

## AGENDA CITY PLANNING COMMISSION

City Hall - Council Chambers
6131 Taylorsville Road
December 14, 2021
6:00 P.M.
1.
2.
3.
4.
5.
6.
A. None
7.
A. MAJOR CHANGE - The applicant, KIRMON KHALILOV, is requesting a Major Change to the Basic and Detailed Development Plan in a Planned Commercial District for 2.55 acres at 5840 Old Troy Pike (ZC 21-45).
B. REZONING - The applicant, Campbell Berling, is requesting approval of a Rezoning and Basic Development Plan to PR (Planned Residential) for property located on the East side of Bellefontaine and South of Chambersburg Road (ZC 21-47).
C. DETAILED DEVELOPMENT PLAN - The applicant, RJK ASSOCIATES, Inc., is requesting approval of a Detailed Development Plan for 8.755 acres at 5060 US Route 40 (ZC 21-46).
D. DETAILED DEVELOPMENT PLAN - The applicant, GILLIGAN OIL COMPANY, is requesting approval of a Detailed Development Plan for 1.84 acres for property located at the Northeast corner of Taylorsville Road and Old Troy Pike (ZC 21-49).
E. MINOR CHANGE - The applicant, KAP SIGNS, is requesting approval of a Minor Change for signage for property at 6170 Brandt Pike (ZC 21-48).
8. Additional Business
A. Approval of 2022 Meeting Schedule
9. Approval of Minutes
A. Planning Commission September 28, 2021
B. Planning Commission November 9, 2021
10. Reports and Calendar Review
A. G2 Tactical Special Use
11. Upcoming Meetings
A. January 11, 2022

January 25, 2022
12. Adjournment

MAJOR CHANGE

## Information

Agenda Title
MAJOR CHANGE - The applicant, KIRMON KHALILOV, is requesting a Major Change to the Basic and Detailed Development Plan in a Planned Commercial District for 2.55 acres at 5840 Old Troy Pike (ZC 21-45).

Purpose and Background

|  | Attachments |
| :--- | :--- |
| Staff Report |  |
| Decision Record |  |
| Site Plan |  |
| Picture |  |
| Picture |  |
| Fire Assessment |  |
| Resident letter |  |

## Memorandum

Staff Report for Meeting of December 14, 2021

| To: | Huber Heights City Planning Commission |
| :--- | :--- |
| From: | Jason Foster, Economic Development Coordinator |
| Date: | $11 / 30 / 2021$ |
| Subject: | ZC 21-45 (Major Change to the Basic and Detailed Development Plan in a PC <br> Planned Commercial District -5840 Old Troy Pike) |

Application dated November 2, 2021.
Department of Planning and Development City of Huber Heights

APPLICANT/OWNER: Kirmon Khalilov - Applicant/Owner
DEVELOPMENT NAME:
ADDRESS/LOCATION: 5840 Old Troy Pike
ZONING/ACREAGE:
EXISTING LAND USE:
ZONING
ADJACENT LAND:

REQUEST:
The applicant requests approval of a Major Change to the Basic and Detailed Development Plan in a PC Planned Commercial District for a Used Car Dealership.

## ORIGINAL APPROVAL:

## APPLICABLE HHCC:

CORRESPONDENCE:

In Favor - None Received
In Opposition - None Received

## STATEMENT OF FACT:

The applicant requests approval of a Major Change to the Basic and Detailed Development Plan in a PC (Planned Commercial District) for a used car dealership.

## STAFF ANALYSIS AND RECOMMENDATION:

## Overview:

The proposal before Planning Commission calls for re-use of the property at 5840 Old Troy Pike, currently a vacated auto detailing business, to Kirmon Khalilov for use as a used car dealership.

## STAFF ANALYSIS:

In 1989, the building was constructed in its current form and was a complimentary use to an adjacent business. Recently, the former use, as well as the complimentary use ended. The property is zoned PC-Planned Commercial which allows the City to more effectively ensure that specific site and design characteristics are in place for future development to promote sustainable development and mitigate, as best as possible, adverse impacts to existing neighboring uses. The PC-Planned Commercial zoning designation also allows the City to guide the general development character of properties more effectively and better promote development that is based on good planning principles and focuses on the coordination of all development within this region of the City.

The site in question is currently a vacated commercial structure. The applicant is requesting approval of a Major Change that would allow the re-use of the existing building and grounds for the sale of used automobiles. Staff's analysis of the proposal is broken into several segments as follows.

## Building Elevations:

The building is constructed of painted block and has roll-up doors on the front and rear. No improvements to the building were submitted. No dumpster enclosure is present on the property nor is one proposed.
1181.24 - Commercial building design standards.
(b) Design Standards.
(1) Building materials.
A. All exterior walls, including parking structures, garages, and accessory structures shall be 100 percent 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.

Planning Commission can recommend approval of the differing design as follows:
(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 ten percent 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.

## Site Design and Engineering:

The Planned Commercial Code is as follows:
CHAPTER 1176 - (PC) PLANNED COMMERCIAL DISTRICT[46]
1176.01-Principal permitted uses.

The following principal uses are permitted provided that they are approved as provided for in this chapter:
(a) Retail, office and commercial establishments;
(b) Personal service commercial establishments;
(c) Motels and hotels;
(d) Filling stations;
(e) Service stations; and
(f) Public garages.
(g) Sweepstakes cafe.
(Ord. 2012-O-1948, Passed 3-12-12)
1176.02 - Accessory uses.

Only the following accessory uses shall be permitted in this District:
(a) Uses customarily incident to all principal permitted uses; and
(b) Temporary buildings and uses for construction purposes, not to exceed 12 months.
(Ord. 89-O-339, Passed 2-6-89)
1176.03 - Development standards.

Except when specifically modified herein, the provisions of Chapter 1181, "General Provisions" shall govern. In addition, the following development standards shall apply:
(a) Minimum Land Area Requirement.
(1) No minimum land area shall be required.
(b) Site Planning.
(1) All yards within the development plan except those abutting a Business or Industrial District shall be maintained in landscaping and not used for parking, to the extent of a minimum of 15 feet along property lines.
(2) 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.
(Ord. 2006-O-1656, Passed 10-5-05)
1176.04 - Parking and loading.

The provisions of Chapter 1185, "Parking and Loading" shall apply, except that offstreet loading space shall be provided with area, location and design appropriate to the needs of the development and specific uses within it, and the space designated for offstreet loading shall not be used for off-street parking.
(Ord. 89-0-339, Passed 2-6-89)
1176.05 - Special uses.

The following shall be permitted as a special use:
(a) Reserved.
(b) 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.
(c) Places of worship.
(Ord. 2000-O-1159, Passed 1-10-00; Ord. 2002-O-1354, Passed 6-24-02)

The use proposed fits within item (a) retail, office and commercial establishments. The City's Comprehensive Plan shows this area along Old Troy Pike, south of Fishburg Road, north of Powell Road, as Commercial Business on the Future Land Map. The Commercial Business category includes retail, office, and service uses and represents traditional automotive oriented development. This land requires high levels of access and visibility.

This proposal calls for the use of an existing curb cut to access the property from Old Troy Pike and an alteration to the internal curb cut within the property boundaries. The parking requirement for the proposed use is one (1) space for every four hundred (400) square feet of building space, which calculates to eleven (11) parking spaces with one (1) of those spaces being designated accessible. The proposal shows eleven (11) spaces and two designated spaces. A new paved area is also proposed on the western and northwestern portion of the property abutting the right-of-way.

## Utilities:

The building is to be serviced by connections to public water and the office will connect to the public sanitary sewer. Gas, telephone, and electric are also currently available at the site. Drainage is being collected through catch basins and storm sewer routing the flow through the public storm system. Lighting shall comply with the City Code 1181.21.

## Landscaping:

A landscaping buffer is present along the north property line. The existing ground sign also has proper landscaping. No new landscaping is proposed on this plan.

## Signage:

No modifications to the ground were submitted.

CHAPTER 1182 - LANDSCAPING AND SCREENING STANDARDS
1182.01 - General information.
(a) Applicability. All of the requirements of this chapter of the Zoning Code are applicable to all new developments located in all zoning districts except for those located in ER, R-1, R-2, R-3, R-4, R-4B, RMV, A, WO, and C districts. For new developments located in ER, R-1, R-2, R-3, R-4, R-4B, RMV, A, WO, and C districts, only the requirements listed in the schedule of required buffers, detailed in figure 4 in Section 1182.05, shall apply. Property owners are under a continuing obligation to ensure that their property is maintained in accordance with these requirements.
(b) Application Process. For PUD applications and standard zoning permit applications certain landscape information must be provided.
(1) In a PUD application, proposals in the re-zoning and basic development plan stage need to illustrate conceptual buffering and screening requirements on the basic development plan.
(2) In a PUD application in the detailed development plan stage and final plat stage, a detailed landscape plan shall be submitted as outlined in 1182.02.
(3) For a standard zoning permit, a detailed landscape plan shall be submitted with the zoning permit application as outlined in 1182.02.
(c) Alternative Compliance. It is not the intent of this chapter to establish arbitrary regulations or to inhibit creative solutions to land-use problems. It is recognized that, under certain conditions, a strict interpretation of the requirements may be either physically impossible or financially impractical. Requests for use of alternative landscaping schemes are justified only when one or more of the following conditions apply:
(1) The sites involve space limitations or unusually shaped parcels;
(2) Topography, soil, vegetation, or other site conditions are such that full compliance is impossible or impractical, due to a change of use of an existing site, the required buffer yard is larger than can be provided; and
(3) Safety considerations are involved.
(Ord. 2007-O-1677, Passed 1-22-07)
1182.02 - Plan preparation: landscape plan submittal requirements.

Landscape plans for development must have the following information before the approval process begins. The plan must be to scale between one-inch equals ten feet and one-inch equals 40 feet and must be drawn on a separate sheet of paper.
(a) Property lines.
(b) Zoning and use of all abutting properties, location of buildings on abutting properties within 100 feet of property line; and zoning and use of properties directly across any street adjacent to the subject property.
(c) Name, location, and right-of-way boundaries of all public and private streets.
(d) Natural features such as ponds, lakes, and streams.
(e) Delineation of 100-year floodplain and wetlands, and 50-year floodplain information may be required for certain project areas.
(f) Existing and proposed storm water management ponds.
(g) Required yard depths/widths (i.e., setbacks from all lot lines).
(h) Location, height, dimensions, and use of all existing and proposed buildings and other structures (including parking lots, sidewalks, and other paved areas; fences and walls; and recreational equipment) of subject property.
(i) Proposed grading in two-foot contours or better with any slope at 3:1 or steeper indicated. Storm water management ponds shall be indicated.
(j) Location of existing and proposed utilities and utility easements, including water, storm sewer, and sanitary sewer pipes; overhead wires; utility poles and boxes; and signs if available.
(k) Location, size, and description of all existing or proposed elements required to be screened.
(I) Show existing vegetation, including existing trees equal to or greater than eight inches DBH, measured at four feet above base of the tree. Existing trees must be shown at approximate size. It will not be necessary for the owner/developer to survey trees of this size in large areas where woodland preservation is shown on the plan.
(m) Site tabulations including site square footage, open space square footage, parking lot interior, and quantity of trees required. Required landscape strip width for front, side, and rear lot lines.
(n) Plant Schedule indicating key, quantity, scientific name, common name, size, condition, and spacing of all plants shown on the plan. See Figure 6 below for an example of a plant schedule.
(o) Landscape plan symbols must be drawn at approximate mature sizes. The following table shall be used in determining size of landscape symbols to be drawn on the plan. Symbols or hatching patterns must be unique for each of the following categories. See Figure 1 example.

## Landscape Plan Symbols

| Shade tree | 30 feet diameter |
| :--- | :--- |
| Ornamental trees | $10-15$ feet diameter |
| Evergreen trees | $10-15$ feet diameter |
| Shrubs | $2-5$ feet diameter |
| Perennials | Plant massing |
| Annuals | Hatching pattern |
| Groundcovers | Hatching pattern |
| Grass/ sod | Label as such (sod, grass) in appropriate areas |



Figure 1
(Ord. 2007-O-1677, Passed 1-22-07)
1182.03 - Landscape regulations and requirements.
(a) Definitions. For purposes of this chapter the following terms shall have the following definitions: Annuals. Plant materials that complete their life cycle in one growing season.

Approved landscape plan. Landscape drawings reviewed, approved, and stamped as such by the City.

Caliper. Measurement of nursery grown trees at time of planting at one foot above base of tree.
Crown spread. The greatest distance of a diameter of a plant.
DBH. Diameter at breast height, measurement of tree trunk at four feet above base of tree.
Decorative fence. A fence that may have characteristics such as ornamental railing, outstanding architectural features, stone veneer, and/or lighting. Chain link is not a decorative fence.

Drip line. The outer perimeter of the crown spread of a plant projected onto the ground plane.
Earthen berm. Solid earth mound shaped in a curvilinear form usually for the purposes of screening adjacent properties with landscape plantings. Earthen berms shall not have a slope steeper than 3:1.

Environmental grade. Trees that have branching defects or abnormal growth and do not meet the American Standards for Nursery Stock. (Latest edition) Commonly referred to as "Park Grade Trees".

Evergreen. Plant characterized by having needle-like foliage that remains green and functional through more than one growing season.

Floodplain. As defined by the Federal Emergency Management Agency (FEMA). Floodplains are typically riparian (along streams) or coastal, lacustrine (ocean, lakes).

Grading. The alteration of soils and landforms and topography usually through earthworks construction.

Groundcovers. Grass, sod, or creeping vines, and low growing shrubs. Shall not exceed six inches in height. Groundcover shall be planted at the appropriate spacing to achieve a full green mat on the surface area in two years from time of planting.

Growing season. The first frost free date in the City to the first frost in the fall. Three growing seasons is defined as three full summer seasons, with summer ending on September 21 of every year.

Impervious. Impenetrable ground surface area not capable of passing water downward towards the water table. Parking lots and buildings are considered impervious surface areas.

Interior island. The landscape island in between terminal islands, separating parking bays. Interior parking islands offer opportunities for plantings and traffic control within a parking lot. Barrier curbs are required for all landscape islands.

Landscape plan. The drawings submitted to the City for review illustrating the design layouts, species, quantities, and construction details for installing landscape planting materials, and other information as required by this chapter.

Landscape strip. The area between parking lots and public rights-of-way required to be planted with trees and other plantings.

Louvered fence. A fence that is considered opaque by construction but designed so that wind may flow through the fence through alternating panels on each side. A louvered fence requires chain link fence backing on one side of the fence.

Mulch. Processed shredded hardwood or other City approved organic material mulch to be used for soil retention, erosion control, and weed control.

Nursery grown. Trees that have been grown in a nursery recognized by the American Nursery and Landscape Association under conditions similar to those in Southwest Central Ohio for the past two years.

Opaque. 100 percent blocked view usually required for screening purposes. Opacity can be achieved by fences, walls, earthen berms, or densely planted massings of evergreens.

Open space. Area(s) within a development not covered by buildings or impervious surfaces that are either landscaped, wooded, or are covered by grass or some other similar ground cover vegetation.

Ornamental trees. Trees, typically deciduous woody trees usually with ornamental characteristics. These trees usually have one single stem with branching stems occurring several feet above the base of the tree or multiple stems branching near the base of the tree.

Park grade. See definition for "Environmental Grade".
Parking lot interior. In calculating the total area of any parking lot, all areas within the perimeter of the parking lot shall be counted, including planting islands, curbed areas, corner areas, parking spaces, and all interior driveways and aisles except those with no parking spaces located on either side. A certain amount of landscaping is required for interior parking areas.

Perennials. Herbaceous ornamental plants which persist throughout the year and repeat or renew themselves for at least three years.

Perimeter parking. The landscaped area required for a linear area surrounding parking areas. This does not include the landscape strip area between parking and public right-of-way.

Pervious. Penetrable and permeable surface area such as grass, open space, landscape areas where water is usually capable of reaching the underground water table.

Preserved tree. An existing tree indicated on the "Approved Landscape Plan" designated to be saved. Guidelines must be followed for the preservation of existing trees as indicated in this chapter.

Replacement plants. Plants that may be substituted due to unavailability or other factors listed under "Plant substitutions" in 1182.10 below.

Service structure. Dumpster, trash pads, trash collection, storage areas, or other structures that are required to be screened per Section 1181.18 of the Zoning Code.

Severely damaged. Over one-half of the critical mass of a tree is dead or diseased as determined by the City.

Shade trees. Large, usually deciduous woody trees with a large crown and overhead canopy typical at maturity. These trees usually have one single stem with branching stems occurring several feet above the base of the tree.

Shrubs. Deciduous or evergreen perennial with multiple woody stems or branches, generally bearing branches from or near its base. Shrubs generally do not exceed 15 feet at mature height.

Standard island. Landscape islands that are parallel with parked cars and perpendicular to interior islands. These islands are useful for providing separation for long strips of parking and additional tree plantings as required.

Terminal island. Landscape islands at the ends of parking bays, usually at the edge of an intersection of aisles. These islands are required at the terminus of all parking bays.

Wetlands. The term means those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. United States Army Corps of Engineers (USACE) (33 CFR 328.3(b); 40 CFR 230.3(t)).

Woodlands. Vegetative community comprised of trees and shrubs and ground cover. Woodlands are defined by the predominant tree species in an area and their screening and buffering qualities, as described in Section 1182.05 below.
(b) Requirements. The following requirements shall be enforced by the City Planner or his or her designee. These are minimum requirements for landscape plans. Creative landscape planning and design is encouraged provided it meets the minimal requirements set forth in this chapter.

## (1) Residential requirements.

A. Multi-family Dwellings. (R-5, R-6, and R-7 Districts) For multi-family dwellings in any zone, trees shall be planted at the following rate: A minimum of one and one-half shade trees is required per 2,500 square feet or fraction of open space provided. One-half of the number of required shade trees may be satisfied on a 2:1 basis by the use of ornamental trees (not to exceed one-fourth of the required number of shade trees) and evergreen trees (not to exceed one-fourth of the required number of shade trees). The following areas shall be excluded when determining the total amount of open space provided: lakes or other water areas, any required parking lot landscaped strip adjacent to a public right-of-way, and any required interior parking lot green area. This requirement is in addition to other parking and screening requirements which may result in a need for more shade tree utilization.
B. Mobile Homes. In all mobile home developments, screening shall be provided along all rear and side property lines which abut other residential districts. See buffering and screening requirements in Section 1182.05 below. Such screening shall be in accordance with the schedule of required buffers between zoning districts, Figure 4 in 1182.05 below.
(2) Neighborhood business district ( $B-1$ zoning district). For neighborhood business districts, the following shall be required. A minimum total of one shade tree is required per 1,600 square feet or fraction of open space provided. This requirement is in addition to other parking and screening requirements which may result in a need for more shade tree utilization.
(3) Other Commercial and Industrial developments.
A. In all standard commercial zones (B-2, B-3, O-1, EP), in the standard industrial zones (I-1, $l-2)$, and in the case of all nonresidential uses in residential zones, excluding permitted home occupations, one shade tree is required per 2,000 square feet or fraction of open space provided. A landscaped strip, as described in Section 1182.04(a), shall be provided on the property adjacent to all public rights-of-way.
B. New Nonresidential Planned Unit Developments or major changes to a PUD have a minimum requirement of maintaining 25 percent open space nearest to any public-right-of way, visible by the general public. A minimum of 25 percent of the total open space provided on the site is required collectively in the front yards and side yards of developments. The maximum permitted coverage by all buildings and impervious surfaces shall be 75 percent.
(4) Planned Mixed Use Districts (PM). In all PUD's where commercial and residential uses coexist, the areas that are commercial must comply with the commercial and industrial PUD requirements in this chapter. The residential areas must comply with the residential requirements of this chapter. The boundaries between different uses in a PM zoning district must be shown on the landscape plan.
(Ord. 2007-O-1677, Passed 1-22-07)
1182.04 - Parking lot requirements.
(a) Landscape Strip Requirements.
(1) When a parking lot in any zone is located adjacent to a public right-of-way or private road, a landscaped strip as described below shall be provided on the property between the parking lot
and the right-of-way. The landscape strip may not include any paved area except pedestrian sidewalks or trails perpendicular to the roadway, that cross the landscaped strip.
(2) The following parking lot requirements apply to all zones. In the PR (Planned Residential District) or in other circumstances where greater parking lot setbacks are required than those listed below, the greater requirement shall apply. Any of the following landscape strip treatments may be used singly or in combination:
A. Provide a minimum ten-foot-wide landscaped strip between the right-of-way and the parking lot to be planted with a minimum of one shade tree and ten shrubs per 35 linear feet of frontage, excluding driveway openings.
B. Provide a berm, the top of which is at least two and one-half feet higher than the elevation of the adjacent parking lot pavement. The slope of the berm or any other areas on the plan shall not exceed 33 percent (3:1). Berms shall be graded to appear as smooth, rounded, naturalistic forms with varying heights, not linear in design. Reasonable efforts should be made to avoid narrow bumps that result from creating too much height for the width of space. Plant with a minimum of one shade tree and five shrubs per 35 linear feet of frontage, excluding driveway openings.
C. Provide a minimum ten-foot-wide landscaped strip and a minimum three-foot grade drop from the right-of-way line to the adjacent parking lot pavement. Plant the resulting embankment with a minimum of one shade tree and five shrubs per 35 linear feet of frontage, excluding driveway openings.
D. Provide a minimum seven-foot-wide landscaped strip between the right-of-way line and the parking lot, with a minimum three-foot high brick, stone, or finished wall, matching the architecture, construction materials, and colors of the primary building, to screen the parking lot. The wall shall be located adjacent to but entirely outside the seven-foot landscaped strip. Plant with a minimum of one shade tree per 35 linear feet of frontage, excluding driveway openings. Drawing elevations of the proposed wall must be submitted with the landscape plan.
E. Provide a minimum 25 -foot-wide strip of existing woodlands. Where the plantings required in Section 1182.04(a) would result in an inappropriate or impractical design due to underground utilities, overhead wires, or other factors, the following will apply:

1. Two ornamental trees may be substituted for one shade tree.
2. Two evergreen trees may be substituted for one shade tree.
3. One evergreen tree may be substituted for five shrubs.
(b) Perimeter Parking Landscape Requirements. The following options may be used singly or in combination for perimeter parking landscaping.
(1) Provide a landscaped strip between the parking lot and any adjacent property line, to be a minimum of ten feet wide for parcels over 20,000 square feet, a minimum of five feet wide for parcels less than 20,000 square feet. Within this landscaped strip, provide one tree and three shrubs per 35 linear feet of parking lot perimeter adjacent to a property line. (This does not mean that shade trees must be located 35 feet on center) Any shade tree planted to fulfill another requirement of this chapter, which is located within 15 feet of the edge of the parking lot, or any existing shade tree exceeding four inches caliper, which is located within 15 feet of the edge of the parking lot, may count toward fulfillment of this requirement.
(2) Provide a minimum 25 -foot-wide strip of existing woodlands.
(c) Parking Lot Interior Requirements. A minimum of four percent pervious area of the total vehicular use area is required for parking lot interiors. This requirement is separate from perimeter parking requirements and shall provide pervious areas devoted to landscape. Greater than four percent may be required in large vehicular use areas according to the following provisions:
(1) At least two shade trees shall be located within 60 feet of every parking space, measured from the trunk of the tree to the center of the parking space. See Figure 2.


Figure 2
(2) There are three types of parking islands permitted within a parking lot. See figure 2.
A. Terminal island. Located and required at the ends of parking bays, these islands shall have a minimum width of nine feet. At a minimum 75 percent of terminal islands shall be planted with perennials and shrubs, not exceeding two feet in height. The remaining 25 percent may be covered with grass or mulch.
B. Standard island. Located between terminal islands, these islands shall have a minimum width of nine feet. At a minimum 75 percent of standard islands shall be planted with perennials and shrubs, not exceeding two feet in height. The remaining 25 percent may be covered with grass or mulch.
C. Interior parking islands. Located between bays, these islands shall have a minimum width of eight feet for double loaded spaces and six feet for single loaded spaces. At a minimum 75 percent of interior islands shall be planted with perennials and shrubs. The remaining 25 percent must be planted with groundcover.
(3) For the purposes of computing the total area of any parking lot, all areas within the perimeter of the parking lot shall be counted, including planting islands, curbed areas, corner areas, parking spaces, and all interior driveways and aisles except those with no parking spaces located on either side. Landscaped areas situated outside of the parking lot, such as peripheral areas and areas surrounding buildings, may not be counted as interior planting areas.
(4) If a parking lot less than 10,000 square feet is built without interior landscaping and then later, additional spaces are added so that the total of the lot is greater than 10,000 square feet, then the interior landscaping shall be provided for the entire parking lot.
(5) Planting spaces must be large enough to allow for healthy tree growth as outlined below and must be protected from car overhangs and opening car doors.
A. A minimum of 60 square feet of continuous pervious land area shall be provided for each tree. No tree planting area shall be less than six feet wide in any dimension.
B. A curb shall be provided for all parking spaces adjacent to planting or pedestrian areas to protect those areas from overhanging by parked vehicles.
C. Planting islands, which are parallel to parking spaces, shall be a minimum of nine feet wide.
D. In cases where a planting island is perpendicular to parking spaces and the spaces head into the planting island on both sides, the island shall be a minimum of eight feet wide to allow for bumper overhang. If parking spaces are located on only one side of such a planting island, the island shall be a minimum of six feet wide.
(d) Credit for Preserving Existing Trees. Credit may be received on the parking lot interior landscape by preserving existing trees capable of tolerating adjacent construction. In order to maintain any tree deemed eligible for credit, 75 percent of the ground area under and within the drip line of the tree shall be preserved from the trunk out to the edge of the drip line and shall be maintained in either vegetative landscape material or pervious surface cover, except when the City Planner or his or her designee determines that lesser areas and other ground cover treatment will provide sufficient nourishment for the continued growth of the preserved type of tree. A certified arborist or other thirdparty expert approved by the City may be required to examine the condition of existing trees to be preserved when technical issues beyond the scope of the Planning and Development Department arise. The developer shall incur all costs associated with any third-party examination. The developer is required to contact the Planning and Development Department for a tree preservation inspection prior to grading or earth movement near existing trees to ensure that proper tree preservation measures are taken. Grading under the drip line of the tree prior to development is not permissible and will void tree credits given by saving existing trees. Existing trees which were preserved in the approved plan, but do not survive or exhibit characteristics of dying must be replaced by the same number of trees credited toward the existing preserved tree according to the Schedule of Credit for Preserving Existing Trees. See Figure 3. The required number of new trees may be reduced in accordance with the following schedule in exchange for preserving existing trees:

Figure 3
Schedule of Credit for Preserving Existing Trees

| Diameter of Existing Crown Spread of <br> Preserved Tree | Diameter of Tree Trunk of <br> Preserved Tree | Number of Shade Trees <br> Credited |
| :--- | :--- | :--- |
| $60-89$ feet | 30 inches or greater | 8 |
| $50-59$ feet | $26-29$ inches | 7 |
| $40-49$ feet | $20-25$ inches | 6 |
| $30-39$ feet | $8-12$ inches | 3 |
| $20-29$ feet | $4-7$ inches | 2 |
| $16-19$ feet | Rounded off to the nearest whole foot measured at a height of four feet above the natural grade (DBH) |  |
| and rounded off to the nearest whole inch |  |  |

(Ord. 2007-O-1677, Passed 1-22-07)

### 1182.05 - Buffering and screening requirements.

For the schedule of required buffers between zoning districts, see Figure 4. Screening materials shall consist of evergreen trees and shrubs, walls, fences, and earthen berms. Screening fences and walls shall not be constructed of corrugated metal, corrugated fiberglass, sheet metal, chain link or wire mesh. The screening options presented below should not be used to produce monotonous, linear designs. If a long stretch of screening is required, options should be combined or alternated, or plant materials should be varied to achieve a more pleasing effect. Other creative options, such as changes in elevation, existing vegetation, or plant materials within a bufferyard are encouraged, but the applicant must demonstrate that they will provide comparable or superior screening. Screening in addition to that specified below may also be required if, because of slopes or other specific conditions on a site, the normally required screening measures do not achieve the necessary level of concealment.
(a) General Screening Requirements.
(1) Screening required. No buildings or structures shall be erected, altered or enlarged nor shall land be used for any nonresidential use on a lot that adjoins or faces any residential district until a plan for screening has been submitted and approved by the Planning and Development Department.
(2) Purposes of screening. Screening shall be provided for one or more of the following purposes.
A. A visual barrier to partially or completely obstruct the view of structures or activities in order to minimize or prevent nuisances.
B. As an acoustic screen to aid in absorbing or deflecting noise; and
C. For the containment of ambient debris and litter.
(3) Types of screening permitted.
A. A solid masonry wall at a minimum height of six feet, matching the architecture, materials, and colors of the primary building;
B. A solidly constructed decorative fence at a minimum height of six feet;
C. A louvered fence at a minimum height of six feet, with a chain link fence backing constructed on one side;
D. Dense evergreen plantings; and/or
E. Landscaped mounding/berms sufficiently high to fulfill screening requirements. Greater than six feet high walls or fences will be required in areas where additional screening is needed as determined by the City Planner or his or her designee.
(4) General screening requirements.
A. Side and rear yard requirements for nonresidential uses abutting residential districts. Such screening shall have a minimum height of six feet and be of sufficient density or opaqueness to accomplish the above stated purposes.
B. Front yard screening requirements for parking lots across the street from residential districts. All parking lots located within any required front yard across the street from any residential district shall be separated from the street right-of-way at least 25 feet or the minimum distance required by the zoning district in which the parking lot is located, whichever is greater. Screening at a minimum of six feet in height shall be provided along all sides of parking areas facing residential districts, except where a sight distance hazard would be created.
C. Earthen Berm mounding specifications. Earthen berms provided in lieu of or in combination with walls, fences, and/or evergreen plantings shall consist of a strip of land as wide as necessary to obtain a maximum slope of 33 percent (3:1) for the
required height. Mounding shall be planted with a ground cover suitable to prevent erosion. For earthen berms over six feet in height, a reduction of plant materials will be considered.
D. Minimum required depth for noise screening. Screening for the purpose of absorbing or deflecting noise shall have a depth of at least 15 feet of mounding with plantings or be a solid wall in combination with decorative plantings.
E. Protection and maintenance of screening. Whenever required screening is adjacent to parking areas or driveways such screening shall be protected by bumper blocks, post or curbing to avoid damage by vehicles. All screening shall be trimmed and maintained in good condition and remain free of all advertising or other signs.
(c) Service Structures.
(1) All service structures shall be screened in accordance with Section 1181.18 of the Zoning Code.
(Ord. 2007-O-1677, Passed 1-22-07)

## Planning Commission Process:

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
(I) 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.

## Planning Commission Decision Record

WHEREAS, on November 2, 2021, the applicant, Kirmon Khalilov, requested approval of a Major Change to the Basic and Detailed Development Plan in a PC (Planned Commercial) District for the property located at 5840 Old Troy Pike, further identified as Parcel Number P70-01923-0004 on the Montgomery County Auditor's Tax Map (Zoning Case 21-45); and

WHEREAS, on December 14, 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 Major Change application submitted by the applicant, Kirmon Khalilov, requesting approval of a Major Change to the Basic Development Plan in a PC (Planned Commercial) District for the property located at 5840 Old Troy Pike, further identified as Parcel Number P70-01923-0004 on the Montgomery County Auditor's Tax Map (Zoning Case 21-45), with the following conditions:

1. The approved plans shall be the plans stamped received by the City of Huber Heights Planning Department on November 2, 2021, except as modified herein.
2. The applicant shall comply with all Fire and Building Codes prior to occupancy.
3. The parking lot shall have a minimum of 11 parking spaces striped with 1 of those designated ADA accessible.
4. Lighting shall meet the requirements of City Code 1181.21.
5. The only use approved in this decision record is the sale of automobiles.
6. All automobiles shall be parked on a paved or concrete surface.
7. No servicing of automobiles will be allowed.

Seconded by approval carried $\qquad$ . Roll call showed: YEAS: NAYS: Motion to recommend .

Terry Walton, Chair
Planning Commission

Date




## $\mathcal{H} u 6 e r \mathcal{H}$ eights Fire $\operatorname{Division}$

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

| Occupancy Name: | Sarach - Proposed Car Lot |
| :--- | :--- |
| Occupancy Address: | 5840 Old Troy Pike |
|  |  |
| 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: |  | HHFD Plan: | $21-232$ |
| MCBR ELE: |  | HHFD Box: |  |
| REVIEWER: | Susong | DATE: | $11 / 22 / 2021$ |

## Fire Department Comments:

The Huber Heights City Code Part 15 Refers to Fire Code Requirements and has adopted by reference OFC and IFC Appendices
These comments are based only on the proposed site work, fire department access and basic fire protection concept at this time. A full plan review of the building systems, fire protection, egress and life safety will need to be conducted once the architectural plans have been submitted.

## Requirements: (Site Plan)

- Driveways are existing and acceptable and appear to meet Ohio Fire Code requirements for turn radius. Parked cars shall not block fire department access.
- A certificate of occupancy shall be applied for with Montgomery County Building Regulations, along with a permit application for any modifications to the building.

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

[^0]December 5, 2021
City of Huber Heights
City Planning Commission
6131 Taylorsville Road
Huber Heights, Ohio 45424
Dear Planning Commission,
I am writing to express my strong opposition to case number 21-45, the proposed major change to the Planned Unit Development (PUD) located at 5840 Old Troy Pike. Several years ago when the property was first being planned for development, the Representatives from the City of Huber Heights, Ron Sizemore the lot owner/developer, my father George Heller and myself had several meetings to discuss the proposed development including the building to be constructed, usage of the building, the site plan including the setback from Old Troy Pike and the buffer area and green space between our funeral home and the oil change.

The setback from Old Troy Pike was established so the parking in front of the oil change would line up with the first parking space on the south side of our funeral home. This would keep a large green space in front of our funeral home, past the oil change to the retention pond at the car wash. The proposed new plan shows this green space paved for autos. We are very concerned that having cars, trucks, campers, boats, semi-trucks etc. parked that close to the road will block the line of site for people entering and exiting the funeral home and cause a visual obstruction for the funeral processions when they exit. There is no indication of any additional landscape buffer on the side of the stationary vehicles between the funeral home and the proposed car lot.

At the initial planning meetings there was lengthy discussion concerning the businesses that would occupy this development. We were then and are still very concerned about the amount of noise that can be generated from this area. The oil change business was very quiet and even the vacuums they used were shielded with

Locally Owned Since 1925
sound damping boxes. Through the years the change to auto detailing has continued to maintain a quite environment. Sound levels are a huge concern to us due to the fact that when people come to our funeral home they expect a peaceful and tranquil place to have funeral services for their family. I have not seen any information concerning the plans of the proposed car lot noise levels. Are they planning on working on cars there? We also have a residence above the funeral home and there are several apartments adjacent to this property where the residents expect and deserve to live in a peaceful environment.

From the illustration provided, the green space between the funeral home and the proposed car lot would be removed and paved at the front to accommodate parking cars. We were told when the PUD was established that the buffer area and green space along our property would always remain. Please note that the agreed upon buffer to screen the oil change building from the funeral home has never been maintained as promised.

The information provided to us is very incomplete lacking any reference to an updated drainage plan, lighting plan, noise levels, screening (buffer) plan, or any reference to traffic issues. Also we question the number of cars, trucks, campers, semi-trucks etc. that will be housed on this property.

We are strongly opposed to the changes presented and are very concerned how an auto lot will change the atmosphere and culture of our area of Huber Heights.

Thank you for your continued service and support of our community.

Best regards,


Gary L. Heller

Information
Agenda Title
REZONING - The applicant, Campbell Berling, is requesting approval of a Rezoning and Basic Development Plan to PR (Planned Residential) for property located on the East side of Bellefontaine and South of Chambersburg Road (ZC 21-47).

Purpose and Background

Staff Report
Decision Record
Drawing
Pictures
Fire Assessment
Resident letters

## Memorandum

Staff Report for Meeting of December 14, 2021

To: Huber Heights City Planning Commission
From: Jason Foster, Economic Development Coordinator
Date: 12/1/2021
Subject: ZC 21-47 (Rezoning of a total of 22.968 acres to PR-Planned Residential and approval of a Basic Development Plan)

Application dated November 16, 2021
Department of Planning and Zoning City of Huber Heights

| APPLICANT/OWNER: | Campbell Berling - Applicant <br> Richard Stork - Owner |
| :--- | :--- |
| DEVELOPMENT NAME: | Addington Place |
| ADDRESS/LOCATION: | East side of Bellefontaine Road and South of <br> Chambersburg Road |

ZONING/ACREAGE:
EXISTING LAND USE:
ZONING
ADJACENT LAND:
REQUEST:

Campbell Berling - Applicant
Richard Stork - Owner
Addington Place
East side of Bellefontaine Road and South of Chambersburg Road

A / 22.968 acres
Agricultural

Agricultural and Planned Residential
The applicant requests approval of a Rezoning and Basic Development Plan for 22.968 acres at East side of Bellefontaine Road and South of Chambersburg Road

## PREVIOUS APPROVAL:

APPLICABLE HHCC:
CORRESPONDENCE:

In Favor - None Received
In Opposition - None Received

## STATEMENT OF FACT:

The applicant requests approval of a Rezoning to Planned Residential and Basic Development Plan for 22.968 acres on Bellefontaine Road for a residential subdivision.

## STAFF ANALYSIS AND RECOMMENDATION:

## Overview

The applicant, Campbell Berling, is looking to develop 22.968 acres on the east side of Bellefontaine Road. The applicant did appear for a pre-application conference several weeks ago. The intent is to build 132 residential lots. The request is to re-zone to Planned Residential for this development.

The Zoning Code is as follows:

Chapter 1172 - (PR) Planned Residential District
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.
(Ord. 89-O-339, Passed 2-6-89)
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.
(Ord. 89-O-339, Passed 2-6-89; Ord. No. 2019-O-2398, § 1, 10-14-19)
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.
(Case 378, 6-17-76; Case 235, 7-11-94; Ord. 94-O-711, Passed 7-11-94; Ord. 2006-O1664, Passed 10-23-06)
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.
(Ord. 89-O-339, Passed 2-6-89)
1172.05 - Utilities.

The distribution systems for utilities are required to be underground.
(Ord. 89-O-339, Passed 2-6-89)

The request is for the following:

The City's Comprehensive Plan calls for this area to be single family residential. The proposed density is 5.7 units per acre.

Sanitary Sewer and water will connect into the City's public, main system. Water and sanitary are located along Bellefontaine Road. A pump station will be installed to move waste to the sanitary sewer system. Drainage will be handled through a public storm sewer system including a detention basin, following the City's code for storm water drainage. Bellefontaine Road has already been improved; however, staff recommends a drop lane for right hand turns into the development and a short acceleration lane out of the development. The interior street network of the development will be public with curb and sidewalk throughout.

This subdivision is proposing attached, patio homes on two styles of lots, 60 foot and 68 foot. Of the 132 total lots, 62 are proposed to be 60 -foot lots and 70 are proposed to be 68 -foot lots. All lots are proposed to have a minimum lot depth of one hundred ten (110) feet, twenty-five (25) foot front yard setback, a minimum of twenty-five (25) foot rear yard setbacks, and six (6) foot side yard setbacks. The proposal also calls for forty (40\%) percent masonry on the front facades of each unit. This is significantly higher than the typical recommendation of twenty-five (25\%) percent.
1171.05 - Contents of basic development plan.
(a) The basic development plan shall consist of at least the following information together with such other data and materials as may be required by the City:
(1) Site plan showing the actual shape and dimensions of the lot to be built upon or to be changed in its use together with the location of the existing and proposed structures with approximate square footages, number of stories including heights of structures;
(2) Typical elevation views of the front and side of each type of building;
(3) Planning location and dimensions of all proposed drives, service access road, sidewalks, and curb openings;
(4) Parking lot areas (show dimensions of a typical parking space), unloading areas, fire lanes and handicapped parking;
(5) Landscaping plan, walls and fences;
(6) Storm water detention and surface drainage;
(7) Exterior lighting plan;
(8) Vehicular circulation pattern;
(9) Location and square footage of signs;
(10) Topographic survey; and
(11) Listing of proposed uses taken from the list of permitted and special uses of the PUD zoning district to which rezoning is being sought.
(b)The Planning Commission shall schedule both the proposed rezoning and the issue of approval of the basic development plan for a combined public hearing, following which it shall make its recommendation indicating approval, approval with modification or disapproval.
(Ord. 2006-O-1655, Passed 9-25-05)

### 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, street light 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
(I) 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)
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)

## Planning Commission Decision Record

WHEREAS, on November 16, 2021, the applicant, Campbell Berling, requested approval of a Rezoning from AG Agricultural to Planned Residential and a Basic Development Plan for 22.968 acres for property located on the East side of Bellefontaine Road and South of Chambersburg Road, further identified as Parcel Number P70 039080126 of the Montgomery County, Ohio Recorder's Office (Zoning Case 21-47), and;

WHEREAS, on December 14, 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 Campbell Berling, requested approval of a Rezoning from AG Agricultural to Planned Residential and a Basic Development Plan for property located on the East side of Bellefontaine Road and South of Chambersburg Road, further identified as Parcel Number P70 039080126 of the Montgomery County, Ohio Recorder's Office (Zoning Case 2147), in accordance with the recommendation of Staff's Memorandum dated December 01, 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 November 16, 2021 unless specifically modified below.
2. The minimum setbacks shall be as follows: 25-foot front yard, minimum 25foot rear yard, and 6-foot side yard.
3. A minimum of $40 \%$ of the surface area of the front façade shall be finished with brick or stone masonry products.
4. A drop lane for northbound traffic shall be installed and an acceleration lane to northbound Bellefontaine Road shall be installed.
5. The applicant shall meet all petroleum company easement requirements
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 $\qquad$ .




Coastal Cottage


Western Craftsman


Coastal Comrag withortional loer


Western Craftsman withoprional ioft

First Floor Design INCLUDES 9FT FIRST FLOOR Cllung heghtl


First Floor Design mi Oenconas Lomt
 нев.

First Floor Disicn




Omtonal Finished
Lower Level Desician

## The Hudson



Coastal Cottage



COASTAL CLASBIC EXTEMON UNTIA


COASTM CUASAC EXTENOR UNTF

## Huber Heights Fire Division

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

| Occupancy Name: | Addington Place |
| :--- | :--- |
| Occupancy Address: | Bellefontaine 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: | $21-262$ |
| MCBR ELE: | Not Yet Assigned | HHFD Box: |  |
| REVIEWER: | Susong | DATE: | $12 / 8 / 2021$ |

## 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 Bellefontaine Road and new road. This access shall comply with the following:
- Be a minimum 20 feet wide (Ohio Fire Code 503.2.1)
- Constructed of materials capable of handling 75,000 pounds (Ohio Fire Code D102.1.)
- The turning radius for fire department access roads shall meet requirements for Huber Heights Fire Division (HHFD) vehicles. Contact HHFD to obtain information. OFC 503.2.4 and Appendix D103.3.
- Site utility plan showing fire hydrants has not been provided.
- Hydrants in single-family residential districts shall be placed not more than 500 feet apart, measured on the main, and no more than 400 feet from any opening in any building. Review Huber Heights Codified Ordinance 1521.06(b) for additional requirements.
- All new water mains and any existing water mains that are replaced shall be eight inches in diameter or greater in all one-, two- and three-family dwelling areas and in multi-family areas or commercial areas. All water
mains shall be sectionalized and looped when reasonably feasible and achievable. Dead end water mains shall only be permitted upon written approval from the Fire Official and City Engineer. Huber Heights Codified Ordinance 1519.01 - Water mains.
- The minimum fire-flow and flow duration requirements for one- and twofamily dwellings shall comply with Ohio Fire Code B105.1. Documentation shall be provided.

[^1]| From: | Foster, Jason |
| :--- | :--- |
| Sent: | Monday, December 13, 2021 12:50 PM |
| To: | Hoskins, Geralyn |
| Subject: | FW: Opposition to ZC 21-47 |

From: Foster, Jason
Sent:
Monday, December 13, 2021 12:50 PM
FW: Opposition to ZC 21-47

Dason Foster
Economic Development Coordinator
City of Huber Heights
937-237-5818
ifoster@hhoh.org

From: Debbie Barbee [dsbarbee@live.com](mailto:dsbarbee@live.com)
Sent: Monday, December 13, 2021 12:48 PM
To: Foster, Jason [JFoster@hhoh.org](mailto:JFoster@hhoh.org)
Cc: Lyons, Ed [ELyons@hhoh.org](mailto:ELyons@hhoh.org); Byrge, Nancy [NByrge@hhoh.org](mailto:NByrge@hhoh.org)
Subject: Opposition to ZC 21-47

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## Good Afternoon!

As a resident of the Oaks of Huber, my husband and I are writing today in opposition to ZC 21-47 for the rezoning of the property across from the Oaks to build patio homes and duplexes. As with the other property adjacent to the Oaks, the proposed properties are not the same standards as the Oaks requires and we feel it will not only lower our property values but will also create too much traffic congestion at the entrance to the oaks. At times, it is very hard to get out turning left towards Chambersburg because of the volume of traffic, adding this many properties will further increase the issue. Houses on that plot of land should be in comparison to the Oaks properties as to maintain the integrety of the area. Thank you for the chance to voice our opinions.

## Hoskins, Geralyn

| From: | Foster, Jason |
| :--- | :--- |
| Sent: | Monday, December 13, 2021 3:04 PM |
| To: | Hoskins, Geralyn |
| Subject: | FW: Opposition to ZC 21-47 |

gasout Faster
Economic Development Coordinator
City of Huber Heights
937-237-5818
joster@hhoh.org

From: Brad Smith [BTGeek@aol.com](mailto:BTGeek@aol.com)
Sent: Monday, December 13, 2021 2:52 PM
To: Foster, Jason [JFoster@hhoh.org](mailto:JFoster@hhoh.org); Lyons, Ed [ELyons@hhoh.org](mailto:ELyons@hhoh.org); Byrge, Nancy [NByrge@hhoh.org](mailto:NByrge@hhoh.org)
Subject: Opposition to ZC 21-47

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Dear Mr. Foster,

Please add our opposition letter to the packet for the Planning Commission meeting on December 14th.

Thank you.

OPPOSITION TO ZC 21-47

We are opposed to the application for rezoning the property east of Bellefontaine and south of Chambersburg (ZC 21-47).

The City's Comprehensive Plan clearly states that future development of this land be single family detached homes on medium to large lots. This proposal does not meet the City's Comprehensive Plan and should be denied on that basis.

Additionally, the abutting land is all either agricultural or residential lots with a minimum of 3 acres each. This application does not conform with existing surrounding property uses. This application seeks to place houses 20 feet from agricultural uses (including farm animals), from agricultural and excavation equipment, farm ponds and from land that has been hunted on for over four generations.

Also, the high density of this application will cause significant traffic issues, especially with the entrance being placed directly opposite the entrance to The Oaks. The applicant is requesting to place 132 homes on 22.9 acres; by comparison, The Oaks has 202 homes on 116.9 acres.

Please deny the application to rezone this property.

Cindy and Brad Smith

## Hoskins, Geralyn

From:<br>Sent:<br>To:<br>Subject:<br>Foster, Jason<br>Monday, December 13, 2021 9:56 AM<br>Hoskins, Geralyn<br>FW: Opposition to ZC 21-47

Dasou 7aster<br>Economic Development Coordinator<br>City of Huber Heights<br>937-237-5818<br>ifoster@hhoh.org<br>From: Frederick Aikens [fredaikens@sbcglobal.net](mailto:fredaikens@sbcglobal.net)<br>Sent: Monday, December 13, 2021 12:02 AM<br>To: Byrge, Nancy [NByrge@hhoh.org](mailto:NByrge@hhoh.org); Lyons, Ed [ELyons@hhoh.org](mailto:ELyons@hhoh.org); Foster, Jason [JFoster@hhoh.org](mailto:JFoster@hhoh.org)<br>Cc: William Clark [williamclark80@yahoo.com](mailto:williamclark80@yahoo.com); Lynn Tengesdahl [mommateng@gmail.com](mailto:mommateng@gmail.com)

Subject: Opposition to ZC 21-47

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Good evening all,
I hope this email finds you all well. My name is Fred Aikens. I am a homeowner in the Oaks of Huber Heights and I am sending this email to express my opposition to the rezoning of the cornfield directly across Bellefontaine Road. For the purpose of clarity, this is the exact information from the agenda for the meeting on Tuesday:
> "REZONING - The applicant, Campbell Berling, is requesting approval of a Rezoning and Basic Development Plan to PR (Planned Residential) for property located on the East side of Bellefontaine and South of Chambersburg Road (ZC 21-47)."

I am writing for the same reasons expressed by many of my neighbors in regard to density and the number of units in such a small area. This proposed development will negatively affect the aesthetics of the neighborhood as well as adversely affect the property values of those who decided to invest in our development (The Oaks of Huber Heights). After speaking to a few neighbors, I learned that adding such large numbers of new residents may also have a negative effect on already overcrowded primary schools in the area.

I believe in the Huber Heights Motto, "Come grow with us". I also believe that we need to be strategic about the growth of our city. As homeowners, we cannot afford to allow developers to come into the city and cause irreparable damage to our neighborhoods. When my wife and I decided to build here, we did so because of the neighborhood and the people who live here. Hopefully, our elected officials will help us in keeping it the way it was when we made that decision. I trust that the voices of concerned citizens will assist you in your deliberations. Your decision to protect our neighborhood is greatly appreciated.

Thank you for taking the time to hear and read about our concerns.

Dr. Fred A. Aikens
HOA Board Member
The Oaks of Huber Heights

## Hoskins, Geralyn

| From: | Foster, Jason |
| :--- | :--- |
| Sent: | Sunday, December 12, 2021 8:20 PM |
| To: | Hoskins, Geralyn |
| Subject: | Fwd: Opposition to ZC 21-47. |

Sent from my iPhone

Begin forwarded message:

From: Roger Zambile [rogerzambile@email.com](mailto:rogerzambile@email.com)
Date: December 12, 2021 at 7:14:18 PM EST
To: "Foster, Jason" [JFoster@hhoh.org](mailto:JFoster@hhoh.org)
Cc: "Lyons, Ed" [ELyons@hhoh.org](mailto:ELyons@hhoh.org), "Byrge, Nancy" [NByrge@hhoh.org](mailto:NByrge@hhoh.org)
Subject: Opposition to ZC 21-47.

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I oppose the rezoneing for the New Development going in across fron The Oaks on Bellefontaine Rd. This property is mostly bordered by single family residences on at least 3 acres of land, which would have a maximum density of 0.33 . The Oaks is across the street, adjacent to the property and our density is 2.05 . This project does not fit the aesthetics of our overall neighborhood and we believe it will adversely affect our property values.
Thank You
Roger Zambile

Hoskins, Geralyn

| From: | Foster, Jason |
| :--- | :--- |
| Sent: | Sunday, December 12, 2021 8:20 PM |
| To: | Hoskins, Geralyn |
| Subject: | Fwd: Opposition to ZC 21-47 |

From:
Sent:
Subject:

Foster, Jason
Sunday, December 12, 2021 8:20 PM
Hoskins, Geralyn
Fwd: Opposition to ZC 21-47

Sent from my iPhone
Begin forwarded message:
From: tadrjd@woh.rr.com
Date: December 12, 2021 at 8:07:23 PM EST
To: "Foster, Jason" [JFoster@hhoh.org](mailto:JFoster@hhoh.org), "Lyons, Ed" [ELyons@hhoh.org](mailto:ELyons@hhoh.org), "Byrge, Nancy"
[NByrge@hhoh.org](mailto:NByrge@hhoh.org), btgeek@aol.com
Subject: Opposition to ZC 21-47

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Ms Foster, Mr Lyons, Ms Byrge
I am writing this is opposition to the planned development the developer has proposed. I will keep it OBJECTIVE as I did the last time the old church property adjacent to the Oaks using my license as a professional comprehensive planner.

1) The current Huber Heights plan is for single family units and would be a great development if done right not duplex patio homes.
2) Size and density do not complement the surrounding area. from third acre to acre in the Oaks to 3 to 5 in the area where Mr Lyons has his home just beyond the tree line.
3) You have a stream on the north end of the property that is wetlands under the Ohio and National guidelines and must be protected. The retention pond is required for this area and at this density you are penalized for a new development as you have over $40 \%$ impermeable surfaces. The developer has not provided his calculations.
4) based on this design you would need a stop sign for the cross intersection under traffic guidelines and density. A T intersection is much better just as you have in many areas along Bellefontaine.
5) Need a buffer a proper setbacks at the substation and primary high voltage lines.
6) Only one entrance where you require two just as council voted for the old church property. Remember the church property is 32 units with two entrances. This is 132 Units with one. Fire codes emergency response, police etc. This is basically a zero lotline scenario and as a previous fire marshal and chief seven time the ability to respond to emergency's put an extreme risk to the responders much less the neighborhood.
7) This design is not ready for prime time except for the dollars the developer and their investors will make. They need to take into account traffic, response, density, compatibility to surrounding homes and development.
8) the Oaks was a master planned community nearly four times as large with slightly more than the 132 unit. The city approved this and surrounding areas to be single family and should be maintained with similar size, brick, basements, 2-3 car garages, adequate setback and area between each unit.
9) The items above are just a small sample of the inequities of this proposal based on my expertise as a comprehensive planner during my 25 years in the Air Force. I urge you to take note of this items and ensure the development is done correctly in conduction with the surrounding area, adequate fire and emergency response, and meeting all necessary environmental guidelines from the Ohio and Federal EPA statutes.
I plan on attending the planning meeting and hope for good interchange with the developer and planning board.

Questions please email me or call as tony has my number. Thanks in advance for your time.

## Warmest Regards Ron Deak

## Hoskins, Geralyn

## From:

Sent:
To:
Subject:

Foster, Jason
Sunday, December 12, 2021 1:26 PM
Hoskins, Geralyn
Fwd: Opposition to ZC 21-47

Sent from my iPhone
Begin forwarded message:
From: Warren Taldo [wtaldo@gmail.com](mailto:wtaldo@gmail.com)
Date: December 12, 2021 at 1:24:07 PM EST
To: "Foster, Jason" [JFoster@hhoh.org](mailto:JFoster@hhoh.org)
Cc: "Lyons, Ed" [ELyons@hhoh.org](mailto:ELyons@hhoh.org), "Byrge, Nancy" [NByrge@hhoh.org](mailto:NByrge@hhoh.org), btgeek@aol.com
Subject: Opposition to ZC 21-47

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Dean Planning Commission Officer, I am opposed to the following development plan for the reasons stated below.

This development is planned on 22.968 acres and has 66 duplexes for a total of 132 units. They are one and two story patio homes which means no basement.

Their lots are a minimum of 2500 sf and 5 feet to the lot line, 25 foot setback for the front and 20 feet for the back. The lots in The Oaks are a minimum of 12,000 sf, 10 feet to the lot line, 25 foot setback in front and 40 feet for the back. Huge difference!

The density of that project is 5.7 units per acre; while the density of The Oaks is 2.05 . This will increase traffic dramatically. Their entrance will be directly across from ours which will cause difficulty especially during commuting hours.

The City has a Comprehensive Plan which calls for this property to be single-family, detached homes. This property is mostly bordered by single family residences on at least 3 acres of land, which would have a maximum density of 0.33 . The Oaks is across the street, adjacent to the property and our density is 2.05. This project does not fit the aesthetics of our overall neighborhood and we believe it will adversely affect our property values.

Thank You for you mindful consideration for those of us that live in the OAKs.
Sincerely Yours,
Warren \& Catherine Taldo
5921 Oak Creek Trail,
Huber Heights, Oh. 45424

| From: | Foster, Jason |
| :--- | :--- |
| Sent: | Sunday, December 12, 2021 11:32 AM |
| To: | Hoskins, Geralyn |
| Subject: | Fwd: Opposition to ZC 21-47 |

Sent from my iPhone
Begin forwarded message:
From: Jason Williams [jasonwilliams39@icloud.com](mailto:jasonwilliams39@icloud.com)
Date: December 12, 2021 at 11:10:01 AM EST
To: "Foster, Jason" [JFoster@hhoh.org](mailto:JFoster@hhoh.org), "Lyons, Ed" [ELyons@hhoh.org](mailto:ELyons@hhoh.org), nbyrge@hhog.org
Subject: Opposition to ZC 21-47
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Hello,
We've heard about the proposed development across from the Oaks Subdivision on Bellefontaine Road. If it is true that it is going to be patio homes (duplexes) then I am against this happening. I've heard this is zoned for single family homes and should stay that way. It would be best if the properties are similar to the Oaks and the DR Horton Development on Silver Oak. I plan to attend the meeting this week.

Thanks, Jason Williams Lot 135 Oaks Subdivision 6040 White Oak Way

Sent from my iPhone

## Hoskins, Geralyn

## From:

Sent:
To:
Subject:

Foster, Jason
Friday, December 10, 2021 9:31 PM
Hoskins, Geralyn
Fwd: Opposition to ZC 21-47

Sent from my iPhone

Begin forwarded message:

From: Michael Harman [mjharman1@gmail.com](mailto:mjharman1@gmail.com)
Date: December 10, 2021 at 9:07:15 PM EST
To: "Lyons, Ed" [ELyons@hhoh.org](mailto:ELyons@hhoh.org), "Byrge, Nancy" [NByrge@hhoh.org](mailto:NByrge@hhoh.org), "Foster, Jason"
[JFoster@hhoh.org](mailto:JFoster@hhoh.org)
Cc: Harman Michael [mjharman1@gmail.com](mailto:mjharman1@gmail.com), Harman Tracy [harman.tracy@yahoo.com](mailto:harman.tracy@yahoo.com)
Subject: Opposition to ZC 21-47

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Regarding property ZC 21-47 on bellefontaine rd:

I own the property immediately to the north of this area. I bought here for space and privacy. My home is oriented so my windows face away from my only neighbor to my north. The plans call for many homes to back up to my southern property line where all my windows face, which would completely remove any privacy I have.

Visual barriers that currently exist along the common property line would be insufficient, especially during winter when leaves are gone and they will not stop noise.

Traffic along bellefontaine road is fairly high right now. Some people consider it a drag strip which is annoying and noisy. Adding many more houses will increase this traffic and the noise.

Thank you for the opportunity to express my opposition. I look forward to hearing what decisions are made.

Michael J. Harman
937-768-9561

| From: | Foster, Jason |
| :--- | :--- |
| Sent: | Friday, December 10, 2021 9:55 AM |
| To: | Hoskins, Geralyn |
| Subject: | Fwd: Opposing ZC 21-47 Bellefontaine across from Oaks entrance |

Sent from my iPhone

Begin forwarded message:

From: Tracy Harman [harman.tracy@yahoo.com](mailto:harman.tracy@yahoo.com)
Date: December 10, 2021 at 9:51:41 AM EST
To: "Foster, Jason" [JFoster@hhoh.org](mailto:JFoster@hhoh.org)
Cc: "Lyons, Ed" [ELyons@hhoh.org](mailto:ELyons@hhoh.org), "Byrge, Nancy" [NByrge@hhoh.org](mailto:NByrge@hhoh.org)
Subject: Opposing ZC 21-47 Bellefontaine across from Oaks entrance

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Mr. Foster,

My name is Tracy Harman and I live at 6480 Bellefontaine Road. I am contacting you to tell you of my opposition to the planned building of a huge number of duplex homes to the south of my property on Bellefontaine Road.

We purchased this property in July of 2019. We loved the privacy of the lot, yet the close proximity of all Huber Heights has to offer.

We just went through the mess of Bellefontaine Rd being worked on \& raising the dip in the road that caused dangerous lack of visibility. As a result of that road work, we have lost all of the privacy we had along Bellefontaine Road, as well as adding obstruction for leaving our driveway (heading north).

The number of planned houses that would be built on the 22 acres south of our property is insane. The documents on the Huber Heights website show that any planned building on that property was to be single family homes. That was what we saw when we purchased our property here.

Please let me know if there is anything else I need to do to make my voice heard. My husband \& I will be at the meeting on 14 December at 6 pm .

Thank you for all you do for our community,

```
Tracy Harman
6480 Bellefontaine Road
Harman.tracy@yahoo.com
```

Sent from my iPhone

From:
Sent:
To:
Subject:

Foster, Jason
Thursday, December 9, 2021 8:44 PM
Hoskins, Geralyn
Fwd: The Oaks - Opposition to ZC 21-47

Sent from my iPhone
Begin forwarded message:
From: William [skimarks@hotmail.com](mailto:skimarks@hotmail.com)
Date: December 9, 2021 at 7:24:41 PM EST
To: "Foster, Jason" [JFoster@hhoh.org](mailto:JFoster@hhoh.org)
Cc: "Byrge, Nancy" [NByrge@hhoh.org](mailto:NByrge@hhoh.org), "Lyons, Ed" [ELyons@hhoh.org](mailto:ELyons@hhoh.org), Cindy Smith
[BTGeek@aol.com](mailto:BTGeek@aol.com)
Subject: Fw: The Oaks - Opposition to ZC 21-47

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In response to Brad and Cindy Smith's email below, I am providing this email for your attention and action as appropriate.

I strongly oppose subject construction plan/rezoning as it continues to degrade the Oaks of Huber Heights neighborhood concept. When my wife and I were deciding where to build our retirement home 9 years ago we liked the Oaks development as well as the Callamere Farms neighborhood. They were upscale from the normal small brick homes that Huber Heights is famous for and where I owned my first, "starter" home 40 years ago. The Oaks neighborhood has plenty of space, a great blend of country and city and neighbors who take pride in their homes and neighborhood. In the last five years, it appears that the city of Huber Heights has reversed course by building smaller lots/homes on the northeast section of Chambersburg and Bellefontaine Rds. And this past year a new builder tried to complete the remaining section of the Oaks with small rental properties which is diametrically opposed to the Oaks concept. I'm very thankful and appreciative that the City Council did not allow this to happen. Ask yourself, why can't Huber Heights have a decent size section of town with mid to upscale homes and lot sizes like nearly every other suburb of Dayton? Is population density the centerpiece of the Huber Heights' "Come grow with us" economic development strategy? If so, then please write it in the city charter so people will know this up front and can choose a different suburb to live. Hopefully Huber Heights City Council will continue to fight for our neighborhood and proudly expand on one of the best neighborhood concepts in this part of Ohio. Thanks for your continued support. William Marks
5776 Oak Creek Trail
From: Brad Smith [BTGeek@aol.com](mailto:BTGeek@aol.com)
Sent: Thursday, December 9, 2021 10:57 AM

To: Cindy Smith [btgeek@aol.com](mailto:btgeek@aol.com)
Subject: The Oaks - Opposition to ZC 21-47

Dear Neighbors,
Hopefully by now everyone has been notified of the application for rezoning for the cornfield directly across from the entry to The Oaks. We are writing in the hope that our neighborhood will rise together yet again to oppose any development that will adversely affect us.

This development is planned on 22.968 acres and has 66 duplexes for a total of 132 units. They are one and two story patio homes which means no basement.

Their lots are a minimum of 2500sf and 5 feet to the lot line, 25 foot setback for the front and 20 feet for the back. The lots in The Oaks are a minimum of 12,000 sf, 10 feet to the lot line, 25 foot setback in front and 40 feet for the back. Huge difference!

The density of that project is 5.7 units per acre; while the density of The Oaks is 2.05 . This will increase traffic dramatically. Their entrance will be directly across from ours which will cause difficulty especially during commuting hours.

The City has a Comprehensive Plan which calls for this property to be single-family, detached homes. This property is mostly bordered by single family residences on at least 3 acres of land, which would have a maximum density of 0.33 . The Oaks is across the street, adjacent to the property and our density is 2.05. This project does not fit the aesthetics of our overall neighborhood and we believe it will adversely affect our property values.

Information on this project is available on the City Website under the Planning Commission.

There are things that need to be done:
Please talk with your immediate neighbors and make sure everyone is aware of this.

Please send an email no later than Monday opposing this project to: jfoster@hhoh.org, cc: elyons@hhoh.org, nbyrge@hhoh.org. Please put in subject line: Opposition to ZC 21-47.

Please attend the Planning Commission on December 14th at 6 pm at City Hall. The quickest way for us to stop this project is at the Planning Commission stage.

We are so happy to live in this neighborhood with all of our wonderful neighbors!

## From:

Sent:
To:
Subject:

Foster, Jason
Thursday, December 9, 2021 1:47 PM
Hoskins, Geralyn
FW: Opposition to ZC 21-47

## Dason Foster

Economic Development Coordinator
City of Huber Heights
937-237-5818
jfoster@hhoh.org

From: Mellanie Toles [tolesm@clarkstate.edu](mailto:tolesm@clarkstate.edu)
Sent: Thursday, December 9, 2021 1:43 PM
To: Foster, Jason [JFoster@hhoh.org](mailto:JFoster@hhoh.org)
Cc: Lyons, Ed [ELyons@hhoh.org](mailto:ELyons@hhoh.org); Byrge, Nancy [NByrge@hhoh.org](mailto:NByrge@hhoh.org)
Subject: Opposition to ZC 21-47

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Hello! We are writing in opposition to ZC 21-47 because this project does not fit the aesthetics of our overall neighborhood (The Oaks of Huber Heights), and we believe it will adversely affect our property values. This development is planned on 22.968 acres and has 66 duplexes for a total of 132 units. They are one and two story patio homes which means no basement.

Their plans call for lots that are a minimum of 2500 sf and 5 feet to the lot line, 25 foot setback for the front and 20 feet for the back. The lots in The Oaks are a minimum of 12,000 sf, 10 feet to the lot line, 25 foot setback in front and 40 feet for the back. This is a huge difference.

Also, the density of that project is 5.7 units per acre; while the density of The Oaks is 2.05 . This will increase traffic dramatically, and they are planning an entrance directly across from ours, which will cause difficulty especially during commuting hours.

The City has a Comprehensive Plan which calls for this property to be single-family, detached homes. This property is mostly bordered by single family residences on at least three acres of land, which would have a maximum density of 0.33 . The Oaks is across the street, adjacent to the property and our density is 2.05 .

We respectfully ask that you help us protect our property values by not approving this project and sticking with the City's Comprehensive Plan as referenced above. We and our neighbors have worked hard to build and maintain a wonderful neighborhood, and we feel that this project would adversely impact it. Thank you for your consideration!

Gene Bell and Mellanie Toles
6131 Oak Ridge Drive
Dayton, OH 45424

## Mellanie Toles

Executive Assistant to the President and Coordinator of Special Projects Clark State College I www.clarkstate.edu
937.328.6002 | tolesm@clarkstate.edu

## Hoskins, Geralyn

| From: | Foster, Jason |
| :--- | :--- |
| Sent: | Thursday, December 9, 2021 11:13 AM |
| To: | Hoskins, Geralyn |
| Subject: | FW: Opposition to ZC 21-47. |

Dasou Foster
Economic Development Coordinator
City of Huber Heights
937-237-5818
jfoster@hhoh.org

From: Ron Hinds [ronshinds@aol.com](mailto:ronshinds@aol.com)
Sent: Thursday, December 9, 2021 11:11 AM
To: Foster, Jason [JFoster@hhoh.org](mailto:JFoster@hhoh.org)
Cc: Lyons, Ed [ELyons@hhoh.org](mailto:ELyons@hhoh.org); Byrge, Nancy [NByrge@hhoh.org](mailto:NByrge@hhoh.org)
Subject: Opposition to ZC 21-47.

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As a resident of THE OAKS I am writing to oppose this development that will adversely affect our property values.

This development is planned on 22.968 acres and has 66 duplexes for a total of 132 units. They are one and two story
patio homes which means no basement.
Their lots are a minimum of 2500sf and 5 feet to the lot line, 25 foot setback for the front and 20 feet for the back. The lots
in The Oaks are a minimum of 12,000 sf, 10 feet to the lot line, 25 foot setback in front and 40 feet for the back. Huge difference!

The density of that project is 5.7 units per acre; while the density of The Oaks is 2.05 . This will increase traffic dramatically.
Their entrance will be directly across from ours which will cause difficulty especially during commuting hours.
The City has a Comprehensive Plan which calls for this property to be single-family, detached homes. This property is mostly bordered by single family residences on at least 3 acres of land, which would have a maximum density of 0.33 .
The Oaks is across the street, adjacent to the property and our density is 2.05 . This project does not fit the aesthetics of our overall
neighborhood and we believe it will adversely affect our property values.

## Thanks for considering our concerns.

Sincerely,
Ron
Ron Hinds

Realtor/Senior Associate Partner
Berkshire Hathaway HomeServices
Professional Realty
937-776-2225
ronshinds@aol.com
www.ronhinds.com

Hoskins, Geralyn

| From: | Foster, Jason |
| :--- | :--- |
| Sent: | Thursday, December 9, 2021 11:11 AM |
| To: | Hoskins, Geralyn |
| Subject: | FW: Resining of cornfield |

Jason Foster
Economic Development Coordinator
City of Huber Heights
937-237-5818
jfoster@hhoh.org
-----Original Message-----
From: Nancy Higgins [nertnybingo@aol.com](mailto:nertnybingo@aol.com)
Sent: Thursday, December 9, 2021 11:10 AM
To: Foster, Jason [JFoster@hhoh.org](mailto:JFoster@hhoh.org)
Subject: Resining of cornfield

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Hello,

We strongly oppose the refining of the cornfield directly across from the entrance to the Oaks of Huber. We hope you would vote this down.

Thanks,
Richard \& Nancy Higgins

Sent from my iPhone

## Information

Agenda Title
DETAILED DEVELOPMENT PLAN - The applicant, RJK ASSOCIATES, Inc., is requesting approval of a Detailed Development Plan for 8.755 acres at 5060 US Route 40 (ZC 21-46).

Purpose and Background

|  | Attachments |
| :--- | :--- |
| Staff Report |  |
| Decision Record |  |
| Drawings |  |
| Fire Assessment |  |
| Resident letters |  |
| Additional resident letter |  |
| Additional resident letter |  |

## Memorandum

Staff Report for Meeting of December 14, 2021


## STATEMENT OF FACT:

The applicant requests approval of a Detailed Development Plan in a PM (Planned Mixed Use) District for a Storage Facility.

## STAFF ANALYSIS AND RECOMMENDATION:

## Overview:

The proposal before Planning Commission calls for development of the property at 5060 US Route 40, currently vacant for an Indoor Storage Facility.

## STAFF ANALYSIS:

1171.09 - Detailed development plan.

The detailed development plan shall conform substantially to the basic development plan. If desired by the developer, it may be submitted in stages with each stage reflecting a portion of the approved basic plan which is proposed to be recorded and developed; provided however, that such portion conforms to all requirements of this chapter and other applicable ordinances. The requirement procedure for approval of a detailed development plan shall be:
(a) The detailed plan and supporting data shall be filed with the City. The Planning Commission shall determine that such plan is in conformity with these regulations and in agreement with the approved basic plan.
(b) After review of the detailed plan and supporting data, the Commission shall approve or disapprove the plan submitted by the developer. Disapproval of the detailed plan shall be based on its failure to comply with the basic development plan and current applicable codes, standards, and regulations.
(Ord. 89-O-339, Passed 2-6-89)
1171.091 - Planning commission/council review.

It is the purpose of the Planning Development regulations to encourage property owners to develop their land in efficient and effective ways. It is the intent of these regulations to encourage land uses which may not always meet traditional zoning rules. Inherent in these Planned Development regulations is an opportunity for property owners to develop their sites without requiring strict compliance with all zoning regulations where the overall plan is deemed to be in the best interest of the City. During review of a Basic or Detailed Development Plan by the Planning Commission or City Council, all requirements within Part 11, Title 7 of the Code are to be used as guidelines and may be varied as part of the Basic or Detailed Development Plan if it is determined that such deviation will not materially adversely affect neighboring
properties or the community as a whole, any such variation of these requirements does not change the overall plan and character of the proposed development, and the variance does not have the effect of nullifying the intent and purpose of these regulations or the Zoning Ordinance. In granting variances or modifications, the Commission or Council may require such conditions as shall, in its judgement, secure substantially the objective of the standards or requirements so varied or modified.
(Case 427; Ord. 2002-O-1367, Passed 9-9-02)
The site in question is the one that currently is the remainder parcel at the north end of the Windbrooke Subdivision. The applicant is requesting approval of a Detailed Development Plan that would allow for the installation of fourteen new storage buildings with leasable space, split into four phases. The applicant had formerly applied for and withdrew an application for the same use after discussion. Staff's analysis of the proposal is broken into several segments as follows.

## Building Elevations:

The buildings are made up of multiple materials. The office portion is covered with brick veneer and has a metal roof. The storage building that also faces Senna Drive has a brick veneer façade on the west face. The storage units have a combination of metal siding and tilt up piers. Each unit will have roll up doors. Any dumpster enclosure will be masonry with gates at the front.

## Site Design and Engineering:

### 1179.06 Development standards.

Except when specifically modified herein, the provisions of the Planning and Zoning Code shall govern. The following development standards apply to a PM development:
(a) Minimum Land Area Requirement. A minimum of 20 acres shall be required.
(b) Covenants. The developer of a PM development shall be required to submit a set of covenants or deed restrictions with the Basic Development Plan application that will outline, at a minimum, development standards and guidelines established in this chapter and any other requirements the developer and/or Planning Commission deems necessary. The Planning Commission may require additional or amended covenants as it deems necessary to ensure compliance with the Planning and Zoning Code and the Planned Mixed-Use District.
(c) Required Mix of Land Uses. A developer shall be required to provide a mix of land uses in a PM Development. At a minimum, at least two of the following uses are required in a PM Development: residential, commercial, office, institutional, and/or industrial.
(d) Site Planning.
(1) The combination of different uses whether as part of one building or as part of the overall development shall be designed and developed so as not to create a nuisance by excessive noise, light, vibration, odor, or any other annoyances for any uses within the development or neighboring properties.
(2) A PM development is to be designed so that buildings and structures are clustered and open space areas are preserved and maintained. Special care shall be given to protect preexisting natural features including, but not limited to, woodlands, ravines, streams, lakes, ponds, and/or flood plains. Impervious surface coverage, including, but not limited to, buildings, parking area, and accessways, shall not exceed 75 percent of the total development area. Therefore, 25 percent of the development area shall be reserved for green space.
(3) The number of ingress and egress points onto the public streets shall be limited to reduce the number of traffic conflict points. Adequate and properly arranged facilities for internal pedestrian and traffic circulations shall be provided. The street and thoroughfare network shall be designed to minimize truck traffic through residential areas of the development.
(4) Parking systems shall be designed to discourage single large unbroken paved lots for off-street parking and shall encourage smaller defined parking areas within the total parking system. Underground parking facilities are encouraged.
(5) The development shall be designed to tie all the uses into one overall community and encourage walking, biking, running, and alternative modes of transportation. Developers are encouraged to incorporate bus stops, bikeways, walkways, and crosswalks into an overall thematic scheme for pedestrian traffic. Sidewalks shall be required except, in the case of a golf course or specific open space development, the Planning Commission may determine them to be unnecessary.
(6) Any signs as proposed within this district, shall comply with Chapter 1189 "Signs". Additionally, a developer of a PM development shall develop and submit with the Detailed Development Plan application, a comprehensive set of graphic design criteria for signage in the development. This set of graphic design criteria for signage shall be approved by the Planning Commission and shall apply to all signage requests within the development. The criteria shall include, at a minimum, the sizes permitted (if different from Chapter 1189), colors permitted, materials permitted, typefaces permitted, type size permitted, and permitted illumination. Compliance with the on-site comprehensive graphics shall be verified by the Zoning Administrator during the sign permit review process.
(7) Minimum lot area, frontage and setback requirements may be varied to allow greater flexibility in design. However, the following shall be used as a guideline for development:
A. With multiple buildings on a single property, entirely residential buildings shall be at least 15 feet from another entirely residential building and at least 50 feet from nonresidential or mixed-use buildings.
B. With multiple buildings on a single property, nonresidential buildings or mixed-use buildings shall be at least 20 feet or one-half the height of the taller building apart, whichever is greater from another nonresidential or mixed-use building.
C. All nonresidential buildings or mixed-use buildings shall be set back at least 50 feet or the height of the structure, whichever is greater, from any residential property or residential building, whichever is closer, and from the public right-of-way. This setback applies to multiple buildings on a single property, to development within a PM development, and where it abuts to adjacent property.
(8) No maximum height restriction shall apply, except that the proposed development meets all Federal Aviation Administration (FAA), Dayton International Airport or Wright Patterson Air Force Base height or abatement requirements.
(9) Common parking areas and accessways shall be lighted adequately with light fixtures that shall be designed to reflect light away from adjoining properties. Special attention will be given to protect entirely residential structures from light emitted from nonresidential land uses.
(10)Nonresidential uses shall have trash containers and/or receptacles (including recycling containers) placed to the rear of all structures and shall be screened or enclosed on four sides with opening doors for the purpose of trash removal. The placement of trash containers and/or receptacles in multi-family residential developments shall be as inconspicuous as possible. The use of a wooden or vinyl fence structure, earth mound, or wall with an opaqueness of 100 percent and a height of 12 inches above the top of the largest container is required.
(11)The architecture of nonresidential structures is encouraged to be unique yet similar in certain sections of the PM.
(12)The distribution systems for utilities are required to be underground.
(13)The use of privately owned open space and public dedicated park land is encouraged as part of a PM development. Privately owned open space shall be maintained by the developer or by a duly authorized owner's association.
(14)The use of chain link fencing is prohibited. Additionally, on an entirely residential property, no fencing shall be permitted in the front yard and, in the case of a corner lot, no fencing shall be permitted in the side yard with frontage to a public right-of-way. The covenants submitted by the developer shall establish the height requirements for fencing in the development. Fencing in a development shall be uniform in height in related use areas. On an entirely residential property, fence height shall not exceed six feet.
(15)With the submission of a Basic Development Plan application, the applicant is required to submit a phasing plan that details when certain sections of the development will commence construction and when the sections will be complete.
(Case 346; Ord. 99-O-1199, Passed 3-22-99)
The proposal calls for one curb cut to access the facility off Senna Drive. No access will be provided off US Route 40. In the September 28, 2021, Planning Commission meeting, it was discussed to relocate the entrance to US Route 40. The applicant did contact the Ohio Department of Transportation for a curb cut on US Route 40 in an attempt to comply with that discussion and was told he would "more than likely be denied because other reasonable access is available". I then reached out to ODOT and spoke with The Real Estate Administrator. He stated "the applicant can apply for a review, however, typically a curb cut would be denied if other reasonable access is available". The parking requirement for the office is one space for every 300 square feet of gross floor area, which calculates to 4 parking spaces, with 1 of those being designated accessible spaces. 5 total parking spaces are proposed at 9 feet by 19 feet. City standard is 10 feet by 18 feet. Staff recommends the 10-foot-wide space requirement. Paved drive aisles access each building with no dead-end drives. Six-foot wrought iron fencing is proposed at the north and west perimeter of the site with a gate at the front and an emergency gate at the rear and six-foot wood privacy fence is
proposed at the south and east perimeters. The interior aisles are 25 and 30 feet in width and exterior aisles vary to allow for emergency vehicle turning movements.

## Utilities:

The buildings are to be serviced by connections to public water and the office will connect to the public sanitary sewer. Gas, telephone, and electric are also currently available at the site. Drainage is being collected through catch basins and storm sewer routing the flow through proposed detention basins onsite. The detention basins are designed to meet current water quality and quantity detention requirements. All field tile encountered are to be routed around the proposed buildings and into the storm water drainage system. Lighting is shown on the submitted drawings and complies with City Code 1181.21.

## Signage:

The proposal calls for a wall sign on the front of the office building. No dimensions are shown, but staff would recommend limiting the size to a maximum of seventy-five (75) square feet in area as per the standard City Code.

## Landscaping:

Landscaping is being proposed to include street trees and buffering around the perimeter of the site. This landscaping includes a combination of deciduous trees, evergreen trees, shrubs, and grasses. A twenty-five-foot landscape buffer is proposed along the southern property line, protecting some of the vegetation and adding buffer type trees for year-round protection. The landscaping along the southern property line, which backs up to residential will include Twelve (12) White Pine trees, thirty-five (35) Norway Spruce trees, and six (6) Black Spruce trees. Additional landscaping has been added from the original submittal. The Landscaping Plan complies with the City Standards.

## Planning Commission Decision Record

WHEREAS, on November 12, 2021, the applicant, RJK Associates Inc, requested approval of a Detailed Development Plan in a PM (Planned Mixed Use) District for the property located at 5060 US Route 40 (Zoning Case 21-46); and

WHEREAS, on December 14, 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 application submitted by the applicant, RJK Associates Inc, requesting approval of a Detailed Development Plan in a PM (Planned Mixed Use) District for the property located at 5060 US Route 40 (Zoning Case 21-46), with the following conditions:

1. The approved Detailed Development Plan shall be the plans stamped received by the City of Huber Heights Planning Department on November 12, 2021, except as modified herein.
2. The applicant shall comply with all Fire and Building Codes prior to occupancy.
3. The applicant shall receive final Engineering approval prior to a Zoning Certificate being issued.
4. Any dumpster enclosure shall be masonry with gates at the front.
5. All storm field tile encountered shall be rerouted to existing stormwater drainage systems.
6. Parking spaces shall be a minimum of 10 feet wide.
7. The wall sign included on the stamped plans shall be a maximum of seventy-five (75) square feet.
8. Prior to the issuance of a zoning permit, the applicant shall enter into a PUD Agreement with the City for the purpose, but not the sole purpose, of establishing the development obligations of the applicant and requiring the submittal of a performance bond, cash bond, or letter of credit to insure the installation of landscaping as approved. The bond or letter of credit shall be in an amount equal to the applicant's estimate of the cost of installation as approved by the Planning Department and shall remain in effect until such time as the landscaping has been completed as determined by the Planning Department. Upon completion of the installation of landscaping as required by the approved landscape plan, the applicant may request release of the performance bond or letter of credit. Following an inspection by the Planning Department and upon determination by the department that the landscaping has been completed in accordance with the approved landscaping plan, $80 \%$ of the performance bond or letter of credit may be released. However, the performance bond or letter of credit will not be released until a maintenance bond lasting three growing seasons, or letter of credit equal to $20 \%$ of the initial performance bond or letter of credit to ensure maintenance of the landscaping, is submitted to and accepted by the Planning Department. The term of the maintenance bond shall be three growing seasons.

Seconded by . Roll call showed: YEAS: approve carried $\qquad$ .

Carriage Trails


DETAILED DEVELOPMENT PLAN SET FOR PLANNED UNIT DEVELOPMENT

PARCEL P48-250161
8.755 ACRE TRACT

E US RT 40
CITY OF HUBER HEIGHTS
MIAMI COUNTY OHIO

LANDSCAPING PLAN
SITE PHOTOMETRIC PLAN
SITE FIRE PROTECTION PLAN
. OFICE AND BUILD 200 ELEVATIONS
12. BUILDING 100 AND 300 ELEVATIONS
13. BUILDING 600 ELEVATIONS




NOTES:







4. Controctor shall be responsible for keeping

6. Adiust value bores. FH. Lids etc. to nev grades

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GRAHAM
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Dote: $\frac{\text { OCT. } 28,2021}{1^{\prime \prime}=50^{\prime}}$

Scole: | Job No: $\frac{8323}{\text { Revisions }}$ |
| :---: |

| No. | Dote |
| :--- | :--- | :--- |



| HUBER HEIGHTS STORAGE |  |
| :--- | :--- |
| PLANT KEY | $10 / 29 / 202$ |
| QNT | SIZE |
| 6 | 2.5 in |
| NoMMON | LATIN |


| 6 | 2.5 in | Norway Columnar Maple | Acer platanoides 'Columnar' |
| :---: | :---: | :--- | :--- |
| 10 | 2.5 in | Autumn Blaze Maple | Acer rubrum 'Autumn Blaze' |

102.5 in Skyline Honeylocust $\quad$ Gleditsia triacanthos inermis 'Skyline'

| 9 | 2 in | Black Gum Wildfire | Nyssa sylvatica 'Wildfire' |
| :--- | :--- | :--- | :--- |


| 35 | $6^{\prime}$ | Norway Spruce | Picea abies |
| :---: | :---: | :--- | :--- |
| 6 | $6^{\prime}$ | Brack Spruce | Picea |
| 1 |  |  |  |


| 6 | $6^{\prime}$ | Black Spruce | Picea mariana |
| :---: | :---: | :--- | :--- |


| 12 | $6^{\prime}-7^{\prime}$ | White Pine |
| :---: | :---: | :--- |


| 3 | 5 gal | Incrediball Hydrangea | Hydrangea arborescens "Incrediball" |
| :--- | :--- | :--- | :--- |
| 6 | 5 |  |  |



| 35 | 3 gal | Gold Lace Juniper | Juniperus chinensis 'Gold Lace |
| :---: | :---: | :--- | :--- |
| 5 | 3 and |  |  |


| 3 | gal | Grey Owl Juniper | Juniperus virginia na 'Grey Owl' |
| :---: | :--- | :--- | :--- |
| 16 |  |  |  |


| 16 | 3 gal | Heavy Metal Switch Grass |
| :--- | :--- | :--- |






$$
\text { OFFICE\&BUILDING } 200
$$


SOUTH ELEVATION


BUILDING 100
WESTELEVATION


[^2]

BUILDING 300
EAST ELEVATION



BUILDING 100
SOUTH ELEVATION


BUILDING 300
WESTELEVATION
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BUILDING 100
NORTH ELEVATION
ASSOCIATES
6257 SPRINGDALE Road

Dote: JULY 28, 2021
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Revisions

| No. | ote | TPP |
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| 115521 Reviseo liev.

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## RJK

BUILDING 600
EAST ELEVATION

## $\mathcal{H} u$ er $\mathcal{H}$ eights Fire $\operatorname{Division}$

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

| Occupancy Name: | Bearcat Proposed Self Storage - Phase 1 |
| :--- | :--- |
| Occupancy Address: | 5060 US Route 40 |


| 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: |  | HHFD Plan: | $21-238$ |
| MCBR ELE: |  | HHFD Box: | 13 |
| REVIEWER: | Susong | DATE: | $11 / 22 / 2021$ |

## Fire Department Comments:

The Huber Heights City Code Part 15 Refers to Fire Code Requirements and has adopted by reference OFC and IFC Appendices
Review is for Phase I only, subject to compliance with the following. Additional requirements for structure may arise during permitting process:

## Requirements Phase I: (Site Plan)

- The turn radius appears to comply with Ohio Fire Code D103.3 and 503.2.4.
- The access road around property shall be marked as a fire lane, refer to Ohio Fire Code 503.3 and D103.6.
- If the building will be equipped with a fire sprinkler system at least one fire hydrant will be required within 75 feet of the Fire Department Connection for the sprinkler system. Huber Heights Codified Ordinance 1521.01.
- If the property is to be fenced provisions for the Huber Heights Fire Division to obtain access shall be provided. (Knox switches are shown at each gate.)
- A permit shall be obtained for construction from Montgomery County Building Regulations.

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

[^3]
## Hoskins, Geralyn

| From: | Foster, Jason |
| :--- | :--- |
| Sent: | Monday, December 6, 2021 11:22 AM |
| To: | Hoskins, Geralyn |
| Subject: | FW: Storage facility on Senna |

## Dason Foster

Economic Development Coordinator
City of Huber Heights
937-237-5818
ifoster@hhoh.org

From: Laura Laugle [llaugle@gmail.com](mailto:llaugle@gmail.com)
Sent: Thursday, December 2, 2021 11:08 PM
To: Foster, Jason [JFoster@hhoh.org](mailto:JFoster@hhoh.org)
Subject: Storage facility on Senna

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Hello,
I'm writing to say that I oppose the proposal submitted by Bearcat Development Company to build a storage facility on Senna and 40. There are already so many facilities in the city that another is not required for our residents. The traffic to and from the facility would be hazardous to the residents of the Carriage Trails subdivision and the unsightly nature of the buildings would lower the property values that the residents of Carriage Trails and the city of Huber Heights have worked to keep high - attracting high earners and taxes to the city. This development would bring nothing but headache to us all.
Thank you,
Laura Laugle, ward 2

| From: | Foster, Jason |
| :--- | :--- |
| Sent: | Monday, December 6, 2021 11:21 AM |
| To: | Hoskins, Geralyn |
| Subject: | FW: Development of Parcel P48-250161 |

Jason Foster
Economic Development Coordinator
City of Huber Heights
937-237-5818
jfoster@hhoh.org
------Original Message-----
From: Liz Plaumann [liz.plaumann@gmail.com](mailto:liz.plaumann@gmail.com)
Sent: Sunday, December 5, 2021 6:58 PM
To: Foster, Jason [JFoster@hhoh.org](mailto:JFoster@hhoh.org)
Subject: Re: Development of Parcel P48-250161
CAUTION EXTERNAL EMAIL: This message originated from a non Huber Heights email server. DO NOT CLICK ANY LINKS or OPEN ANY ATTACHMENTS unless you have contacted the sender to verify its legitimacy or confirmed you were expecting it. Contact the IT Department if you need assistance.

As a resident of Huber Heights and the Carriage Trails community, I would like to express my serious concern about the potential for construction of an indoor storage facility at 5060 US Rte 40, Tipp City, OH 45371.

There are at approximately a dozen storage facilities within a 5 mile radius of this location. There is no obvious reason or need for another, especially in, quite literally, the backyards of single family homes in a residential neighborhood, with access only from a residential street (Senna).

I am unable to attend the planning commission meeting on Tuesday 14 December 2021, and would like to reiterate my opposition to this application.

Sincerely,
Elizabeth Plaumann
2795 Blueflag Street
Tipp City OH 45371
Sent from my iPad

## Hoskins, Geralyn

From:
Sent:
To:
Subject:

Foster, Jason
Saturday, December 11, 2021 6:44 PM
Hoskins, Geralyn
Fwd: Storage Facility Proposal for Senna

Sent from my iPhone
Begin forwarded message:
From: Arielle Sheldon [arielle.sheldon@yahoo.com](mailto:arielle.sheldon@yahoo.com)
Date: December 11, 2021 at 6:02:38 PM EST
To: "Foster, Jason" [JFoster@hhoh.org](mailto:JFoster@hhoh.org)
Subject: Storage Facility Proposal for Senna
CAUTION EXTERNAL EMAIL: This message originated from a non Huber Heights email server. DO NOT CLICK ANY LINKS or OPEN ANY ATTACHMENTS unless you have contacted the sender to verify its legitimacy or confirmed you were expecting it. Contact the IT Department if you need assistance.

To All Concerned -
We are writing this letter in opposition to the storage facility plans from Bearcat. We have several causes for concern outlined below:

1. Value. Detracting value from the neighborhood. This will be in the backyards of 300 k - 600 k homes, and will severely impact value. Aesthetics at the third main entrance to Carriage Trails will be impacted as well.
2. Safety. Safety of the children who visit the playground that meets up to this planned facility, as this would bring in outside patrons into the neighborhood (auctions, people running businesses out of the facilities, offenders etc). Safety of the many children with bus stops on Senna as this will bring in extra traffic, trailers, trucks, uhauls etc.
3. Noise/lights. The facility would be lit up at night - the floodlights would be shining into the back windows of the homes that meet up to the property. Also noise of trucks, trailers, garages sliding open day and night for those sleeping or in the daytime working from home.
4. Precedent. Please also consider the precedent that Centerville took in previous years of limiting storage facilities as they took up much land with very little value added in taxes or jobs.

As this is zoned for commercial we understand that it is likely that we will need to consider a business on this lot in the future, but we believe that there are more appropriate, useful businesses that could be considered instead.

When considering the low value that this storage facility will add in tax revenue and jobs, please also consider the major decline in property taxes and draw to the Carriage Trails neighborhood if this is allowed. It may be financially more viable to leave the lot empty than to accept a poor option to fill the spot at a detriment to the community.

We hope that the storage facility will be denied in full as they did not implement full notes from last
meeting and are still greatly opposed by the community. We do not want to continue to have to fight this. This meeting was scheduled over the holiday season making it very difficult for all to be available (we have a school function on this date that we cannot miss). Please do not allow future proposals from this facility as the residents are stressed from having to keep a watchful eye for these notices and cannot attend endless meetings (especially proposals that did not meet the guidelines outlined in the last meeting).

We appreciate you consideration.
Seth and Arielle Sheldon
9091 Jasmine Dr
Tipp City, OH 45371

## Hoskins, Geralyn

| From: | Foster, Jason |
| :--- | :--- |
| Sent: | Monday, December 13, 2021 11:17 AM |
| To: | Hoskins, Geralyn |
| Subject: | FW: Opposition to Storage Facility - Committee mtg 12-14-21 |

Sasan 7astor
Economic Development Coordinator
City of Huber Heights
937-237-5818
ifoster@hhoh.org

From: Jennifer Sirucek [jenrwilbgsu@gmail.com](mailto:jenrwilbgsu@gmail.com)
Sent: Monday, December 13, 2021 11:13 AM
To: Foster, Jason [JFoster@hhoh.org](mailto:JFoster@hhoh.org); Jennifer Sirucek [jen.sirucek@assurant.com](mailto:jen.sirucek@assurant.com); Paul Sirucek [psirucek@gmail.com](mailto:psirucek@gmail.com)
Subject: Opposition to Storage Facility - Committee mtg 12-14-21

CAUTION EXTERNAL EMAIL: This message originated from a non Huber Heights email server. DO NOT CLICK ANY LINKS or OPEN ANY ATTACHMENTS unless you have contacted the sender to verify its legitimacy or confirmed you were expecting it. Contact the IT Department if you need assistance.

To the Planning Committee, HH Council Members \& Mr. Mayor,

I am a resident of the Windbrooke HOA, an upstanding community member, and most importantly, a parent. I am writing this letter to share my thoughts, concerns and offer an alternative to the proposed storage unit on St. Rte. 40/Senna drive. My 2 year old son plays in the playground that would be right next to the entrance on Senna. As a parent, I have more concerns than I can count on the potential for a small child and large moving vehicles sharing space on a RESIDENTIAL street. My child's safety is at the forefront of my strong opposition to a storage facility being placed in that location.

There are 24 storage facilities within a 10 mile search of our location. I called a few of them nearest by ( 2 miles or less) and none of them are at capacity. Which begs the question why another one is needed??? Centerville council put a moratorium on storage facilities when the council felt the village had reached market saturation. I am asking if we cannot do the same?

Options to use the commercial space, as an alternative to an unsightly and very unwelcomed storage facility. Seek interest, from the community, on other commercial usage of space. For example: a coffee shop
(that's not tied to a gas station), small business center, office space, etc. As the Chair to the Greater Springfield Chamber's Job/Job Readiness Taskforce, I have led a large group of business, education and community leaders to work together to find solutions that are win-win and not focused on the "easy way out" or simply, just about the money. We all do better when we work together. And a storage unit is most definitely NOT what is best for our community. We already have plenty of them, and ample amount of storage space with those units that are already in existence.

Mr. Mayor - I fully supported you in your campaign for re-election. You ran on the platform "People over Politics". I am asking you to please stay true to your word. Please place the people (our HOA, my family and mostly, the safety of our children that live here) over profits!

Happy to discuss further. This letter is intended to be shared as part of the opposition at the committee mtg on 12-14-21.

Sincerely,

Jen Sirucek and Windrooke HOA member

```
Jennifer Sirucek, MOD
Committee Chair - Dayton Area Recruiters Alliance
Job Readiness Taskforce Chair - Springfield/Clark County
Advisory Member - Magnify Clark County
Board Member - OhioMeansJobs, Clark County
937-272-2484
ien.sirucek@assurant.com
```

"If you have brains in your head and feet in your shoes; you can steer yourself in any direction you choose." ~Dr. Seuss

Information
Agenda Title
DETAILED DEVELOPMENT PLAN - The applicant, GILLIGAN OIL COMPANY, is requesting approval of a Detailed Development Plan for 1.84 acres for property located at the Northeast corner of Taylorsville Road and Old Troy Pike (ZC 21-49).

Purpose and Background

Staff Report
Decision Record
Drawings
Drawings Revised
Drawings Revised2
Renderings Dunkin
Renderings Popeyes

## Memorandum

Staff Report for Meeting of December 14, 2021

| Huber Heights City Planning Commission |  |
| :---: | :---: |
| Jason Foster, Economic Development Coordinator |  |
| 12/3/2021 |  |
| ZC 21-49 (Detailed Development Plan - Gilligan Oil Company) |  |
| Application dated November 19, 2021 |  |
| Department of Planning and Zoning City of Huber Heights |  |
| APPLICANT/OWNER: | Gilligan Oil Company - Applicant HF 2 SUB LLC- Owner |
| DEVELOPMENT NAME: | Huber Heights Center |
| ADDRESS/LOCATION: | Northeast corner Taylorsville and Old Troy Pike |
| ZONING/ACREAGE: |  |
| EXISTING LAND USE: | Planned Mixed Use |
| ZONING |  |
| ADJACENT LAND: | Planned Mixed Use |
| REQUEST: | The applicant requests approval of a Detailed Development Plan for 1.84 acres for property at the northeast corner of Taylorsville Road and Old Troy Pike. |

## PREVIOUS APPROVAL:

APPLICABLE HHCC:
CORRESPONDENCE: In Favor - None Received
In Opposition - None Received

## STATEMENT OF FACT:

The applicant requests approval of a Detailed Development Plan for two retail buildings in the mixed-use development at the above-described location.

## STAFF ANALYSIS AND RECOMMENDATION:

## Overview:

The above-described property was rezoned from R-6, residential 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 six multi-family buildings. The proposal before Planning Commission calls for the construction of two new restaurant uses which are permitted uses in the Planned Mixed Use zoning district as commercial uses. The first is a new 3,061 square foot quick serve restaurant and the second is a new 2,030 square foot restaurant of the same type. Staff's analysis of the proposal is broken into several segments as follows.

### 1171.09 - Detailed development plan.

The detailed development plan shall conform substantially to the basic development plan. If desired by the developer, it may be submitted in stages with each stage reflecting a portion of the approved basic plan which is proposed to be recorded and developed; provided however, that such portion conforms to all requirements of this chapter and other applicable ordinances. The requirement procedure for approval of a detailed development plan shall be:
(a) The detailed plan and supporting data shall be filed with the City. The Planning Commission shall determine that such plan is in conformity with these regulations and in agreement with the approved basic plan.
(b) After review of the detailed plan and supporting data, the Commission shall approve or disapprove the plan submitted by the developer. Disapproval of the detailed plan shall be based on its failure to comply with the basic development plan and current applicable codes, standards, and regulations.
(Ord. 89-O-339, Passed 2-6-89)

### 1171.091-Planning commission/council review.

It is the purpose of the Planning Development regulations to encourage property owners to develop their land in efficient and effective ways. It is the intent of these regulations to encourage land uses which may not always meet traditional zoning rules. Inherent in these Planned Development regulations is an opportunity for property owners to develop their sites without requiring strict compliance with all zoning regulations where the overall plan is deemed to be in the best interest of the City. During review of a Basic or Detailed Development Plan by the Planning Commission or City Council, all requirements within Part 11, Title 7 of the Code are to be used as guidelines and may be varied as part of the Basic or Detailed Development Plan if it is determined that such deviation will not materially adversely affect neighboring properties or the community as a whole, any such variation of these requirements does not change the overall plan and character of the proposed development, and the variance does not have the effect of nullifying the intent and purpose of these regulations or the Zoning Ordinance. In granting variances or modifications, the Commission or Council may require such conditions as shall, in its judgement, secure substantially the objective of the standards or requirements so varied or modified.
(Case 427; Ord. 2002-O-1367, Passed 9-9-02)

## Building Elevations:

Lot number 4 is proposed to be a 3,061 square foot Popeye's Restaurant. The building is made up of several different materials including, EIFS, painted brick look fiber cement wall panels, and metal. There is a good mix of color and depth to the building. The overall height of the building is 18 feet. The dumpster enclosure is shown on the plan with gated front. Staff recommends the dumpster enclosure be constructed of masonry materials matching the building.

Lot number 5 is proposed to be a 2,030 square foot Dunkin Restaurant. This building is also made up of several materials including, EIFS, fiber cement lap siding, metal, and glass. Again, a good mix of colors and depth are being used. The overall height of the building is 20 feet 9 inches. The dumpster enclosure is shown on the plan with gated front. Staff recommends the enclosure be constructed of masonry material matching the building.

## Site Design and Engineering:

### 1179.06 Development standards.

Except when specifically modified herein, the provisions of the Planning and Zoning Code shall govern. The following development standards apply to a PM development:
(a) Minimum Land Area Requirement. A minimum of 20 acres shall be required.
(b) Covenants. The developer of a PM development shall be required to submit a set of covenants or deed restrictions with the Basic Development Plan application that will outline, at a minimum, development standards and guidelines established in this chapter and any other requirements the developer and/or Planning Commission deems necessary. The Planning Commission may require additional or amended covenants as it deems necessary to ensure compliance with the Planning and Zoning Code and the Planned Mixed-Use District.
(c) Required Mix of Land Uses. A developer shall be required to provide a mix of land uses in a PM Development. At a minimum, at least two of the following uses are required in a PM Development: residential, commercial, office, institutional, and/or industrial.
(d) Site Planning.
(1) The combination of different uses whether as part of one building or as part of the overall development shall be designed and developed so as not to create a nuisance by excessive noise, light, vibration, odor, or any other annoyances for any uses within the development or neighboring properties.
(2) A PM development is to be designed so that buildings and structures are clustered and open space areas are preserved and maintained. Special care shall be given to protect preexisting natural features including, but not limited to, woodlands, ravines, streams, lakes, ponds, and/or flood plains. Impervious surface coverage, including, but not limited to, buildings, parking area, and accessways, shall not exceed 75 percent of the total development area. Therefore, 25 percent of the development area shall be reserved for green space.
(3) The number of ingress and egress points onto the public streets shall be limited in order to reduce the number of traffic conflict points. Adequate and properly arranged facilities for internal pedestrian and traffic circulations shall be provided. The street and thoroughfare network shall be designed to minimize truck traffic through residential areas of the development.
(4) Parking systems shall be designed so as to discourage single large unbroken paved lots for off-street parking and shall encourage smaller defined parking areas within the total parking system. Underground parking facilities are encouraged.
(5) The development shall be designed to tie all the uses into one overall community and encourage walking, biking, running, and alternative modes of transportation. Developers are encouraged to incorporate bus stops, bikeways, walkways, and crosswalks into an overall thematic scheme for pedestrian traffic. Sidewalks shall be required except, in the case of a golf course or specific open space development, the Planning Commission may determine them to be unnecessary.
(6) Any signs as proposed within this district, shall comply with Chapter 1189 "Signs". Additionally, a developer of a PM development shall develop and submit with the Detailed Development Plan application, a comprehensive set of graphic design criteria for signage in the development. This set of graphic design criteria for signage shall be approved by the Planning Commission and shall apply to all signage requests within the development. The criteria shall include, at a minimum, the sizes permitted (if different from Chapter 1189), colors permitted, materials permitted, typefaces permitted, type size permitted, and permitted illumination. Compliance with the on-site comprehensive graphics shall be verified by the Zoning Administrator during the sign permit review process.
(7) Minimum lot area, frontage and setback requirements may be varied to allow greater flexibility in design. However, the following shall be used as a guideline for development:
A. With multiple buildings on a single property, entirely residential buildings shall be at least 15 feet from another entirely residential building and at least 50 feet from nonresidential or mixed-use buildings.
B. With multiple buildings on a single property, nonresidential buildings or mixed-use buildings shall be at least 20 feet or one-half the height of the taller building apart, whichever is greater from another nonresidential or mixed-use building.
C. All nonresidential buildings or mixed-use buildings shall be set back at least 50 feet or the height of the structure, whichever is greater, from any residential property or residential building, whichever is closer, and from the public right-of-way. This setback applies to multiple buildings on a single property, to development within a PM development, and where it abuts to adjacent property.
(8) No maximum height restriction shall apply, except that the proposed development meets all Federal Aviation Administration (FAA), Dayton International Airport or Wright Patterson Air Force Base height or abatement requirements.
(9) Common parking areas and accessways shall be lighted adequately with light fixtures that shall be designed to reflect light away from adjoining properties. Special attention will be given to protect entirely residential structures from light emitted from nonresidential land uses.
(10)Nonresidential uses shall have trash containers and/or receptacles (including recycling containers) placed to the rear of all structures and shall be screened or enclosed on four sides with opening doors for the purpose of trash removal. The placement of trash containers and/or receptacles in multi-family residential developments shall be as inconspicuous as possible. The use of a wooden or vinyl fence structure, earth mound, or wall with an opaqueness of 100 percent and a height of 12 inches above the top of the largest container is required.
(11)The architecture of nonresidential structures is encouraged to be unique yet similar in certain sections of the PM.
(12)The distribution systems for utilities are required to be underground.
(13)The use of privately owned open space and public dedicated park land is encouraged as part of a PM development. Privately owned open space shall be maintained by the developer or by a duly authorized owner's association.
(14)The use of chain link fencing is prohibited. Additionally, on an entirely residential property, no fencing shall be permitted in the front yard and, in the case of a corner lot, no fencing shall be permitted in the side yard with frontage to a public right-of-way. The covenants submitted by the developer shall establish the height requirements for fencing in the development. Fencing in a development shall be uniform in height in related use areas. On an entirely residential property, fence height shall not exceed six feet.
(15)With the submission of a Basic Development Plan application, the applicant is required to submit a phasing plan that details when certain sections of the development will commence construction and when the sections will be complete.
(Case 346; Ord. 99-O-1199, Passed 3-22-99)

Both lot number 4 (Popeye's) and lot number 5 (Dunkin) are setback approximately 64 feet from the right-of-way. Both dumpster enclosures are located at the rear of the lot and both restaurants are proposing a double drive thru.

Parking is as follows.
Restaurant, fast food: one space per seats, plus one space per two employees on the largest shift with a minimum of fifteen total spaces plus stacking for eight vehicles shall be provided for each drive-in window, with such stacking spaces to be located behind the point where a drive-in order is placed.

By Code, Lot 4 (Popeye's) would require twenty-six spaces with two of those being accessible. The proposal calls for twenty-seven spaces with two accessible. The proposal calls for ten-foot width parking spaces.

By Code, Lot 5 (Dunkin) would require fourteen spaces with one being accessible. The proposal calls for nineteen spaces with one being accessible. The proposal calls for ten-foot-wide spaces.

Both users are exceeding the parking requirement per Code.

## Utilities:

Both buildings 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:

No sign package for either building has been submitted at this time. However, the signage shown is as follows:

## Lot 4 (Popeye's)

Wall Signs (5 total)

1. West façade: 52.22 square feet
2. North façade: 48.33 square feet
3. North façade: 14.28 square feet
4. South façade: 10 square feet
5. West façade: 33 square foot chicken artwork

Four entry/exit signs are also shown on the plan

## Lot 5 (Dunkin)

Wall Signs (3 total)

1. West façade: 24.9 square feet
2. South façade: 22.6 Square feet
3. North façade: 18.2 square feet

Three entry/exit signs are also shown on the plan.

## Landscaping:

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

## Planning Commission Decision Record

WHEREAS, on November 19, 2021, the applicant, Gilligan Oil Company, requested approval of a Detailed Development Plan for 1.84 acres for property at the northeast corner of Taylorsville Road and Old Troy Pike (Zoning Case 21-49), and;

WHEREAS, on December 14, 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 of the request.
moved to approve the application submitted by Gilligan Oil Company, and the applicant's request for approval of a Detailed Development Plan for 1.84 acres for property at the northeast corner of Taylorsville Road and Old Troy Pike (Zoning Case 21-49) in accordance with the recommendation of Staff's Memorandum dated December 3, 2021, with the following conditions:

1. The approved Detailed Development Plan shall be the plans stamped received by the City of Huber Heights Planning Department on November 19, 2021, except as modified herein.
2. The applicant shall receive final Engineering approval prior to a Zoning Certificate being issued.
3. The applicant shall address all Fire Division comments prior to a Zoning Certificate being issued.
4. Ground signage is not approved with this application.
5. Wall signage shall have a maximum total of 125 square feet for Lot 4 (Popeye's) and 66 square feet for Lot 5 (Dunkin).
6. Landscaping along Old Troy Pike shall closely match that as approved for the Discount Tire Store.
7. All traffic improvements on Old Troy Pike and Taylorsville Road described in Zoning Case 21-25 shall be complete prior to the issuance of a final for any building within this development.
8. Prior to the issuance of a zoning permit, the applicant shall enter into a PUD Agreement with the City for the purpose, but not the sole purpose, of establishing the development obligations of the applicant and requiring the submittal of a performance bond, cash bond, or letter of credit to insure the installation of landscaping as approved. The bond or letter of credit shall be in an amount equal to the applicant's estimate of the cost of installation as approved by the Planning Department and shall remain in effect until such time as the landscaping has been completed as determined by the Planning Department. Upon completion of the installation of landscaping as required by the approved landscape plan, the applicant may request release of the performance bond or letter of credit. Following an inspection by the Planning Department and upon determination by the department that the landscaping has been completed in accordance with the approved landscaping plan, $80 \%$ of the performance bond or letter of credit may be released. However, the performance bond or letter of credit will not be released until a maintenance bond lasting three growing seasons, or letter of credit equal to $20 \%$ of the initial performance bond or letter of credit to ensure maintenance of the landscaping, is submitted to and accepted by the Planning Department. The term of the maintenance bond shall be three growing seasons.

Seconded by . Roll call showed: YEAS: NAYS: Motion to approve carried
$\qquad$ -.

Terry Walton, Chair Planning Commission

Review Set NOT FOR CONSTRUCTION

## Huber Heights Common Broad Reach Retail

## Popeyes - Dunkin'

City of Huber Heights, Montgomery County Ohio


PROFESSIONAL REGISTRATIONS



PROJECT NO.: 0211434.00


ENGINEER / DEVELOPER



## GENERAL DEMOLITION NOTES








## GENERAL SITE NOTES










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## GENERAL UTILITY NOTES



















## GENERAL GRADING, EARTHWORK \& DRAINAGE NOTES

































## STORM SEWER NOTES







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Review Set NOT FOR CONSTRUCTION

## Huber Heights Common Broad Reach Retail

## Popeyes - Dunkin'

City of Huber Heights, Montgomery County Ohio


PROFESSIONAL REGISTRATIONS



PROJECT NO.: 0211434.00


ENGINEER / DEVELOPER



## GENERAL DEMOLITION NOTES








## GENERAL SITE NOTES










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## GENERAL UTILITY NOTES



















## GENERAL GRADING, EARTHWORK \& DRAINAGE NOTES

































## STORM SEWER NOTES







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Al-8032
Planning Commission
Meeting Date: 12/14/2021
miNOR CHANGE

Information
Agenda Title
MINOR CHANGE - The applicant, KAP SIGNS, is requesting approval of a Minor Change for signage for property at 6170 Brandt Pike (ZC 21-48).

Purpose and Background

Attachments
Staff Report
Decision Record
Drawings

## Memorandum

Staff Report for Meeting of December 14, 2021

| To: | Huber Heights City Planning Commission |
| :--- | :--- |
| From: | Jason Foster, Economic Development Coordinator |
| Date: | 12/1/2021 |
| Subject: | ZC 21-48 (Minor Change Signage Marian Lanes) |

Application dated November 19, 2021
Department of Planning and Zoning City of Huber Heights

APPLICANT/OWNER: KAP Signs - Applicant
Michael Poelking - Owner
DEVELOPMENT NAME: Marian Lanes
ADDRESS/LOCATION: 6170 Brandt Pike
ZONING/ACREAGE: PC-Planned Commercial
EXISTING LAND USE: Commercial
ZONING
ADJACENT LAND:
REQUEST:
PC-Planned Commercial, R-4
The applicant requests approval of a Minor Change for Signage for Marian Lanes.

## ORIGINAL APPROVAL:

APPLICABLE HHCC:
CORRESPONDENCE: In Favor - None Received
In Opposition - None Received

## STATEMENT OF FACT:

The applicant requests approval of a Minor Change for signage for Marian Lanes.

## STAFF ANALYSIS AND RECOMMENDATION:

## Overview

The applicant, KAP Signs, wishes to alter the existing ground sign at the south entrance drive. As described below, the standard code for ground signs states the sign must be located fifteen (15) feet behind the right-of-way line, be a maximum of seventy-five (75) square feet and be a maximum height of six (6) feet.

The applicable standard City Code for signage is as follows:

### 1189.05 Types of signs.

(b) Ground Signs.
(1) Setback. Unless otherwise stated in this chapter, any temporary or permanent ground sign or any part thereof shall be set back a minimum distance of 15 feet from any right-of-way.
(2) Landscaping requirement. A permanent ground sign shall require a single continuous landscaped area to be maintained beneath the sign in accordance with the following standards:
A. The minimum landscaped area shall be equal to the area of the sign face.
B. The landscaped area shall include all points where sign structural supports are attached to the ground.
C. Where the required landscaped area is adjacent to a paved surface accessible to vehicular traffic, a raised barrier curb suitable to prevent the encroachment of vehicles shall be required. The minimum distance between the face of any required curb and any part of the sign shall be 30 inches.
D. The landscaped area shall include live plantings aesthetically located and maintained. The use of concrete, asphalt or any other paved surface inside the required landscaped area beneath the sign shall be prohibited.
(c) Wall Signs.
(1) Single wall signs shall not exceed 75 square feet total area.
(2) On structures with more than one visible side, a maximum of four wall signs could be allowed, providing that the total square footage of all the signs does not exceed 150 square feet.
(i) Planned Unit Development Sign Programs. Signs which have been approved as part of a planned unit development sign program may vary from the requirements stated within this
chapter. Variations permitted through a PUD sign program may include but are not limited to the following: total number of signs permitted, sign size, sign setback, sign height and percentage of sign area devoted to changeable copy or electronic copy. Such deviations are recognized to be primarily for safety or unique parcel configuration circumstances and are not intended to circumvent the intent of the sign code.

The existing ground sign is one hundred fifty (150) total square feet and twenty-one and a half (21.5) feet tall. The proposed alteration would bring the total square footage to ninety-nine (99) and the overall height to eleven (11) feet. Per code section 1187.07, shown below, structural changes can be made if the sign becomes less non-conforming. This request reduces the size of the sign by nearly half.

### 1187.07 - Nonconforming signs.

(a) Where a nonconforming sign exists, such sign may be continued so long as it remains otherwise lawful, subject to the following provisions:
(1) A nonconforming sign shall not be replaced by another nonconforming sign except that the substitution or interchange of poster panels, lettering, painted boards or demountable material on such nonconforming sign shall be permitted.
(2) Minor repairs and maintenance of nonconforming signs such as repainting, electrical repairs and replacements, and neon tubing repair shall be permitted. However, no structural repairs or changes in the location, size or shape of the sign shall be permitted except to make the sign comply with the requirements of this chapter or to make it less nonconforming.
(3) Should such nonconforming sign or nonconforming portion of the sign be destroyed, as defined in this chapter, there shall be no reconstruction or repair of the sign except in full conformity with the provisions of this Zoning Ordinance.
(4) Any nonconforming sign which is altered, except as provided for herein, relocated or replaced shall comply with all provisions of this chapter as if it were a new sign except as provided above.
(Ord. 92-0-574, Passed 11-2-92)

No landscaping is shown on the plan. Staff recommends a landscaped area beneath the sign equaling the area of the sign face.

This request conforms to the Brandt Pike Revitalization Plan.

## Planning Commission Decision Record

WHEREAS, on November 19, 2021, the applicant, KAP Signs, requested approval of a Minor Change for Signage for Marian Lanes (Zoning Case 21-48), and;

WHEREAS, on December 14, 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 application by the applicant, KAP Signs, for approval of a Minor Change for Signage for Marian Lanes (Zoning Case 21-48) in accordance with the recommendation of Staff's Memorandum dated December 01, 2021, with the following conditions:

1. All previous PUD regulations shall remain in full force and effect unless specifically modified herein.
2. The approved plan shall be that stamped as received by the Planning Department on November 22, 2021, except as modified herein.
3. Landscaping shall be placed around the ground sign with a minimum area equal to the area of the sign face

Seconded by . Roll call showed: YEAS: NAYS: Motion to approve carried $\qquad$ .



## Al-7991

8. A.

Planning Commission
Meeting Date: 12/14/2021
Approval of 2022 Meeting Schedule

| Agenda Title | Information |
| :--- | :--- |
| Approval of 2022 Meeting Schedule |  |
| Purpose and Background |  |
|  | Attachments |

## PLANNING COMMISSION <br> SCHEDULE OF MEETINGS \& SUBMITTAL DEADLINES <br> BUSINESS YEAR 2022 <br> (Meetings typically held on the $2^{\text {nd }} \& 4^{\text {th }}$ Tuesdays) <br> 6:00 P.M.

|  | Date for Submittal of <br> Rezoning, Major <br> Change, BDP, Special <br> Use, DDP, Minor <br> Change | Date for Submittal of <br> Prel. \& Final Subdiv., <br> Replats |  |
| :--- | :--- | :--- | :--- |
| January 11, 2022 | December 17, 2021 | December 24, 2021 |  |$|$

Al-7994
9. A.

Planning Commission
Meeting Date: 12/14/2021
MINUTES

Information
Agenda Title
Planning Commission September 28, 2021
Purpose and Background

Attachments
Minutes

# Planning Commission <br> September 28, 2021 Meeting <br> City of Huber Heights 

I. Vice Chair Jan Vargo called the meeting to order at approximately 6:00 p.m.
II. Present at the meeting: Mr. Jeffries, Ms. Opp, Ms. Thomas, and Ms. Vargo.

Members absent: Terry Walton.
Staff Present: Scott Falkowski, Interim City Manager.
III. Opening Remarks by the Chairman and Commissioners

None.

## IV. Citizens Comments

None.

## V. Swearing of Witnesses

Ms. Vargo 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. DETALED DEVELOPMENT PLAN - The applicant, REDWOOD LIVING, is requesting approval of a Detailed Development Plan for 5.41 acres on Red Buckeye Drive (ZC 21-28).

Mr. Falkowski stated that the proposal before Planning Commission calls for the construction of an extension of an existing Multi-Family Housing complex. The site is located in Section One of the Carriage Trails Development on the north side of Red Buckeye Drive. The proposal consists of 36 residential units housed in 3 -, 4 -, 5 -, and 6 -unit buildings. There are a total of 8 buildings.

The buildings are proposed to have a combination of stone and vinyl façades that match those of the previous phases. The requirement per the approved Basic Development Plan is that $30 \%$ of the primary façade shall be finished with masonry products. All proposed buildings meet or exceed that requirement. The roofs have asphalt shingles and have multiple pitches providing a depth to the buildings. Each unit has a covered entry, all from the outside of the building. Each unit has its own garage located at the front elevation.

Planning Commission Meeting
September 28, 2021
The applicant's proposal consists of an internal drive connection from Phase III of the development. There will be no new curb cuts off Red Buckeye Drive. This street network follows a circular grid pattern and provides turn arounds for trash and emergency vehicles. The drives are all proposed to be 26 feet in width, which is smaller than the City's standard street section, therefore at a minimum, one side of the street shall be posted "No Parking". Sanitary and water have public main extensions throughout the complex. The water system is proposed to connect to the west through the existing complex. The sanitary sewer system in this area has adequate capacity to handle this number of residential units. Stormwater will flow into existing drainage systems and into existing retention ponds and will meet the City standards for outfall from the site. A mailbox kiosk is located near the center of this phase. Trash will be handled per unit. Lighting is being provided at the front porch and patio door only. The front porch lighting level meets the minimum requirement for infrequent entrances. There are no proposed pole lights in the complex. Parking is provided with garages at each unit, driveways for each unit that lead to each garage, plus an additional 14 parking spaces located throughout the complex, which is a larger space per unit allocation than the previous approved sections. Those spaces are proposed at 10 feet by 19 feet which exceeds the City standards.

Along Red Buckeye Drive, landscaping consisting of street trees is being proposed. There is proposed landscaping along all property lines and along the drives and parking areas with a combination of evergreen, shade, and ornamental trees. In Planned Mixed-Use Districts, a maximum of 75\% impervious area is allowed. This proposal meets that requirement. Landscaping is also being provided around each building through a combination of bushes, grasses, and flowers. This plan has a different set of tree types than phase I and II. Staff recommends that a minimum of 80 percent of the tree types match the previous phases.

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

Ms. Vargo asked about pole lights in the complex? Mr. Falkowski said same lighting as previous sections. Individual lights at units on the buildings.

Greg Thurman, applicant. Wrapping up a 5-acre piece that completes the street scape along Red Buckeye Dr. Coach lighting on each garage.

Ms. Opp asked about two car garage but pad looks wide enough for 3 cars.
Mr. Thurman said garages have concrete pad in between them, not designed to be another space. Mr. Jeffries explained a little wider driveway without grass between them.

## Action

Ms. Opp moved to approve the request by the applicant REDWOOD LIVING, for the approval of a Detailed Development Plan for 5.41 acres on Red Buckeye Drive (ZC 21-28) in accordance with the recommendation of Staff's

Seconded by Mr Jeffries. Roll call showed: YEAS: Ms. Thomas, Ms. Opp, Mr. Jeffries, and Ms. Vargo. NAYS: None. Motion to approve carried 4-0.

## 2. DETALED DEVELOPMENT PLAN - The applicant, RA SMITH, is requesting approval of a Detailed Development Plan for 1.15 acres at 7578 Old Troy Pike (ZC 21-29).

Mr. Falkowski stated that the applicant requests approval of a Detailed Development Plan for a new Discount Tire Facility.

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 7,020 square foot Discount Tire 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 made up of split face CMU and aluminum bordered window walls. There are also metal awnings and an aluminum storefront. There is a good mix of colors and depth to the building. The total building height is 26 feet. The dumpster enclosure is proposed to be made of CMU units to match the building and have gates at the front.

The building is 90 feet from the Old Troy Pike Right-of-Way. The building in this location is surrounded by other commercial uses. The parking area at the Old Troy Pike frontage is proposed to be 16.2 feet from the right of way line. The dumpster enclosure is located at the rear of the building.

Parking is as follows:
Required Parking Spaces: Automobile accessories sale or installation: two spaces for every service bay, plus one space for every 400 square feet of sales area.

By Code, sixteen spaces would be required. Thirty-nine parking spaces are provided, with two being handicap accessible. The proposal calls for nine-foot width parking spaces. Staff recommends that they meet the City Code of ten-foot-wide spaces.

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.

Three wall signs are proposed on the building. The signs are to be located on the west, north and south faces. The total sign area of all three 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 is being provided around the perimeter of the building and site. The landscaping consists of deciduous trees, evergreen trees, shrubs, grasses, and perennials. As the first development plan to be submitted along the Old Troy Pike frontage, this landscape plan will set the standards for landscaped areas along the Old Troy Pike Right of Way.

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

Mr. Jeffries asked about the parking. Will ask applicant.
Ms. Vargo said no photos of building were received and asked if it is a metal building. Mr. Falkowski said aluminum parts to it but a masonry building. Ms. Vargo would like to see no metal buildings to continue the character of Huber Heights with brick. Mr. Falkowski said majority is concrete with multiple colors, aluminum bordered window walls just at the frontage. The rest of the building is masonry. Ms. Vargo asked to request brick. Mr. Jeffries was good with brick. Ms. Thomas asked how much brick will we request. Mr. Jeffries asked aren't we opening the door for the rest of the development. Mr. Jeffries asked Ms. Vargo when you say masonry you are talking brick and stone, Scott you say hardy look. Mr. Falkowski concrete block is proposed. Request could be a certain amount of brick up to a certain level. Not $100 \%$ brick.

From RASmith said building is all masonry. Façade a more modern look. Decorative masonry. Not proposing any clay brick materials. Corporate owned building. Ms. Vargo concerned about 20 years from now, material will deteriorate.
RASmith said not like a metal sided building. Will last a very long time. Ms. Vargo asked about a schedule on building repairs.
RASmith not a franchise. Corporate owned. Reputation speaks for itself, no cars kept outside the building. 8-6 at night Monday through Friday, 8 - 5 Saturday and closed on Sunday. All tires stored inside the building. Trash enclosure is masonry built. No oil changes or service work done.
Ms. Vargo asked about material and location of dumpster.
RASmith said it is matching material, masonry. Ms. Vargo stated she doesn't want it to be metal. Mr. Falkowski said it is proposed to match the building. The gates are made of metal.
Ms. Opp asked why building this here. We have 12 other tire places in town. You have one less than 5 miles from this site.
RASmith said a whole division to handle markets, demand. Others in the area do other service work. Discount Tire does tires.
Ms. Vargo asked if other locations were looked at.
RASmith said he isn't part of the real estate group.

Ms. Vargo asked Mr. Falkowski if they looked at other properties and Mr. Falkowski said he doesn't know but this is an acceptable use for this property as approved through the Basic Development Plan and this is the proposal.
Ms. Vargo asked if not being in the character of Huber Heights a legitimate reason for declining. Mr. Falkowski said plenty of commercial buildings that do not have brick that do have masonry. You can add a condition for brick. To deny because you don't see brick, that might be problematic. Our code doesn't say every building has to have brick.
Ms. Vargo asked about this zoning allowing flexibility. Mr. Falkowski said as a PUD you have ability to have conditions put on. But flat-out denial because it doesn't have a certain material that's not the only material approved, that is where the problem would come in.
Mr. Falkowski said this is an acceptable commercial use. There are standards about making the decision itself, whether it meets the City Council has already ruled that this is a commercially zoned area. This type is acceptable. Detail plan does it reasonable match the expectations set by Council.
Ms. Opp asked can we disapprove because the type of store. Mr. Falkowski said City Council sets the standards. Already set at the Basic Development Plan as commercial use.
Mr. Jeffries said if we request more brick, aren't we opening the door to be more restrictive of the rest of the development. Mr. Falkowski said yes potentially. Like the trees along the frontage, we want the development to have connectivity with each other. It's a planned mixed use, that's the point. Some brick on multifamily units so it would be reasonable to request some here.
Mr. Jeffries asked about so much parking. Need for 39 spaces.
Mr. Falkowski stated let's get through the masonry section first.
Ms. Opp asked for some matching of the apartments brick. All around the building maybe $30 \%$.
Mr. Jeffries doesn't know how much to tell them. Our standards said masonry.
Ms. Vargo said this is in an Industrial area on our main throughfare. Not to look like a tire store.
Mr. Falkowski said his opinion was that it has multiple types of these materials and depth to it, I believe it is a good-looking building as is.
Ms. Thomas stated Ms. Vargo has concern about maintenance over time. Can we make sure they have standard maintenance, stellar look.
Mr. Falkowski said we do have property maintenance standards.
Ms. Thomas fine with the look it is. It is a retail development not an industrial development.
Mr. Jeffries said not comfortable putting a number on how much brick. Follow the code.
Ms. Vargo wants to recommend $30 \%$ brick on all sides. Without a second this motion will die.
Ms. Vargo concurs with 10 ft wide parking spaces.
Mr. Falkowski said our code comes out to 16 required spaces and you are proposing 39. Reason for that many.
RASmith said appointments, people leave cars for the day, employees, then the ones without appointments. Typically, 40 spaces, this one a little less. Probably 35 spaces.

## Action

Mr. Jeffries moved to approve the request by the applicant RA SMITH, for the approval of a Detailed Development Plan for 1.15 acres at 7578 Old Troy Pike (ZC 21-29) in accordance with the recommendation of Staff's Memorandum dated August 19, 2021, and the Planning Commission Decision Record as amended.

Seconded by Ms. Thomas. Roll call showed: YEAS: Ms. Opp, Mr. Jeffries, and Ms. Thomas. NAYS: Ms. Vargo. Motion to approve carried 3-1.

## 3. DETALLED DEVELOPMENT PLAN - The applicant, RJK ASSOCIATES, is requesting approval of a Detailed Development Plan for 8.755 acres at 5060 US Route 40 (ZC 21-30).

Mr. Falkowski stated that the applicant requests approval of a Detailed Development Plan in a PM (Planned Mixed Use) District for a Storage Facility.

The proposal before Planning Commission calls for development of the property at 5060 US Route 40, currently vacant for an Indoor Storage Facility.

The site in question is the one that currently is the remainder parcel at the north end of the Windbrooke Subdivision. The applicant is requesting approval of a Detailed Development Plan that would allow for the installation of fourteen new storage buildings with leasable space, split into four phases. Staff's analysis of the proposal is broken into several segments as follows.

The buildings are made up of multiple materials. The office portion is covered with brick veneer and has a metal roof. The storage building that also faces Senna Drive has a brick veneer façade on the west face. The storage units have a combination of metal siding and tilt up piers. Each unit will have roll up doors. Any dumpster enclosure will be masonry with gates at the front.

The proposal calls for one curb cut to access the facility off of Senna Drive. No access will be provided off US Route 40. The parking requirement for the office is one space for every 300 square feet of gross floor area, which calculates to 4 parking spaces, with 1 of those being designated accessible spaces. 5 total parking spaces are proposed at 9 feet by 19 feet. City standard is 10 feet by 18 feet. Staff recommends the 10 -foot-wide space requirement. Paved drive aisles access each building with no dead-end drives. Six-foot wrought iron fencing is proposed at the north and west perimeter of the site with a gate at the front and an emergency gate at the rear and six-foot wood privacy fence is proposed at the south and east perimeters. The interior aisles are 25 and 30 feet in width and exterior aisles vary to allow for emergency vehicle turning movements.

The buildings are to be serviced by connections to public water and the office will connect to the public sanitary sewer. Gas, telephone, and electric are also currently available at the site. Drainage is being collected through catch basins and storm sewer routing the flow through proposed detention basins onsite. The
detention basins are designed to meet current water quality and quantity detention requirements. All field tile encountered are to be routed around the proposed buildings and into the storm water drainage system. Lighting is shown on the submitted drawings and complies with City Code 1181.21.

The proposal calls for a wall sign on the front of the office building. No dimensions are shown, but staff would recommend limiting the size to a maximum of seventy-five (75) square feet in area as per the standard City Code.

Landscaping is being proposed to include street trees and buffering around the perimeter of the site. This landscaping includes a combination of deciduous trees, evergreen trees, shrubs, and grasses. A twenty-five-foot landscape buffer is proposed along the southern property line, protecting some of the vegetation and adding buffer type trees for year-round protection. The Landscaping Plan complies with the City Standards.

Discussion on entrance on Senna moved to Route 40, materials, mounding, secondary entrance, lighting.

Bob Krumdieck, applicant spoke to these issues.
Residents spoke against this case,
Julie Reese
Dale Masin
Connie Masin
Holly Batton
Monique Allsnonse
Wooten
David Franth
Applicant said he would just withdraw and come back at a later date.
4. MINOR CHANGE - The applicant, CAMPBELL BERLING, LLC, is reque sting approval of a Minor Change for signage at The Oaks Section 9 (ZC 21-31).

Mr. Falkowski stated that the applicant requests approval of a Minor Change for signage for the Oaks of Huber Heights Section 9 Development at the entrance off of Fishburg Road.

The applicant wishes to install an entrance development sign on the south side of Silver Oak Way. The request is to locate the sign sixteen (16) feet from the Fishburg Road right of way and twelve (12) feet from the Silver Oak Way 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. In this instance, a distance of twelve (12) feet from the Silver Oak Way right of way line would allow for the full landscaping mound approved with the Detailed Development Plan along Fishburg Road. The sign base would be ten (10) feet in width, with an overall height of six (6) feet. The sign face itself is four (4) feet six (6) inches wide by two (2) feet six (6) inches tall. The sign area would by eleven and a quarter (11.25) square feet per side. The sign would not be located over any

Planning Commission Meeting
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utility line. Landscaping shall be placed around the sign as to not block the sight distance of the intersection.

Mr. Jeffries asked about the different name. Mr. Falkowski stated a different builder came in for this section. Designated a different name. Still part of The Oaks.
Ms. Vargo said it appears to be wooden, who will take care of it in the future. Mr. Falkowski said there will be an HOA it may be separate.

Cindy Smith spoke said different than on their website. Publicity different. Talked about park. Maintenance of it.

Bob Krohngold will go back and take a look at it. Approve location perhaps. Materials questionable. Leave for staff approval.

## Action

Mr. Jeffries moved to approve the request by the applicant, CAMPBELL BERLING, LLC, for approval of the Minor Change for signage at The Oaks Section 9 (ZC 21-31) in accordance with the recommendation of Staff's Memorandum dated August 19, 2021, and the Planning Commission Decision Record attached as amended.

Seconded by Ms. Opp. Roll call showed: YEAS: Ms. Thomas, Ms. Opp, Mr. Jeffries, and Ms. Vargo. NAYS: None. Motion to approve carried 4-0.

## VIII. Additional Business

Mr. Falkowski gave an update on Huber Center. Signage is up at both entrances. Repaving has not been completed, City has not issued a final. Redoing some curb and replacing some trees. Parking lot is not in violation. Potholes have some patching. $80 \%$ full. Not in compliance.
Continuing with violation process and not giving the final for signage. Raising our Standards.

## IX. Approval of the Minutes

## X. Reports and Calendar Review

Mr. Falkowski said meeting scheduled for first week in October

## XI. Upcoming Meetings

Oct 12, 2021
Oct 26, 2021

Planning Commission Meeting
September 28, 2021
XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 8:46 p.m.

Jan Vargo, Vice Chair
$\overline{\text { Geri Hoskins, Administrative Secretary }}$

## Date

Date

AI-7995
9. B.

Planning Commission
Meeting Date: 12/14/2021
MINUTES
Information
Agenda Title
Planning Commission November 9, 2021
Purpose and Background

> Attachments

Minutes

## Planning Commission

November 9, 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: 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

1. 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).

Mr. Falkowski stated we received word this afternoon that the applicant is requesting to pull this item off of the Agenda and withdraw their current application.

## Action

Ms. Vargo moved to table the request by the applicant DARIN SCHMIDT, for the 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).

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

## VII. New Business

1. REZONING - The applicant, Parveen Wadhwa, is requesting approval of a Rezoning to Planned Commercial and a Basic Development Plan for property located at 6025 Taylorsville Road (ZC 21-42).

Mr. Falkowski stated that the applicant requests approval of a Rezoning and Basic Development Plan for the property at 6025 Taylorsville Road to Planned Commercial for a convenience store and laundromat.

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 Mixed Density Residential, which 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. This use would be a complement to mixed density residential as a neighborhood commercial space.

The site currently has one residential building. The proposal is to raze the building and build a new 7200 s.f. building.

Parking will be provided following Chapter 1185 of the City's Zoning Code and is called out to be 10 foot by 18 -foot spaces.

Storm water will be handled through storm sewers flowing into a proposed underground storm water management unit. This will follow all City drainage regulations.

Water and Sanitary will connect to existing public systems.
Traffic analysis was completed by the applicant and no major roadway improvements are recommended.
The proposal calls for an all masonry building with a sloped roof.
The applicant proposes a landscape buffer on all sides of the project. Proposed lighting shall follow Section 1181.21 of the City Zoning Code:
Signage will follow Section 1189 of the City's Zoning Code.
Recommendation to City Council.
Mr. Jeffries asked if this changed to a different use, would come back Mr. Falkowski said only requested uses.

Mr. Op asked about the drive thru and Mr. Falkowski said drive up window on west side.

Patricia Buzza is against the rezoning issues were increased traffic, amount of children in the apartments, extremely dangerous, property values, please don't zone Commercial.

## Planning Commission Meeting

November 9, 2021
Adam Gill discussed the traffic study, met acceptable capacity levels. Ms. Vargo asked hours of operation, he couldn't answer that.
Parveen Wadhwa said hours will be 7am to 11 pm ., convenient to neighborhood Mr. Opp asked hours of laundry and Mr. Wadhwa said 8 to something.
Mr. Jeffries asked currently zoned, and Mr. Falkowski said R4 the whole thing. Ms. Vargo asked how much laundry and how much convenience store. Mr.
Wadhwa said $60-40 \%$.

## Action

Ms. Thomas moved to approve the request by the applicant PARVEEN WADHWA for approval of a Rezoning to Planned Commercial and a Basic Development Plan for property located at 6025 Taylorsville Road (ZC 21-42) in accordance with the recommendation of Staff's Memorandum dated November 4, 2021, and the Planning Commission Decision Record attached thereto.

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

This now goes to City Council.

## 2. MINOR CHANGE - The applicant, MS Consultants, Inc., is requesting approval of a Minor Change for addition of new coolers, freezer, and dry storage room at property located at 5611 Merily Way (ZC 21-44).

Mr. Falkowski stated that the applicant requests approval of a Minor Change for Addition of New coolers, freezer, and dry storage at rear of building.

The applicant wishes to place an addition to the rear of the building for coolers, freezers, and storage. There is no plan to expand any of the dining areas, so there are no increased parking requirements, but their plan is to remove eight spaces where the expansion is located. The restaurant expanded the parking lot above the required amount several years ago, so the decrease does not go below that standard code. The plan for the exterior of the building is to match the materials and colors of the existing stone, brick, and roofing.

Sean French talked about operational impact issue, hold more inventory, mimic landscaping, replace sidewalk, stain paint to match.

## Action

Ms. Thomas moved to approve the request by the applicant, MS CONSULTSANTS, INC., for approval of a Minor change (ZC 21-44) in accordance with the recommendation of Staff's Memorandum dated November 4, 2021, and the Planning Commission Decision Record attached thereto.

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.

Next step is to submit for the zoning certificate.

## 3. MAJOR CHANGE - The applicant, Larkspur, is requesting approval of a Major Change to the Basic and Detailed Development Plan in a Planned Commercial District for 7.234 acres for property located at 7650 Waynetowne Boulevard (ZC 21-43).

Mr. Falkowski stated that the applicant requests approval of a Major Change to the Basic and Detailed Development Plan in a PC (Planned Commercial) District for a Storage Facility.

The proposal before Planning Commission calls for redevelopment of the property at 7650 Waynetowne Boulevard, currently occupied by Danbarry Cinema, to Larkspur for an Indoor Storage Facility.

The site in question is the one that currently is occupied by a commercial structure. The applicant received approval of a Detailed Development Plan that would allow for the razing of the existing building and placing five new storage buildings with leasable space in Phase l. The current request is to build one large building in place of the previously approved five individual buildings.

The buildings are made up of pre-engineered metal, EIFS and brick. The building face that fronts along Waynetowne Boulevard are requested to be preengineering metal with brick at the water table. The previous approved buildings had all masonry materials along the face that fronts along Waynetowne Boulevard. Each unit will have roll up doors. The main office will have a glass storefront. The dumpster enclosure will be masonry with gates at the front.

The proposal calls for one curb cut to access the facility off of Waynetowne Boulevard. The current two curb cuts will be removed, and a new curb cut installed. The parking requirement for the office is one space for every 300 square feet of gross floor area, which calculates to 4 parking spaces, with 1 of those being designated accessible spaces. Paved drive aisles access each building with no dead-end drives. Fencing is proposed at the perimeter of the site with fencing abutting public right of way being a decorative metal fencing and coated chain ling for the remainder of the fencing which meets the approved PUD conditions. The exterior aisles are 30 feet and 25 feet to allow for emergency vehicle turning movements.

The buildings are to be serviced by connections to public water and the office will connect to the public sanitary sewer. Gas, telephone, and electric are also currently available at the site. Drainage is being collected through catch basins and storm sewer routing the flow through the existing detention basin onsite. The existing detention basin is being upgraded to meet current water quality and quantity detention requirements. Lighting is shown on the submitted drawings and complies with City Code 1181.21.

The ground sign shall have a maximum height of six feet from ground level, a maximum area of seventy-five square feet and base materials shall match the fronts of the buildings.

Landscaping is being proposed to include street trees and buffering around the perimeter of the site. This landscaping includes a combination of deciduous trees, evergreen trees, shrubs, and grasses. The Landscaping Plan complies with the City Standards.

Mr. Jeffries asked about masonry materials along Waynetowne. Discussion on being more visible than before. Adding brick to the water table on north side.

David Bernstein spoke about functional and visible enhancement. Ms. Vargo asked about temperature controlled, Mr. Bernstein answered yes.

## Action

Ms. Vargo moved to approve the request by the applicant, LARKSPUR, for an approval of a Major Change to the Basic and Detailed Development Plan in a Planned Commercial District for property located at 7650 Waynetowne Boulevard further identified as Parcel P70 040050100 on the Montgomery County Auditor's tax map (ZC 21-43) and the Planning Commission Decision Record amended attached thereto.

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

Next step is to go to City Council.

## VIII. Additional Business

1. Pre-Application Conference - Residential Development - 22-acre Storck Property, Bellefontaine Road.
Bob Krohngold discussed a potential project of 22 acres on east side of Bellefontaine across from The Oaks Development. It is for a residential development. Paired patio homes, will need a lift station to get sewer out, affordable, start building next year. Wembley and Hudson, controlled by HOA. Jennifer Gonzolaz talked about layout, size, market.

All Planning Commissioners liked the product.
2. Mr. Falkowski talked about Union at Chambersburg Traffic Impact Study. Recommended the northern access point. Exiting access point that the bank uses now, the proposal and recommendation is that is full access, redone and widened. Northern access point recommending right in right out access point. Left hand turn lane on Old Troy Pike be extended to have more stacking.

## IX. Approval of the Minutes

Without objection, the minutes of the October 26, 2021, Planning Commission meeting are approved.

Planning Commission Meeting
November 9, 2021

## X. Reports and Calendar Review

Mr. Falkowski stated next meeting is December 14, Major Change at 5840 Old Troy Pike for a proposed used car lot. Approval of next year meeting schedule.

Mr. Falkowski also stated this is his last Planning Commission meeting, Mr. Foster will be at next meeting.

## XI. Upcoming Meetings

December 14, 2021

## XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 7:35 p.m.

Terry Walton, Chair

Geri Hoskins, Administrative Secretary
Date
Date


[^0]:    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) $\mathbf{1 0 4 . 1}$ of the $\mathbf{2 0 1 7}$ 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.

[^1]:    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.

[^2]:    EAST ELEVATION

[^3]:    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) $\mathbf{1 0 4 . 1}$ of the $\mathbf{2 0 1 7}$ 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.

