

**Planning Commission
October 26, 2021 Meeting
City of Huber Heights**

- I. Chair Terry Walton called the meeting to order at approximately 6:03 p.m.
- II. Present at the meeting: Mr. Jeffries, Ms. Opp, Ms. Thomas, Ms. Vargo and Mr. Walton.

Members absent: None.

Staff Present: Scott Falkowski, Interim City 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. **COMBINED BASIC AND DETAILED DEVELOPMENT PLAN - The applicant, MEGAN PRATHER, is requesting approval of a Combined Basic and Detailed Development Plan for 1.0 acres for property located at 6119 Brandt Pike, for Dogtown (ZC 21-37).**

Mr. Falkowski stated the request is for the following:

The applicant requests approval of a rezoning to Planned Mixed Use and a combined Basic and Detailed Development Plan for 1.0 acres at 6119 Brandt Pike for Dogtown.

The City's Comprehensive Plan calls for this area to be Mixed Use B Town Center which includes commercial uses.

Sanitary and water will connect into the City's public main system at the edges of the development parcel. Drainage will be handled through a public storm sewer

system which flows to an existing detention basin to the southwest. Twenty-one parking spaces are proposed with two of those being ADA accessible. The proposal calls for ten-foot-wide spaces which matches the City's Zoning Code. A drop off area is located at the front of the building. The entrance comes off an existing access easement that leads to Brandt Pike and Fishburg Road. Lighting shall follow standard City Code. Landscaping is provided in all drive and parking islands and around the monument sign.

The building is made of brick, EIFS and integral color masonry units. The plan is for two stories. The total height of the building is 27 feet at the lobby and 24 feet throughout the rest of the building. Two outdoor areas are proposed for dog use. They are further away from any residential use than the current outside dog runs for the existing dog day care business in the shopping center. These areas are surrounded by six-foot tall powder coated picket fences. The dumpster enclosure is proposed to at the rear and have masonry walls with a gate. The request is for a 10-foot-high monument sign. Staff recommends the sign be limited to six feet tall and seventy-five square feet total as per standard City code. One wall sign is proposed, which staff recommends to be a maximum of seventy-five square feet in area.

Timothy Foster said I just wanted to mention, there's not whole lot more I can add to the presentation that Mr. Falkowski gave. All I would mention is that the city recommendations related to the signage height and other things we're okay and can agree to those terms that were put in the resolution.

Action

Ms. Jeffries moved to approve the request by the applicant MEGAN PRATHER, for the approval of a Basic and Detailed Development Plan for property located at 6119 Brandt Pike (ZC 21-37) in accordance with the recommendation of Staff's Memorandum dated October 15, 2021, and the Planning Commission Decision Record attached thereto.

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

2. REZONING - The applicant, DANIEL GREENE, is requesting approval of a Rezoning to Planned Residential for .3445 acres of property located at 4270 Murdock Avenue (ZC 21-40).

Mr. Falkowski stated that the applicant requests rezoning from B-1 Commercial to PR Planned Residential District.

The applicant requests a lot combination of five parcels including 0.344-acres in order to utilize the property for its current use. This new parcel combines five 25-foot frontage lots which has existing buildings that cross said property lines. This cleans up the parcel into one ownership parcel. The property is zoned B-1 Commercial but has a residential house on the property and the owner would like to continue to have that use. A rezoning will be required of the newly combined parcel for the residential use. The rezoning will be to Planned Residential to allow for the current locations of all buildings on the site. No additional right-of-

way was required with this split and rezoning. The surrounding uses at the area of the split are a combination of residential and commercial, so this use fits. No additional improvements are being requested with this application.

Ms. Vargo asked will they be able to sell each house individually if the desired? Mr. Falkowski stated there are five lots that will be combined into one, but it is just one house.

Action

Ms. Thomas moved to approve the request by the applicant DANIEL GREEN, for the approval of a Rezoning from B1 Commercial to PR Planned Residential 4.3445 acres located at 4270 Murdock Avenue (ZC 21-40) in accordance with the recommendation of Staff's Memorandum dated October 15, 2021, and the Planning Commission Decision Record attached hereto.

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

3. LOT SPLIT - The applicant, DANIEL GREENE, is requesting approval of a Lot Split of .3445 acres (ZC 21-39).

Mr. Falkowski stated the applicant requests a lot combination of five parcels including 0.344-acres in order to utilize the property for its current use. This new parcel combines five 25-foot frontage lots which has existing buildings that cross said property lines. This cleans up the parcel into one ownership parcel. The property is zoned B-1 Commercial but has a residential house on the property and the owner would like to continue to have that use. A rezoning will be required of the newly combined parcel for the residential use. The rezoning will be to Planned Residential to allow for the current locations of all buildings on the site. No additional right-of-way is required with this combination. No new improvements are being requested with this application.

Action

Ms. Thomas moved to approve the request by the applicant, DANIEL GREENE, for approval of a Lot Split of .3445 acres at 4270 Murdock Avenue (ZC 21-39) in accordance with the recommendation of Staff's Memorandum dated October 15, 2021, and the Planning Commission Decision Record attached hereto.

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

4. BASIC DEVELOPMENT PLAN - The applicant, DARIN SCHMIDT, is requesting approval of a Basic Development Plan for 19.1 acres for an Airsoft and Paintball facility for property located at 7860 Bellefontaine Road (ZC 21-36).

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Mr. Falkowski stated the applicant requests approval of a Basic Development Plan for 19.1 acres at 7860 Bellefontaine Road for a paintball and airsoft facility.

The City's Comprehensive Plan calls for this area to be Agricultural/Low Density Residential.

There are no public sanitary and water connections available at the site. Drainage calculations shall be submitted by a licensed professional engineer and follow the standards for water quality and quantity. The proposal calls for areas to be set up for paint ball and airsoft facilities. Staff's recommendation is that any building follow the standard Commercial Design as per City Code. Also, the entrance shall be upgraded to the City Standard of a concrete drive apron for commercial standards. Parking and loading shall follow the City Standards as well, including materials, number of spaces and dimensions. The minimum standard for a landscaped buffer in 15 feet along the southern and eastern property lines. The parking and loading facilities shall be a distance of at least 25 feet from the established right-of-way line, and the building(s) or the structure(s) at least 75 feet from the established right-of-way line per the Official Thoroughfare Plan or the recorded plat. The nearest residential structure to this property is approximately 780 feet away.

There were some concerns that were in letters, potential noise, encroachment onto neighboring properties, drainage, traffic that have been provided to you.

Ms. Vargo stated she has concerns about paintball she has no idea what is in the paint, how far it shoots. Dry Lick Run Creek goes through our city and can't have that contaminated. What is the plan for cleanup? Ms. Thomas stated not quickly biodegradable. Ms. Opp stated harmful to animals. Mr. Jeffries asked about fencing around the perimeter.

Darin Schmidt CEO of G2 tactical, LLC Most of your concerns seem to be with the chemical makeup of the paintball itself. I've got the sts material sheet from belk and it says it's, non-toxic, there's like a 41% volume in there that says it's proprietary chemical stuff, cause they will not disclose that to the public. But also I believe you mentioned some of it being dangerous to animals that's if you ingest like 10 full balls, what it actually does is it creates, dehydration within the body. So you had to seek medical attention now that's not really capable. No one's pet should be roaming on our property anyways. Some of you mentioned about stuff going into the creek. We are going to be putting up a fence line right there. It's called it's an eight foot mesh netting that prevents any paint balls, any bee bees to go there. We do have now a days biodegradable bee bees that we use and we highly encourage them and we sell them if they're available now because of the pandemic, there's been a supply shortage a nd stuff. So we get what we can so that people can come out and play. But we're very environmentally conscious as well. We prefer bio degradable any day of the week.

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Because yes, humans aren't going to be able to encroach your property, but what's to say the wildlife or the birds what is that going to do to the environment?

Well, I can't predict how many balls of paint they lick off the ground, just saying.

but if something were to happen, of course, that would probably cause complications for them, but then no air soft field repayable field should be

allowed to

be opened if that's the case, because we can not guarantee that no wildlife is going to come in there, but it will be surrounded heavily in netting where there is only one entrance and one exit. I find that fairly unlikely, a land animal maybe a bird would come in there

but from my understanding, I've never

tested it myself, but it does not taste great. So I would hope that if they did get a sample of it, they would go I'm out of here.

Ms. Opp asked about the netting fence, how tall is that. 8 feet up to 27 feet tall. Does anything ever go over eight feet?

What about the visual? Um, it's not, unpleasing, it's just a black mesh net. It's surrounded by wildlife, all the trees and everything anyways. So you won't even see it from the road. Camping or grilling out of enjoying the outdoor movie theater that we hope to one day open. We are hoping that with us adding more vegetation to the

area, the trees, the flowers, all that stuff will actually increase we take very great pride in what we planning just around the actual paintball field itself so that the air softwares don't hit the pain, ballers and pain ballers. It's technically three different fields in one I'm understanding. Could you briefly explain to us the difference between the airsoft, the paintball and anything else you might have going on that facility?

Airsoft has a sense, it's just the same thing as paintball, except you can use different

style weapon, or I should say markers or guns, however you wanna label

it. They just use soft. They use little hard plastic pellets that are six millimeter in diameter

and they can range from 0.2 up to someone like four to six I've heard of

and seen it's very safe. You

know, they don't have a whole lot of power behind them. We regulate the juul rating, which is the kinetic energy behind the actual

projectile itself. So it does not break skin. We

will require everybody to wear proper gear and safety equipment.

From what I read with some of them that we buy it only takes three

months to six months for the naturally biodegrade out in, out in the open.

What about the noise of the gun? I personally feel that the highway itself pollutes the air more than our noise and

guns with them and with all the trees and everything that's around too. I

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highly doubt that any of the neighborhood even hear it. That's how confident I am in it.

Mr. Jeffries asked

If you were to you have an event going, I mean, what I'm assuming if able, you'd be happy to run all three courses at the same time to revenue all running the same time. So how many people would that consist of?

I don't know. We don't do paintball right now, so we don't hardly get anybody for that but we get on average from 50 to 80 people an event, for airsoft. Some of us vets, it's therapeutic for us.

So it's good for all of us in some way or fashion. During peak times a hundred to 150. Um, no probably at most at peak would be 80 something on average.

Ms. Thomas asked where are you currently operating? In Dayton right off North Irwin street. Pretty close to around route four. Ms. Thomas asked what are your, what's surrounding you there? Just a bunch of factory buildings basically. There's some open area and there's residential areas, not too far from this.

Ms. Vargo said I have several questions. Are the paint balls toxic? No. How about the plastic? Um, I would assume not either. How large are they? Six millimeters small My main concern again is the creek. Yeah. I fully understand. Do you have any kind of insurance to assure the City you can fix anything that goes wrong with the creek? I mean, we carry everything.

Ms. Vargo said

if something happened to the creek, what would you do? We would do our best to solve to the problem. I understand we're taking every precaution to make sure that does not happen, by using materials and so forth. So I don't foresee there being any way we could cause harm. I could submit that to you if you'd like, cause I have it at home.

Have you at your current facility, have you had any encounters with the epa or any kind of environmental company because of what you're doing there? No.

How long have you been there? This year only because we used to host the other fields, like, Tim's. Tim's facility over at paintball, airsoft and fallen warrior and some other places too. I have never had a problem.

I do want to be clear so that everybody understands the creek itself.

The creek runs along the front portion, along the property line and then heads the south there, south property line.

I feel to be honest that the farmer that was there, putting pesticides and fertilizer on land would do more harm than we will.

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Mr. Jeffries said under the mesh fencing that goes around, I'd like to make sure that, there's some kind of a maintenance inspection on that to make sure that over time it's not degrading and having holes where stuff continuing to fly. It's a five-year fence. five-year netting, I should say actually and we do go through and make sure there's no rips and cuts and stuff like that.

At least around the paintball area and along where highway 70 is.

Would you be open to putting it around the entire area to handle some of the neighbors concerns about encroachment from the properties? I would assume that probably would cause a problem with your 15 foot preservation zone

though, because when you get the netting around it, like a lot of woods and stuff, we had to build, maintain that woods as well. If we're surrounding the whole thing then that's going to grow into our netting and really ruin it.

Ms. Thomas, I have one last question.

I'd like to say for all the vets in the, in the room, thank you for your service. As you mentioned, what are your hours of operation?

We only operate on the weekend and I don't remember if I put in the report, but our primary, days are the first and third weekend of the month. We don't operate every weekend either.

It works out well for us because we too have family jobs and stuff like that.

Ms. Vargo Will you have any kind of building there?

Yes. Where it says the gravel parking to the bottom, right of that we will have a 100 x 42 story building eventually as we get the funds for it.

For the time being, I did talk with Donald with the county about putting up some temporary sheds that we could operate out of.

That will be for your equipment? yeah for everything it'll be our shop and storage, everything. Someone mentioned about traffic. I was told by the engineer, we didn't have to have a traffic study.

Mr. Falkowski said the city engineer looked at this and said that the traffic study would not be needed that improvements to Bellefontaine Road would not be required with this, but we would require the entrance to meet commercial standard.

Ms. Vargo asked will you have water? Oh yes. It will be treated and filtered and everything else, like we mentioned to, that, you know, we're very environmentally conscious well. We will be actually using the same drinking fountains that you guys have so they can fill up their bottles

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instead of a bunch of bottled water and throwing all the plastic.

You'll have a bathroom septic systems? Yes

Rich Moore - Opposed, read letter that is attached. Spoke to concerns with
Environmental
Bullet Encroachment
Potential Encroachment by visitors

Bruce Waley – Against, spoke to concerns with
Quality of Life
Litter Safety

Kim Williamson – Against, spoke to concerns with
Quality of Life
Safety
Litter

Susanne Moore – Against, spoke to concerns with
Environmental
Safety

Joe Dotson – Against, spoke to concerns with
Traffic
Noise

Charlie Rice – Against, spoke to concerns with
Home Values
Noise

Steve McClain – For
Mainly Airsoft
States paintballs are not an environmental problem
Outdoor Recreation
Destination Sport

Dennis Soro – For
Veteran Owned and operated
Airsoft an outlet for veterans

Luanne Flynn
Animals

Evan Bellinger – for

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Kim Lukey – Against, spoke to concerns with
Worried about lights
Noise
Traffic

Shane Elliot – For
Guns are quiet
Rounds don't penetrate forest

Carl Tavener – Against, spoke to concerns with
Traffic

Jake Musser – For
Honor Sport

Nancy Byrge – spoke to concerns with
Environmental
What are specifications?

Ann Leach - spoke to concerns with
Not proper location

Logan Lehart
Vouch for applicant character

Dustin - spoke to concerns with
Doesn't want commercial use

Tim Hart - spoke to concerns with
Paintball can kill dogs
Noisy
Airsoft Grenades
Camping
Rounds can reach 170

Austin Harten
Fireworks
Night op

Robert Stevens – For
James Brant – For

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Josh Mann - spoke to concerns with
Doesn't want it in the neighborhood

Ms. Vargo asked about complaints against I70 paintball?
How many Police Calls.

Mr. Walton asked if the commission had any other questions for staff. Ms. Vargo said a couple of things came up that she wasn't aware of. Camping wasn't part of the application. Nothing was said about pyrotechnics. I would want input from Fire. Discussion followed on tabling this issue for more information.

Action

Ms. Vargo moved to table the request by the applicant, DARIN SCHMIDT, for approval A Basic Development Plan for 19.1 acres for an Airsoft and paintball facility for property located at 7860 Bellefontaine Road (ZC 21-36).

Seconded by Ms. Opp. Roll call showed: YEAS: Ms. Thomas, Ms. Opp, Mr. Jeffries, and Ms. Vargo. NAYS: Mr. Walton. Motion to table carried 4-1.

- 5. BASIC DEVELOPMENT PLAN - The applicant, DDC MANAGEMENT, is requesting approval of a Basic Development Plan for 172.5 acres property located at Chambersburg Road, Villages of Westport, a Planned Residential Development (ZC 21-35).**

Mr. Falkowski stated that the applicant requests approval of a Rezoning to Planned Residential and a Basic Development Plan for 172.5 acres on Chambersburg Road for a residential subdivision.

The applicant is looking to develop 172.5 acres on the north side of Chambersburg Road. The intent is to build two hundred and eighty-three (283) residential lots. The request is to rezone to Planned Residential for this development.

The City's Comprehensive Plan calls for this area to be Single Family Residential with a maximum of 6 units per acre. The proposed density is 1.65 dwelling units per acre.

Sanitary and water will connect into the City's public main system. Water and sanitary are located along the perimeter of the property. Drainage will be handled through a public storm sewer system including detention basins, following the City's Code for storm water drainage. Chambersburg Road will be improved to a forty-five (45) foot half right-of-way section per our City's Thoroughfare Plan. All streets will be public with curb and sidewalk on both sides.

Two styles of lot are being proposed. All lots are proposed to have a minimum of 120 feet in depth, twenty-five-foot front yards, five-foot side yards and twenty-five-foot rear yards. The two styles are fifty-one-foot minimum width lots and seventy-foot minimum width lots. The total lots count is 283 lots, with 98 of them

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being the 70-foot lots and 185 being the 51-foot lots. The seventy foot lots are all located at the exterior of the development. The proposal calls for 101.58 acres of open space, or 59.4% of the development. Staff recommends that a minimum of 25% of the surface area of the front façade shall be finished with brick or stone masonry products.

Ms. Vargo asked about 5 ft side setbacks, Mr. Falkowski said yes.

Mr. Jeffries asked about buffering, Mr. Falkowski said development agreement through the City. City to have park land.

Ryan Reed, DDC Management said area donated to the City, public park. Ms. Vargo asked how many phases, Ryan responded 4 phases, mixture in all phases.

Ms. Byrge asked any street lighting and Mr. Falkowski said standard AES lights or individual.

Mr. Hart asked HOA and average price. Ryan Reed said market mid 200s lower 300s and Mr. Falkowski said yes to HOA.

Action

Ms. Thomas moved to approve the request by the applicant, DDC MANAGEMENT, for approval of a Basic Development Plan for 172.5 acres property located at Chambersburg Road, Parcel Numbers P70-04048-0006 and P70-04008-0004, Villages of Westport, of the Montgomery County Ohio records (ZC 21-35) in accordance with the recommendation of Staff's Memorandum dated October 15, 2021, and the Planning Commission Decision Record attached hereto.

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

- 6. BASIC DEVELOPMENT PLAN - The applicant, THE ANNEX GROUP, is requesting approval of a Basic Development Plan for 20 acres for property located at 6502 Old Troy Pike for 216 multi-family units in a Planned Residential Development (ZC 21-34).**

Mr. Falkowski stated the applicant requests approval of a rezoning to Planned Residential and a Basic Development Plan for 20.0 acres at the northeast corner of Old Troy Pike and Chambersburg Road.

The applicant is looking to develop 20 acres at the northeast corner of Old Troy Pike and Chambersburg Road. The current request is to rezone to PR Planned Residential for construction of 216 multi-family units.

The City's Comprehensive Plan calls for this area to be Commercial Business.

Sanitary and water will connect into the City's public main system and is located on Old Troy Pike and Chambersburg Road. Drainage will be handled through a

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public storm sewer system including detention basins, following the City's Code for storm water drainage. Chambersburg Road shall be improved to a forty-five (45) foot half right-of-way section per our City's Thoroughfare Plan, including curbs and sidewalks. Two access points are proposed, one on Old Troy Pike and one on Chambersburg Road. The parking code for Multi-family residential is two spaces per dwelling unit. 322 parking spaces are proposed with 14 of those being ADA accessible.

Six buildings are proposed with 36 units in each building. The buildings are all three stories in height. The buildings are proposed to be all siding. Staff recommends that there be a minimum of 25% brick or stone.

Mr. Falkowski said Traffic Impact Study came in over the weekend and did not make it into the packets. One recommendation is the southern access point be a right in right out access point.

Ms. Opp asked about right in right out and parking spaces and Mr. Falkowski said room to add more further away.

Ms. Thomas asked what will divide from the bank. Mr. Falkowski said detention basin and drive.

When it comes back for a Detailed Plan, they will have a landscaping plan as well.

Mr. Jeffries parking will be 10-ft-wide, and Mr. Falkowski said yes.

Tyler Knox said 65 1 bedroom, 106 2 bedroom, and 45 3 bedroom. 1.5 parking ratio – we can look into more parking spaces.

Ms. Byrge asked about handicap and Mr. Falkowski stated 10 ft wide with stripped area. Also asked about elevators and they do not.

Mr. Hart asked normal space size will be narrower and Mr. Falkowski said no 10 ft wide spaces.

Mr. Jeffries hesitant to vote without seeing the traffic impact study. Mr. Falkowski could add condition to Decision Record that they follow any recommendation from the Traffic Impact Study.

Action

Ms. Vargo moved to approve the request by the applicant, THE ANNEX GROUP, for approval of a Basic Development Plan for 20 acres for property located at 6502 Old Troy Pike, Parcel Number P70-04004-0003 of the Montgomery County Ohio records (ZC 21-34) in accordance with the recommendation of Staff's Memorandum dated October 15, 2021, and the Planning Commission Decision Record as amended.

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

7. DETAILED DEVELOPMENT PLAN - The applicant, JPMORGAN CHASE BANK, is requesting approval of a Detailed Development Plan for .96 acres for property located at the northeast corner of Taylorsville Road and Old Troy Pike (ZC 21-33).

Mr. Falkowski stated the applicant requests approval of a Detailed Development Plan for the infrastructure portion of a commercial and multi-family Mixed Use project at the above-described location.

The above-described property was rezoned from R-6 - Residence and B-3 - Commercial to PM – Planned Mixed Use in 2021. The site is located at the northeast corner of Taylorsville Road and Old Troy Pike. The overall proposal calls for the construction of six commercial buildings to be located on individual lots and 192 market rate apartment units housed in 6 multi-family buildings. The proposal before Planning Commission calls for the construction of a new 4,085 square foot Chase Bank Facility which is a permitted use in the Planned Mixed Use Zoning District as a commercial use. Staff's analysis of the proposal is broken into several segments as follows.

The building is 86 feet from the Old Troy Pike Right-of-Way and 90 feet from the Taylorsville Road Right-Of-Way. The building in this location is surrounded by other commercial uses. Pedestrian access is provided from Old Troy Pike and to the north within the development. The dumpster enclosure is located at the rear of the building.

Parking is as follows.

Financial establishment, bank or savings and loan association: one space per 200 square feet of gross floor area, plus one space per employee on the largest work shift, plus five stacking spaces per drive-in window or drive-thru machine.

By Code, thirty spaces would be required. Thirty-seven parking spaces are provided, with two being handicap accessible. The proposal calls for ten-foot width parking spaces.

Utilities:

The building will be serviced by connections to public water and sanitary sewer connections. Gas, telephone, and electric are also available at the site limits. Drainage is being collected through catch basins and storm sewer routing the flow to the existing retention pond to the east. There is no need for additional storm water detention. Lighting shall meet the standards of City Code 1181.21.

Signage:

Four wall signs are proposed on the building. The signs are to be located on all faces. The total sign area of the four signs shall not exceed 150 square feet as per that standard City Code for buildings with multiple visible faces. No ground sign will be approved at this location. A master development sign will be available for all users.

Landscaping:

Landscaping is being provided around the perimeter of the building and site. The landscaping consists of deciduous trees, evergreen trees, shrubs, grasses, and perennials. Staff recommends adding Autumn Fantasy Maple trees along Old

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Troy Pike and Taylorsville Road to match the spacing that was approved with the Discount Tire Store.

Erin Gogolin and Seth Burk from JPMorgan Chase Bank said they are not sure if bank on Chambersburg will close.

Action

Ms. Thomas moved to approve the request by the applicant, JPMORGAN CHASE BANK, for approval of a Detailed Development Plan for property located at the northeast corner of Taylorsville Road and Old Troy Pike (ZC 21-33) in accordance with the recommendation of Staff's Memorandum dated October 15, 2021, and the Planning Commission Decision Record attached thereto.

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

8. DETAILED DEVELOPMENT PLAN - The applicant, BROAD REACH RETAIL PARTNERS, LLC, is requesting approval of a Detailed Development Plan for 1.10 acres for property located at the northeast corner of Taylorsville Road and Old Troy Pike (ZC 21-32).

Mr. Falkowski stated that the applicant requests approval of a Detailed Development Plan for a retail building in the Mixed-Use development at the above-described location.

The above-described property was rezoned from R-6 - Residence and B-3 - Commercial to PM - Planned Mixed Use in 2021. The site is located at the northeast corner of Taylorsville Road and Old Troy Pike. The overall proposal calls for the construction of six commercial buildings to be located on individual lots and 192 market rate apartment units housed in 6 multi-family buildings. The proposal before Planning Commission calls for the construction of a new 11,050 square foot retail Facility which is a permitted use in the Planned Mixed Use Zoning District as a commercial use. Staff's analysis of the proposal is broken into several segments as follows.

Building Elevations:

The building is made up of different shades of brick and different shades of EIFS. There is a good mix of colors and depth to the building. The total building height is twenty feet, eight inches. The dumpster enclosure is proposed to be made of masonry materials to match the building and have gates at the front.

The building is 86 feet from the Old Troy Pike Right-of-Way. The building in this location is surrounded by other commercial uses. Pedestrian access should be provided from Old Troy Pike. The dumpster enclosure is located at the rear of the building.

Parking is as follows.

Specialty retail commercial, specialty food store, personal service and commercial center, shopping center: one space for every 200 square feet of gross floor area less than 2,000 square feet and one space for every 250

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square feet of gross floor area greater than 2,000 square feet, except that commercial entertainment uses in commercial centers shall provide additional parking as required in subsection (c)(6) hereof.

By Code, forty-six spaces would be required. Thirty-six parking spaces are provided, with two being handicap accessible. The proposal calls for nine-foot width parking spaces, while the standard City code is ten feet wide spaces.

Utilities:

The building will be serviced by connections to public water and sanitary sewer connections. Gas, telephone, and electric are also available at the site limits. Drainage is being collected through catch basins and storm sewer routing the flow to the existing retention pond to the east. There is no need for additional storm water detention. A lighting plan has been submitted and meets the standards of City Code 1181.21.

Signage:

A signage package for the building has not been submitted at this time. Three monument signs are proposed for the entire development. Sign A located at the new signalized intersection is planned to be sixteen feet eight inches tall and twelve feet wide. This will be a multi-tenant sign. The next sign, Sign B, would be located at the entrance to the development on Taylorsville Road. This multi-tenant sign is proposed to be fourteen feet two inches tall and nine feet wide. Finally, Sign C located at the intersection of Old Troy Pike and Taylorsville Road is proposed to be five feet tall and fourteen feet wide.

Landscaping:

Landscaping is being provided around the perimeter of the building and site. The landscaping consists of deciduous trees, evergreen trees, shrubs, grasses, and perennials. Staff recommends adding Autumn Fantasy Maple trees along Old Troy Pike to match the spacing that was approved with the Discount Tire Store.

Ms. Vargo asked about egress, Mr. Jeffries asked about how far off the curb. Mr. Falkowski stated right only Troy Pike, behind the building with 8 units and 15 ft off the Right-of-Way which is standard.

Mike Castellitto said intended all entrances on front. Discussion on parking spaces, back for loading and unloading. Mr. Falkowski said global sale there is enough.

Discussion on the total sign package.

Action

Ms. Thomas moved to approve the request by the applicant, BROAD REACH RETAIL PARTNERS, LLC, for approval of a Detailed Development Plan for property located at the northeast corner of Taylorsville Road and Old Troy Pike (ZC 21-32) in accordance with the recommendation of Staff's Memorandum dated October 15, 2021, and the Planning Commission Decision Record as amended.

Planning Commission Meeting
October 26, 2021

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

9. **FINAL PLAT - The applicant, CAMPBELL BERLING HUBER HEIGHTS, LLC, is requesting approval of a Final Plat for a residential subdivision for property located south of Chambersburg Road, east of Belmont Place, west of Stoney Creek Drive, north of Aaron Lane (ZC 21-38).**

Mr. Falkowski stated that in June 2021, the Planning Commission approved the Detailed Development Plan for the Quail Ridge Subdivision. The current request is for the Final Plat of the Quail Ridge Subdivision in order for the lots to be sold and developed for single-family houses. The construction of the infrastructure and streets is ongoing.

The forty-three (43) proposed single-family lots meet the minimum dimensional and area requirements of the 2021 Basic Development Plan conditions of approval. All required streets and easements, including utility, waterline, and drainage easements, will also be platted with this application. The final plat as presented complies with the previously approved Detailed Development Plan.

This is the only phase of the development which continues the growth on the south side of Chambersburg Road. The majority of lots have sixty (60) foot minimum widths with a twenty-five (25) foot minimum building setback. There are five (5) foot side yards and forty (40) foot rear yard minimums. There are four lots that are "flag" lots with 12.5-foot frontages along Quail Ridge Drive. Those lots have driveways that go back to lots that are a minimum of eighty (80) feet wide. There is a ten-foot preservation easement along the western property line and a twenty-foot preservation easement along the southern property line.

Mr. Jeffries asked about working with the neighbor mentioned before. Mr. Krohngold said they did some grading, no issues at this time.

Action

Ms. Opp moved to approve the request by the applicant, CAMPBELL BERLING HUBER HEIGHTS, LLC, for approval of a Final Plat for Quail Ridge (ZC 21-38) in accordance with the recommendation of Staff's Memorandum dated October 15, 2021, and the Planning Commission Decision Record attached thereto.

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

10. **MINOR CHANGE - The applicant, SIGNS UNLIMITED, is requesting approval of a Minor Change for signage at property located at 7536 Brandt Pike, Take 5 Oil Change (ZC 21-41).**

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Mr. Falkowski stated that the applicant requests approval of a Minor Change for signage for Take 5 Oil Change at 7536 Brandt Pike.

The applicant wishes to install a ground sign at the north side of the entrance drive. The request is to locate the sign fifteen (15) feet from the Brandt Pike right of way line. As described below the standard code for ground signs is for the sign to be located a minimum of fifteen feet from the right of way. The sign base would be thirteen (13) feet, one (1) inch wide, with an overall height of six (6) feet. The sign face itself is twelve (12) feet wide by four (4) feet tall. The sign area would be forty-eight (48) square feet per side, which is larger than the standard city code of seventy-five (75) square feet total. Landscaping shall be placed around the sign with a minimum square footage of the area of the sign face.

Wall signage is proposed on three faces. On the southern face, there are three components to the signage with a total of 67.4 square feet. On the western face, there are three components to the signage with a total of 73.7 square feet. On the eastern face, there is just informational messaging. Also, there are directional signs throughout the facility as shown on the submitted drawings.

James Stewart asked about directional signs and background area. Discussion on the celebrating signage, constant honking.

Action

Ms. Thomas moved to approve the request by the applicant, SIGNS UNLIMITED, for approval of a Minor Change for signage for Take 5 oil Change (ZC 21-41) in accordance with the recommendation of Staff's Memorandum dated October 11, 2021, and the Planning Commission Decision Record as amended.

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

VIII. Additional Business

None

IX. Approval of the Minutes

None

X. Reports and Calendar Review

Minor Change - Texas Roadhouse
Major Change - Larkspur
Rezoning and Basic Development Plan - 6025 Taylorsville Road

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XI. Upcoming Meetings

November 9, 2021
December 14, 2021

XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 9:35 p.m.

Terry Walton, Chair

Date

Geri Hoskins, Administrative Secretary

Date

25 Oct 2021

Huber Heights Planning Commission

Re: Case No. 21-36

Address: 7860 Bellefontaine Road



My name is Rich Moore, and the back portion of my property is adjacent to the proposed airsoft and paintball facility. My family lives at 8787 Taylorsville Road. It is a beautiful 8 acre lot. We've lived at this property for almost 20 years, raising our four children, with two of them still in school. We moved to this property from inner Huber Heights for the peace, privacy, and natural surroundings. Quite frankly, if the proposed facility had been in place when we were househunting, we never would have bought the property. I have several concerns with this proposed action:

- (1) Safety of Children: I have a son who frequently has friends over, and they like to hike in our back woods. I would not feel comfortable having them hike back there anymore, as they would be directly next to individuals running around with paintball and airsoft guns. I also worry that these individuals will not be screened for being child predators. There are numerous documented instances of paintball facilities being nuisances when they are located in neighborhoods.
- (2) Safety of Others: My neighbors and I frequently walk through the portion of our property adjacent to this proposed facility. None of us want to be dodging errant paintball or airsoft bb's, or being forced to wear protective gear as we walk around our property. And, what about the I-70 drivers? While it is unlikely, though not impossible, for a paintball shot to reach I-70 drivers, it is very likely that Airsoft BB's could, as they can shoot up to 300 feet or more.
- (3) Trespassing: There are no natural boundaries in that area, so individuals will be free to roam onto other's properties. What's to stop them from extending their games onto our property, and even towards our houses?
- (4) Litter: These types of facilities produce a lot of trash, including the paintball capsules, airsoft BB's, batteries, and other material associated with the game. The participants can also leave behind other trash. I don't want that on my property.
- (5) Environmental Impact: According to paintballusa.org:

"The paintball is made of a biodegradable gelatin that will dissolve with time. However, the paint inside of the paintball can at times be questionable. Cheaper paintballs or seconds sometimes use an oil-based fill. This oil can damage the environment, not to mention any animal that might find a few dropped paintballs on the ground and eat them.

In addition, the paintball is made of food-grade materials, which is excellent for those who might accidentally get some paint in their mouth. However, it is extremely toxic to both cats and dogs. If it is lethal to those animals, it is highly likely to be lethal to other animals as well."

According to bachbio.com, an airsoft promotional site:

"A traditional plastic BB can take years to fully decompose, with some studies showing that trace materials were still found after seven years. These pellets can leak toxic chemicals into the environment as they degrade and will cause landfill pollution during this process."

According to Wikipedia and ubuntumanual.org:

"These non-biodegradable plastics more often than not have a mineral or petroleum-based center. When used on the environment, they could last for several centuries on end. These plastics end up making the soil infertile and as a result affect plant growth. Due to their smaller sizes and durability, they are bound to be picked up by kids or animals and consumed leading to complications. They may also be carried away by rain and be accumulated in drainage choke-points.

In large water bodies, they can be eaten by marine life and lead to complications and in severe cases lead to death.

Several countries and states have banned airsoft guns due to environmental impacts."

Everyone in this area has wells. And, Dry Lick Run Creek flows through the area, and I'm told it is controlled as a navigable waterway by the U.S. Army Corps of Engineers. There are several drainage lines from that field down towards our houses and Dry Lick Run Creek. And, that area is prone to flooding, increasing the chances the toxic material will flow to our properties and downstream in Dry Lick Run Creek. There is clear danger

for the fish, turtles, and amphibians in that area. There is also danger to the other wildlife in the area, including deer, fox, beaver, and others. And, most importantly, there is danger to our pets. I don't want that toxic waste anywhere near my two dogs.

(6) Quality of Life: We are blessed to live in one of the few remaining quiet, rural areas of HH. We are able to hike, fish, hunt, and do many other outdoor activities right in our backyards. This facility would drastically reduce and, in many cases, eliminate those opportunities. In my case, I've been working with the US Dept of Agriculture to reforest the land to make it more appealing for outdoor enjoyment and wildlife. I've removed over 4 acres of honeysuckle and planted over 700 trees, significantly improving the quality and value of my property. Much of the value of that work would be compromised by this facility.

(7) Noise: We live in a very peaceful area. The only noise we can hear on our property is the low hum of traffic on I-70. This facility would violate that peace with a constant pop-pop-pop sound of guns as well loud music being played during tournaments.

(8) Economics: According to IBISWorld, an industry research company for over 50 years:

"The market size of the Paintball Fields industry in the US has declined 0.3% per year on average between 2016 and 2021."

We already have I-70 Paintball & Airsoft in Huber Heights only 5 miles away. This new facility would only steal business from that company, not increase overall tax revenue for the city. And how much money are we talking about? According to howtostartanllc.com:

"With a good business plan, paintball business owners earn an average of between \$20,000 and \$30,000 per year."

And, those estimates are probably not considering having two facilities within 5 miles of each other ... so the true earnings might only be half of that. Clearly, the economic value of this proposed facility will be very low.

Contrast that with the property values in that area. This is some of the highest value property in HH, with the 6 adjacent properties on Taylorsville Rd alone appraising for about \$2M. That's ~100x more

than the annual earnings this proposed business might make. And the annual property taxes paid on these adjacent properties is likely double the earnings of the proposed business. A rough analysis of the net tax revenue implications for the city shows the proposed business would need to have earnings roughly 10x the \$20-30K mentioned above to offset the loss of real estate taxes from even a modest 10% reduction in the property values of the adjacent properties. And that doesn't even consider the effect of reduced property values from the nearby, but not adjacent, properties. Again, who's going to want to buy a house with a paintball and airsoft facility as it's neighbor? This proposal doesn't make good economic sense for Huber Heights.

(9)Future: When this facility goes under, which the data suggests is certainly likely, what will be left? It will either be left as an eyesore for the neighborhood, or it will be turned into some other commercial facility that would again have detrimental effects on the area and it's residents.

In closing, due to concerns about safety, trespassing, litter, environmental impacts, quality of life, noise, and economics, I strongly urge the Planning Commission to protect our neighborhood and recommend disapproval of this application. Thank you.

Richard Moore
8787 Taylorsville Road
Huber Heights, OH 45424
937-993-6104

Meeting of City of Huber Heights
 Planning Commission
 October 26, 2021 – 6:00 P.M.

CITY COUNCIL CHAMBERS – 1ST FLOOR
 6131 Taylorsville Road
 Huber Heights, Ohio 45424

GUEST SIGN-IN SHEET

Name

TIM FOSTER	
Darin Schmidt	Anne Leach
Rich Moore	DUSTON SALTERS
Bruce Winkler	Tim Hart
Kim Williamson	Robert Stevens
Susanne Moore	James Brandt
Joe Dorson	Josh Mann
Chay Price	Ryan Reed
Leah Smith	Tyler Knox
Debra Lynn	ERIN GOGOLIN
Lee Deibel	SEPT BAK
Shane Elliott	Jane Gunn
CAROL TAVENER	
Jacob Musser	
Mindy Foye	

MIKE CASSELL 1720