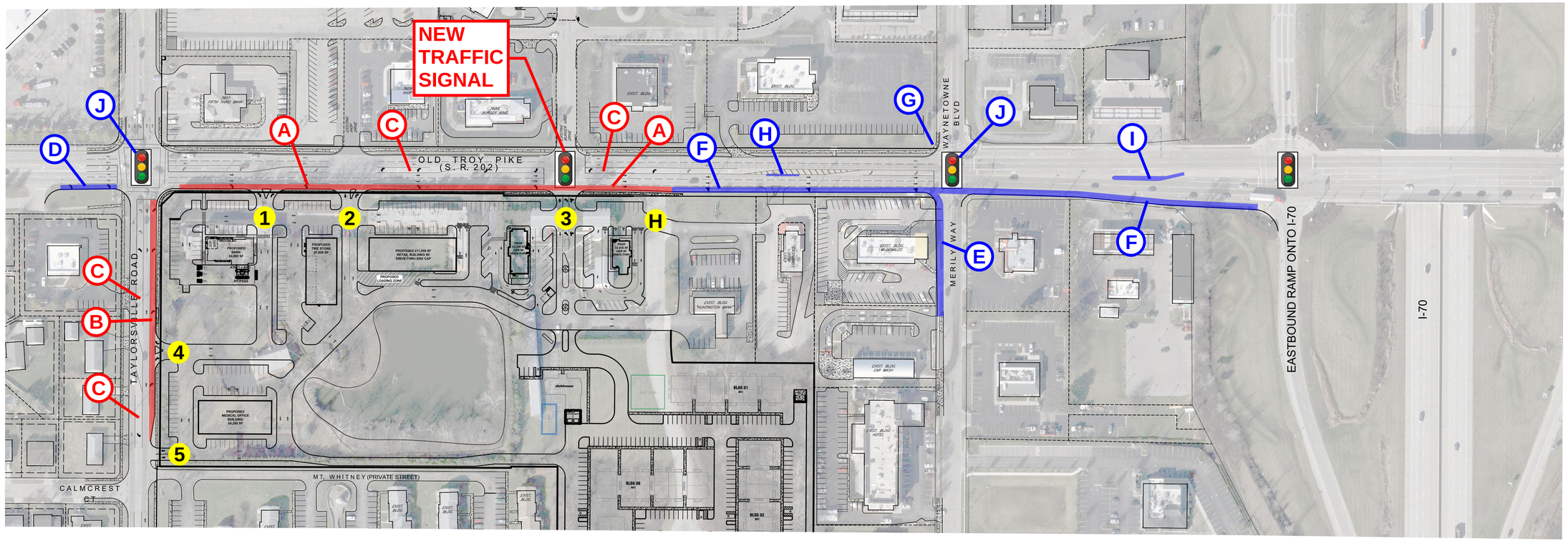
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CIVIL ENGINEERING | LAND SURVEYING | NATIONAL RETAIL SITE DEVELOPMENT

Design: KMZ	Proj: 19.199
Draw: JMK	Dwg: 19-199.dwg
Check: KMZ	Tab: PUD C-2
Scale: 1" = 60'	

Date: 05.05.2021

Sheet: PUD SITE PLAN

Sheet No.: PUD C-2



DEVELOPMENT PLANNED TRAFFIC IMPROVEMENTS

- **A** NEW WIDENING OF OLD TROY PIKE TO PROVIDE DROP RIGHT TURN LANE ALONG DEVELOPMENT FRONTAGE, FROM TAYLORSVILLE ROAD TO HUBER ROAD.
- **B** NEW WIDENING OF TAYLORSVILLE ROAD TO PROVIDE DROP RIGHT TURN LANE ALONG DEVELOPMENT FRONTAGE, FROM ACCESS 5 TO OLD TROY PIKE.
- **C** RESTRIPING OF CENTER TURN LANES IN OLD TROY PIKE AND TAYLORSVILLE ROAD TO MAXIMIZE LEFT TURN STACKING SPACE AND IMPROVE TRAFFIC FLOW.
- **1** ACCESS 1 LIMITED TO RIGHT IN AND RIGHT OUT.
- **2** ACCESS 2 (ACROSS FROM IHOP) LIMITED TO RIGHT IN, RIGHT OUT AND LEFT IN.
- **3** ACCESS 3 (ACROSS FROM BURGER KING) WILL BE A SIGNALIZED INTERSECTION.
- **H** HUBER ROAD VACATED AND ROAD REMOVED.
- **4** ACCESS 4 LIMITED TO RIGHT IN AND RIGHT OUT.
- **5** ACCESS 5 TO BE FULL MOVEMENT.

CITY PLANNED TRAFFIC IMPROVEMENTS

- **D** NEW WIDENING OF THE EAST SIDE OF OLD TROY PIKE FROM THE OLD TROY PIKE FRONTAGE ROAD ACCESS TO TAYLORSVILLE ROAD FOR A DEDICATED RIGHT TURN LANE (CONSTRUCTION BEGINNING SPRING 2021).
- **E** NEW WIDENING OF THE SOUTH SIDE OF MERILY WAY FROM MCDONALDS THROUGH CAR WASH PROPERTY TO THE EAST.
- **F** NEW WIDENING OF THE EAST SIDE OF OLD TROY PIKE FROM HUBER ROAD TO THE I-70 EASTBOUND RAMP.
- **G** ADDITION OF SIGNAGE AT THE INTERSECTION OF OLD TROY PIKE AND WAYNETOWNE BOULEVARD AS A WARNING TO NOT BLOCK INTERSECTION.
- **H** ADDITION OF DEFLECTORS ON OLD TROY PIKE IN THE CENTER AISLE TO PROHIBIT SOUTHBOUND LEFT TURN MOVEMENTS INTO STARBUCKS.
- **I** MODIFICATION OF THE CENTER MEDIAN ON OLD TROY PIKE TO IMPROVE TURN MOVEMENTS INTO THE GAS STATIONS ON BOTH SIDES OF THE STREET.
- **J** RETIMING OF THE SIGNALS TO IMPROVE TRAFFIC FLOW WITH THE ADDITION OF THE NEW SIGNAL (ACCESS 3) WITH THIS DEVELOPMENT.

GRAPHIC SCALE
100 0 50 100
1 inch = 100 ft.

SEE SHEETS PUD C-5 & PUD C-6 FOR DEVELOPMENT'S PROPOSED ACCESS DETAILS.

TRAFFIC IMPROVEMENTS LEGEND

- DEVELOPMENT PLANNED TRAFFIC IMPROVEMENTS
- CITY PLANNED TRAFFIC IMPROVEMENTS

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HUBER HEIGHTS COMMON
BROAD REACH RETAIL
OLD TROY PIKE & TAYLORSVILLE ROAD
CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

Item | Description | Date

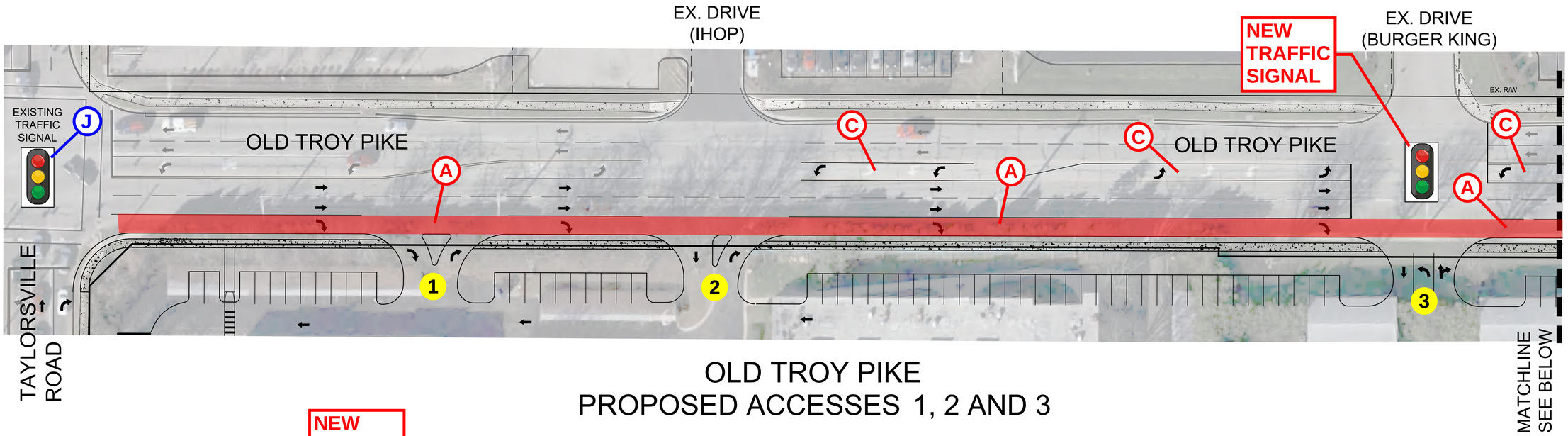
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28 North Cherry Street | Germantown, Ohio 45327 | Phone: 937-388-9060 | BURKHARDTINC.COM

Design: KMZ	Proj: 19.199
Draw: JMK	Dwg: 19-199.dwg
Check: KMZ	Tab: PUD C-4
Scale: 1" = 100'	

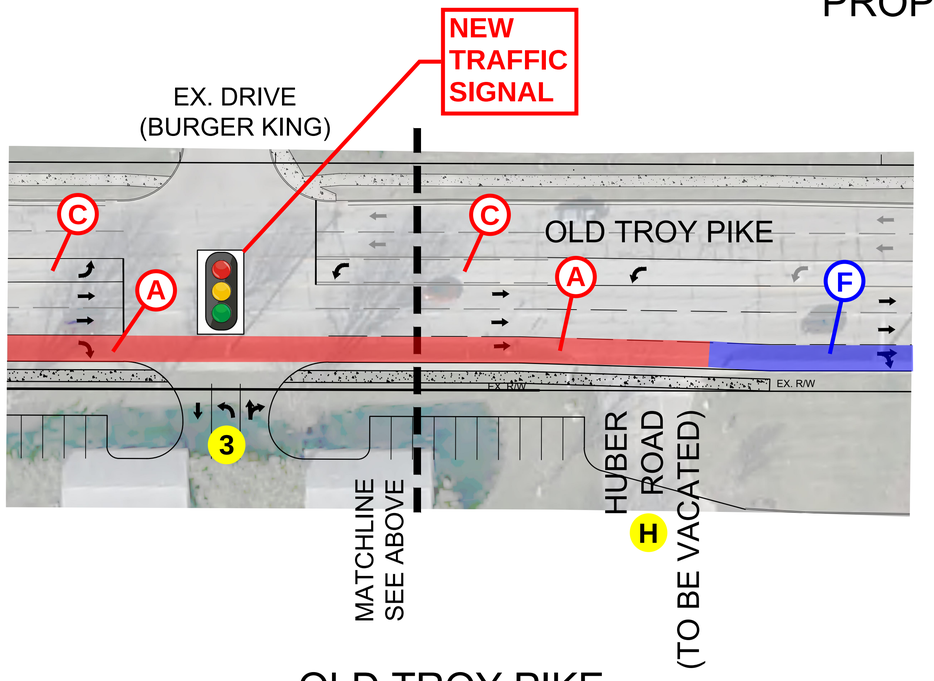
Date: 04.29.2021

Sheet: PUD AREA TRAFFIC PLAN

Sheet No.: PUD C-4



OLD TROY PIKE
PROPOSED ACCESSES 1, 2 AND 3



OLD TROY PIKE
PROPOSED ACCESS 3 AND HUBER ROAD

DEVELOPMENT PLANNED TRAFFIC IMPROVEMENTS

- **A** NEW WIDENING OF OLD TROY PIKE TO PROVIDE DROP RIGHT TURN LANE ALONG DEVELOPMENT FRONTAGE, FROM TAYLORSVILLE ROAD TO HUBER ROAD.
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CITY PLANNED TRAFFIC IMPROVEMENTS

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- **J** RETIMING OF THE SIGNALS TO IMPROVE TRAFFIC FLOW WITH THE ADDITION OF THE NEW SIGNAL (ACCESS 3) WITH THIS DEVELOPMENT.

N

GRAPHIC SCALE
30 0 15 30
1 inch = 30 ft.

TRAFFIC IMPROVEMENTS LEGEND

- DEVELOPMENT PLANNED TRAFFIC IMPROVEMENTS
- CITY PLANNED TRAFFIC IMPROVEMENTS

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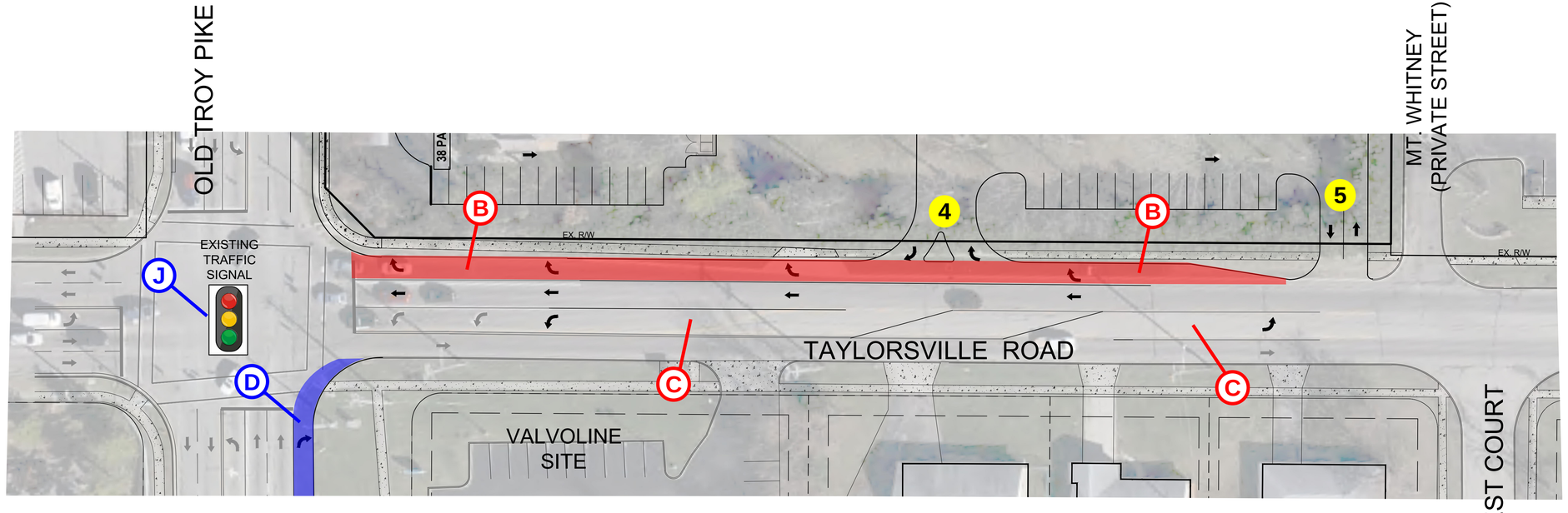
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Design: KMZ	Proj: 19.199
Draw: JMK	Dwg: 19-199.dwg
Check: KMZ	Tab: PUD C-5
Scale: 1" = 30'	

Date: 04.29.2021

Sheet: OLD TROY PIKE ACCESS DETAILS

Sheet No.: PUD C-5



TAYLORSVILLE ROAD
PROPOSED ACCESSES 4 AND 5

DEVELOPMENT PLANNED TRAFFIC IMPROVEMENTS

B NEW WIDENING OF TAYLORSVILLE ROAD TO PROVIDE DROP RIGHT TURN LANE ALONG DEVELOPMENT FRONTAGE, FROM ACCESS 5 TO OLD TROY PIKE.

C RESTRIPING OF CENTER TURN LANES IN TAYLORSVILLE ROAD TO MAXIMIZE LEFT TURN STACKING SPACE AND IMPROVE TRAFFIC FLOW.

4 ACCESS 4 LIMITED TO RIGHT IN AND RIGHT OUT.

5 ACCESS 5 TO BE FULL MOVEMENT.

CITY PLANNED TRAFFIC IMPROVEMENTS

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N

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30 0 15 30
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TRAFFIC IMPROVEMENTS LEGEND

DEVELOPMENT PLANNED TRAFFIC IMPROVEMENTS

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Design: KMZ	Proj: 19.199
Draw: JMK	Dwg: 19-199.dwg
Check: KMZ	Tab: PUD C-6
Scale: 1" = 30'	

Date: 04.29.2021

Sheet: TAYLORSVILLE ROAD ACCESS DETAILS

Sheet No.: PUD C-6

AI-7595 **9. A.**

Planning Commission

Meeting Date: 05/11/2021

MINUTES

Information

Agenda Title

Planning Commission April 27, 2021

Purpose and Background

Attachments

Minutes

Planning Commission
Apr 27, 2021 Meeting
City of Huber Heights

I. Chair Terry Walton called the meeting to order at approximately 6:00 p.m.

II. Present at the meeting: Mr. Jeffries, Ms. Opp, Ms. Thomas, Ms. Vargo and Mr. Walton.

Members absent: None.

Staff Present: Don Millard, Zoning Manager, and Geri Hoskins, Planning & Zoning Administrative Secretary.

III. Opening Remarks by the Chairman and Commissioners

None.

IV. Citizens Comments

None.

V. Swearing of Witnesses

Mr. Walton explained the proceedings of tonight's meeting and administered the sworn oath to all persons wishing to speak or give testimony regarding items on the agenda. All persons present responded in the affirmative.

VI. Pending Business

None.

VII. New Business

1. **REZONING - The applicant, CAROLYN TAKACS, is requesting approval of a Rezoning from I1 (Light Industrial) to PR (Planned Residential) at property located at 4401 Taylorsville Road (ZC 21-11).**

Mr. Millard stated that the applicant has requested a rezoning for a parcel of land that has a residential house with one accessory structure. The current zoning is I-1 Light Industrial, which does not include residential uses as part of the Principle Permitted uses. The rezoning request to PR Planned Residential will bring the property into compliance with the City's zoning code. The surrounding uses at this area are solely residential on the north side of Taylorsville, so this use fits to remain as being used for residential purposes. The size of the lot also, does not make for a high potential of finding the proper user for a light industrial use. The property already has a residential use and structures constructed, so a new plan is not required, and the request is to approve all the current locations and structures as they are currently built. Staff recommends approval of the request for rezoning from I-1 Light Industrial District to PR Planned Residential

District in accordance with the conditions contained in the proposed Decision Record for Planning Commission's consideration.

Action

Ms. Thomas moved to approve the request by the applicant CAROLYN TAKACS, for the approval of a Rezoning from I1 (Light Industrial) to PR (Planned Residential) for 1.01 acres located at 4401 Taylorsville Road also known as P70-04009-0030 and P70-04009-0072 of he Montgomery County Tax Auditor's Records (ZC 21-11) in accordance with the recommendation of Staff's Memorandum dated April 22, 2021, and the Planning Commission Decision Record attached thereto.

Seconded by Ms. Vargo. Roll call showed: YEAS: Mr. Jeffries, Ms. Opp, Ms. Vargo, Ms. Thomas, and Mr. Walton. NAYS: None. Motion to approve carried 5-0.

2. MINOR CHANGE – The applicant, MIKE MEHOLICK, is requesting approval of a Minor Change to add a Patio at the rear of the Building at 6182 Chambersburg Road (ZC 21-12).

Mr. Millard stated that the applicant is requesting to build a fenced in patio at the rear of their commercial space. This will allow for more usable seating and table space and allow for the applicant to apply for an extension of their liquor permit. The area is twenty (20) feet deep by thirty (30) feet wide. A four (4) foot fence with a gate will be installed surrounding the concrete patio. Drive aisles and fire lanes will not be blocked.
Staff recommends approval of the Minor Change in accordance with the conditions contained in the proposed Decision Record.

Mr. Jeffries asked if the owner's permission had been obtained. Mr. Millard stated yes. Ms. Opp asked if accessible from the back or only through the building.
Mike Meholick stated said no plans to access from the back due to no parking back there. You come in the building and go out to the patio.
Glenn Otto stated it's always good to a quality locally brewed cold beer is always better outside on a porch.

Action

Ms. Opp moved to approve the request by the applicant, MIKE MEHOLICK, ALEMATIC ARTISAN ALES, for approval of a Minor Change for the addition of a fenced in patio at the rear of their commercial space at the Huber Centre located at 6182 Chambersburg Road (ZC 21-12) and the Planning Commission Decision Record attached thereto.

Seconded by Mr. Jeffries. Roll call showed: YEAS: Ms. Thomas, Ms. Vargo, Mr. Jeffries, Ms. Opp, and Mr. Walton. NAYS: None. Motion to approve carried 5-0.

Next the applicant will submit to Montgomery County, then coordinate with our Fire Engineer.

VIII. Additional Business

None.

IX. Approval of the Minutes

Without objection, the minutes of the March 23, 2021, Planning Commission meeting are approved.

X. Reports and Calendar Review

Major Change, Quail Ridge
Major Change, 6166 Apache Street

XI. Upcoming Meetings

May 11, 2021
May 25, 2021

XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 6:10 p.m.

_____ _____

Terry Walton, Chair **Date**

_____ _____

Geri Hoskins, Administrative Secretary **Date**