

# CITY OF HUBER HEIGHTS STATE OF OHIO City Council Meeting Regular Session May 9, 2022 6:00 P.M.

#### City Hall - Council Chambers - 6131 Taylorsville Road

- 1. Call The Meeting To Order Mayor Jeff Gore
- 2. **Invocation -** Pastor Randy Griffith Of The Free Methodist Church At 6875 Old Troy Pike, Huber Heights, Ohio
- 3. Flag Ceremony Wayne High School Junior ROTC Honor Guard
- 4. Pledge Of Allegiance
- 5. Roll Call
- 6. **Approval Of Minutes** 
  - A. City Council Meeting Minutes April 25, 2022
- 7. Special Presentations/Announcements
  - A. National Police Week Mayoral Proclamation Presentation To The Huber Heights Police Division Mayor Jeff Gore

- B. Introduction Of Newly Hired Public Safety Communications Officers Police Chief Mark Lightner
- C. National Public Safety Telecommunicators Week Mayoral Proclamation Presentation -Mayor Jeff Gore
- D. Wayne High School Wrestling Champion Joshua Padilla Recognition And Proclamation Presentation Mayor Jeff Gore
- E. Suez Water/Veolia Water 2021 Annual Report Presentation Ms. Pam Whited, Operations Manager, Veolia Water
- 8. Citizens Comments
- 9. Citizens Registered to Speak on Agenda Items
- 10. City Manager Report
- 11. Pending Business
  - A. An Ordinance To Approve A Major Change To The Basic And Detailed Development Plan For The Property Located At 5840 Old Troy Pike And Further Identified As Parcel Number P70-01923-0004 On The Montgomery County Auditor's Map And Rejecting The Recommendation Of The Planning Commission (Zoning Case 21-45). (second reading)
  - B. An Ordinance To Approve A Basic Development Plan For The Property Located On Brandt Pike North Of The Reserves At The Fairways And Further Identified As Parcel Number P70-03910-0057 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Zoning Case BDP 22-07). (second reading)
  - C. An Ordinance To Approve A Combined Basic And Detailed Development Plan And Rezoning To Planned Residential (PR) For 22.968 Acres For The Property Located On The East Side Of Bellefontaine Road And South Of Chambersburg Road And Further Identified As Parcel Number P70-03908-0126 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Zoning Case CBDP 22-11). (second reading)
  - D. An Ordinance To Approve A Basic Development Plan And Rezoning To Planned Mixed Use (PM) For The Property Located At 7125 Executive Boulevard And Further Identified As Parcel Number P70-03910-0005 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Zoning Case BDP 22-12). (second reading)

E. An Ordinance Amending Ordinance No. 2021-O-2511 By Making Supplemental Appropriations For Expenses Of The Fire Division Of The City Of Huber Heights, Ohio For The Period Beginning January 1, 2022 And Ending December 31, 2022. (second reading)

#### 12. New Business

## CITY COUNCIL Anthony Rodgers, Clerk of Council

- A. A Motion To Direct The Clerk Of Council To Respond To The Ohio Division Of Liquor Control With No Objections In Reference To New Liquor Permit #13139450105 For Casey's General Store At 8000 Brandt Pike, Huber Heights, Ohio 45424.
- B. A Public Hearing Scheduled For May 9, 2022 By The Huber Heights City Council For Case BDP 22-13. The Applicant Is Hartman I, LLC. The Applicant Is Requesting Approval Of A Basic Development Plan And A Rezoning To Planned Office For Property Located At 7611 Old Troy Pike And Further Described As Parcel ID P70 04005 0140 On The Montgomery County Auditor's Map.
- C. A Public Hearing Scheduled For May 9, 2022 By The Huber Heights City Council For Zoning Case MJC 22-14. The Applicant Is Parveen Wadhwa. The Applicant Is Requesting Approval Of A Major Change To The Basic Development Plan And Approval Of A Detailed Development Plan For Property Located At 6025 Taylorsville Road And Further Described As Parcel ID P70 04005 0006 On The Montgomery County Auditor's Map.

## ADMINISTRATION Bryan Chodkowski, Interim City Manager

- D. An Ordinance To Approve A Major Change To The Basic Development Plan And Approval Of A Detailed Development Plan For The Property Located At 6025 Taylorsville Road And Further Identified As Parcel Number P70 04005 0006 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Case MJC 22-14). (first reading)
- E. A Resolution Approving Participation In Region 8 Governance Structure Under The OneOhio Memorandum Of Understanding. (first reading)
- F. A Resolution Establishing And/Or Amending The Salary Ranges And Wage Levels For Employees Of The City Of Huber Heights, Ohio. (first reading)

- G. A Resolution Authorizing The City Manager To Participate In The Ohio Association Of Public Treasurers 2023 Workers' Compensation Group Experience Rating Program Administered By CompManagement Inc. (first reading)
- H. A Resolution Authorizing The City Manager To Enter Into An Agreement To Provide Insurance Coverage For General Liability, Property, Boiler And Machinery, Inland Marine, Automobile, Crime, Law Enforcement Liability, Public Officials Liability, And Other Necessary Insurance Coverage For The City Of Huber Heights, Ohio, Waiving The Competitive Bidding Requirements, And Covering The Costs Of Services Ordered By The City. (first reading)
- A Resolution Authorizing The City Manager To Solicit Bids For A Landscape Revitalization Plan Of Specified City Properties. (first reading)
- J. A Resolution Authorizing The City Manager To Solicit Bids To Repair And Replace Roadway Guardrail Of Specified City Properties. (first reading)
- 13. City Official Reports and Comments
- 14. **Executive Session**
- 15. **Adjournment**

AI-8377 Minutes A.

**City Council Meeting** 

**Meeting Date:** 05/09/2022

Approval of Minutes - 4/25/22

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: None Date(s) of Committee Review: N/A

Audio-Visual Needs: None Emergency Legislation?: No

Motion/Ordinance/

**Resolution No.:** 

#### **Agenda Item Description or Legislation Title**

City Council Meeting Minutes - April 25, 2022

#### **Purpose and Background**

Approval of the minutes from the April 25, 2022 City Council Meeting.

N/A

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

There are no financial implications to this agenda item.

**Attachments** 

Minutes

#### 1. Call The Meeting To Order - Mayor Jeff Gore

The Huber Heights City Council met in a Regular Session on April 25, 2022. Mayor Jeff Gore called the meeting to order at 6:02 p.m.

- 2. Invocation Pastor Randy Griffith Of The Free Methodist Church At 6875 Old Troy Pike, Huber Heights, Ohio
- 3. Flag Ceremony Wayne High School Junior ROTC Honor Guard
- 4. Pledge Of Allegiance
- 5. Roll Call

Present: Richard Shaw, Kathleen Baker, Mark Campbell, Nancy Byrge, Glenn Otto, Ed Lyons, Anita Kitchen, Don Webb, Jeff Gore

#### 6. Approval Of Minutes

- A. City Council Meeting Minutes March 28, 2022
- B. City Council Meeting Minutes April 11, 2022

#### 7. Special Presentations/Announcements

A. Wayne High School Men's And Women's Bowling Teams Recognition And Proclamation Presentation - Mayor Jeff Gore

Mayor Jeff Gore said there are a lot of dedicated students and coaches involved with the Wayne High School bowling teams. He said the bowling teams do not get enough recognition. He read the proclamation and presented individual proclamations to the Wayne High School Men's and Women's Bowling Teams.

#### 8. Citizens Comments

There were no Citizens Comments.

#### 9. Citizens Registered to Speak on Agenda Items

Clerk of Council Anthony Rodgers said three citizens were registered to speak on Item 12-N. He said a public hearing is scheduled on the agenda related to Item 12-N. He said the citizens are free to speak at the public hearing on Item 12-N instead of later in the agenda under that item.

#### 10. City Manager Report

Interim City Manager Bryan Chodkowski said the Chippingdon Drive water main repair was completed and back in full service without any issues. He said the City will be a featured community in the Dayton Business Journal in May, 2022 and the articles will focus on housing, infrastructure, and The Meadows Project. He said the CR Dayton facade renovation work is currently out to bid, and that bid award will be before the City Council in May, 2022. He said the City had an Earth Day event on April 23, 2022 at the Huber Heights Community Center. He said 45 volunteers showed up and collected 100 pounds of trash and planted 75 trees and 40 flower bulbs.

Mrs. Byrge said the City also held a successful Styrofoam recycling event on April 23, 2022 at the Rose Music Center. She said there was a large turnout, and people came from as far away as Columbus, Ohio and Loveland, Ohio. She said there will be quarterly Styrofoam recycling events held throughout Montgomery County.

#### 11. Pending Business

There was no Pending Business.

#### 12. New Business

## CITY COUNCIL Anthony Rodgers, Clerk of Council

A. A Motion To Appoint Matthew Shomper, Ronald Deak, Jen Sirucek, Scott Davidson, And Jeffrey Held To The 2022 Comprehensive Development Plan Steering Committee.

Clerk of Council Anthony Rodgers said these appointments are the last five appointments to the 2022 Comprehensive Development Plan Steering Committee. He said all of the background checks have been completed.

Mayor Gore said the Council Work Session recommendation was to adopt this item.

Ms. Baker moved to adopt; Mr. Campbell seconded the motion. On a call of the vote, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, and Mr. Shaw voted yea; none voted nay. The motion passes 8-0.

B. A Motion To Appoint Bayram Gulalieu To The Culture And Diversity Citizens Action Commission For A Term Ending December 31, 2023.

Mr. Rodgers said the recommendation is to appoint Bayram Gulalieu to the remaining vacancy on the Culture and Diversity Citizen Action Commission. He said the background check on Mr. Gulalieu has been completed.

Mayor Gore said the Council Work Session recommendation was to adopt this item.

Mark Campbell moved to adopt; Mrs. Byrge seconded the motion. On a call of the vote, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, and Ms. Baker voted yea; none voted nay. The motion passes 8-0.

C. A Motion To Direct The Clerk Of Council To Respond To The Ohio Division Of Liquor Control With No Objections In Reference To New Liquor Permit #0055605 For Action Palace At 5605 Old Troy Pike, Huber Heights, Ohio 45424.

Mr. Rodgers said this new liquor permit for Action Palace was reviewed by Police and Fire Divisions, and there were no objections to granting this new liquor permit. He said Action Palace is a billiards hall and game room.

Mayor Gore said the Council Work Session recommendation was to adopt this item.

Mr. Webb moved to adopt; Mrs. Kitchen seconded the motion. On a call of the vote, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, and Mr. Campbell voted yea; none voted nay. The motion passes 8-0.

 D. A Resolution Authorizing The Law Director To Register An Objection To A Liquor Permit Renewal And Request A Hearing. (first reading)

Law Director Gerald McDonald said this item is regarding the Marathon gas station discussed at the last City Council Meeting. He said the City is objecting to the renewal of this liquor permit on two grounds. He said the objection has to be filed by May 2, 2022.

Mrs. Byrge moved to adopt; Mr. Otto seconded the motion.

Mr. Shaw asked if this is an objection to the renewal or to the liquor permit itself, or is that one and the same?

Mr. McDonald said the City has the opportunity to object once a year or when there is a transfer of a liquor permit or a new liquor permit.

Mr. Shaw asked what does Council have in the form of opportunities to put this liquor permit in front of the voters as far as a local option or to padlock this establishment as a nuisance, or is that additional information that would need to come back at a Council Work Session?

Mr. McDonald said he would have to come back with that information.

Mr. Shaw requested that the Mayor add this item on the next Council Work Session agenda for further discussion. He said these objections are very untimely and take too long. He said the community needs to put an option on the November, 2022 ballot to have the residents speak up and to withhold that liquor license or padlock the building as a nuisance. He said he has shared the communications he has had with the City's State Representative and the Ohio Division of Liquor Control agent with the City Manager, so there is open communication on that issue. He said he will continue moving that information forward as it becomes available, but hopefully the Law Director can bring back more research at the next Council Work Session. He said he would like to request that when this objection is filed that Council is notified about the hearing date as well.

Mr. Otto asked Mr. McDonald if it would be worth mentioning in the objection that a D-5 license is inappropriate for that establishment.

Mr. McDonald said just the statutory grounds are in this resolution. He said there will be an affidavit from the Law Director that clarifies the reasons, and that point is one of the reasons.

On a call of the vote, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, and Mrs. Byrge voted yea; none voted nay. The motion passes 8-0.

E. A Public Hearing Scheduled For April 25, 2022 By The Huber Heights City Council For Zoning Case 21-45. The Applicant Is Kirmon Khalilov. The Applicant Is Requesting 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 And Further Described As Parcel ID P70 01923 0004 On The Montgomery County Auditor's Map (Zoning Case 21-45).

Mr. Aaron Sorrell gave a presentation. He said this property is 2 1/2 acres which previously was an auto detailing establishment. He said this case was heard by the Planning Commission in December, 2021 and was tabled. He said there was a revision to the site plan in February, 2022 and the case was tabled again so he could work with the applicant on the design. He said the second revision was heard by the Planning Commission on March 15, 2022, and the Planning Commission recommended denial 3-1. He said a third revision was submitted by the applicant on April 7, 2022. He said the Planning Commission's concern was the original site plan submitted made the site even less conforming to the Planned Commercial District. He said there were also concerns about auto sales along Old Troy Pike changing the character of that corridor and the density of parking that was being proposed. He said the Planning Commission is also sympathetic to the neighbor's concerns about potential noise disrupting funeral services as part of the auto service repairs. He showed the first site plan with three rows of cars in the front. He said City Staff worked with the applicant to make the display area more like a traditional parking lot, and there were still concerns about the 15-foot buffer to the north being cut in half. He said the subsequent revision has significantly reduced the amount of the parking display up front. He said this site plan is much more in compliance with the Planned Commercial zoning. He said it keeps the 15-foot side buffer and moves the front parking setback to 30 feet from 25 feet. He said vehicle sales and services are permitted in this zoning district if it is approved through the Basic Development Plan. He said the revised site plan conforms to the yard standards within the Zoning Code, and the site plan is now in conformance with most of the parking regulations in Section 1185. He said the applicant has started making improvements to the area and the applicant informed him today the repaving that took place is consistent with what is displayed on the revised site plan.

Mayor Gore asked if any representatives for Kirmon Khalilov had any comments.

Osman Khalilov said, as Council is aware, they have started the paving, and he would like to clarify why they started. He said he contacted many companies to get started, and the companies were full with scheduling. He said he found one company who said he has to do it right now because he also has a full schedule. He said the condition of the asphalt was very bad and it will get much worse. He said they decided to get started with the front area as well. He said they did not know they had to go through the City as well for permits because his contractor and realtor told him he was allowed to start work without getting approved for the dealership.

Mayor Gore said the heartburn that Council may have is that the City has specific processes to go through for the zoning change. He said that particular piece is on the plan and that is why there is a Public Hearing tonight to determine whether the plan is approved and can go forward. He said everyone deals with issues with scheduling and construction, but that cannot get in the way of the process. He said there is concern as to whether this is going to be it and if the applicant is going to be compliant if this project moves forward.

Mr. Khalilov said they thought if they did not get approved for the dealership then they wanted to get started with the service company and he said they still needed parking in the front. He said they bought the property over a year ago and still have not started and are paying bills and taxes. He said that is why they hurried, and it was their mistake for not getting permission first. He said they are open to taking the asphalt back out and filling it back in with dirt.

Mayor Gore said it says something that they are willing to fix what they have done if the plan is not approved.

Mrs. Byrge asked why the applicant did not asphalt the entire front and why there were some intermittent spots.

Mr. Khalilov said the contractor ran out of asphalt and could not finish that day and the contractor flew out of town and was returning the next day, but he asked the contractor to stop the work.

Mr. Chodkowski said a stop work order was issued, so regardless of what happens

In Council Chambers 6131 Taylorsville Road

next, the applicant will have to work with the City to have some kind of documented PUD. He said if Council approves the plan presented tonight, that would be a modification to the existing PUD. He said, assuming everything the applicant has said tonight is true and can be validated through the Planning Department and the Zoning Division, the applicant would be compliant with the new PUD and would have permission to make modifications and the stop work order would come off. He said if Council does not approve it, City Staff would have to work with the applicant to come up with some other solution and then Council would have to approve that plan at another date.

Mr. Khalilov said he took the parking lot back 35 feet instead of 30 feet.

Mrs. Byrge asked what was being done about the buffer between the property and the funeral home.

Mr. Sorrell said what is listed on the site plan is a 48-inch tall hedge that covers most of that parking lot area. He said that hedge is what the applicant is proposing and it is compliant with the zoning requirements, and the Planning Commission had no problem with that buffer. He said the Planning Commission asked the applicant to increase the landscaping along Old Troy Pike. He said the applicant said they would, it just did not make it to the revised site plan he received on April 7, 2022.

Ms. Baker said Council received objections from the neighbors and she asked what the applicant is going to do to work with the neighbors in that area.

Mr. Khalilov said it depends. He said if it is a service place, then they cannot control the noise that comes out of it. He said down the street there are many service areas that make noise as well. He said it is all closed up, and the noise is not going to be outside the doors. He said they would keep the service bay doors closed while working on cars.

Ms. Baker asked if the applicant was agreeable to a taller barrier.

Mr. Khalilov said he thought they would start with a 4-foot hedge and it would grow.

Mr. Sorrell said the trees grow to 20 plus feet. He said there is a utility easement that runs along that area, so he would want to work with the utility company as far as tree placement. He said that hedge would be a low-cost, high value buffering option.

Mr. Shaw asked if there is a buffer currently in that area between the funeral home and the showroom location.

Mr. Sorrell said there is some existing planting that spans from the middle of the parking lot to the rear. He said there is no vegetation in the front of the parking lot. He agreed with Mr. Shaw that the landscaping being proposed would be an improvement to the site. He said the current landscaping is compliant, but needs maintenance, and the Planning Commission will work with the applicant on that issue.

Mr. Shaw asked if the plan in front of Council tonight makes improvements to the building and the asphalt.

Mr. Sorrell said the plan makes improvements to the site, but he has not discussed building improvements with the applicant. Mr. Sorrell confirmed to Mr. Shaw that there are a number of automotive service uses up and down Old Troy Pike. He said in this section, there are no automotive sales uses. He said the concern originally was that this density of display would change the character of Old Troy Pike. He said with each refinement, the density has been reduced and makes it look much more like a traditional parking lot as is found up and down Old Troy Pike.

Mr. Shaw said this revision is a drastic change from the first revision, and the applicant has been working with the Planning Commission to make those changes with no issues.

Mr. Campbell asked if the applicant would possibly be interested in the automotive service and not the car sales.

Mr. Khalilov said that is a backup plan if they do not get approved for the dealership. He said they still wanted that front parking lot for more space in front to park the cars for customers that come in because the front section with three spaces would not be enough. He said they originally bought the property to start a dealership because it is a great location and a great building with great space. He said there is a lot of potential. He said that is why they bought the property, mainly for the dealership.

Mr. Campbell said, based on a comment the applicant made, if the approval was just for the service work, the applicant would be okay with that condition. He asked Mr. Sorrell how that would work if that is what the decision would be.

Mr. Sorrell said the amended Basic Development Plan would allow auto service rather than specialty detailing as currently laid out in the ordinance. He said the applicant would apply for a zoning permit with a revised site plan that would likely eliminate this display area and use that area as a normal parking lot. He said in the future if sales were to occur, then it would become an enforcement issue with the Zoning Division. He confirmed for Mr. Campbell that automotive repair services are typical in that area and he stated he counted three or four establishments in close proximity. He said what he did not see in the area were auto sales. He said his concern about sales and the discussion with the Planning Commission came from the fact there is a lot of sign creep with auto sales. He said those who voted no at the Planning Commission had twofold concerns, one being introducing sales because of the change of character and the concerns of the funeral home to the north.

Mr. Campbell asked if there is any area nearby either in or out of the City of Huber Heights where there has been sprawl where car lots might be.

Mr. Sorrell said he suggested the applicant design the display area more like what White Allen is doing with Honda and take less cue from what is going on along Dixie Drive.

Mr. Campbell said his concern is four or five years from now, Council might say it is okay to put another used car lot in because there are three or four car lots already.

Mr. Sorrell said the market will bear what the market bears and it is appropriate for Council to look at the existing uses and ask if this commercial corridor has the right mix or is it oversaturated with a particular use. He said the Zoning Code gives Council that authority.

Mr. Shaw asked what the hours of operation would be for the auto sales.

Mr. Sorrell said the applicant said the car sales would keep a normal 8 a.m. to 5 p.m. or 7 p.m. Monday through Saturday schedule. He said it was recommended by the Planning Commission that the applicant work with the neighbor to cause the least amount of distraction when services are occurring.

Mr. Shaw said, according to the folks who used to work at this location, that level of communication had occurred there before and the applicants are willing to continue that dialogue. He said as far as sales of vehicles, it was brought to his attention that a proposed trailer sales business was looking to buy in that area a few short years ago. He said the market is looking for that type of business. He said the applicant has made a serious concession to revise the plan. He said he is for small business and entrepreneurship.

Mr. Sorrell said if it is the will of the Council to move forward with this change, the Planning Commission will work with the applicant to ensure they are well aware of the sign regulations and development constraints that will follow.

Mayor Gore asked if there is anything that can be done to add specific rules or stipulations to signage so the applicant knows it is taken seriously and to expect Zoning Code violations. He said that issue is a very serious concern.

Mr. Sorrell said if the applicant follows the sign code, it will be fine.

Mayor Gore said car sales will not add a lot of noise. He said the building has been

In Council Chambers 6131 Taylorsville Road

doing service work over the years. He said he thinks aesthetics is more the issue than the noise, and it looks like the applicant has tried to address these issues.

Mr. Shaw said working with this applicant to make sure they follow the sign code is very important.

Mr. Webb said there are 14 cars presented at the front. He asked what the City's options are when 14 cars become 20 cars or whatever they can cram in the front of the building. He said he does not see limitations in what is going to keep the display out front to just the 14 cars.

Mr. Sorrell said there are natural travel aisless that will limit that amount of creep. He said there is a utility box that keeps it from occurring. He said the City will need to make sure it is enforcing the conditions.

Mr. Webb said he is concerned that the applicant moved ahead with the additional parking lot after having been through the initial stages of application and coming before Council. He said having done that, he is concerned that the applicant will just line cars up in the empty spaces. He said he has no issue with the project as it appears and the applicant has stated there will be higher end vehicles, but the applicant needs to listen to the City and honor its codes.

Mr. Chodkowski said that would be a violation of the approved PUD if the stacking of the vehicles were to move outside of the plan. He said if that PUD was modified, the City would issue a stop work order. He said that action would be the recourse.

Ms. Baker said City Staff and the Planning Commission have denied this project and she is also opposed to this plan.

Mayor Gore asked if the Law Director had any comments or further information.

Seeing none, Mayor Gore called on any other representative of the City of Huber Heights to make comments or provide any additional information.

Mr. Otto said when he worked there, there were air guns and people working on cars. He said he would love to see this property revitalized and he appreciates that the applicant has come back and given Council what it wanted.

Mayor Gore asked if there were any people present to speak in favor of approval of the issue.

Mayor Gore asked if there were any people present to speak against the approval of the issue.

Mayor Gore called on the members of the Huber Heights City Council to make comments or provide any additional information.

Mayor Gore asked one last time if there is any person(s) present to speak in favor of or against the approval of the issue.

Mayor Gore said, barring further comments, the Public Hearing by the City Council for Planning Commission Case ZC 21-45 is hereby closed.

F. A Public Hearing Scheduled For April 25, 2022 By The Huber Heights City Council For Zoning Case BDP 22-07. The Applicant Is Charles Simms Development. The Applicant Is Requesting Approval Of A Basic Development Plan For Property Located At Brandt Pike North Of The Reserves At The Fairways (Zoning Case BDP 22-07).

Mr. Sorrell presented a map showing the site of the development on Brandt Pike across from the Carriage Hill Metropark and north of The Reserves. He said this is a 16 acre site currently zoned Planned Mixed Use. He said there are 74 for sale units in 11 buildings with an average density of 4.6 units per acre. He said 64 percent of this site is open space. He showed the original Basic Development Plan which was approved for the second phase of The Reserves. He showed the site plan with one main entrance off Brandt Pike. He showed the buffering along the south perimeter from The Reserves to the development. He showed renderings of the proposed development, and he said this plan conforms to the zoning regulations. He said there are 334 parking spaces, and only 222 parking spaces are required. He said driveways count as parking spaces. He said there is a 6-foot-high landscaping mound to buffer the open space area from the existing development to the south. He discussed exterior lighting and masonry. He said the Planning Commission agreed overall that this project is a good product. He said there were concerns from residents of The Reserves about the emergency access point and making sure there would not be cut through traffic through the development. He said there were concerns about the buffering along Monte Carlo Way and why that mound was not extended. He said basically there was no room. He said left-hand turn lanes will be developed as a part of this project. He said he felt the plan meets the requirements of the Planned Mixed Use District and general standards. He said the Planning Commission unanimously recommended approval with conditions, and the applicant has addressed all of those conditions and is ready to submit a Detailed Development Plan.

Mayor Gore asked if any representatives from Charles Simms Development had any comments.

Robi Simms said they were excited to get started with the project, and he was available for questions.

Mayor Gore asked if the Law Director had any comments.

Seeing none, Mayor Gore asked if there were any other representatives of the City of Huber Heights to make any comments.

Seeing none, Mayor Gore asked if there was anyone present to speak in favor of the approval of this issue.

Seeing none, Mayor Gore asked if there was anyone present to speak against the approval of this issue.

Seeing none, Mayor Gore asked if there was any member of City Council to make comments or provide additional information.

Mr. Shaw asked why the decision was made to have one exit and entrance only with the number of units compared to the City Code.

Mr. Sorrell said there are technically two exit/entrance points. He said there is a main entrance off Brandt Pike, and at the end of a cul-de-sac is an emergency entrance separated by three bollards. He said if there were an issue blocking the entrance, then emergency vehicles have the option to cut through.

Mr. Shaw asked Mr. Sorrell if the proposed curb cut entrance is considered a boulevard entrance.

Mr. Sorrell said it would be a loose boulevard. He said there is landscaping proposed and the Fire Division has asked that there be no trees. He said a traffic study was completed and it warranted a left-hand turn lane into the development. He said it is in the Detailed Development Plan. He said the existing median will need to be cut back to provide the turn lane. He said the study showed that in the mix of northbound versus southbound traffic, southbound traffic was significantly higher with regard to exiting the development.

Mayor Gore asked if there were any other members of City Council to make comments or provide additional information.

Mrs. Byrge said this is a very attractive community, and it is nice to see the brick.

Mayor Gore asked what the price points are and what the target market is.

Mr. Simms said the target market is in the mid \$300,000 range. He said there are no age parameters.

Mayor Gore asked one last time if there was anyone to speak in favor of or against the approval of this zoning case.

Seeing none, Mayor Gore said, barring further comments, this Public Hearing of the City Council for Planning Commission Case ZC BDP 22-07 is hereby closed.

G. A Public Hearing Scheduled For April 25, 2022 By The Huber Heights City Council For Zoning Case BDP 22-08. The Applicant Is Amarjit Takhar. The Applicant Is Requesting Approval Of A Basic Development Plan And A Rezoning To PC (Planned Commercial) For Property Located At State Route 235 and Center Point 70 Boulevard And Further Identified As Parcel Numbers P70 03903 0005 And P70 03903 0079 On The Montgomery County Auditor's Map.

Mr. Sorrell showed the site, which is 35 acres on State Route 235 north of I-70. He said it is currently zoned I-1 (Light Industrial) and is vacant and is an agricultural use now. He said the case was tabled to allow for a revised site plan. He said the applicant is proposing a fueling center, convenience store, restaurant, small truck stop and diesel repair facility on approximately 9 acres. He said there are two buildings of about 6,500 square feet each, two five-pump fueling islands, and approximately 76 parking spaces, 10 for semi-trucks, which is the limit in the Zoning Code. He said there is a significant grade change between State Route 235 and this site. He said it also aligns with Centerpoint 70, which is the reason for the revision. He said in the original site plan, the entrance into the parking area was aligned with Centerpoint 70. He said the Planning Commission asked the applicant to change that entrance to not block the ability to expand Centerpoint 70 to the east. He said the applicant has been fantastic to work with. He said the applicant created a small road or long driveway so in the future it will open up that area. He said this extension is not on the thoroughfare plan and he anticipates it will be as the process continues. He said the City does not have the ability to do a roadway take, but if it does in the future, this plan limits any kind of impact on the business. He reviewed a closeup view of the proposed site plan. He said the applicant is proposing a mix of EIFS and a brick water course on both the convenience store and the diesel repair facilities. He said as far as conformance with the zoning regulations, the convenience store is the reason it needs to be zoned Planned Commercial. He said the applicant is providing a 15-foot perimeter yard as is required. He said the applicant has not submitted a detailed landscaping plan, but that will come. He said they are showing in the Basic Development Plan that they understand the City's landscaping code. He said as far as parking and loading, the revised plans meet Chapter 1185. He said there are 67 required parking spaces, and there are 76 parking spaces being provided. He said the proposal meets the maximum ten semi-truck parking spaces. He said the Comprehensive Development Plan indicates this area is for Industrial Use. He said you can argue this type of use is a complementary use for the logistics of facilities along Centerpoint 70. He said the applicants have made all the revisions asked by the City, and the revised plan allows better traffic flow. He said the Planning Commission unanimously recommended approval of the rezoning and Basic Development Plan.

Mayor Gore asked if any representatives from Amarjit Takhar had any comments.

Chris Besecker said he is there to represent Mr. Takhar.

Mayor Gore asked if the Law Director had any comments.

Seeing none, Mayor Gore asked if there were any other representatives of the City of Huber Heights to make any comments.

Seeing none, Mayor Gore asked if there was anyone present to speak in favor of the approval of this issue.

Seeing none, Mayor Gore asked if there was anyone present to speak against the approval of this issue.

Seeing none, Mayor Gore asked if there was any member of City Council to make comments or provide additional information.

Mrs. Kitchen said this type of business is needed as there are so many semi-truck drivers in the Huber Heights area. She said she is glad the drivers will have a place to get serviced.

Mr. Otto asked if there was a secondary in/out or right only in/out to the south.

Mr. Sorrell said there is a proposed right in/right out and then a full service entrance in the back.

Mrs. Byrge asked if that is Centerpoint 70 on the left?

Mr. Sorrell said it would be a possible future extension of it, but it is an onsite driveway. He said if, in the future, there was a desire to expand Centerpoint 70, this layout would cause the least amount of impact to the business.

Mrs. Byrge said her concern is with the trees and if someone wanted to turn right, if their vision would be blocked.

Mr. Sorrell said this area has a healthy setback and the applicant will work on the Detailed Development Plan for the exact location, but he did want to get the applicant thinking about softening up the site as this is a gateway area into the community.

Mr. Shaw confirmed with Mr. Sorrell that the City's Zoning Code limits the amount of onsite semi-truck parking spaces and that number is ten. He asked Mr. McDonald if the City is able to provide a variance to that number, and if so, would that number be at the will of Council.

Mr. McDonald said yes, if it conforms with the site, the City is allowed to make variances with the PUD.

Mr. Shaw asked Mr. Besecker how a semi-truck will be able to get to the parking spaces following the arrows on the plan?

Mr. Besecker said the general idea of the arrows was to utilize the traffic patterns for the pumps and the actual maintenance building itself. He said it is no indication of the parking. He said they have done an overlay with the turning radius of the semi-trucks, and there is ample room there.

Mr. Shaw said a driver would have to back the truck into the spot and he proposed the applicant expand the amount of truck parking and have a loop around to pull into the spot and just pull out of the spot. He said this current plan seems cumbersome for the drivers.

Mr. Besecker said he agrees, but they are governed by the limited number of spots per the Zoning Code.

Mr. Shaw said he would like to propose a variance of ten additional spots and have the loop around put in.

Mayor Gore said he agrees.

Mr. Webb said when he saw this plan, he thought ten spaces were somewhat limiting. He said he agrees with Mr. Shaw. He said if it is the desire of the developer to add additional spaces, he would be in favor of seeing that proposal as well.

Mrs. Byrge said she does not have a problem with a variance for additional spaces but she does not think ten more will fit in. She asked that the applicant come back and tell Council how many more spaces they would like.

Mr. Sorrell said that issue can come back to Council if Council wants to table this case, or it can be worked out in the Detailed Development Plan as the applicant would need to come back to the Planning Commission for final approval. He said if Council wants to give the Planning Commission a range, like up to 20 spaces, that would be helpful. He asked that Council specify the top number of spaces. He said the applicant has 35 acres and is able to add to this site plan.

Mr. Shaw said he thinks they can get an excess of 20 spots, and he has no problem setting the variance with a not to exceed of 20 additional spots, allowing City Staff and the applicant to work that out.

Mayor Gore said he thinks an additional 20 spaces in terms of the variance would be okay, but it is obviously up to the developer to design what fits and what makes sense to present back to the Planning Commission.

Mr. Shaw said once the word gets out to truckers along I-70 that there is a really nice truck stop that just opened up that is easy in and easy out, the word will travel very fast.

Mayor Gore said the recommendation at the Council Work Session was to waive the second reading and pass this item. He asked Mr. Shaw if the applicant comes back with a Detailed Development Plan and if it is approved for up to an additional 20 spaces but the applicant comes back with an additional five, does that change his decision on how he looks at the project?

Mr. Shaw said it is his opinion that once it opens up and the applicant sees the business they have, the applicant will want to add more spaces. He said this change gives them the variance up front.

Mr. Webb asked Mr. Sorrell to show Council the full parcel in relation to the amount that is being developed.

Mayor Gore asked one last time if there was anyone to speak in favor of or against the approval of this zoning case.

Seeing none, Mayor Gore said, barring further comments, this Public Hearing of the City Council for Planning Commission Case ZC BDP 22-08 is hereby closed.

H. A Public Hearing Scheduled For April 25, 2022 By The Huber Heights City Council For Zoning Case CBDP 22-11. The Applicant Is Campbell Berling Huber Heights, LLC. The Applicant Is Requesting Approval Of A Combined Basic And Detailed Development Plan For 22.38 Acres And A Rezoning To Planned Residential (PR) On The East Side Of Bellefontaine Road And South Of Chambersburg Road And Further Described As Parcel Number P70 03908 0126 On The Montgomery County Auditor's Map.

Mr. Sorrell said the site is just under 23 acres and is currently zoned Agricultural, and the area surrounding it is zoned Planned Residential, Agricultural, and R1 (Residential). He said the applicant is proposing a 97 unit residential development consisting of 29 single family lots and 34 attached single family townhomes. He said the average density is 4.3 units per acre. He said the original application submitted and withdrawn contained 132 units. He said there is a large petroleum pipeline that bisects the site, and he said to the west on the map are the single family lots and to the east are the attached single family townhomes. He said significant landscaping is being proposed along Bellefontaine Road and along the easement for the pipeline. He said along the rear where the retention pond is, there is proposed landscaping. He said screening along Bellefontaine Road is a 6-foot mound with planting material. He said the idea is to screen the rear of these properties from The Oaks development to the west. He showed photos of the product. He said as far as conformance to the zoning regulations, the average density shall not exceed 5 units an acre, and this site is 4.3 units per acre. He said one of the challenges is that the lots must meet Section 1147 of the City Code. He said Council may want to look at this issue in the future. He said the Zoning Code in a Planned Residential District wants to develop everything as an R4 District. He said there are a variety of lot types proposed: 60-foot

lots, 64-foot lots on the townhouses, and 72 foot lots on the attached single family homes. He showed the code requirements of lot sizes and the applicants proposed lot sizes. He said as far as meeting the standard, the lots are 20 feet shallower than required. He said the 64-foot lot is significantly smaller in area, but in his view is it provides a product for those who do not want a large yard and do not like mowing grass. He said each unit contains a two-car garage with a driveway and meets the parking requirements. He said while no landscaping or screening is required in the Planned Residential District, the applicant is proposing significant screening along Bellefontaine Road. He said the issue of screening to the north came up at a Council Work Session, and there is an existing tree line and the applicant is proposing to keep that tree line there to provide that buffer to the house to the north. He said the applicant proposed turn lanes based on the recent traffic study that suggests restriping is all that is warranted to provide the left-hand turn lanes. He discussed the traffic study. He said there was concern about a potential stream that flows through the property. He said the wetland survey indicates that this is a nonjurisdictional erosion feature and is not subject to any oversight or controls. He said City Staff recommended approval that the proposal meets the standards outlined in the Zoning Code, and the Planning Commission unanimously approved the rezoning as well as the Basic and Detailed Development Plans.

Mayor Gore asked if any representatives from Campbell Berling Huber Heights, LLC had any comments.

Mr. Greg Berling said with discussions with the neighbors and City Staff, they decided to take the front western half of the property to 27 single family detached homes which is a similar product that Fisher Homes is building elsewhere in Huber Heights. He said the buffer was refined. He said along lots 6-12, he will provide a buffer against the Harmon property of evergreen trees and shrubs every 15 feet on center to allow the trees to grow and get bigger. He said there have been comments about a boulevard entry. He said typically if there is one entry into the subdivision, they look at boulevard entry or fire access, and they went with the fire access road. He said they would be willing to provide a boulevard entry. He said one of the reason they did not initially is that they use a boulevard entry when it is a straight in entry when the tree lawn breaks up the road coming in. He said here the road veers to the left so the view is actually at landscaping and trees. He said this project is two different home types. He said the homes on the west will be part of the HOA, but no services are provided. He said fences will be allowed, and typically they do not allow sheds in that area. He said for the homes on the eastern side, landscape and maintenance is included. He said fences are not allowed for those homeowners. He said they have submitted example community restrictions to City Staff. He said this language is standard language across their developments. He said Fisher Homes has a high impact landscaping that they apply to the side of the house.

Mayor Gore asked if the Law Director had any comments.

Seeing none, Mayor Gore asked if there were any other representatives of the City of Huber Heights to make any comments.

Seeing none, Mayor Gore asked if there was anyone present to speak in favor of the approval of this issue.

Seeing none, Mayor Gore asked if there was anyone present to speak against the approval of this issue.

Carolyn Roarke said she lives in The Oaks. She said they were subjected to many rules and regulations by the builder. She said one rule was the amount of brick required and the lot size and spacing was enforced by the City. She said they built an all brick home. She asked Council why these rules are no longer followed. She said following the rules made their subdivision what it is today. She said she understands 97 homes are being considered to be built on the small amount of acreage opposite their development on Bellefontaine Road. She said Bellefontaine Road is already heavily used with many people exceeding the speed limit. She said with both entrances facing each other, this could be a catastrophe. She said leveling the road was a big improvement. She said the proposed homes do not conform to The Oaks, and 68 duplexes can only devalue their homes and take away the aesthetic look of The Oaks development and Callamere Farms. She asked Council to vote no on the

In Council Chambers 6131 Taylorsville Road

proposal.

Tracy Harmon provided a handout for Council which included a map and corresponding letters from homeowners. She said they chose to live in a rural setting to enjoy the peace that comes with it and the proposed development does not follow the Comprehensive Development Plan which calls for single family detached homes on medium to large size lots. She said they have concerns with the lifestyles they live, the rapid increase in density, and security. She said they are concerned about chemicals used on lawns in the new development. She mentioned various other concerns, and said she wants any development to fit in with the existing land.

Cindy Smith said while the developer has made some change from the prior proposal, the development is still unacceptable to those who reside in the area. She said there are still duplexes and the development does not follow the Comprehensive Development Plan and does not follow any transition of City planning philosophy. She said it is an urban design in a rural area. She said it will reduce property values. She discussed her objections to this project. She reviewed the proposed ordinance for this zoning change and said she has never seen such a brief ordinance for a PUD and she read a statement regarding issues she has with the ordinance. She asked Council to please apply general City planning principles outlined in the Comprehensive Development Plan.

Mayor Gore asked if there was any member of City Council to make comments or provide additional information.

Mrs. Byrge asked Mr. Sorrell how comprehensive the traffic study was and said she would have liked to have seen the findings along with the stormwater analysis.

Mr. Sorrell said the engineers did a traffic study in January, 2022. He said the peak hour is 7:30 a.m. to 8:30 a.m. and said there were 61 total trips. He said they considered the traffic coming out of The Oaks as well as the traffic on Bellefontaine Road.

Mrs. Byrge asked if the study factored in the number of homes being built on Silver Oaks plus what was projected for the development going in on Fishburg Road and Bellefontaine Road.

Mr. Sorrell said the study looks at the current conditions, what the conditions will be once fully built out, and then estimated conditions in 2032 as far as a ten-year projection on traffic. He said the study indicated that changing the pavement markings meets ODOT's traffic manual standards.

Mrs. Byrge asked about the stormwater analysis and asked how far out the engineers went. She said she has expressed before that they may not be working on a wide enough region on how the neighboring properties are affected by runoff or any other number of issues related to stormwater.

Mr. Sorrell said in general, as far as storm water detention, the idea is to do no harm and that is to not have more water running off the property than currently. He said the City Engineer will verify those calculations when final plans are submitted and no permits are issued until he is satisfied. He said there are no delineated wetlands, and there are two erosion features so the runoff has created two erosion areas but they are nonjurisdictional and not subject to oversight.

Mrs. Byrge asked if a boulevard changes the signage projected which is higher than for other developments.

Mr. Berling said regarding stormwater, Russ Bergman does the review on these plans. He discussed a narrative from his engineer on how he does stormwater analysis and said he has sent that analysis to City Staff.

Mrs. Byrge said those are the minimum requirements and she has never gotten a straight answer on how far out is looked at for a stormwater analysis. She said you can always do more than you are asked to do, but the State of Ohio or municipal guidelines are the minimum requirements you can meet. She said she has never seen in writing how far out it reaches to see how you affect neighboring properties.

In Council Chambers 6131 Taylorsville Road

Mr. Berling said he can help Mrs. Byrge understand this issue, and he explained the procedure. He said the water management basins versus when The Oaks were developed are more regulated and larger, and release water at a slower rate. He said regarding traffic, the City Engineer gave the scope to the traffic engineer, ChoiceOne. He said the analysis is set by the Ohio Department of Transportation. He said regarding the monument signs, the signs are based on what he has done in the past. He said the monument sign is similar to what is in his development on Chambersburg Road, Quail Ridge.

Mrs. Byrge said she is concerned about approving a Detailed Development Plan and going on blind faith. She said Council has not seen any real drawings of the houses, the dimensions, if there are trees or if there are lights. She said if Council is being asked to approve it, they do not have a lot of detail to do so. She said she has a concern about fencing. She said the development is abutting a rural area and asked how the residents will protect their pets or kids from predatory animals in the area.

Mr. Berling said in the attached single family homes, if fences were up, the ability for the contractor to maintain all those yards would be very difficult.

Mrs. Byrge said this is a challenge of the transition from the urban to the rural. She said pets and children are at risk. She asked City Staff why the City keeps compromising on rear yard setbacks and building materials. She said the City keeps moving away from its standards and making exceptions for everything. She said aside from The Gables, the City is moving away from a brick city. She said the City is giving up an awful lot here.

Mr. Lyons asked if this development fits the Comprehensive Development Plan or if Mrs. Smith was correct?

Mr. Sorrell said the Comprehensive Development Plan for this area is a guideline and it specifically states detached single family houses. He said it also says density should be less than 5 units per acre which this plan meets. He said this plan is half-and-half. He said there are other developments recently approved which are not consistent with the Comprehensive Development Plan in this area, specifically the assisted living facility down the street. He said in Ohio, Comprehensive Development Plans are guidelines and should provide a pathway or direction. He said times change, so the City needs to be flexible. He said as the policy makers, it is up to Council as to whether or not they feel this development meets the standard and intent of the Comprehensive Development Plan.

Mr. Lyons said this plan is not only the Basic Development Plan but also the Detailed Development Plan. He said the vote will just be one vote for Council and it would not come back to Council. He asked to clarify, when public hearings are held and Council votes, does the Detailed Development Plan go back to the Planning Commission normally and they vote on it? He asked if that plan ever comes back to Council

Mr. Sorrell said Mr. Lyons is correct. He said typically Council approves a Basic Development Plan and the Detailed Development Plan then only goes to the Planning Commission and is a review to make sure the Detailed Development Plan meets what was outlined in the Basic Development Plan. He said the Planning Commission gets involved in the details of grading, lighting, that type of thing when zoning permits are issued. He said some plans are more detailed than others, but the review and what the Planning Commission votes on at the detailed phase is whether that plan meets the intent of what was outlined in the ordinance and the Basic Development Plan.

Mr. Lyons said if Council passes eventually both the Basic and Detailed Development Plans, it would then be at a City Staff level and the detail would not go back to the Planning Commission. He asked if he understands that correctly.

Mr. Sorrell said that is correct unless Council directs otherwise. He said the applicant will need to make some revisions to the detailed plan anyway. He said the fire lane secondary access width is not wide enough, and that is something that can be handled at the City Staff level once approved. He said the final plans will meet the intent by the Planning Commission and Council.

Mr. Lyons confirmed that the Planning Commission voted to approve this case unanimously.

Mr. Campbell asked Mr. Sorrell to review how this project differs from the Comprehensive Development Plan.

Mr. Sorrell restated the only way it differs is there are attached family units rather than detached units.

Mr. Campbell asked if how Council is handling this case is different from how it is typically done.

Mr. Sorrell said Council has approved Combined Basic and Detailed Development Plans before, and the library was the last one he was involved in. He said typically the plans are split up, and usually because the developer does not have everything finalized. He said in this case, the developer does. He said it depends on what stage the applicant is in the development. He explained for Mr. Campbell the reason why Council would want to break that up and how it could.

Mr. Campbell asked Mr. Berling if he is okay with breaking it up.

Mayor Gore explained if it is separated, Council would approve a the Basic Development Plan and the zoning change, and then once the final detailed drawings are done, it would go back to the Planning Commission.

Mr. Berling said if the comfort level of Council is to take it back through, he does not have a problem with that course. He said his company has not purchased the property yet but have put quite a bit of time, effort, and money into this project to try to get everyone comfortable with this plan.

Mr. Campbell confirmed with Mr. Sorrell and Mr. Chodkowski that if the City decided it wanted to build a center turn lane and does now want to simply remark Bellefontaine Road, the City can do that and the project would generate sufficient funds if providing a TIF overlay. He asked if the City wanted to broaden the stormwater research. He said maybe the engineers are looking at affecting a half mile radius around this project but Council wants a study 3/4 mile around this project, and he asked if that is something the City could complete.

Mr. Sorrell said the City could do that and if the Cityy wanted to commission a study of that nature, the City would want to know what this developer is planning to do because that could impact the study. He said the City cannot compel the developer to do that for the City. He said the City would want to take an overview look at what are the issues affecting the current residents, and are there undersized retention ponds now.

Mr. Campbell asked Mr. Chodkowski if there is a way to pay for enhanced comprehensive stormwater management review.

Mr. Chodkowski said the TIF statutes would allow that to be paid for with TIF revenue.

Mr. Campbell asked if the boulevard entrance and signage has been resolved to everyone's satisfaction.

Mr. Sorrell said the developer is amenable to a boulevard entrance, and he is hearing the signage is fine.

Mr. Campbell confirmed with Mr. Berling that the berm is at least equal in dimension and size to the berm across the street. He asked Mr. Chodkowski if this project could generate funds that would help supplement the endeavor after the analysis is complete on the stormwater.

Mr. Chodkowski said tap in fees and user fees would be generated from this project. He said additionally, if the City were to TIF this project, the TIF could be used to work on the infrastructure in close proximity that directly relates to this project. He

said the tax proceeds from this project could be used to help support the infrastructure concerns in this area.

Mayor Gore asked if there were any other members of City Council to make comments or provide additional information.

Seeing none, Mayor Gore asked one last time if there was anyone to speak in favor of or against the approval of this zoning case.

Tracy Harmon said there is a creek that runs in the property where they raised the road and winds through the houses and kisses the edge of the property where the retention pond is going to be.

Kathy Davis asked what the average price of these homes will be.

Mr. Berling said the single family homes will be \$350,000 to \$400,000 and the attached single family homes will be from high \$200,000 to \$300,000. He said the square footage for the detached single family homes would range from 1,900 to 3,500 square feet, and the attached homes would range from 1,400 to 1,800 square feet. He said the ranch models have a basement and he does not count that square footage. He said there is an optional finished basement that adds 800 square feet for the attached homes.

Mayor Gore said, barring further comments, this Public Hearing of the City Council for Planning Commission Case ZC CBDP 22-11 is hereby closed.

Mayor Gore recessed the meeting at 8:35 p.m. Mayor Gore reconvened the meeting at 8:44 p.m.

I. A Public Hearing Scheduled For April 25, 2022 By The Huber Heights City Council For Zoning Case BDP 22-12. The Applicant Is Horizon Line Development. The Applicant Is Requesting Approval Of A Basic Development Plan And A Rezoning To Planned Mixed (PM) For Property Located At 7125 Executive Boulevard And Further Described As Parcel ID P70-03910-0005 On The Montgomery County Auditor's Map.

Mr. Sorrell said this is a 43 acre site currently zoned Planned Employment Park. He said the existing land is being farmed, and the surrounding zoning is Agricultural, Planned Mixed Use, R-7, and Planned Employment Park. He said the applicant is proposing a 197 residential townhome unit development including five commercial out lots. He said 46.6 percent is open space, just half of the land is dedicated to residential use, and almost 41 percent of the land is dedicated to commercial use. He said there was discussion during the last case about stormwater management. He said the site basically flows west to east. He presented and reviewed the current site plan. He said there are three wet retention basins. He said there are two main entrances off Executive Boulevard. He said the perimeter of the development has walking trails that line the perimeter. He said the applicant is aware the upcoming legislation will require sidewalks along Executive Boulevard as commercial lots are developed. He reviewed the landscape screening and buffering. He said the Planning Commission is suggesting the developer leave the tree line that was along the north property line. He reviewed the boulevard entrance and monument signs. He said the developer has submitted a set of covenants and restrictions as part of the PUD, and these documents are development standards consistent with the zoning regulations. He said one item added is that the garage openings will be set back 20 feet from the back of the sidewalk. He said the developer wanted to make sure that, to the greatest extent possible, the sidewalks would stay usable and passable and have room for a vehicle between the sidewalk and garage face. He said as far as site planning goes, the site is a long, well traveled thoroughfare surrounded by residential uses to the north and the west, commercial uses to the south, and the Carriage Hill MetroPark to the east. He said the City Code requires a 6-foot landscaping mound along the north property line. He said City Staff does not think that it is warranted and that it is better to maintain the existing tree line that is there. He said the gentleman said there is consistent flooding from this field to his property. He said putting in a 6-foot-high mound would exasperate that issue, so the Planning Commission is recommending it not be

necessary or warranted. He said the way the site travels, you can see the water dumping behind his barn. He said a third of the site drains northerly. He said when this is developed, a lot of these issues will be addressed in the grading plan, but the Planning Commission thinks adding a 6-foot-high mound will cause more problems than it will solve. He said there is a significant amount of landscaping along the west property line. He said no mounding or fencing is proposed or required. He said the commercial lots will be reviewed in the Detailed Development Plan phase, but the restrictive covenants indicate the plan will comply with the Zoning Code. He said there are street trees throughout the development, and street trees and sidewalks will be required along Executive Boulevard. He said those will be built out as those lots are developed. He said City Staff recommended approval of the rezoning and Basic Development Plan, and the Planning Commission voted 3-1 to recommend approval of the rezoning and the Basic Development Plan. He said the dissenting vote was tied to traffic issues along Executive Boulevard and concerns about turn lanes and how this development would impact traffic patterns from the Rose development.

Mayor Gore asked if any representatives from Horizon Line Development had any comments.

Erick Allen said he is from Pride One Construction, which is the construction arm of Horizon Line Development. He said he and his team were there to answer any questions.

Mayor Gore asked if the Law Director had any comments.

Seeing none, Mayor Gore asked if there were any other representatives of the City of Huber Heights to make any comments.

Seeing none, Mayor Gore asked if there was anyone present to speak in favor of the approval of this issue.

Seeing none, Mayor Gore asked if there was anyone present to speak against the approval of this issue.

Patricia Dyer said she lives in that area and she knew the area would be zoned retail. She asked about the pricing of the homes, and she said after Parktowne Apartments were built the traffic has been ridiculous, and this development will make it even worse. She asked what this development will do to the property values of the single family homes backed up to that area? She said City Staff said there would be filling stations in the out lots, but according to the newspaper, that is one of the things that cannot be built in those out lots. She read the list which also included sweepstakes cafes, convenience stores, self-storage facilities, and car washes. She said all of those uses were supposed to be prohibited.

Mr. Allen said the units are all apartment units for rental. He said there are two basic floor plans with 1,200 and 1,400 square feet. He said the average rental would be \$1,700 per month for each unit.

Greg from Horizon Line Development said they have built over 12,000 of these units and 75 percent of the tenants are aged 55 or older and the typical occupancy is 1.2 people per unit. He said the units are private, and there are no City services besides fire services and water.

Mayor Gore said in terms of restrictions on the out lots, he said there is a Meijer gas station and a Marathon gas station already in the area. He said regarding another gas station, he does not know if that increases revenue or if it is splitting up the number of people to one more place where they are buying gas.

Mr. Sorrell said he does not know if users have been identified. He said when working with the developer, the Planning Commission wanted some of the heavy auto-oriented uses eliminated in this development. He said the developer came back with a compromise of allowing those heavier auto-oriented uses on the two eastern lots that are up against Brandt Pike, and he said the Planning Commission thought that was an okay compromise. He said that is what was agreed to. He said he is not aware if any users have been identified for those commercial out lots yet.

In Council Chambers 6131 Taylorsville Road

Mayor Gore said when he thinks about this area and the desire this City has been asking for so long, when he thinks of auto uses anywhere in that space, it does not give him a warm and fuzzy feeling.

Mr. Sorrell said that was the original reason for peeling them out of the City Code, so this area would be more of an entertainment focused area rather than another drive-through and another gas station. He said the location is right near I-70 and Brandt Pike is heavily traveled, and there are market forces at play as well.

Mayor Gore asked if there was anyone else present to speak against the approval of this issue.

Seeing none, Mayor Gore asked if there was any member of City Council to make comments or provide additional information.

Mr. Shaw said this is a development that he will not be able to support. He said he wanted this area to be more business oriented with jobs and income, something that would bring some value to the community. He said when the Ohio General Assembly passed the opportunity for the City of Huber Heights to have an entertainment district, this was a key component of this area. He said the City is going to talk and hopefully see additional plans for a proposal for TruckPro. He said that is a step forward in the entertainment district. He said adding rental units in the heart of an area owned by the City, he thinks the City can definitely do better for the residents and visitors to the community. He said putting primary rental property where the age is 55 or older in what has been designated as an entertainment district in this community can cause some issues, especially not knowing what the commercial components are on the outskirts as well. He says he also has the same traffic concerns with this development. He said there should be fewer curb cuts there. He said there is one large curb cut at the boulevard entrance to Meijer. He said the cut at the top near Brandt Pike needs to be eliminated. He said the City is cutting itself off by using an entire parcel for water retainment. He said the policy can definitely be set by this Council on what can be put in there and, with engineering, can make that parcel a usable parcel that can benefit the community and not just hold water.

Mayor Gore asked if there were any other members of City Council to make comments or provide additional information.

Seeing none, Mayor Gore asked one last time if there was anyone to speak in favor of or against the approval of this zoning case.

Seeing none, Mayor Gore said, barring further comments, this Public Hearing of the City Council for Planning Commission Case ZC BDP 22-12 is hereby closed.

J. A Public Hearing Scheduled For April 25, 2022 By The Huber Heights City Council For Zoning Case ORD 22-16. The Applicant Is The City Of Huber Heights. The Applicant Is Requesting Approval Of Proposed Changes To Sidewalks Requirements.

Interim City Manager Bryan Chodkowski said this proposed ordinance change was brought forth at the request of City Council and has been reviewed by the Planning Commission. He said this measure is to clarify the City's expectations with respect to the installation of public sidewalks in subdivisions throughout the City to alleviate some concerns recently seen in projects from a few years back. He said this matter came from the Planning Commission on a unanimous vote and it is being requested that Council adopt this matter later this evening.

Mayor Gore asked if any representatives not on City Council had any comments.

Mayor Gore asked if the Law Director had any comments.

Mr. McDonald said he is all for this one.

Mayor Gore asked if there were any other representatives of the City of Huber Heights to make any comments.

In Council Chambers 6131 Taylorsville Road

Seeing none, Mayor Gore asked if there was anyone present to speak in favor of the approval of this issue.

Seeing none, Mayor Gore asked if there was anyone present to speak against the approval of this issue.

Seeing none, Mayor Gore asked if there was any member of City Council to make comments or provide additional information.

Mrs. Byrge said she is happy to see this item on the agenda. She said this change is needed to make the City more connected and allow people to move more freely. She said she hopes it is approved.

Mayor Gore asked if there were any other members of City Council to make comments or provide additional information.

Seeing none, Mayor Gore asked one last time if there was anyone to speak in favor of or against the approval of this zoning case.

Seeing none, Mayor Gore said, barring further comments, this Public Hearing of the City Council for Planning Commission Case ORD 22-16 hereby closed.

#### ADMINISTRATION

Bryan Chodkowski, Interim City Manager

K. An Ordinance To Approve A Major Change To The Basic And Detailed Development Plan For The Property Located At 5840 Old Troy Pike And Further Identified As Parcel Number P70-01923-0004 On The Montgomery County Auditor's Map And Rejecting The Recommendation Of The Planning Commission (Zoning Case 21-45). (first reading)

Mr. Chodkowski said the Public Hearing for this item was held earlier, and it was City Staff's recommendation that Council hold the first reading of this legislation and move the legislation to a second reading.

Mayor Gore said this item will be passed to a second reading.

L. An Ordinance To Approve A Basic Development Plan For The Property Located On Brandt Pike North Of The Reserves At The Fairways And Further Identified As Parcel Number P70-03910-0057 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Zoning Case BDP 22-07). (first reading)

Mr. Chodkowski said this matter was before Council tonight for a Public Hearing, and it is City Staff's recommendation that this item be adopted.

Mayor Gore said the Council Work Session recommendation was to waive the second reading and adopt this item.

Mr. Campbell moved to waive the second reading; Mrs. Byrge seconded the motion. On a call of the vote, Mr. Webb, Ms. Baker, Mr. Campbell, and Mrs. Byrge voted yea; Mr. Lyons, Mrs. Kitchen, Mr. Shaw, and Mr. Otto voted no. The motion to waive the second reading fails 4-4.

Mayor Gore said this item will be passed to a second reading.

M. An Ordinance To Approve A Basic Development Plan And Rezoning To Planned Commercial (PC) For A 35 Acre Parcel Of Property Located On The East Side Of The Intersection Of State Route 235 And Center Point 70 Boulevard And Further Identified As Parcel Numbers P70-03903-0079 And P70-03903-0005 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Zoning Case BDP 22-08). (first reading)

Mr. Chodkowki said a Public Hearing was held on this matter earlier, and it was the Council Work Session recommendation to waive the second reading and adopt this item.

Mayor Gore asked for a motion to waive the second reading.

Mr. Campbell moved to waive the second reading; Ms. Baker seconded the motion. On a call of the vote, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, and Mr. Otto voted yea; Mr. Lyons, and Mrs. Kitchen voted nay. The motion passes 6-2.

Mr. Campbell moved to amend the ordinance to state up to thirty (30) semi-truck parking spaces are permitted; Ms. Baker seconded the motion. On a call of the vote, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mrs. Kitchen, and Mr. Webb voted yea; Mr. Lyons voted nay. The motion passes 7-1.

Mrs. Byrge moved to adopt; Mr. Shaw seconded the motion. On a call of the vote, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mrs. Kitchen, Mr. Webb, and Mr. Shaw voted yea; Mr. Lyons voted nay. The motion passes 8-0.

N. An Ordinance To Approve A Combined Basic And Detailed Development Plan And Rezoning To Planned Residential (PR) For 22.968 Acres For The Property Located On The East Side Of Bellefontaine Road And South Of Chambersburg Road And Further Identified As Parcel Number P70-03908-0126 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Zoning Case CBDP 22-11). (first reading)

Mr. Chodkowski said Council held a Public Hearing on this matter earlier, and it was the Council Work Session recommendation to pass this item to a second reading.

Mayor Gore said the Council Work Session recommendation was to pass this item to a second reading. Mayor Gore said Council had discussed splitting this item up into a Basic Development Plan and a Detailed Development Plan. He asked if now is the procedurally right time to split this item up.

Mr. Rodgers said the cleanest way is to pass this item to a second reading and allow City Staff to draft an amended ordinance. He said if Council does not want to allow the time to lapse, the second reading could be waived and the ordinance be amended on the fly. He said City Staff could bring back an amended ordinance for the next meeting, and it could be amended at the second reading.

Mayor Gore asked if there were any objections to passing this item on to a second reading.

Mr. Shaw said he has no objections, but he requested this item be placed on the next Council Work Session agenda for further discussion.

Mayor Gore said item 12-N will be moved to a second reading with further discussion at the next Council Work Session.

O. An Ordinance To Approve A Basic Development Plan And Rezoning To Planned Mixed Use (PM) For The Property Located At 7125 Executive Boulevard And Further Identified As Parcel Number P70-03910-0005 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Zoning Case BDP 22-12).

(first reading)

Mr. Chodkowski said Council held a Public Hearing on this matter as required and it was the Council Work Session recommendation to pass this item to a second reading.

Mayor Gore said this item will be passed to a second reading.

P. An Ordinance Amending Part Eleven – Planning And Zoning Code, Title One – Subdivision Regulations; Chapter 1109 – Subdivision Design Standards; Section 1109.15 – Sidewalks; 1109.08 – Official Thoroughfare Design Standards; And Table 4 Of The Codified Ordinances Of The City Of Huber Heights (Zoning Case ORD 22-16). (first reading)

Mr. Chodkowski said a Public Hearing was held earlier by Council on this item, and it was the Council Work Session recommendation that this item be passed to a second reading.

Mayor Gore said the Council Work Session recommendation was to pass this item to a second reading.

Mr. Lyons said since the Public Hearing was held and there were no objections, he is fine with waiving the second reading and voting on this item tonight.

Mr. Lyons moved to waive the second reading; Mrs. Byrge seconded the motion. On a call of the vote, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mr. Shaw, and Ms. Baker voted yea; Mrs. Kitchen and Mr. Webb voted nay. The motion passes 6-2.

Mrs. Byrge moved to adopt; Mr. Campbell seconded the motion. On a call of the vote, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, and Mr. Campbell voted yea; none voted nay. The motion passes 8-0.

Q. A Resolution Establishing And/Or Amending The City Of Huber Heights
 Organizational Chart And Authorizing The New Personnel Staffing Levels As Detailed
 Below.
 (first reading)

Mr. Chodkowski said pursuant to City Council's discussion at the last Council Work Session with respect to fire staffing, this resolution is brought forward, and it was the Council Work Session recommendation to adopt this item.

Mayor Gore said the Council Work Session recommendation was to adopt this item.

Mr. Campbell said he has talked to several colleagues in the last week in regards to some comments made by the Fire Chief and by Mr. Chodkowski. He asked for clarification on the comments regarding firefighter/EMS fatigue. He said the comments were quite alarming to him and the statements caused him to work with Mr. Shaw to get this item on the agenda.

Mr. Chodkowski said there was no good way to describe it and perhaps City Staff described it in a poor way. He said there are two types. He said first is the number of calls a firefighter takes in a shift. He said the number of calls a firefighter might take in a shift or over the duration of a year is high. He gave an example of taking numerous calls with very short periods of rest at the fire station because the calls are higher. He said it is not an issue of physical fatigue with a lack of energy, and the firefighters are unable to perform their job in a way that meets expectations. He said that is one component. He said the other component the Fire Chief mentioned was compassion fatigue which happens when firefighters respond to serious calls in

In Council Chambers 6131 Taylorsville Road

subsequent fashion and, not having had a chance to be back at the station to recharge their batteries, they are called out for a fall and sprained ankle and perhaps the compassion of care that might go to that citizen based on the nature of the calls the firefighters have been responding to can sometimes have an effect on the compassion of care that is provided. He said the issues of concern are not related to the quality of work being done, they are more related to ensuring the firefighters have the appropriate time they need to stay focused and concentrated on their work as well as making sure they are able to provide the compassionate care the citizens deserve. He said that is what they are trying to encompass in the terminology. He said, based on the current staffing they have, if they can look at the data and see trends developing that might impact that, now would be the time to respond to that and prepare to make appropriate changes in the future to avoid that decrease in service expectations. He said that was the nature of what that was meant to entail and, unfortunately, City Staff did not do a very good job of describing it during the presentation.

Mr. Campbell asked if he understood the Fire Chief may have indicated that the City could wait until 2023 to hire additional firefighters.

Mr. Chodkowski said that the recommendation the Fire Chief had made was that these are not immediate hires that are needed and the hires can be incorporated into a phased-in plan over two budget cycles.

Mr. Campbell asked if Mr. Chodkowski understands how confusing that information is for those sitting on the dais trying to make decisions on personnel.

Mr. Chodkowski said he did,and he said in trying to take that data and present it in a way that was understandable, City Staff did not do a very good job.

Mr. Campbell asked Mr. Lyons if he was able to find out historical facts on the hiring of firefighters.

Mr. Lyons said he received an email from Anthony Rodgers from Bryan Chodkowski. He said the email was not easy with all the information. He said in reading the packet in preparation for tonight, he did see the Fire Division is anticipating hiring at least three firefighters and the expected date is July 1, 2022 which is much sooner than the Fire Chief said. He said he was happy to see that, meaning the research on how long it takes to hire a firefighter is 2 1/2 months with the current process. He said he was going to clarify that information from Mr. Chodkowski tonight. He asked Bryan Chodkowski to clarify the anticipated hiring date of July 1, 2022. He asked if that was sooner than anticipated due to a process of replacing firefighters that is already ongoing.

Mr. Chodkowski said the July 1, 2022 date is referenced because that is the halfway point for the fiscal year. He said to the conversation Council had at the Council Work Session which was if it costs X to hire a firefighter and the City only hires them for half the year, which costs Y, it would be easier to fund Y and worry about X during the next budget cycle. He said City Staff only put in the half year value, which is why the July 1, 2022 number is what is referenced in the legislation. He said the actual ability to hire a firefighter would be similar to the timeline or data provided to Mr. Lyons through his request. He said the information sent to Mr. Lyons with respect to the two most recent hires start to finish is the timeframe City Staff would need. He said firefighters could not be hired within two months, it would be closer to 160 to 180 days.

Mr. Lyons said in answering Mr. Campbell's question, the information he received from City Staff was not discernable and he could not make heads or tails about how long it was because it was just a bunch of dates.

Mr. Campbell confirmed with Mr. Chodkowski that it takes about five months to hire a firefighter. He said he is in no way moving around on his position at all, but he was bothered by the comments about firefighter/EMS fatigue and the explanation of what that means, with the cherry on top being what the Fire Chief said at the end of the presentation that the hires can wait until 2023. He asked if there is a value in taking this item to the next Council Work Session to get clarification.

Mr. Shaw said another component that was discussed at the Council Work Session

In Council Chambers 6131 Taylorsville Road

which was one of his red flags was the mental health component. He said the union representative was there with the Battalion Chief, and that was made very clear. He said, as the City Manager stated, the seriousness of calls, the compassionate care, but the overall mental health of our firefighters was the largest trigger for him. He said that was made very clear by the person in charge of the best Fire Division in the State of Ohio, and that was agreed to and echoed by the union representative. He said that is what had put him in a fast and furious motion to get this done. He said Council needs to help the first responders when the Fire Chief uses words like "mental health" and the fact that the City needs more firefighters. He further discussed the importance of this matter.

Mr. Campbell said he totally agrees. He then confirmed with Mr. Chodkowski that during all that discussion, including the piece that Mr. Shaw reminded them of, the Fire Chief then ended by saying the new hires can wait until 2023. He asked Mr. Shaw if Council approves four firefighters tonight and they are not hired until 2023 or whenever the Fire Chief deems appropriate, then Council should be able to rest their heads on the pillow.

Mr. Shaw said in his opinion, as a policymaker, Council provided the policy, and that now lies in the state of the City Manager as he is the Public Safety Director as assigned by City Council, and that is now on him and the Fire Chief.

Mr. Campbell asked if the legislation calls out a date for the new hires?

Mayor Gore said he does not want to speak for the Fire Chief, but he feels part of the reason for waiting until 2023 was okay was because there was going to be a much bigger pool of qualified applicants in December, 2022 versus what is available currently. He said it is ridiculous to think the firefighters are the only emergency responders suffering fatigue and call fatigue and compassion fatigue. He said the Police Division and the dispatchers are probably suffering from the same thing and Council has not heard this presentation yet. He said Council is the policy maker and none are fire experts, but the last thing the Fire Chief said, and Council had enough confidence in the Fire Chief to appoint him the Fire Chief, is that Council can wait until 2023 and he thinks there will be 16 additional people added to the candidate pool in December, 2022, and Council has not heard presentations from the Police Division.

Ms. Baker said she took away from the meeting that it was a graduation/state boards requirement that they had to complete and that credentialing was the hold up.

Mrs. Byrge said the reason she did not want to move forward is Council has not heard yet from either the Police Division or the Public Works Division and Council needs to know these needs. She said she would like to hear from Mike Gray about how much overtime the employees work. She said the only reason he has not asked for more hires is because he does not have any place to put them. She said Council need to be smart about making policy and Council needs to know all the needs before moving forward.

Mrs. Kitchen said during her tour of the Fire Division, City Staff said there is extensive mental health therapy that gets brought in.

Mr. Chodkowski said there are mental health services the City provides for all emergency personnel. He said following critical incidents there is always a debriefing and an opportunity and option made available to personnel to meet with professionals and address the situation they have been presented with to make sure they are in an appropriate place. He further explained the process. He said if Council would like more information, City Staff would be happy to get that information and bring it to Council's attention so everyone can feel comfortable and confident that the City is taking care of its employees in the best way possible with the best resources. He said City Staff takes great pride in making sure people are taken care of. He said he wants to make that clear to everyone. He re-explained the message that they were trying to send through the Fire Chief's presentation.

Mrs. Kitchen said she thinks Council needs to listen to everybody, and she puts the Police Division, the Fire Division, and the Public Works Division in high esteem, and Council needs to look at everyone's presentations.

Mr. Shaw moved to adopt; Mr. Campbell seconded the motion. On a call of the vote, Mr. Otto, Mr. Lyons, Mr. Shaw, Ms. Baker, and Mr. Campbell voted yea; Mrs. Kitchen, Mr. Webb, and Mrs. Byrge voted nay. The motion passes 5-3.

R. A Resolution Establishing And/Or Amending The Salary Ranges And Wage Levels For Employees Of The City Of Huber Heights, Ohio. (first reading)

Mr. Chodkowski said correlating to the discussion on staffing for the firefighters, the salary ranges needed to be established in particular for the Captain position which is being recommended by the Fire Chief.

Mayor Gore said the Council Work Session recommendation was to adopt this item.

Mr. Campbell moved to adopt; Mr. Lyons seconded the motion.

Mr. Campbell said there has been confusion in the past about firefighters. He asked Mr. McDonald if there has been enough discussion on the dais tonight that it is going to be Fire Chief Knisley's decision working with City Manager Bryan Chodkowski on when these firefighters are hired and it could be 2023, or does Council need to amend something or add something to tonight's discussion.

Mr. McDonald said there is nothing in the current legislation other than approving the positions, pay, and things like that in this calendar year. He said there is nothing that says when. He said it would be within the purview of the Fire Chief and the City Manager to get this done.

Mr. Campbell asked if the answer to his question is yes, enough has been said on the dais, and that if Fire Chief Knisley decided not to hire additional firefighters and wait until 2023 in concert with the City Manager, then Council has made that clear or is there something that needs to be said in addition to clear it up.

Mr. McDonald said it is clear.

Mr. Campbell confirmed with Mr. McDonald that in a month or two months from now, if the issue is raised that Council promised to hire four firefighters and have not yet, then Council can point back to this discussion.

Mrs. Byrge asked where the money is coming from. She said if Council is going to talk about establishing a salary range, it would be different for 2022 than for 2023.

Mr. Chodkowski said the salary ranges are set by the Table of Organization. He said the firefighters are in collective bargaining units and those wages are set by the union. He said the Captain position is exempt, so it is not in the union but it can be paid within the pay range.

Mr. Rodgers said the only change in this piece of legislation is to add the salary range for the Captain position because it did not exist before.

On a call of the vote, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, and Mr. Otto voted yea; none voted nay. The motion passes 8-0.

S. An Ordinance Amending Ordinance No. 2021-O-2511 By Making Supplemental Appropriations For Expenses Of The Fire Division Of The City Of Huber Heights, Ohio For The Period Beginning January 1, 2022 And Ending December 31, 2022. (first reading)

In Council Chambers 6131 Taylorsville Road

Mr. Chodkowski said this item is the legislation necessary to fund the positions for when the Fire Chief is ready to hire.

Mayor Gore said the Council Work Session recommendation was to waive the second reading and adopt this item.

Mr. Campbell moved to waive the second reading; Mr. Shaw seconded the motion.

Mr. Campbell asked Mr. McDonald if the date ranges are ambiguous enough that someone could start arguing the fact that the City had to hire the additional firefighters in 2022.

Mr. McDonald said the budget is being amended for this year.

Mr. Campbell asked if, because of that, could someone argue that the City should have hired in 2022 and not 2023, if that is when the Fire Chief so chooses to hire is 2023.

Mr. McDonald said that argument could come, but he feels there has been enough dialogue from the dais to clear that up.

Mrs. Byrge asked where the money is coming from.

Mr. Chodkowski said at present this is a draw from the Genetral Fund balance, but the City Budget is still early in the year. He said, depending upon how receipts come in from taxes, that may not be necessary. He said, for the purposes of today's action by Council, this appropriation would be a withdrawal from the General Fund balance.

Mrs. Byrge said what Council is doing is committing the City to hiring four firefighters without knowing what the needs are for the Police Division or the Public Works Division. She asked if each one comes back and says four more people are needed, will there be enough in the same fund to cover all those people.

Mr. Chodkowski said each department/division is paid from a different fund. He said harkening back to the Council Work Session where this matter was discussed, he believes both the Mayor and Mr. Campbell had referenced the utilization of service payments as a way to provide funds to help pay for these positions. He said his comment at that time was that yes that might be an option, but City Staff had yet to complete the due diligence to ensure that could be sustainable funding. He said the funding that would be appropriated here would not be in conflict with any of the other proposals that may or may not come from Police Chief Lightner or Mr. Gray, but City Staff has not had sufficient time to vet this value over time to ensure a consistent new stream is available.

Mre. Byrge asked if this legislation needs to be moved to another reading to get this information. She asked if the Public Works Division is funded from the General Fund

Mr. Chodkowski said the Public Works Divisionis funded through the local street tax. He said if Council would like a definitive answer, then moving this to another reading would be necessary, but if Council has the confidence that City Staff will find a way, then that would be Council's prerogative.

Mrs. Byrge said the citizens have a right to know where the funding is coming from. She said she has a problem moving this item forward without having the funding source defined. She said it has nothing to do with a lack of confidence in City Staff, it has to do with transparency.

Mr. Campbell asked what percentage of public safety salaries are paid out of the General Fund.

Mr. Chodkowski said each fund receives a subsidy from the General Fund, but he would have to look that up. He confirmed for Mr. Campbell that there is a dedicated revenue stream from a defined income tax of 0.25% and if that dips, the shortage comes from a subsidy from the General Fund. He said the money from tonight's discussion would come from the General Fund. He said the amount is approximately

In Council Chambers 6131 Taylorsville Road

\$400,000 annually and would come from the General Fund.

Mr. Campbell said Mr. Lyons had conveyed two sources of revenue, one for hiring firefighters and one for hiring police officers and he asked Mr. Chodkowski to speak to that point.

Mr. Chodkowski said Mr. Lyons had referenced the difference in revenue brought in today compared to the first year funds that were brought in from those levies back in 2015. He said the difference was approximately half a million dollars. He explained the levies and the costs associated with operating the departments. He said there is not a surplus of revenue available from those millage rates, and both funds continue to receive subsidies annually from the General Fund. because expenses have outpaced the revenues brought in specific to those levies.

Mr. Campbell asked if a portion of the money Mr. Lyons talked about was realistic.

Mr. Chodkowski said no portion of the value Mr. Lyons spoke of could be applied to new wages because the differences are applied to increased costs from 2015 to 2020. Mr. Chodkowski said stuff got more expensive between 2015 and 2020.

On a call of the vote, Mr. Shaw, Ms. Baker, Mr. Campbell, Mr. Otto, and Mr. Lyons voted yea; Mrs. Kitchen, Mr. Webb, and Mrs. Byrge voted nay. The motion fails 5-3.

Mayor Gore said this item will be passed to a second reading.

T. A Resolution Authorizing The Execution Of A Termination Of The Land Use Restriction Agreement In Connection With The City's Multifamily Housing Mortgage Revenue Bonds (Alcore Huber LLC Project) Series 2012A. (first reading)

Mr. Chodkowski said this resolution is related to The Landings on Bellefontiaine Road. He said in 2012, the City sponsored a bond on behalf of the organization. He said as a requirement of that bond, the land use restriction was that the facility could only be used for senior purposes. He said the bond has subsequently been paid off and there is new ownership and that ownership is asking the City to release that restriction to clear the title so it can continue to own the property and manage the property in an appropriate way at this time.

Mayor Gore said the Council Work Session recommendation was to adopt this item.

Mrs. Byrge moved to adopt; Mr. Shaw seconded the motion. On a call of the vote, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, and Mrs. Kitchen voted yea; none voted nay. The motion passes 8-0.

U. A Resolution Authorizing The City Manager To Enter Into A Community
Reinvestment Area Agreement With Flyer Red Properties II, LLC Under Certain Terms
And Conditions.
(first reading)

Mr. Chodkowski said Flyer Red Properties has an interest in acquiring the TruckPro facility on Executive Boulevard and converting it to a tap room, smokery, and brewhouse for Warped Wing Brewery. He said a term and condition for closing on the property is the City agreeing to grant a CRA as a condition, and this matter has been presented to Council for that purpose.

Mayor Gore said the Council Work Session recommendation was to adopt this item.

Ms. Baker moved to adopt; Mrs. Byrge seconded the motion. On a call of the vote, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, and Mr. Webb voted yea; none voted nay. The motion passes 8-0.

In Council Chambers 6131 Taylorsville Road

V. An Ordinance Authorizing Advances And Transfers Between Various Funds Of The City Of Huber Heights, Ohio And Amending Ordinance No. 2021-O-2511 By Making Supplemental Appropriations For Expenses Of The City Of Huber Heights, Ohio For The Period Beginning January 1, 2022 And Ending December 31, 2022. (first reading)

Mr. Chodkowski said this matter was brought forth to transfer various funds to empower the City to perform its day to day operations.

Mayor Gore said the Council Work Session recommendation was to waive the second reading and adopt this item.

Ms. Baker moved to waive the second reading; Mrs. Byrge seconded the motion. On a call of the vote, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mr. Webb, and Mr. Shaw voted yea; Mrs. Kitchen voted nay. The motion passes 7-1.

Mr. Shaw moved to adopt; Mr. Webb seconded the motion. On a call of the vote, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, and Ms. Baker voted yea; none voted nay. The motion passes 8-0.

W. An Ordinance Approving Individual Assessments Amounts And Directing The Director
Of Finance Or His/Her Designee To Certify The Amounts To The Applicable County
Auditor For Collection, And Declaring An Emergency.
(first reading)

Mr. Chodkowski said this legislation is recurring legislation empowering the City to levy assessments for unpaid bills. He said this item is for delinquent water bills and storm sewer fees. He asked that the Council to waive the second reading and adopt this item to make the assessment deadline at the County Auditor's Office.

Mayor Gore said the Council Work Session recommendation was to waive the second reading and adopt this item.

Mrs. Byrge moved to waive the second reading; Ms. Baker seconded the motion. On a call of the vote, Mrs. Byrge, Mr. Lyons, Mr. Webb, Mr. Shaw, Ms. Baker, and Mr. Campbell voted yea; Mr. Otto and Mrs. Kitchen voted nay. The motion passes 6-2.

Mrs. Byrge moved to adopt; Ms. Baker seconded the motion. On a call of the vote, Mr. Otto, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, and Mrs. Byrge voted yea; none voted nay. The motion passes 8-0.

X. A Resolution Authorizing The Acceptance Of State Of Ohio Funding And Establishing The OneOhio Opioid Settlement Fund. (first reading)

Mr. Chodkowski said this resolution is necessary to establish the fund to receive the opioid settlement distribution that will be coming to the City in the next few weeks.

Mayor Gore said the Council Work Session recommendation was to adopt this item.

Mr. Shaw moved to adopt; Ms. Baker seconded the motion.

Mrs. Byrge said the definitive list of how the money can be used has not been released yet. She asked if there is any idea when it would be released.

Mr. Chodkowski said City Staff will try to get that information to Council.

Mr. Lyons asked how much money the City was expecting.

Mr. Chodkowski said he will verify that amount for Council.

Mrs. Kitchen said she would like the City to be creative about how this money is used

In Council Chambers 6131 Taylorsville Road

to serve the community.

On a call of the vote, Mr. Lyons, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, and Mr. Otto voted yea; none voted nay. The motion passes 8-0.

Y. A Resolution Authorizing The City Manager To Enter Into A Contract For The 2022 Rehabilitation Of Sewer Lines Project. (first reading)

Mr. Chodkowski said this item is annual recurring legislation, and it was recommended that Council adopt this item.

Mayor Gore said the Council Work Session recommendation was to adopt this item.

Mr. Shaw moved to adopt; Mr. Otto seconded the motion. On a call of the vote, Mrs. Kitchen, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, and Mr. Lyons voted yea; none voted nay. The motion passes 8-0.

Z. A Resolution Authorizing The City Manager To Solicit, Advertise, And Receive Bids From Qualified Firms For The 2022 Water Main Replacement Program. (first reading)

Mr. Chodkowski said this item is annual recurring legislation.

Mayor Gore said the Council Work Session recommendation was to adopt this item.

Mr. Shaw moved to adopt; Ms. Baker seconded the motion. On a call of the vote, Mr. Webb, Mr. Shaw, Ms. Baker, Mr. Campbell, Mrs. Byrge, Mr. Otto, Mr. Lyons, and Mrs. Kitchen voted yea; none voted nay. The motion passes 8-0.

#### 13. City Official Reports and Comments

There were no City Official Reports and Comments.

#### 14. Executive Session

There was no need for an Executive Session.

#### 15. Adjournment

Mayor Gore adjourned the Regular Session City Council Meeting at 10:07 p.m.	
Clerk of Council	Date
Mayor	Date

City Council Meeting City Council

**Meeting Date:** 05/09/2022

National Police Week Mayoral Proclamation Presentation

Submitted By: Maria Beisel

 Department:
 Police
 Division:
 Police

 Council Committee Review?:
 None
 Date(s) of Committee Review:
 N/A

 Audio-Visual Needs:
 None
 Emergency Legislation?:
 No

Motion/Ordinance/ Resolution No.:

#### Agenda Item Description or Legislation Title

National Police Week Mayoral Proclamation Presentation To The Huber Heights Police Division - Mayor Jeff Gore

#### **Purpose and Background**

May 15, 2022 is designated as Peace Officer Memorial Day and that week is recognized as National Police Week. The Peace Officer Memorial Day and National Police Week have been recognized officially by the Mayor and City Council in the past. Mayor Jeff Gore will be making a mayoral proclamation presentation for National Police Week to the Huber Heights Police Division.

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

Proclamation



## City of Huber Heights Mayoral Proclamation National Police Week

WHEREAS, there are approximately 800,000 law enforcement officers serving in communities across the United States, including 54 sworn members of the Huber Heights Police Division; and

WHEREAS, some 61,000 assaults against law enforcement officers are reported each year, resulting in approximately 18,000 injuries; and

WHEREAS, since the first recorded death in 1786, more than 22,611 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including one member of the Huber Heights Police Division; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial, which was dedicated in 1991 in Washington, D.C.; and

WHEREAS, 682 names are being added to the National Law Enforcement Officers Memorial this spring, including 607 officers killed in 2021 and 75 officers killed in previous years; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored, and the names of the officers newly engraved on the Memorial will be formally dedicated, during the National Law Enforcement Officers Memorial Fund's Virtual Candlelight Vigil and reading of the names. This Virtual Candlelight Vigil and reading of the names can be viewed anywhere in the world on May 13, 2022; and

WHEREAS, the Virtual Candlelight Vigil is part of National Police Week, which takes place this year on May 11-17, 2022; and

WHEREAS, May 15, 2022 is designated as Peace Officers Memorial Day, with federal law (P.L. 103-322) directing that all flags be flown at half-staff on that date in honor of fallen officers and their families.

**NOW, THEREFORE**, I, Jeff Gore, Mayor of the City of Huber Heights, Ohio do hereby proclaim May 11-17, 2022 as:

### **National Police Week**

in the City of Huber Heights, and publicly salute the service of law enforcement officers in the Huber Heights community and in communities across the nation.

IN WITNESS WHEREOF, I have hereunto set my hand and contemporary the Heights to be affixed this ninth day of May in the Year of Our Lor	•
	JEFF GORE MAYOR

City Council

**City Council Meeting** 

Meeting Date: 05/09/2022
Introduction of New Communications Officers
Submitted By: Maria Beisel

 Department:
 Police
 Division:
 Police

 Council Committee Review?:
 None
 Date(s) of Committee Review:
 N/A

 Audio-Visual Needs:
 None
 Emergency Legislation?:
 No

Motion/Ordinance/

**Resolution No.:** 

#### Agenda Item Description or Legislation Title

N/A

Introduction Of Newly Hired Public Safety Communications Officers - Police Chief Mark Lightner

# **Purpose and Background**

Introduction of of newly hired Dispatchers Melissa Lewis, Jessica Price, Heather Flora, Amber Schutte, and Brandon Ingalls in the Police Division.

**Fiscal Impact** 

 Source of Funds:
 N/A

 Cost:
 N/A

 Recurring Cost? (Yes/No):
 N/A

 Funds Available in Current Budget? (Yes/No):
 N/A

Financial Implications:

**Attachments** 

No file(s) attached.

City Council Meeting City Council

Meeting Date: 05/09/2022
National Public Safety Telecommunicators Week
Submitted By: Maria Beisel

**Department:** Police **Division:** Communications

Council Committee Review?: None

Date(s) of Committee Review: N/A

Audio-Visual Needs:

None

Emergency Legislation?:

No

Motion/Ordinance/ N/A

**Resolution No.:** 

#### Agenda Item Description or Legislation Title

National Public Safety Telecommunicators Week Mayoral Proclamation Presentation - Mayor Jeff Gore

#### **Purpose and Background**

National Public Safety Telecommunications Week is celebrated at all levels of government; generally during the second or third week of April. Locally referred to as Dispatch Appreciation Week, it was acknowledged during the week of April 10-16, 2022. This is a vital service to and for the citizens of Huber Heights. This mayoral proclamation serves as formal recognition of the invaluable role of public safety dispatchers.

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

Proclamation



# City of Huber Heights 2022 National Public Safety Telecommunicators Week Mayoral Proclamation

WHEREAS, the City of Huber Heights Public Safety Communications Center is responsible for answering emergency service 9-1-1 calls for the City of Huber Heights, the City of Riverside, and Butler Township; and

**WHEREAS**, 9-1-1 Dispatchers are often considered the "First Responder" to the scene of an emergency; and

WHEREAS, in addition to the approximately 136,830 telephone calls in 2021, the City of Huber Heights Public Safety Communications Center handles radio communications with and between the Huber Heights Police and Fire Divisions, the City of Riverside Police and Fire Departments, Butler Township Police and Fire Departments, and surrounding police and fire agencies along with other support services; and

WHEREAS, Dispatchers are the link between those in the community and the public safety response system and the Huber Heights Dispatchers are trained to gather pertinent information during calls for service and to use this expertise to prioritize those calls for the public safety agencies.

**THEREFORE**, I, Jeff Gore, Mayor of the City of Huber Heights, Ohio do hereby proclaim the week of April 10-16, 2022 recently acknowledged as:

# **National Public Safety Telecommunicators Week**

in the City of Huber Heights, and publicly salute the service of Public Safety Dispatchers in this community and in communities across the nation and encourage all residents to be aware of the Public Safety Dispatchers and understand the value and proper use of the 9-1-1 system.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Huber Heights to be affixed this ninth day of May in the Year of Our Lord, Two Thousand and Twenty-Two.

JEFF GORE	
MAYOR	

#### AI-8404

#### Special Presentations/Announcements D.

City Council Meeting City Council

Meeting Date: 05/09/2022

WHS Wrestling Champion Joshua Padilla Recognition and Proclamation Presentation

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: None

Date(s) of Committee Review: N/A

Audio-Visual Needs: None Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

#### Agenda Item Description or Legislation Title

Wayne High School Wrestling Champion Joshua Padilla Recognition And Proclamation Presentation - Mayor Jeff Gore

#### **Purpose and Background**

Mayor Jeff Gore will be presenting a proclamation and City coin to Wayne High School Wrestling Champion Joshua Padilla in recognition of his wrestling achievements at Wayne High School.

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

Proclamation



# City of Huber Heights Mayoral Proclamation

# **SPECIAL RECOGNITION**

WHEREAS, the City of Huber Heights wishes to express its appreciation and admiration for a very special individual who is most worthy of this highest mark of our favor; and

WHEREAS, Wayne High School junior and heavyweight wrestler Joshua Padilla demonstrated a high level of competitive spirit and good sportsmanship by competing in the Greater Western Ohio Conference (GWOC) on March 13, 2022 at the Ohio State Schottenstein Center and becoming State Runner Up for the Wrestling Heavyweight State Title; and

WHEREAS, Joshua Padilla's three year career totals includes a record of 89-16, 3 time Sectional Champ, 2 time GWOC Champ, 2 time District Champ, 3 time District Placer, 2 time State Placer, 2 time All Area I<sup>st</sup> Team, 2022 Division I All Area Wrestler of the Year, 2022 GWOC Wrestler of the Year, GWOC Honor 3.5 or better, and All Ohio Scholar Athlete Team 3.5 or better; and

WHEREAS, Joshua Padilla is committed to Ohio State University (OSU) to play football and will be an early graduate from Wayne High School in 2023 to attend OSU in the spring.

NOW, THEREFORE, I, Jeff Gore, Mayor of the City of Huber Heights, Ohio do hereby extend our very best wishes for health, happiness, and continued success to:

# Joshua Padilla

**BE IT FURTHER RESOLVED,** that this recognition is sealed by presenting to this honored individual a City coin from the City of Huber Heights as a token of our esteem.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the City of Huber Heights to be affixed this ninth day of May in the Year of Our Lord, Two Thousand and Twenty-Two.

JEFF GORE MAYOR

#### AI-8403

# Special Presentations/Announcements E

City Council Meeting City Council

Meeting Date: 05/09/2022

Suez Water/Veolia Water 2021 Annual Report Presentation

Submitted By: Anthony Rodgers

Department: City Council

Council Committee Review?: None

Date(s) of Committee Review: N/A

Audio-Visual Needs: Handouts Emergency Legislation?: No

N/A

Motion/Ordinance/

**Resolution No.:** 

#### Agenda Item Description or Legislation Title

Suez Water/Veolia Water 2021 Annual Report Presentation - Ms. Pam Whited, Operations Manager, Veolia Water

#### **Purpose and Background**

Suez Wate/Veolia Waterr is required by its contract to provide an annual report of its operations to the City Council. The 2021 Annual Report was provided to the City in February, 2022. Pam Whited will be making an overview report presentation of this information at the City Council Meeting on May 9, 2022.

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

No file(s) attached.

Al-8378 Pending Business A.

City Council Meeting City Manager

**Meeting Date:** 05/09/2022

ZC 21-45 - Kirmon Khalilov - Major Change - Basic and Detailed Development Plan - 5840 Old Troy Pike

Submitted By: Geri Hoskins

Department: Planning Division: Planning Council Committee Review?: Council Work Date(s) of Committee Review: 04/05/2022

Session

Audio-Visual Needs: SmartBoard Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

#### **Agenda Item Description or Legislation Title**

An Ordinance To Approve A Major Change To The Basic And Detailed Development Plan For The Property Located At 5840 Old Troy Pike And Further Identified As Parcel Number P70-01923-0004 On The Montgomery County Auditor's Map And Rejecting The Recommendation Of The Planning Commission (Zoning Case 21-45). (second reading)

#### **Purpose and Background**

The applicant, Kirmon Khalilov, is requesting 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 and further identified as Parcel Number P70-01923-0004 on the Montgomery County Auditor's Tax Map (ZC 21-45).

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

Drawing

**Picture** 

Fire Assessment

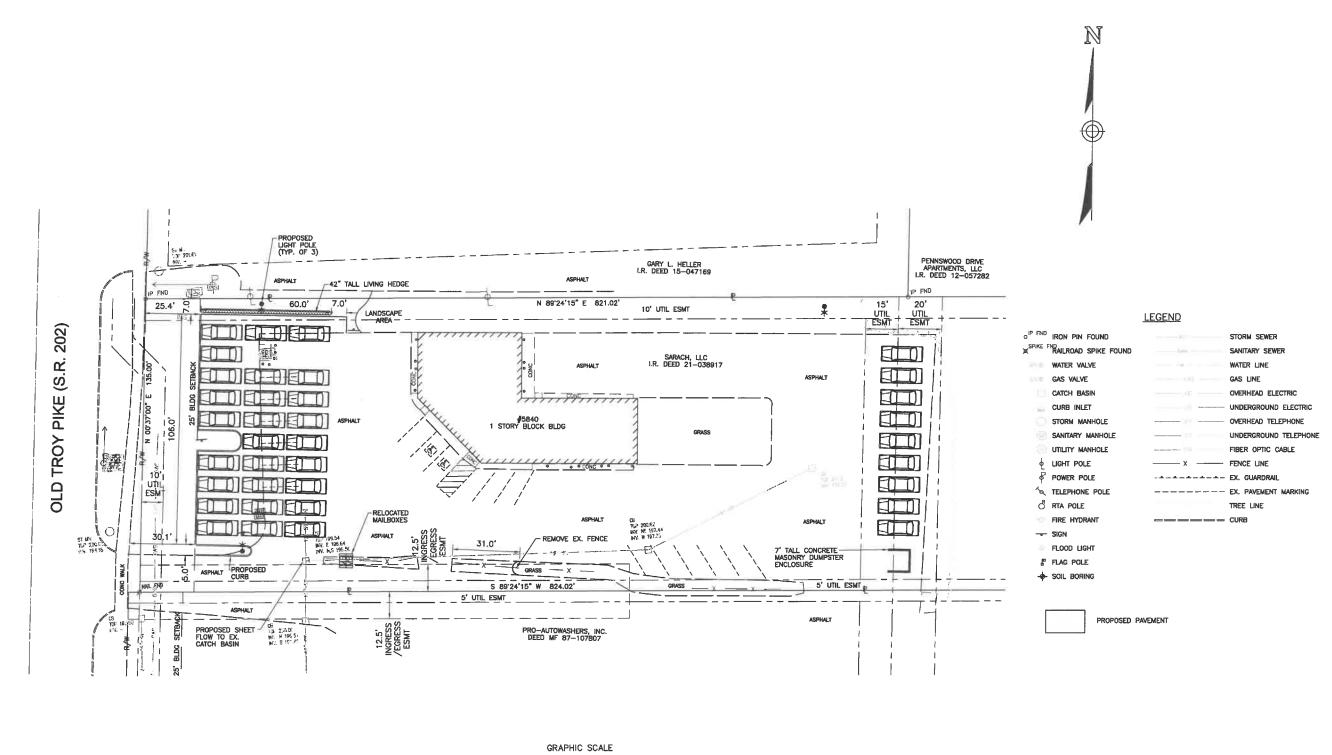
Staff Report

Opposition Letters

**Decision Record** 

Minutes

Ordinance



GRAPHIC SCALE
20 0 10 20 40 80

(IN FEET )
1 inch = 20 ft.

ADMIRAL EY
& SURVE
14 WEST F
DAYTON, O
937-223-5

SARACH, LLC 5840 OLD TROY PIKE HUBER HEIGHTS, OHIO

REVISIONS

PROJECT NUMBER 21-030

DRAWN: DWB DATE: 10-7-21 CHECKED: CSH DATE: 10-29-21 CAD FILE: 21030-bose

DATE 12-27-2021 SHEET NAME

SITE PLAN

SHEET No.





# Huber Heights Fire Division

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

Occupancy Nam	<u>e:</u>	Sarach – Proposed Car Lot		
Occupancy Addr	ess:	5840 Old Troy Pike		
Type of Permit:		HHP&D Site Plan		
Additional Permi	ts:	Choose an item.		
Additional Permi	ts:	Choose an item.		
MCBR BLD:	Not Ye	et 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.

Plans reviewed by the Huber Heights Fire Division are reviewed with the intent they comply in <u>ALL</u> respects to this code, as prescribed in <u>SECTION (D)</u> <u>104.1 of the 2017 Ohio Fire Code</u>. Any omissions or errors on the plans or in this review do not relieve the applicant of complying with <u>ALL</u> 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.

# **Memorandum**

Staff Report for Meeting of February 15, 2022

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, Interim City Planner

Community Planning Insights

Date: February 9, 2022

Subject: ZC 21-45 (Major Change to the Basic and Detailed Development Plan in a

Planned Commercial District – 5840 Old Troy Pike.

Updated plans received January 12, 2022

Department of Planning and Zoning City of Huber Heights

**APPLICANT/OWNER:** Kirmon Khalilov – Applicant / Owner

**DEVELOPMENT NAME:** 

ADDRESS/LOCATION: 5840 Old Troy Pike

**ZONING/ACREAGE:** Planned Commercial / 2.55 acres

**EXISTING LAND USE:** Auto detailing service

ZONING

ADJACENT LAND: North: O-1 & R-6; East: R-6; South: PC; West: PC

**REQUEST:** The applicant requests a major change to the Basic

and Detailed Development Plan for a car dealer and

auto service to prep the for-sale vehicles.

**ORIGINAL APPROVAL:** 

**APPLICABLE HHCC:** Chapter 1176, 1182

**CORRESPONDENCE:** In Favor – None Received

In Opposition – None Received

# **Overview**

This application was heard and tabled at the December 14, 2021 Planning Commission meeting. Based on the minutes, there was discussion about whether vehicles would be serviced on site, existing buffering between the adjacent funeral home, and moving the parking setback significantly closer to Old Troy Pike.

The applicant has submitted a revised plan which:

- Includes auto sales and service as the primary use;
- Added a masonry dumpster enclosure to the rear of the lot;
- Added a 42-inch hedge as screening between the front parking area and the funeral home parking area;
- Illustrates possible building expansion for garage bays and/or possible office; and
- Added three 25-foot light poles (two in front, one at the rear).

No other substantial changes were submitted.

# STAFF ANALYSIS AND RECOMMENDATION:

This analysis will focus on the changes to the proposal since the application was tabled at the December 14, 2021 meeting:

# **Vehicle Display and Landscaping**

The revised plan includes a 42" hedge, 60-feet long, between the display area and the property line. While this does help buffer the display area from the adjoining property, the proposed plan reduces the existing required yard buffer from 15-feet (required in the PC District) to approximately 7-feet.

#### The code states:

1176.03 (b)(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.

Both the original and revised plan locate the vehicle display area 25-feet from the right-of-way. While this meets the zoning standards for a parking area, the proposed plan shows three tightly packed display rows. This will have a greater visual impact along Old Troy Pike than a traditional parking area with one row of parked vehicles, separated by a 20-foot drive aisle. Additionally, parking areas of this size would be required to have interior parking landscaping to break up the mass of the vehicles and reduce storm water runoff. There are little to no recently developed uses within the vicinity that have such concentrated vehicular display or parking areas.

# **Conformance with Zoning Regulations**

The proposed vehicle sales and service uses are permitted uses within the Planned Commercial district, if the Planning Commission approves such uses. At this time, there are no vehicle sales uses in this area of Old Troy Pike.

The proposed site plan brings the site out of conformance with the yard standards set in 1176.03(b)(1), described above.

If the Planning Commission deems the vehicle display area as a parking area, the site plan is not in conformance with the parking requirements found in Chapter 1185.

# **Standards for Approval**

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.

# **Staff Analysis**

As proposed, it is the staff's opinion that the site becomes less conforming to the zoning code than it currently exists. This includes yard standards, and parking layout and design.

Λ.	dd dd	litic	nal	$C_{0}$	mm	ents:
м			11111			

Fire:

**City Engineer:** 

# **Planning Commission Action**

The Planning Commission may:

- 1) Approve the Basic and Detailed Development Plan;
- 2) Deny the Basic and Detailed Development Plan; or
- 3) Table the decision.

# FUNERAL HOMES, INC. AND CREMATION SERVICES

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

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

# MARKER & HELLER

February 14, 2022

FUNERAL HOMES, INC. AND CREMATION SERVICES

City of Huber Heights City Planning Commission 6131 Taylorsville Road Huber Heights, Ohio 45424

Dear Planning Commission,

I am writing again to strongly express my opposition to case number 21-45, the proposed major change to the Planned Unit Development (PUD) located at 5840 Old Troy Pike. The revised plan for the development of the property as a car lot and now requested service of vehicles confirms our fears how this usage of the property will change our area.

With the service of vehicles added to the request, we are even more worried with the noise from working on vehicles that close to our funeral home. The noise generated from working on cars instead of just changing their oil could easily disrupt our funeral services & affect the families living in the apartments adjoining this property. We are also confused if the term, service, allows body work etc.? The noise issue is a major concern to us.

I do not know of any property in our area that is packed with parked cars, trucks, campers, boats, semi-trucks etc. as indicated on the proposed plan. Also, in the past, it was explained to us that with this property being zoned a PUD, a 15 foot buffer would always be present and the revised plan still has vehicles parked within 7 feet of the property line with the utility easement paved. Please check your records concerning this issue. Some additional landscape screening has been indicated but this doesn't address the area where the existing landscape screening was agreed upon thirty years ago and not maintained.

The information provided is again very incomplete. We are strongly opposed to the changes presented and are very concerned how an auto sales lot and service will change the atmosphere of our area of Huber Heights, affect the funeral services of the families we serve and the living conditions in the adjoining apartments.

Again, thank you for your continued service and support of our community.

Best regards,

Gary L. Heller

Locally Owned Since 1925



# 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 March 15, 2022, 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.

Ms. Thomas 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 March 15, 2022, 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 and service of automobiles.

6. All automobiles shall be parked on a p	paved or concrete surface.
Seconded by Ms. Vargo. Roll call sho Jeffries, Ms. Thomas, and Mr. Walton. N 3-1.	owed: YEAS: Ms. Vargo. NAYS: Mr. Motion to recommend approval denied
Terry Walton, Chair Planning Commission	Date

# Planning Commission March 15, 2022, Meeting City of Huber Heights

- **I.** Chair Terry Walton called the meeting to order at approximately 6:01 p.m.
- **II.** Present at the meeting: Mr. Jeffries, Ms. Thomas, Ms. Vargo and Mr. Walton.

Members absent: Ms. Opp

Staff Present: Aaron K. Sorrell, Interim City Planner, and Geri Hoskins, Planning & Zoning Administrative Secretary.

# III. Opening Remarks by the Chairman and Commissioners

#### 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. MAJOR CHANGE – The applicant, Kirmon Khalilov, is requesting approval of 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).

Mr. Sorrell stated that this application was heard and tabled at the December 14, 2021, Planning Commission meeting. Based on the minutes, there was discussion about whether vehicles would be serviced on site, existing buffering between the adjacent funeral home, and moving the parking setback significantly closer to Old Troy Pike.

The applicant has submitted a revised plan which:

- Includes auto sales and service as the primary use;
- Added a masonry dumpster enclosure to the rear of the lot;
- Added a 42-inch hedge as screening between the front parking area and the funeral home parking area;
- Illustrates possible building expansion for garage bays and/or possible office;
   and
- Added three 25-foot light poles (two in front, one at the rear).

No other substantial changes were submitted.

## STAFF ANALYSIS AND RECOMMENDATION:

This analysis will focus on the changes to the proposal since the application was tabled at the December 14, 2021, meeting:

# **Vehicle Display and Landscaping**

The revised plan includes a 42" hedge, 60-feet long, between the display area and the property line. While this does help buffer the display area from the adjoining property, the proposed plan reduces the existing required yard buffer from 15-feet (required in the PC District) to approximately 7-feet.

#### The code states:

1176.03 (b)(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.

Both the original and revised plan locate the vehicle display area 25-feet from the right-of-way. While this meets the zoning standards for a parking area, the proposed plan shows three tightly packed display rows. This will have a greater visual impact along Old Troy Pike than a traditional parking area with one row of parked vehicles, separated by a 20-foot drive aisle. Additionally, parking areas of this size would be required to have interior parking landscaping to break up the mass of the vehicles and reduce storm water runoff. There are little to no recently developed uses within the vicinity that have such concentrated vehicular display or parking areas.

#### **Conformance with Zoning Regulations**

The proposed vehicle sales and service uses are permitted uses within the Planned Commercial district, if the Planning Commission approves such uses. At this time, there are no vehicle sales uses in this area of Old Troy Pike.

The proposed site plan brings the site out of conformance with the yard standards set in 1176.03(b)(1), described above.

If the Planning Commission deems the vehicle display area as a parking area, the site plan is not in conformance with the parking requirements found in Chapter 1185.

#### Staff Analysis

As proposed, it is the staff's opinion that the site becomes less conforming to the zoning code than it currently exists. This includes yard standards, and parking layout and design.

#5 in the Decision Record would read the only use approved is the sale and service automobiles.

Strike #7 from the Decision Record.

Revise to March 15, 2022.

Chad spoke on behalf of the applicant.

#### **Action**

Ms. Thomas moved to approve the request by the applicant Kirmon Khalilov, for approval of a Major Change to the Basic and Detailed Plan in a Planned Commercial District for 2.55 acres at 5840 Old Troy Pike (ZC 21-45).

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

All three Nays stated no similar uses in the area. Case moves to City Council

#### VII. New Business

1. MINOR CHANGE - The applicant, Atlantic Sign Company, is requesting approval of a Minor Change for Signage at Camping World located at 8001 Old Troy Pike (MC 22-09).

Mr. Sorrell stated that the applicant requests approval to replace existing wall signs due to the acquisition of Gander Outdoors by Camping World. The net effect of the change is an overall reduction in wall sign area.

# **Original Approval**

As you can see below, the amount of approved and/or installed wall sign area has changed over the years:

September 2004	962 SF
July 2012	666 SF
September 2018	562 SF

#### **Current Application**

The applicant seeks a minor change to replace one internally illumined wall sign and remove one existing internally illuminated wall sign. Two existing wall signs remain unchanged. The total wall sign area will be reduced from approximately 562 SF to approximately 429 SF.

The applicant seeks a minor change to replace one internally illumined wall sign and remove one existing internally illuminated wall sign. Total wall sign area will be reduced from approximately 562 SF to approximately 429 SF, a reduction of approximately 23%.

Brooke Alini from Atlantic Sign Company was there for any questions.

#### Action

Ms. Vargo moved to approve the request by the applicant Atlantic Sign Company for approval of a Minor Change for Signage at Camping World located at 8001 Old Troy Pike (MC 22-09) in accordance with the recommendation of Staff's

Memorandum dated March 8, 2022, and the Planning Commission Decision Record attached thereto.

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

2. BASIC DEVELOPMENT PLAN - The applicant, Charles V. Simms Development, is requesting approval of a Basic Development Plan for the Gables of Huber Heights, located on Brandt Pike North of the Reserves at the Fairways (BDP 22-07).

Mr. Sorrell stated that the applicant requests approval of a basic development plan to construct 74 condominiums in 11 buildings on 15.93 acres, which yields an average density of 4.64 units/acre. Approximately 64% of the site is open space (10.20 acres).

This land was originally approved as part of The Reserves at the Fairways, a similar condominium development immediately south of the project site.

# **Conformance with Zoning Regulations**

The proposal largely conforms to the regulations outlined in Chapter 1179, Planned Mixed Use District (PM):

- Residential uses are permitted in the district and the buildings meet the setback requirement of 15-feet between residential buildings.
- Buildings are clustered and a large, usable greenspace area is proposed in the development. Approximately 64% of the site is open space, including detention areas.
- Walking paths are included throughout the development.
- Site access is limited to one private drive from Brandt Pike. A secondary emergency exit is proposed at the cul-de-sac terminus and connects to an existing private street (Salon Circle).
- Parking will be provided through a mixture of garage and driveway spaces and various guest parking areas. A total of 334 spaces are provided, 222 are required.
- A six-foot high landscaping mound is provided to buffer the open space area from the existing development to the south.
- Lighting will be provided through a combination of exterior building lights and lamp posts along walking and parking areas.
- Proposed building elevations indicate substantial use of masonry products on the front elevations of the buildings.

#### **Other Considerations**

 The applicant has agreed to enlarge the private street width to 27 feet, as required by 1111.04 of the subdivision regulations.

#### Staff Analysis

As outlined above, this land was originally envisioned and approved as a condominium development and has sat fallow for nearly 20-years. Staff feels the proposed basic development plan meets the requirements of the PM District and the general standards for approval outlined in Section 1171.06.

#### **Additional Comments:**

**Fire:** See Attached. The applicant will comply will all fire code requirements.

# **City Engineer:**

- The water and sanitary sewer lines are to be public lines made of City standard materials and they are to be in easements.
- The entrance off of Brandt Pike should be a minimum 36' wide with one lane in and two lanes out.

# **Recommendation**

Staff recommends approval of the basic development plan submitted on January 28, 2022, with the following conditions:

- Applicant shall comply will all fire code requirements.
- The minimum private street pavement width shall be 27 feet.
- The water and sanitary sewer lines are to be public lines made of City standard materials and they are to be in easements.
- The entrance off of Brandt Pike should be a minimum 36' wide with one lane in and two lanes out.

#### **Planning Commission Action**

Planning Commission may take the following actions with a motion to:

- 1) Approve the basic development plan application, with or without conditions.
- 2) Deny the basic development plan.
- 3) Table the application in order to gather additional information.

Robert Simms John Moore Barry Payne James Moore Christine Olinsky

Amended Decision Record to add #5, Brandt Pike road improvements may be needed subject to approval by the City Engineer for changing stripping and painting of future left lane.

### **Action**

Mr. Jeffries moved to approve the request by the applicant Charles V. Simms Development, for approval of a Basic Development Plan for the Gables of Huber Heights, P70 03910 0057 of the Montgomery County Records Map (BDP 22-07) in accordance with the recommendation of Staff's Memorandum dated March 7, 2022, and the Planning Commission Decision Record attached thereto.

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

Move to City Council

 BASIC DEVELOPMENT PLAN - The applicant, Amarjit Takhar, is requesting approval of a Basic Development Plan and Rezoning to (Planned Commercial) PC for 35 acres at State Route 35 for a Service Station (BDP 22-08).

Mr. Sorrell stated that the applicant has provided some preliminary revised plans. The applicant requests approval of a basic development plan and rezoning to Planned Commercial District to construct a fueling center, convenience store, truck stop and diesel repair facility on approximately nine (9) acres of a 35-acre parcel. The site is adjacent to the I-70 / SR 235 interchange.

The land is currently zoned "I-1" Light Industrial and Mixed-Use District. The surrounding lands are predominantly zoned I-1 and used for manufacturing or logistics purposes. There is a significant amount of agricultural / vacant land immediately east of this site in Clark County that has development potential but limited access to SR 235 and I-70.

The proposed service station and diesel repair facilities are Special Uses within the existing I-1 zoning district. The convenience store is not a principally permitted use in the existing I-1 zoning district.

There is an existing service station with convenience store adjacent to this site zoned Planned Commercial.

### **On-Site Uses and Facilities**

The applicant is proposing two buildings, one 6,720 SF building containing a convenience store and restaurant, and the second 6,642 SF diesel truck repair facility. Both buildings are proposed to be clad with a mix of brick and stucco EFIS.

Fuel will be dispensed through one five-pump island in front of the convenience store, and a second five-pump island located at the rear of the property for semi-trucks and large oversized vehicles. Both fueling islands will be covered by large canopies.

Parking is provided throughout the site. The applicant is proposing 62 parking spaces, including 10 for semi-trucks.

# **Applicable Zoning Regulations**

The appliable zoning chapters include: 1171 General Provisions, 1176 Planned Commercial District, 1181 General Provisions, 1182 Landscaping and Screening, 1185 Parking and Loading. The relevant sections are citied below:

#### Staff Analysis

The analysis below is based on the application and drawings originally submitted as a Planned Industrial District. Staff realized this application was in error, but not in time to enable the applicant to revise the drawings for this meeting. Additionally, staff has been in discussion with the applicant to reconfigure the site plan to allow for a future extension of Center Point 70 Blvd. The applicant has agreed to make these accommodations and is working on these revisions.

# **Conformance with Zoning Regulations:**

# 1176 (PC) Planned Commercial District

The proposed uses are principally permitted in the PC district. The current plan indicates a 10-foot perimeter buffer yard, which must be 15-feet. All other standards for this Chapter are met.

# Chapter 1181 General Provisions

The proposal meets the requirements of Chapter 1181, with the exception of the following items are not in compliance or not illustrated on the Basic Development Plan:

- Street trees shall be placed every 40-feet along the public street.
- No exterior lighting plan was submitted. Unless otherwise directed by the Planning Commission, parking light fixtures shall not exceed 25 feet in height.

#### Chapter 1182 Landscaping and Screening Standards

The Basic Development Plan indicates potential locations for landscape islands and trees within the parking areas. Additional detail shall be provided during the detailed development plan phase.

#### Chapter 1185 Parking and Loading

The proposal generally meets the requirements of Chapter 1185. The applicant is illustrating parking island landscaping. The maximum required number of parking spaces required is approximately 67 total spaces. The plan indicates 62 proposed spaces. The number of required parking spaces is likely to decrease once the final area of the convenience store (less storage) and restaurant are determined.

# <u>Chapter 1193 Trailers, Trucks, Recreational Vehicles, Boats, Farm or Construction Equipment</u>

The proposal meets the requirements of this chapter which limits the number of semi parking spaces to no more than ten spaces. The plans indicate ten spaces that are correctly dimensioned.

#### Other Considerations:

The original submission illustrates a driveway that aligns with Center Point 70 Boulevard. This alignment would severely limit any future expansion of the roadway to the east. Staff has asked the applicant to redesign the site to allow a future extension of Center Point 70 by moving the gas pumps and store further south and/or changing their alignment. This will enable the roadway to be extended in the future with less disruption to the business. This extension would also provide hundreds of acres of potential development lands with better access to I-70. The applicant has agreed, and is currently working on these revisions.

#### **Additional Comments:**

Fire: See Attached. The applicant will comply will all fire code requirements.

#### **City Engineer:**

#### Recommendation

Staff recommends approval of the rezoning from I-1 to Planned Commercial and approval of the basic development plan with the following conditions:

- A 15-foot buffer yard shall be illustrated on the basic development plan
- Street trees shall be placed every 40-feet
- The applicant shall revise the alignment and location of the gas pumps and convenience store to allow for a future extension of Center Point 70 Boulevard.
- Applicant shall comply with all fire code requirements.
- Prior to submission to City Council for review and approval, applicant shall resubmit a basic development plan that conforms with the conditions above.

# **Planning Commission Action**

Planning Commission may take the following actions with a motion to:

- 4) Approve the rezoning and basic development plan application, with or without conditions.
- 5) Deny the basic development plan.
- 6) Table the application in order to gather additional information.

Chris Besecker

#### Action

Mr. Jeffries moved to table the request by the applicant Amarjit Takhar, for approval of a Basic Development Plan and Rezoning to Planned Commercial (PC) to construct a fueling center, convenience store, truck stop and diesel repair facility on approximately nine (9) acres of a 35-acre parcel located on the East side of intersection of SR 235 and Center Point 70 Blvd, Parcel Numbers P70-03903-0079 and P70-03903-0005 of the Montgomery County Records Map (BDP 22-08) in accordance with the recommendation of Staff's Memorandum dated March 10, 2022, and the Planning Commission Decision Record attached thereto.

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

4. BASIC DEVELOPMENT PLAN - The applicant, DEC Land Co., I LLC, is requesting approval of a Detailed Development Plan and Final Plat for Section 7, Phase 5 of the Carriage Trails Development (DDP 22-10).

Mr. Sorrell stated that the applicant requests approval of the detailed development plan and final plat for section seven, phase five of the Carriage Trails subdivision. This phase contains 65 lots on approximately 17.34 acres.

# **Conformance with Zoning Regulations**

The detailed development plan conforms to the regulations outlined in Chapter 1179, Planned Mixed Use District and the basic development plan approved by City Council.

The mixture of lot sizes (approximately) are:

60 feet x 130 feet: 53 lots 66 feet x 130 feet: 3 lots 70 feet x 130 feet: 3 lots 77 feet x 130 feet: 6 lots

Minimum yard setbacks: Front & Rear: 25 feet Side: 5 feet

The HOA covenants have the following applicable requirements and restrictions:

- Uses: Limited to a single-family residence
- Building material: The covenants require a minimum of 50% of the single-family homes within each subareas shall have front façade of no less than 25% masonry materials.
- Accessory Buildings: No larger than 10' x 10' shed.
- Fences: Limited to the rear yard, no higher than 4-feet. Chain link fencing is prohibited.

The HOA will be responsible for the care and maintenance of all common areas.

#### **Staff Analysis**

The applicant requests approval of the detailed development plan and final plat for section seven, phase five of the Carriage Trails subdivision. This phase contains 65 lots on approximately 17.34 acres, which is approximately 3.7 units per acre.

It is important to note that the current municipal boundary bisects lots 1-36 because the annexation has not yet been completed. The developer plans to build out the street infrastructure, but not fully plat lots 1-36 until the annexation is complete. Staff is supportive of this approach on the condition that no zoning permit shall be issued for lots 1-36 until such time as these lots are fully platted and recorded within the City of Huber Heights.

#### **Additional Comments:**

Fire: See attached

#### **City Engineer:**

 The temporary cul-de-sac near the intersection of Arrowwood Street and Woodmint Drive is not required and can be removed if desired.

#### Recommendation

Staff recommends approval of the detailed development plan submitted on February 18, 2022, with the condition that that no zoning permit shall be issued for lots 1 – 36 until such time as these lots are fully platted and recorded within the City of Huber Heights.

#### **Planning Commission Action**

Planning Commission may take the following actions with a motion to:

- 7) Approve the Detailed Development Plan; or,
- 8) Deny the Detailed Development Plan.

Ken Conaway

#### **Action**

Mr. Jeffries moved to approve the request by the applicant DEC Land Co. I LLC, for approval of the Detailed Development Plan and Final Plat for section 7, Phase 5 of the Carriage Trails subdivision (DDP 22-10) in accordance with the recommendation of Staff's Memorandum dated March 8, 2022, and the Planning Commission Decision Record attached thereto.

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

#### VIII. Additional Business

1. Proposed Change to an Existing Ordinance for Planning Commission Recommendation for Sidewalks and Curb Associated with all New Development within the City (ORD 22-16).

#### **Action**

Ms. Vargo moved to approve the request by the applicant The City of Huber Heights, for a proposed change to an Existing Ordinance for Sidewalks and Curb Associated with all New Development within the City (ORD 22-16).

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

# IX. Approval of the Minutes

Without objection, the minutes of the January 25, 2022, and February 15, 2022, Planning Commission meeting are approved.

# X. Reports and Calendar Review

Rezoning State Route 235 Basic Development Plan Brandt Pike, North of the Reserves Comprehensive Plan Mid-April, Yard, Inc.

# XI. Upcoming Meetings

March 15, 2022 March 29, 2022

# XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 8:05 p.m.

Terry Walton, Chair	Date
Geri Hoskins, Administrative Secretary	Date

# CITY OF HUBER HEIGHTS STATE OF OHIO

# ORDINANCE NO. 2022-O-

TO APPROVE A MAJOR CHANGE TO THE BASIC AND DETAILED DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 5840 OLD TROY PIKE AND FURTHER IDENTIFIED AS PARCEL NUMBER P70-01923-0004 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND REJECTING THE RECOMMENDATION OF THE PLANNING COMMISSION (ZONING CASE 21-45).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Zoning Case 21-45 and on March 15, 2022, recommended denial by a vote of 3-1 of the Major Change to the Basic and Detailed Development Plan; and

WHEREAS, the City Council has considered the issue.

Section 3.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. The application requesting approval of a Major Change to the Basic and Detailed Development Plan in a PC (Planned Commercial) District (Zoning Case 21-45) is hereby approved with the following conditions:

- 1. Uses shall be limited to automobile sales and minor service of for-sale vehicles only.
- 2. The applicant shall comply with all Fire and Building Codes prior to occupancy.
- 3. The parking and display area shall be designed and striped to meet the parking requirements of Chapter 1185.
- 4. Lighting shall meet the requirements of City Code 1181.21.
- Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

This Ordinance shall go into effect upon its passage as provided by law and the

Charter of the City of Huber Heights.	
Passed by Council on the day of Yeas; Nays.	, 2022;
Effective Date:	
AUTHENTICATION:	
Clerk of Council	Mayor
Date	Date

Al-8379 Pending Business B.

City Council Meeting City Manager

**Meeting Date:** 05/09/2022

ZC BDP 22-07 - Charles Simms Development - The Gables - Basic Development Plan - Brandt Pike

Submitted By: Geri Hoskins

Department: Planning Division: Planning Council Committee Review?: Council Work Date(s) of Committee Review: 04/05/2022

Session

Audio-Visual Needs: SmartBoard Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

#### **Agenda Item Description or Legislation Title**

An Ordinance To Approve A Basic Development Plan For The Property Located On Brandt Pike North Of The Reserves At The Fairways And Further Identified As Parcel Number P70-03910-0057 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Zoning Case BDP 22-07). (second reading)

#### **Purpose and Background**

The applicant, Charles Simms Development, is requesting approval of a Basic Development Plan.

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

**Drawings** 

Elevations

Traffic Impact Study

Stormwater Memorandum

Fire Assessment

Resident Letter

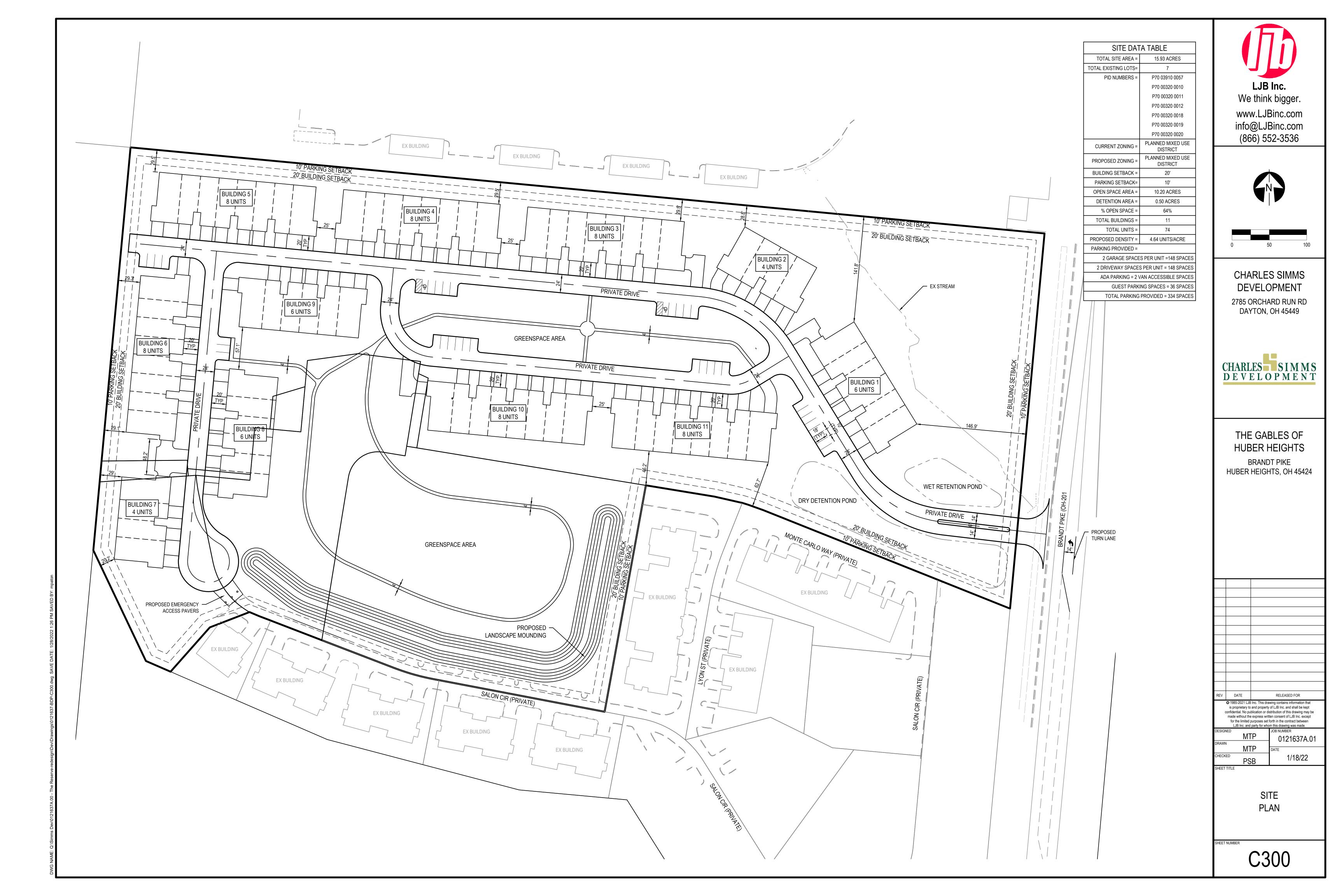
Staff Report

**Decision Record** 

Minutes

Ordinance







FRONT ELEVATION



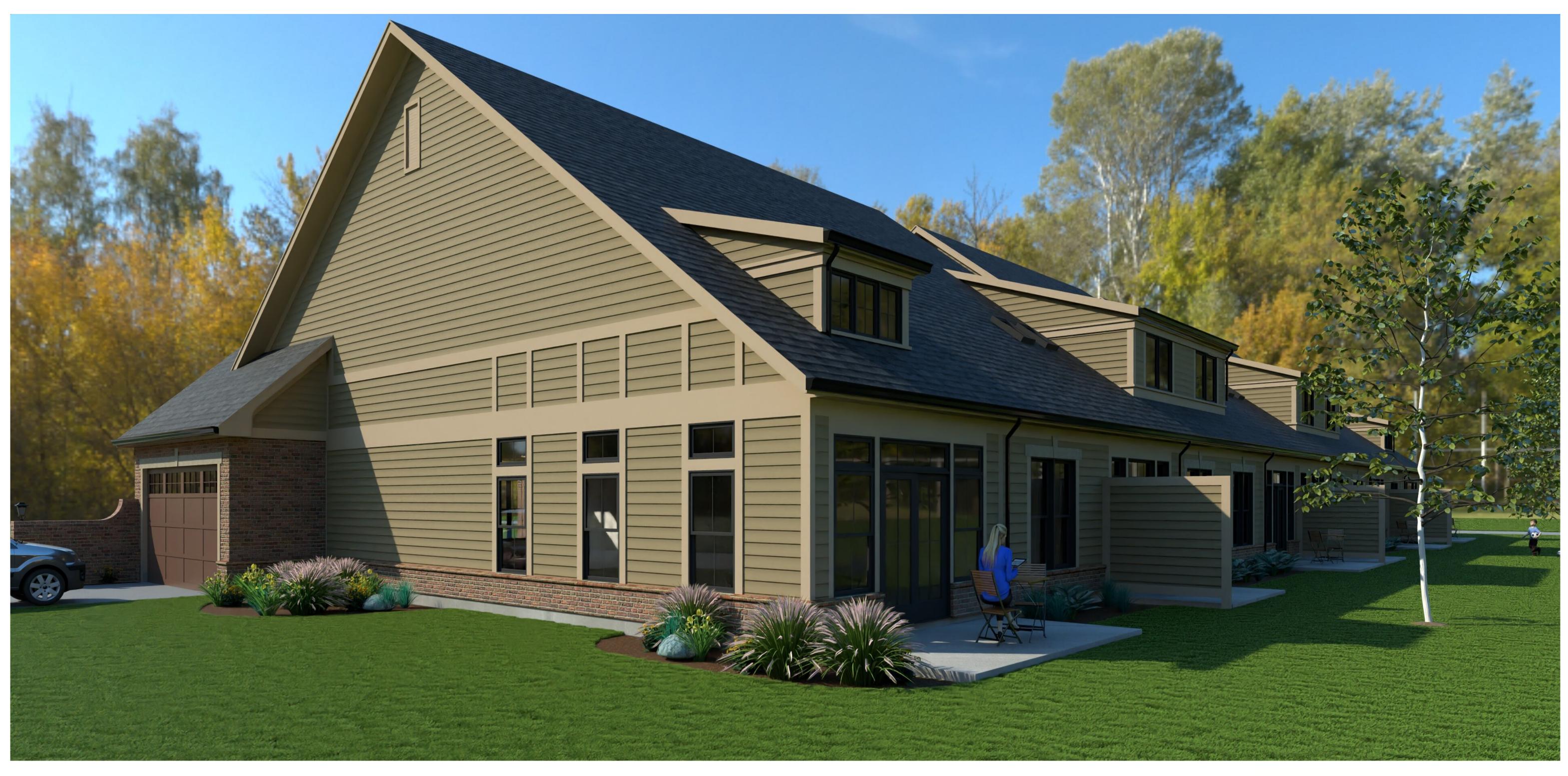




**RIGHT SIDE ELEVATION** 



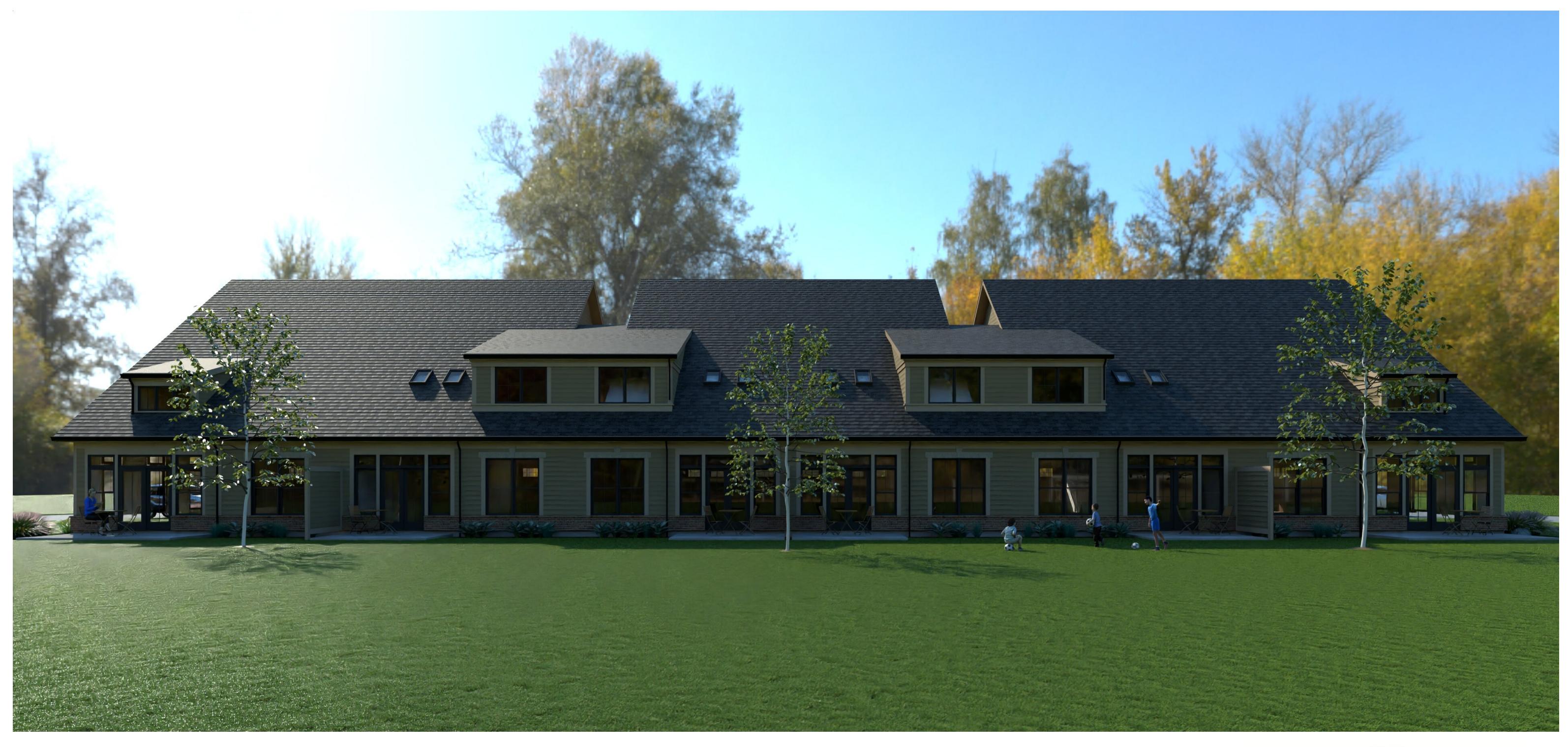




LEFT SIDE REAR ELEVATION



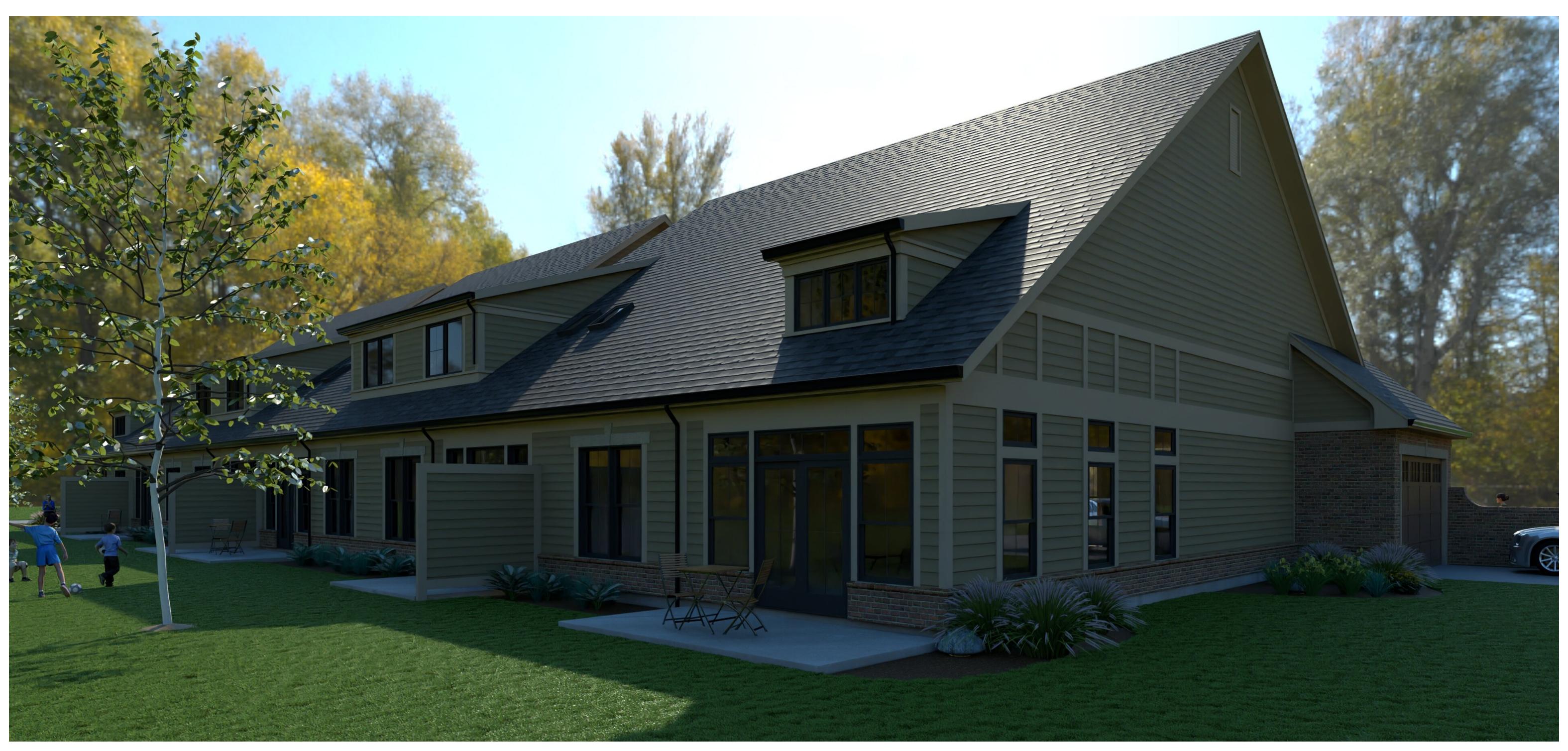




**REAR ELEVATION** 







RIGHT SIDE REAR ELEVATION







LEFT SIDE ELEVATION







1 February 2022

Russell Bergman, P.E. City Engineer City of Huber Heights Government Center 6131 Taylorsville Road Huber Heights, OH 45424

Re: Traffic Impact Study: The Reserves (Simms Development) Proposed Access Point on SR 201 (625' North of Shull Rd.)

Dear Mr. Bergman,

LJB has finished analysis of the subject access point on SR 201. The following is a summary of the analysis and our recommendations.

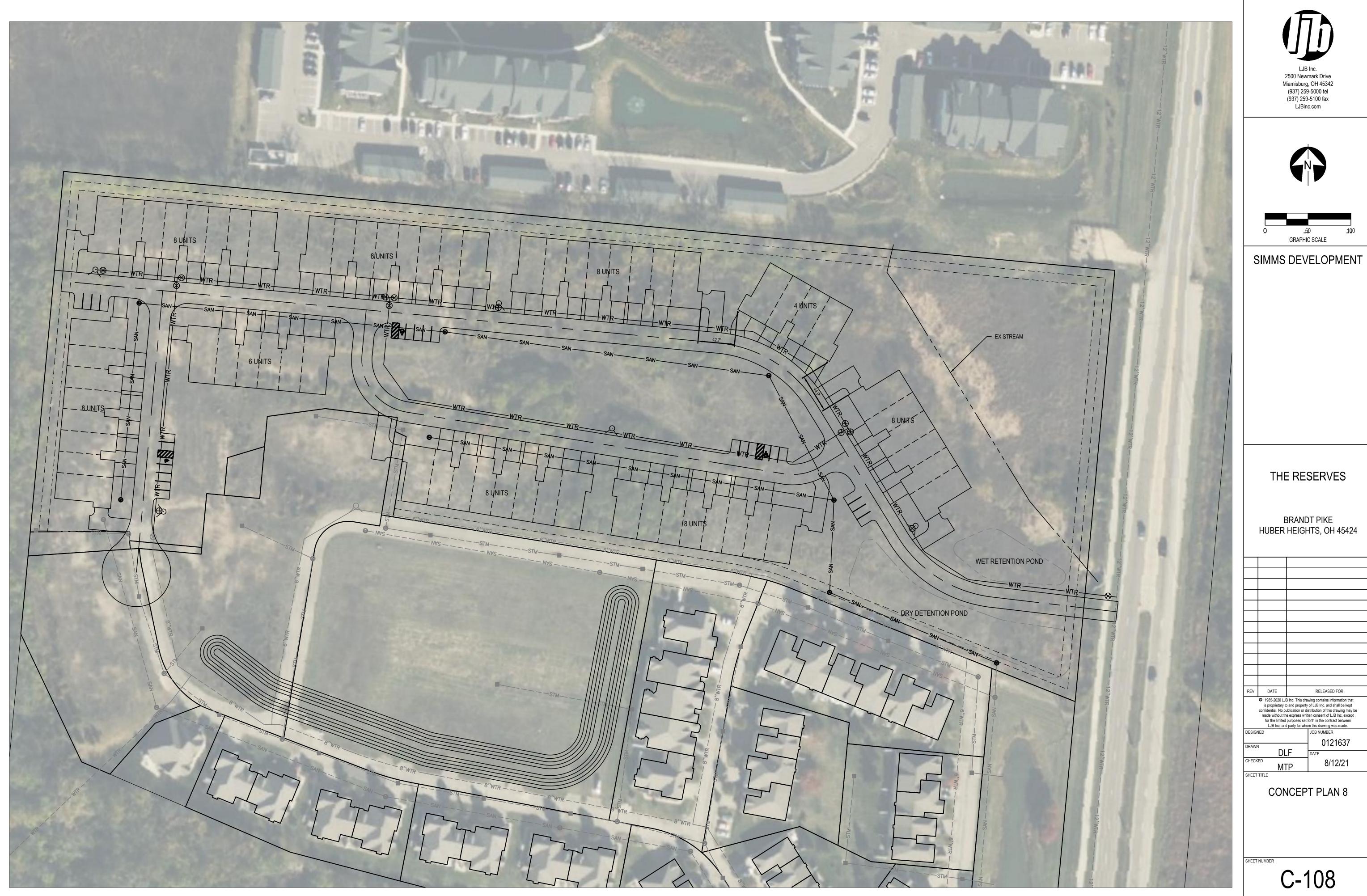
- > LJB collected 24-hour vehicular volume/speed/classification data on SR 201 in front of the proposed development 12-14 January 2022. Analysis of that data indicated that the AM and PM peak hours were at 07:00 and 16:45, respectively. Further, the recorded 85<sup>th</sup> percentile speed was 50.2 mph.
- > The proposed development is 66 multifamily housing units. Site generated trips were estimated using data and methodologies from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition for Land Use code 220 Multifamily Housing (Low-Rise). The total expected AM peak hour trips = 21 and the total expected PM peak hour trips = 41.
- > Trips to/from the proposed development were based on the directional distribution of vehicles on SR 201 during the respective peak hour. For example: during the AM peak, 74.7% of the vehicles were going southbound and during the PM peak, 62.0% of the vehicles were going northbound.
- > To determine if turn lanes on SR 201 would be needed, LJB used ODOT turn lane warrant procedures and criteria. Based on this analysis, a southbound right turn lane is not warranted. However, a northbound left turn lane is warranted. The recommended turn lane should be 225'. (The 225' length includes the 50' taper.)
- > Traffic operation (capacity) of the proposed intersection, including the proposed northbound left turn lane, was evaluated using HCS software. The calculated delays and the associated levels of service (LOS) for the AM and PM peak hours do not indicate that there should be any appreciable delays experienced by northbound or southbound vehicles on SR 201. The LOS for both the AM and PM peak hours is an "A".

Respectfully,

Jason Oaks, P.E. Traffic Engineer

LJB Inc.

Attachments: Proposed Development Site Plan, Count Data, Trip Generation, Turn Lane Warrants, HCS Reports



V	DATE	RELEASED FOR
	is proprietary to	B Inc. This drawing contains information that of and property of LJB Inc. and shall be kept

Vandalia, OH

LOCATION: SR201 965' N OF SHULL

Direction, Com	Dirica	_														
12-Jan-22		> 228 - 360 in.	> 360 -	> 429.6 -	> 474 - 480 in.	> 480 -	> 504 -	> 546 -	> 584.4 -	> 660 -	> 720 -	> 828 -		Total	Total	Total
	0 - 228 in.	SU-30,M	429.6 in.	474 in.	CITY-	504 in.	546 in.	584.4 in.	660 in.	720 in.	828 in.	867.6 in.	> 867.6			Trucks
Time	Р	Н	S-Bus 36	SU-40	BUS	P/B	WB-40	P/T	WB-50	A-BUS	WB-62	WB-67D	in.	Vehicles	Buses	+Buses
00:00	*	*	*	*	*	*	*		* *	*	*	*	*	0	0	0
01:00	*	*	*	*	*	*	*	•		*	*	*	*	0	0	0
02:00	*	*		*	*	*	*	:		*	*	*	*	0	0	0
03:00	*	*		*	*	*	*	:		*	*	*	*	0	0	0
04:00	*	*		*	*	*	*			*	*	*	*	0	0	0
05:00	*	*	*	*	*	*	*	•		*	*	*	*	0	0	0
06:00	*	*		*	*	*	*			*	*	*	*	0	0	0
07:00	*	*		*	*	*	*			*	*		*	0	0	0
08:00	*	*		*	*	*	*			*	*	*	*	0	0	0
09:00	*	*		*	*	*	*		*	*	*		*	0	0	0
10:00	*	*		*	*	*	*			*	*	*	*	0	0	0
11:00	*	*	*	*	*	*	*	•		*	*	*	*	0	0	0
12:00	83	4		1	0	0	0	1	•	1	1	0	0	93	1	10
13:00	658	24	5	2	0	1	1	1	0	1	2		1	697	5	39
14:00	715	43	8	0	0	2	1	1	· ·	1	0		1	773	8	58
15:00	873	41	6	4	0	2	1	(	0	1	0	1	1	930	6	57
16:00	983	56	3	0	0	0	2	(		0	0	0	0	1044	3	61
17:00	978	53		0	0	0	0	1	1	0	0	0	0	1036	3	58
18:00	784	28		1	0	1	0	(	0	0	1	0	1	818	2	34
19:00	488	23		1	0	0	0	(	0	0	1	0	0	513	0	25
20:00	337	18	2	1	0	0	1	(	) 1	0	0	0	1	361	2	24
21:00	271	17	0	0	0	0	0	(	0	0	0	0	0	288	0	17
22:00	142	8	1	0	0	0	0	(	0	0	0	0	0	151	1	9
23:00	70	6		0	0	1	1	(	0	0	0		0	79	1	9
Total	6382	321	32	10	0	7	7	4	4	4	5	2	5	6783	32	401
% Total	94.1%	4.7%	0.5%	0.1%	0.0%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.0%	0.1%	100.0%	0.5%	5.9%
AM Peak																
	*	*		*	*	*	*	:		*	*	*	*	*	*	*
MID Peak	15:00	14:00	14:00	15:00		14:00	13:00	12:00	12:00	12:00	13:00	13:00	13:00	15:00	14:00	14:00
	873	43		4	*	2	1	1	·	1	2		1	930	8	58
PM Peak	16:00	16:00	14:00	15:00		14:00	16:00	12:00	12:00	12:00	13:00	13:00	13:00	16:00	14:00	16:00
	983	56	8	4	*	2	2	1	1	1	2	1	1	1044	8	61

Vandalia, OH

LOCATION: SR201 965' N OF SHULL

Direction, Com	birieu															
13-Jan-22		> 228 - 360 in.	> 360 -	> 429.6 -	> 474 - 480 in.	> 480 -	> 504 -	> 546 -	> 584.4 -	> 660 -	> 720 -	> 828 -		Total	Total	Total
	0 - 228 in.	SU-30,M	> 300 - 429.6 in.	> 429.6 - 474 in.	CITY-	> 460 - 504 in.	546 in.	584.4 in.	> 364.4 - 660 in.	720 in.	> 720 - 828 in.	> 626 - 867.6 in.	> 867.6	lotai	Total	Trucks
Time	P 220 III.	H	S-Bus 36	SU-40	BUS	P/B	WB-40	P/T	WB-50	A-BUS	WB-62	WB-67D	in.	Vehicles	Buses	+Buses
00:00	39	2	0	0	0	0	0	0	0	0	0	0	0	41	0	2
01:00	16	2	0	0	0	0	0	0	0	0	0	0	0	18	0	2
02:00	19	1	0	0	0	0	0	0	0	0	1	0	0	21	0	2
03:00	30	3	0	0	0	0	0	0	0	0	0	0	0	33	0	3
04:00	78	3	0	0	0	0	0	0	0	0	2	1	0	84	0	6
05:00	189	6	0	1	0	0	0	0	0	2	1	0	0	199	0	10
06:00	382	18	1	0	0	0	0	0	1	1	0	0	1	404	1	22
07:00	572	39	0	3	0	1	0	1	0	1	0	0	0	617	0	45
08:00	483	32	3	4	0	3	0	0		0	4	0	0	529	3	46
09:00	492	22	4	3	0	2	2	2	1	1	2	1	1	533	4	41
10:00	490	39	4	2	1	0	0	0	0	2	3	0	0	541	5	51
11:00	576	31	6	0	0	0	0	1	0	1	3	0	0	618	6	42
12:00	616	35	3	3	0	1	0	1	3	2	1	1	0	666	3	50
13:00	622	40	10	2	1	0	2	0	3	0	4	1	0	685	11	63
14:00	725	40	7	2	1	2	1	1	3	1	2	0	2	787	8	62
15:00	776	51	5	4	0	0	1	1	0	2	2	0	0	842	5	66
16:00	926	52	3	0	1	0	0	1	0	0	0	0	0	983	4	57
17:00	977	41	2	1	0	2	1	0		0	1	0	1	1027	2	50
18:00	718	29	0	1	0	0	0	0	2	0	1	0	0	751	0	33
19:00	516	24	2	0	0	2	0	1	0	0	0	0	0	545	2	29
20:00	362	19	1	0	0	1	0	0	0	0	0	0	0	383	1	21
21:00	230	12	0		0	0	0	0	-	0	1	1	0	244	0	14
22:00	155	6	0		0	1	1	0		0	0	0	0	163	0	8
23:00	80	6	0	0	0	0	0	0		0	0	0	0	86	0	6
Total	10069	553	51	26	4	15	8	9		13	28	5	5	10800	55	731
% Total	93.2%	5.1%	0.5%	0.2%	0.0%	0.1%	0.1%	0.1%		0.1%	0.3%	0.0%	0.0%	100.0%	0.5%	6.8%
AM Peak	11:00	07:00	11:00	08:00	10:00	08:00	09:00	09:00		05:00	08:00	04:00	06:00	11:00	11:00	10:00
	576	39	6	4	1	3	2	2		2	4	1	1	618	6	51
MID Peak	15:00	15:00	13:00	15:00	10:00	09:00	09:00	09:00	12:00	10:00	13:00	09:00	14:00	15:00	13:00	15:00
	776	51	10	4	1	2	2	2		2	4	1	2	842	11	66
PM Peak	17:00	16:00	13:00	15:00	13:00	14:00	13:00	12:00	12:00	12:00	13:00	12:00	14:00	17:00	13:00	15:00
	977	52	10	4	1	2	2	1	3	2	4	1	2	1027	11	66

Vandalia, OH

LOCATION: SR201 965' N OF SHULL

Direction, Com	birieu															
44 lan 22		> 228 -		400.0	> 474 -	400		- 40						Tatal	Tatal	Tatal
14-Jan-22	0 - 228 in.	360 in. SU-30,M	> 360 - 429.6 in.	> 429.6 - 474 in.	480 in. CITY-	> 480 - 504 in.	> 504 - 546 in.	> 546 - 584.4 in.	> 584.4 - 660 in.	> 660 - 720 in.	> 720 - 828 in.	> 828 - 867.6 in.	> 867.6	Total	Total	Total Trucks
Time	P 220 III.	H	S-Bus 36	SU-40	BUS	P/B	WB-40	P/T	WB-50	A-BUS	WB-62	WB-67D	> 007.0 in.	Vehicles	Buses	+Buses
00:00	48	3	0		0	0	0	0	0	0	0		0	51	0	3
01:00	21	1	0	0	0	0	0	1	0	0	0	0	0	23	0	2
02:00	28	0	0	0	0	0	0	0	0	0	1	0	0	29	0	1
03:00	27	1	0	1	0	0	0	0	0	0	0	0	0	29	0	2
04:00	58	2	0	0	0	0	0	0	0	0	0	0	0	60	0	2
05:00	166	7	1	1	0	0	2	0	0	1	0	0	0	178	1	12
06:00	344	12	1	1	0	0	0	1	1	0	0	0	0	360	1	16
07:00	552	25	1	2	1	1	0	0	0	0	0	1	0	583	2	31
08:00	472	29	5	2	1	2	3	0	1	0	2	0	2	519	6	47
09:00	488	37	4	3	0	1	0	1	1	0	2	0	0	537	4	49
10:00	484	36	8	2	0	0	1	2		0	1	1	1	537	8	53
11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0	0	0
12:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0	0	0
13:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0	0	0
14:00	*	*	*		*	*	*	*	*	*	*	*	*	0	0	0
15:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0	0	0
16:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0	0	0
17:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0	0	0
18:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0	0	0
19:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0	0	0
20:00	*	*	*	*	*	*	*	*		*	*	*	*	0	0	0
21:00	*	*	*	*	*	*	*	*		*	*	*	*	0	0	0
22:00	*	*	*		*	*	*	*	*	*	*	*	*	0	0	0
23:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0	0	0
Total	2688	153	20		2	4	6	5		1	6		3	2906	22	218
% Total	92.5%	5.3%	0.7%	0.4%	0.1%	0.1%	0.2%	0.2%		0.0%	0.2%	0.1%	0.1%	100.0%	0.8%	7.5%
AM Peak	07:00	09:00	10:00	09:00	07:00	08:00	08:00	10:00		05:00	08:00	07:00	08:00	07:00	10:00	10:00
MID Deed	552	37	8	3	1	2	3	2		1	200.00		2	583	8	53
MID Peak	09:00	09:00	10:00	09:00	*	09:00	10:00	10:00		*	09:00	10:00	10:00	09:00	10:00	10:00
DM Deels	488	37	8	3		1	1	2	1		2	1	1	537	8	53
PM Peak	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Grand Total	19139	1027	103	48	6	26	21	18	22	18	39	9	13	20489	109	1350
% Grand Total	93.4%	5.0%	0.5%	0.2%	0.0%	0.1%	0.1%	0.1%		0.1%	0.2%	0.0%	0.1%	100.0%	0.5%	6.6%

LOCATION: SR201 965' N OF SHULL Direction: Combined

12-Jan-22	Dirica	. 45 00	. 20 25	. 05 00	. 20 25	. 25 40	. 40 45	. 45 50	. 50 55			. 05 70		
	0 - 15 MPH	> 15 - 20 MPH	> 20 - 25 MPH	> 25 - 30 MPH	> 30 - 35 MPH	> 35 - 40 MPH	> 40 - 45 MPH	> 45 - 50 MPH	> 50 - 55 MPH	> 55 - 60 MPH	> 60 - 65 MPH	> 65 - 70 MPH	> 70 MPH	Total
0:00	*	*	*	*	*	*	*	*	*	*	*	*	* *	0
1:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
2:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
3:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
4:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
	*	*	*	*	*	*	*	*	*	*	*	*	*	0
5:00 6:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
	*	*	*	*	*	*	*	*	*	*	*	*	*	0
7:00 8:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
9:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
10:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
12:00	1	0	0	0	3	13	30	29	15	2	0	0	0	93
13:00	0	0	0	2	10	88	237	240	98	21	1	0	0	697
	0	0	0	4	15	90	269	240	129	16	5	0	1	773
14:00		0		4								1	1	
15:00	0	0	0	3	15	115 107	310 293	326	135 173	21 27	4 2	1	2	930 1044
16:00 17:00	0	0	0	3	19 13	135	331	419 397	129	23	2	3	-	
	0	0	0	3	19	168	311	251	54	12		3	0	1036
18:00		0	1	1			180	174		7	1	1		818
19:00	0	-	•	1	18	96			35	7	0	1	0	513
20:00	0	0	0	0	11	64	149	100	30		0	0	0	361
21:00	0	0	0	1	8	53	116	76	29	2	3	0	0	288
22:00	0	0	0	1	2	27	55	44	14	5	2	0	1	151
23:00	0	0	0	0	3	12	27	20	12	4	0	0	1	79
Total	1	0	1	17	136	968	2308	2320	853	147	20	2.40/	5	6783
% Total	0.0%	0.0%	0.0%	0.3%	2.0%	14.3%	34.0%	34.2%	12.6%	2.2%	0.3%	0.1%	0.1%	

Vandalia, OH

LOCATION: SR201 965' N OF SHULL

Direction. Comp	Jirieu													
13-Jan-22		> 15 - 20	> 20 - 25	> 25 - 30	> 30 - 35	> 35 - 40	> 40 - 45	> 45 - 50	> 50 - 55	> 55 - 60	> 60 - 65	> 65 - 70		
Time	0 - 15 MPH	MPH	MPH	MPH	MPH	MPH	MPH	MPH	MPH	MPH	MPH	MPH	> 70 MPH	Total
0:00	0	0	0	1	2	5	13	10	8	1	1	0	0	41
1:00	0	0	0	0	0	6	4	4	1	1	1	1	0	18
2:00	0	0	0	0	2	5	8	4	2	0	0	0	0	21
3:00	0	0	0	0	0	10	12	9	2	0	0	0	0	33
4:00	0	0	0	0	4	11	30	26	10	3	0	0	0	84
5:00	0	1	0	0	8	25	59	69	29	7	1	0	0	199
6:00	0	0	0	0	7	66	130	123	62	15	1	0	0	404
7:00	0	0	0	2	19	81	208	200	84	21	2	0	0	617
8:00	0	0	1	0	11	57	156	203	91	8	2	0	0	529
9:00	0	0	0	0	3	56	174	216	67	15	1	1	0	533
10:00	0	0	0	4	3	52	201	195	72	10	3	1	0	541
11:00	0	0	0	0	13	75	170	257	85	12	6	0	0	618
12:00	0	0	0	1	30	95	219	210	92	15	4	0	0	666
13:00	0	0	1	0	11	70	206	255	98	34	5	2	3	685
14:00	0	0	0	0	6	77	240	324	117	21	2	0	0	787
15:00	0	0	0	0	10	88	273	305	135	24	6	1	0	842
16:00	0	0	0	0	7	68	298	416	152	38	2	2	0	983
17:00	0	0	0	0	7	119	381	374	120	24	2	0	0	1027
18:00	0	0	0	6	27	117	333	205	54	8	1	0	0	751
19:00	0	0	4	1	17	126	176	171	43	7	0	0	0	545
20:00	0	0	0	4	6	65	155	108	36	7	1	0	1	383
21:00	0	0	0	0	7	39	95	69	24	8	1	0	1	244
22:00	0	0	0	0	7	36	51	42	20	5	0	1	1	163
23:00	0	0	0	0	4	15	27	22	12	3	1	0	2	86
Total	0	1	6	19	211	1364	3619	3817	1416	287	43	9	8	10800
% Total	0.0%	0.0%	0.1%	0.2%	2.0%	12.6%	33.5%	35.3%	13.1%	2.7%	0.4%	0.1%	0.1%	

LOCATION: SR201 965' N OF SHULL

Direction: Comb	pined													
14-Jan-22		> 15 - 20	> 20 - 25	> 25 - 30	> 30 - 35	> 35 - 40	> 40 - 45	> 45 - 50	> 50 - 55	> 55 - 60	> 60 - 65	> 65 - 70		
	0 - 15 MPH	MPH	MPH	MPH	MPH	MPH	MPH	MPH	MPH	MPH	MPH	MPH	> 70 MPH	Total
0:00	0	0	0	0	1	10	17	19	2	1	0	0	1	51
1:00	0	0	0	0	2	5	7	8	0	1	0	0	0	23
2:00	0	0	0	0	2	10	4	6	5	2	0	0	0	29
3:00	0	0	0	0	4	6	13	4	2	0	0	0	0	29
4:00	0	1	0	0	0	12	23	16	5	2	1	0	0	60
5:00	0	0	0	1	3	22	68	56	24	4	0	0	0	178
6:00	0	0	0	0	3	53	117	115	51	19	1	1	0	360
7:00	0	0	0	3	12	75	197	209	76	7	3	0	1	583
8:00	0	0	0	1	12	69	174	176	66	18	2	1	0	519
9:00	0	0	0	1	8	69	194	169	72	20	3	1	0	537
10:00	0	0	0	5	7	79	189	175	75	3	3	1	0	537
11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
12:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
13:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
14:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
15:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
16:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
17:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
18:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
19:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
20:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
21:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
22:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
23:00	*	*	*	*	*	*	*	*	*	*	*	*	*	0
Total	0	1	0	11	54	410	1003	953	378	77	13	4	2	2906
% Total	0.0%	0.0%	0.0%	0.4%	1.9%	14.1%	34.5%	32.8%	13.0%	2.6%	0.4%	0.1%	0.1%	
Grand Total	1	2	7	47	401	2742	6930	7090	2647	511	76	20	15	20489
% Grand	0.0%	0.0%	0.0%	0.2%	2.0%	13.4%	33.8%	34.6%	12.9%	2.5%	0.4%	0.1%	0.1%	100.0%
Total														
Speed			Percentile	15th	50th	85th	95th							
			Speed	39.7	45.3	50.2	53.3							
			ed (Average)	45.2										
			Pace Speed	40-49										
			mber in Pace	13933										
			cent in Pace	68.0%										
			er > 35 MPH	20031										
		Percer	nt > 35 MPH	97.8%										

LOCATION: SR2	201 965' N (	OF SHULL
	12- Jan-22	SR I

	12-Jan-22	SB, Lane 1	NB, Lane 2	Combined	
	Wednesday	- ,	, <b>3 _</b>	Total	
00:00		*	*	0	
00:15		*	*	0	
00:30		*	*	0	
00:45		*	*	0	
01:00		*	*	0	
01:15		*	*	0	
01:30		*	*	0	
01:45		*	*	0	
02:00		*	*	0	
02:15		*	*	0	
02:30		*	*	0	
02:45		*	*	0	
03:00		*	*	0	
03:15		*	*	0	
03:30		*	*	0	
03:45		*	*	0	
04:00		*	*	0	
04:15		*	*	0	
04:30		*	*	0	
04:45		*	*	0	
05:00		*	*	0	
05:15		*	*	0	
05:30		*	*	0	
05:45 06:00		*	*	0	
06:00		*	*	0	
06:30		*	*	0	
06:45		*	*	0	
06:45		*	*	0	
07:00		*	*		
07:15		*	*	0	
07:30		*	*	0	
08:00		*	*	0	
08:00		*	*	0	
08:30		*	*	0	
08:45		*	*	0	
09:00		*	*	0	
09:15		*	*	0	
09:30		*	*	0	
09:45		*	*	0	
10:00		*	*	0	
10:15		*	*	0	
10:30		*	*	0	
10:45		*	*	0	
11:00		*	*	0	
11:15		*	*	0	
11:30		*	*	0	
11:45		*	*	0	
12:00		0	0	0	
12:15		0	0	0	
12:30		0	0	0	
12:45		52	41	93	
13:00		94	75	169	
13:15		84	115	199	
13:30		77	73	150	
13:45		82	97	179	
14:00		74	92	166	
		78	109	187	
14:15					
14:15 14:30		111	105	216	
14:15 14:30 14:45		111 82	105 122	216 204	

OCATION: SR201 965' N (	OF SHULL		•	
15:15	96	152	248	
15:30	106	142	248	
15:45	83	129	212	
16:00	110	155	265	
16:15	110	153	263	
16:30	106	145	251	
16:45	104	161	265	
17:00	100	169	269	
17:15	98	183	281	
17:30	101	163	264	
17:45	98	124	222	
18:00	109	125	234	
18:15	89	121	210	
18:30	105	113	218	
18:45	65	91	156	
19:00	51	83	134	
19:15	47	99	146	
19:30	47	69	116	
19:45	41	76	117	
20:00	31	54	85	
20:15	33	63	96	
20:30	39	50	89	
20:45	27	64	91	
21:00	22	65	87	
21:15	38	48	86	
21:30	22	44	66	
21:45	15	34	49	
22:00	18	28	46	
22:15	11	19	30	
22:30	20	33	53	
22:45	8	14	22	
23:00	14	12	26	
23:15	7	16	23	
23:30	4	8	12	
23:45	7	11	18	
Total	2823	3960	6783	_
Percent	41.6%	58.4%	0703	
AM Peak	41.0%	36.4%		
Volume				
Peak Factor Mid Peak	14:15	14:15	14:15	
Volume	378		829	
Peak Factor	0.851	451 0.924	0.934	
PM Peak	16:00	16:45	16:45 1079	
Volume	430	676		
Peak Factor	0.977	0.923	0.960	

	201 965' N OF 13-Jan-22	SB, Lane 1	NB, Lane 2	Combined	
Time 00:00	Thursday	4	10	Total 14	
00:00		4	8	12	_
00:30		6	4	10	
00:45		5	0	5	
01:00		1	3	4	i
01:15		2	3	5	
01:30		3	3	6	
01:45		2	1	3	
02:00		0	3	3	
02:15		1	1	2	
02:30		4	6	10	
02:45		2	4	6	
03:00		1	2	3	
03:15		4	5	9	
03:30		5	3	8	
03:45		5	8	13	
04:00		12	2	14	
04:15		6	7	13	
04:30		12	5	17	
04:45		30	10	40	
05:00		28	8	36	
05:15		33	15	48	
05:30		43	11	54	
05:45		40	21	61	
06:00		57	20	77	
06:15		66	16	82	
06:30		84	27	111	
06:45		104	30	134	
07:00		115	31	146	
07:15		99	38	137	
07:30		128	34	162	
07:45 08:00		119	53	172 140	
08:15		95 90	45 43	133	
08:30		83	50	133	
08:45		69	54	123	
09:00		92	49	141	
09:15		93	57	150	
09:30		74	41	115	
09:45		77	50	127	
10:00		85	54	139	
10:15		83	55	138	
10:30		73	75	148	
10:45		70	46	116	
11:00		64	58	122	
11:15		93	84	177	
11:30		88	67	155	
11:45		89	75	164	
12:00		94	82	176	
12:15		94	79	173	
12:30		73	78	151	
12:45		90	76	166	
13:00		85	91	176	
13:15		77	105	182	
13:30		81	78	159	
13:45		76	92	168	
14:00		89	96	185	
14:15		77	99	176	
14:30 14:45		108 91	107 120	215 211	

15:00

CATION: SR201 965' N (	OF SHULL		,	
15:15	60	115	175	
15:30	110	143	253	
15:45	86	143	229	
16:00	90	138	228	
16:15	95	151	246	
16:30	95	134	229	
16:45	103	177	280	
17:00	102	170	272	
17:15	107	173	280	
17:30	92	138	230	
17:45	92	153	245	
18:00	82	121	203	
18:15	87	117	204	
18:30	88	87	175	
18:45	69	100	169	
19:00	48	86	134	
19:15	59	107	166	
19:30	51	71	122	
19:45	50	73	123	
20:00	36	69	105	
20:15	28	67	95	
20:30	38	61	99	
20:45	28	56	84	
21:00	18	39	57	
21:15	31	42	73	
21:30	19	32	51	
21:45	22	41	63	
22:00	12	32	44	
22:15	15	27	42	
22:30	20	24	44	
22:45	13	20	33	
23:00	11	15	26	
23:15	6	16	22	_
23:30	3	15	18	_
23:45	9	11	20	_
Total	5349	5451	10800	
Percent	49.5%		10000	
		50.5%	07.00	
AM Peak	07:00	10:30	07:00	
Volume	461	263	617	
Peak Factor	0.900	0.783	0.897	
Mid Peak	14:15	14:00	14:00	
Volume	372	422	787	
Peak Factor	0.861	0.879	0.915	
PM Peak	16:30	16:45	16:45	
Volume	407	658	1062	
Peak Factor	0.951	0.929	0.948	

LOCATION: SR	201 965' N OF S	SHULL		varidalia, OF	11
200/11/011/011	14-Jan-22	SB, Lane 1	NB, Lane 2	Combined	
Time	Friday			Total	
00:00		7	12	19	
00:15		8	9	17	
00:30		1	7	8	
00:45		1	6	7	
01:00		2	2	4	
01:15 01:30		2 4	5 2	7	
01:45		3	3	6	
02:00		4	5	9	
02:15		3	4	7	
02:30		2	6	8	
02:45		2	3	5	
03:00		5	1	6	
03:15		2	3	5	
03:30		7	4	11	
03:45		5	2	7	
04:00		3	6	9	
04:15		8	9	17	
04:30		9	3	12	
04:45		16	6	22	
05:00 05:15		24 30	10 10	34 40	
05:30		42	11	53	
05:45		38	13	51	
06:00		45	16	61	
06:15		46	20	66	
06:30		87	23	110	
06:45		95	28	123	
07:00		87	37	124	
07:15		106	53	159	
07:30		115	44	159	
07:45		93	48	141	
08:00		82	43	125	
08:15		80	35	115	
08:30		88	42	130	
08:45		95	54	149	
09:00 09:15		80 83	46 45	126 128	
09:30		94	64	158	
09:45		76	49	125	
10:00		72	61	133	
10:15		88	66	154	
10:30		88	69	157	
10:45		50	43	93	
11:00		*	*	0	
11:15		*	*	0	
11:30		*	*	0	
11:45		*	*	0	
12:00		*	*	0	
12:15		*	*	0	
12:30		*	*	0	
12:45 13:00		*	*	0	
13:15		*	*	0	
13:30		*	*	0	
13:45		*	*	0	
14:00		*	*	0	
14:15		*	*	0	
14:30		*	*	0	
14:45		*	*	0	
15:00		*	*	0	
·		·	·		

LOCATION: SF	R201 965' N OF SHULL			
15:15	*	*	0	
15:30	*	*	0	
15:45	*	*	0	
16:00	*	*	0	
16:15	*	*	0	
16:30	*	*	0	
16:45	*	*	0	
17:00	*	*	0	
17:15	*	*	0	
17:30	*	*	0	
17:45	*	*	0	
18:00	*	*	0	
18:15	*	*	0	
18:30	*	*	0	
18:45	*	*	0	
19:00	*	*	0	
19:15	*	*	0	
19:30	*	*	0	
19:45	*	*	0	
20:00	*	*	0	
20:15	*	*	0	
20:30 20:45	*	*	0	
21:00	*	*	0	
21:15	*	*	0	
21:30	*	*	0	
21:45	*	*	0	
22:00	*	*	0	
22:15	*	*	0	
22:30	*	*	0	
22:45	*	*	0	
23:00	*	*	0	
23:15	*	*	0	
23:30	*	*	0	
23:45	*	*	0	
Total	1878	1028	2906	
Percent	64.6%	35.4%		
AM Peak	06:45	09:45	07:15	
Volume	403	245	584	
Peak Factor	0.876	0.888	0.918	
Mid Peak	09:00	09:45	09:30	
Volume	333	245	570	
Peak Factor	0.886	0.888	0.902	
PM Peak		_		
Volume				
Peak Factor				
Grand Total	10050	10439	20489	
Percentage	49.1%	50.9%		

LOCATION: SR201 965' N OF SHULL

Vandalia, OH

Thursday   SB, Lane 1   NB, Lane 2   Total		13-Jan-22			Combined						
00:00	Time		SB. Lane 1	NB. Lane 2							
00:15											
00:30 6 4 10 00:45 5 0 5 01:00 1 1 3 4 01:15 2 3 5 01:30 3 3 6 01:45 2 1 3 02:20 0 0 3 3 02:15 1 1 1 2 02:30 4 6 10 02:45 2 4 6 03:00 1 2 3 3 03:15 4 5 9 03:30 5 8 13 04:45 5 8 13 04:00 12 2 14 04:15 6 7 13 04:30 12 5 17 04:45 30 10 05:00 28 8 36 05:15 33 15 48 05:30 43 11 54 05:45 40 21 61 06:00 57 20 77 06:15 66 16 82 06:30 84 27 111 06:45 104 30 134 HR HR PEAK TOT 06:45 104 30 134 HR HR PEAK SB, %-Dir NB, %-Dir 07:700 115 31 146   07:730 115 31 146   07:730 12 8 34 162   07:45 119 53 172 461 156 617 74.7% 25.3% 08:00 95 45 140 480 160 630 < 2023 Vol's (2% Growth Obes 15 9) 08:15 90 43 133 08:45 69 54 123 09:00 92 49 141 09:15 93 57 150 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 09:15 93 57 150 09:00 92 49 141 00:00 85 54 139 10:15 83 55 138											
00:45											
01:00 01:16 2 3 5 01:30 3 3 5 01:30 3 3 3 02:00 0 3 3 3 02:15 1 1 1 2 02:30 4 6 10 02:45 2 4 6 10 03:30 1 2 3 03:15 4 5 8 03:30 5 1 2 3 03:15 4 5 8 13 04:00 12 2 14 04:15 6 7 13 04:45 30 10 04:45 30 10 05:00 28 8 36 05:15 33 15 48 05:30 43 11 54 05:45 40 21 61 06:00 57 20 77 06:15 66 16 82 06:30 84 27 111  SB PEAK NB PEAK TOT  06:45 104 07:45 115 116 07:15 116 07:15 117 07:45 118 118 116 118 119 119 119 111 118 119 119 119 119											
01:15				3							
01:30 01:45 2 1 1 3 02:00 0 0 3 3 3 02:15 1 1 1 1 2 02:30 4 6 10 02:45 2 4 6 03:00 1 2 2 3 03:15 4 5 9 03:30 5 3 8 03:45 6 7 13 04:30 12 2 14 04:15 6 7 13 04:30 12 5 17 04:45 30 10 40 05:00 05:15 33 15 48 05:30 43 11 54 05:30 43 11 54 06:30 43 11 54 06:30 66 16 82 06:30 84 27 111  06:45 104 30 134  88 PEAK NB PEAK TOT 06:45 104 30 134  88 PEAK NB PEAK TOT 06:45 104 30 134  88 PEAK NB PEAK TOT 06:45 104 30 134 146 07:70 07:70 07:70 07:70 08:15 105:30 128 34 162 07:30 128 34 162 07:45 119 153 172 1461 156 67 173 08:00 95 45 110 08:15 90 43 133 08:45 69 54 140 148 156 09:00 95 45 140 09:15 90 91 141 156 09:30 158 169 179 180 180 180 180 180 180 180 180 180 180											
01:45	01:30		3	3							
02:15	01:45		2	1	3	-					
02:30	02:00		0	3							
02:45				1							
03:00				6							
03:15											
03:30 5 3 8 13 03:45 5 8 13 04:00 12 2 2 14 04:15 6 7 13 04:30 12 5 17 04:45 30 10 40 05:00 28 8 36 05:15 33 15 48 05:30 43 11 54 06:00 57 20 77 06:15 66 16 82 06:30 84 27 111											
03:45 5 8 13 04:00 12 2 14 04:15 6 7 13 04:30 12 5 17 04:45 30 10 40 05:00 28 8 8 36 05:15 33 15 48 05:30 43 11 54 06:00 57 20 77 06:15 66 16 82 06:30 84 27 111											
04:00											
04:15 6 7 13  04:30 12 5 17  04:45 30 10 40  05:00 28 8 36  05:15 33 15 48  05:30 43 11 54  05:45 40 21 61  06:00 57 20 77  06:15 66 16 82  06:30 84 27 111  SB PEAK NB PEAK TOT  06:45 104 30 146 HR HR PEAK HR SB, %-Dir NB, %-Dir NB, %-Dir NF, %-D											
04:30											
04:45 30 10 40  05:00 28 8 8 36  05:15 33 15 48  05:30 43 11 54  05:45 40 21 61  06:00 57 20 77  06:15 66 16 82  06:30 84 27 111  SB PEAK NB PEAK TOT  06:45 104 30 134 HR HR PEAKHR SB, %-Dir NB, %-Dir  07:00 115 31 146											
05:00         28         8         36           05:15         33         15         48           05:30         43         11         54           05:45         40         21         61           06:00         57         20         77           06:15         66         16         82           06:30         84         27         111           SB PEAK NB PEAK TOT HR HR HR PEAKHR SB, %-Dir NB, %-Dir N											
05:15 33 15 48 05:30 43 11 54 05:45 40 21 61 06:00 57 20 77 06:15 66 16 82 06:30 84 27 111    SB PEAK NB PEAK TOT											
05:30											
05:45											
06:00 57 20 77 06:15 66 16 82 06:30 84 27 111    SB PEAK NB PEAK TOT   NB, %-Dir NB, %-Dir NF, %											
06:15         66         16         82           06:30         84         27         111           SB PEAK NB PEAK TOT           06:45         104         30         134         HR         HR         PEAK HR         SB, %-Dir         NB, %-Dir           07:00         115         31         146											
06:30         84         27         111           06:45         104         30         134         HR         HR         HR         PEAK HR         SB, %-Dir         NB, %-Dir           07:00         115         31         146         Image: Control of the control of											
SB PEAK NB PEAK TOT   NB, %-Dir NB, %-Dir   O7:00   115   31   146											
06:45         104         30         134         HR         HR         PEAK HR         SB, %-Dir         NB, %-Dir           07:00         115         31         146         Image: Control of the control of th	00.00		04	21			SB PFAK	NR PFAK	TOT		
07:00         115         31         146           07:15         99         38         137           07:30         128         34         162           07:45         119         53         172         461         156         617         74.7%         25.3%           08:00         95         45         140         480         160         630         << 2023 Vol's (2% Growth 08:15)           08:30         83         50         133         133         133         133         133         133         133         133         134         141         141         141         141         141         141         141         141         141         141         141         141         141         141         141         141         142         143         144	06:45		104	30	134					SB. %-Dir	NB. %-Dir
07:15         99         38         137							1	1117	,	02, 70 2	112, 70 2
07:30         128         34         162         461         156         617         74.7%         25.3%           08:00         95         45         140         480         160         630         << 2023 Vol's (2% Growth 08:15)         90         43         133           08:30         83         50         133         83         50         133         83         83         50         144         144         144         144         144         144         144         144         144         144         144         144         144         144         145         144 <td></td> <td></td> <td></td> <td>38</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>				38							
07:45         119         53         172         461         156         617         74.7%         25.3%           08:00         95         45         140         480         160         630         < 2023 Vol's (2% Growth 08:15)           08:15         90         43         133         133         133         133         133         133         133         133         133         134         144         144         144         144         144         144         144         144         144         144         144         144         144         145         144         144         145         144         144         144         145         144											
08:00     95     45     140     480     160     630     < 2023 Vol's (2% Growth 08:15)       08:15     90     43     133       08:30     83     50     133       08:45     69     54     123       09:00     92     49     141       09:15     93     57     150       09:30     74     41     115       09:45     77     50     127       10:00     85     54     139       10:15     83     55     138       10:30     73     75     148				53			461	156	617	74.7%	25.3%
08:15     90     43     133       08:30     83     50     133       08:45     69     54     123       09:00     92     49     141       09:15     93     57     150       09:30     74     41     115       09:45     77     50     127       10:00     85     54     139       10:15     83     55     138       10:30     73     75     148											
08:30     83     50     133       08:45     69     54     123       09:00     92     49     141       09:15     93     57     150       09:30     74     41     115       09:45     77     50     127       10:00     85     54     139       10:15     83     55     138       10:30     73     75     148											, ,, ,,,
08:45     69     54     123       09:00     92     49     141       09:15     93     57     150       09:30     74     41     115       09:45     77     50     127       10:00     85     54     139       10:15     83     55     138       10:30     73     75     148											
09:00     92     49     141       09:15     93     57     150       09:30     74     41     115       09:45     77     50     127       10:00     85     54     139       10:15     83     55     138       10:30     73     75     148											
09:15     93     57     150       09:30     74     41     115       09:45     77     50     127       10:00     85     54     139       10:15     83     55     138       10:30     73     75     148											
09:30     74     41     115       09:45     77     50     127       10:00     85     54     139       10:15     83     55     138       10:30     73     75     148											
09:45     77     50     127       10:00     85     54     139       10:15     83     55     138       10:30     73     75     148	09:30		74								
10:15     83     55     138       10:30     73     75     148	09:45			50	127						
10:15     83     55     138       10:30     73     75     148				54							
				55							
10:45 70 46 116											
					116						
11:00 64 58 122											
11:15 93 84 177											
11:30 88 67 155											
11:45 89 75 164	11:45		89	75	164						

12:00	94	82	176					
12:15	94	79	173					
12:30	73	78	151					
12:45	90	76	166					
13:00	85	91	176					
13:15	77	105	182					
13:30	81	78	159					
13:45	76	92	168					
14:00	89	96	185					
14:15	77	99	176					
14:30	108	107	215					
14:45	91	120	211					
15:00	96	89	185					
15:15	60	115	175					
15:30	110	143	253					
15:45	86	143	229					
16:00	90	138	228					
16:15	95	151	246					
				SB PEAK	<b>NB PEAK</b>	TOT		
16:30	95	134	229	HR	HR	PEAK HR	SB, %-Dir	NB, %-Dir
16:45	103	177	280				,	,
17:00	102	170	272					
17:15	107	173	280					
17:13	92		230	404	CEO	4060	20.00/	62.0%
		138		404	658	1062	38.0%	
17:45	92	153	245	420	680	1090	<< 2023 Vol's	(2% Growth)
18:00	82	121	203					
18:15	87	117	204					
18:30	88	87	175					
18:45	69	100	169					
19:00	48	86	134					
19:15	59	107	166					
19:30	51	71	122					
19:45	50	73	123					
20:00	36	69	105					
20:15	28	67	95					
20:30	38	61	99					
20:45	28	56	84					
21:00	18	39	57					
21:15	31	42	73					
21:30	19	32	51					
21:45	22	41	63					
22:00	12	32	44					
22:15	15	27	42					
22:30	20	24	44					
22:45	13	20	33					
23:00	11	15	26					
23:15	6	16	22					
23:30	3	15	18					
23:45	9	11	20					
Total	5349	5451	10800					_ <del></del>
Percent	49.5%	50.5%						
AM Peak	07:00	10:30	07:00					
Volume	461	263	617					
Peak Factor	0.900	0.783	0.897					
Mid Peak	14:15	14:00	14:00					
Volume	372	422	787					
Peak Factor	0.861	0.879	0.915					
PM Peak	16:30	16:45	16:45					
Volume	407	658	1062					
Peak Factor	0.951	0.929	0.948					

## Multifamily Housing (Low-Rise)

(220)

Vehicle Trip Ends vs: Dwelling Units = 66

On a: Weekday

Setting/Location: General Urban/Suburban

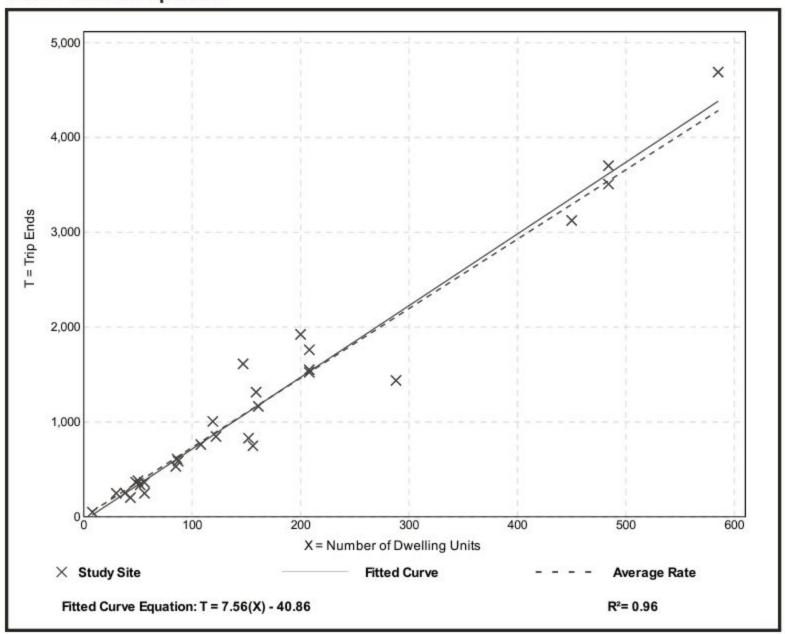
Number of Studies: 29 Avg. Num. of Dwelling Units: 168

Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation	
7.32	4.45 - 10.97	1.31	

### **Data Plot and Equation**





## Multifamily Housing (Low-Rise)

(220)

Vehicle Trip Ends vs: Dwelling Units = 66

On a: Weekday,

Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

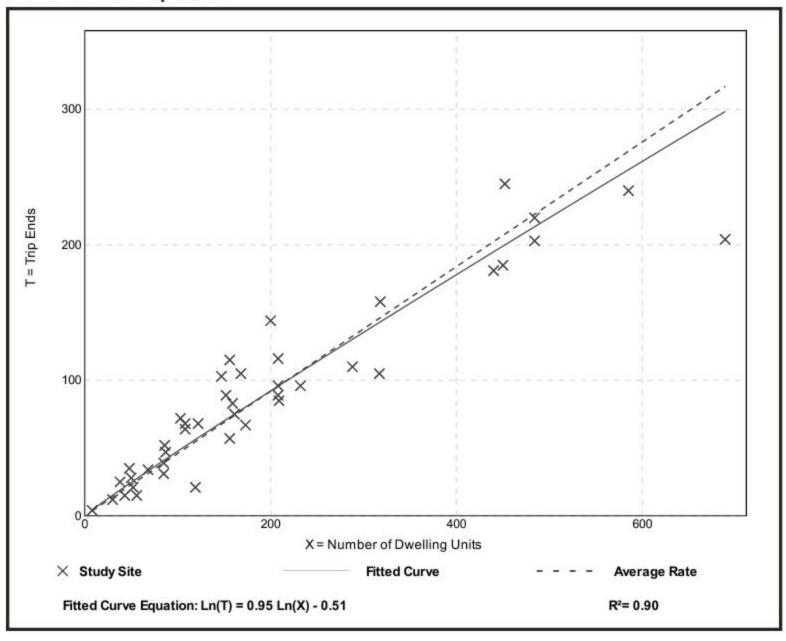
Number of Studies: 42 Avg. Num. of Dwelling Units: 199

Directional Distribution: 23% entering, 77% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation	
0.46	0.18 - 0.74	0.12	

### **Data Plot and Equation**





## Multifamily Housing (Low-Rise)

(220)

Vehicle Trip Ends vs: Dwelling Units = 66

On a: Weekday,

Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

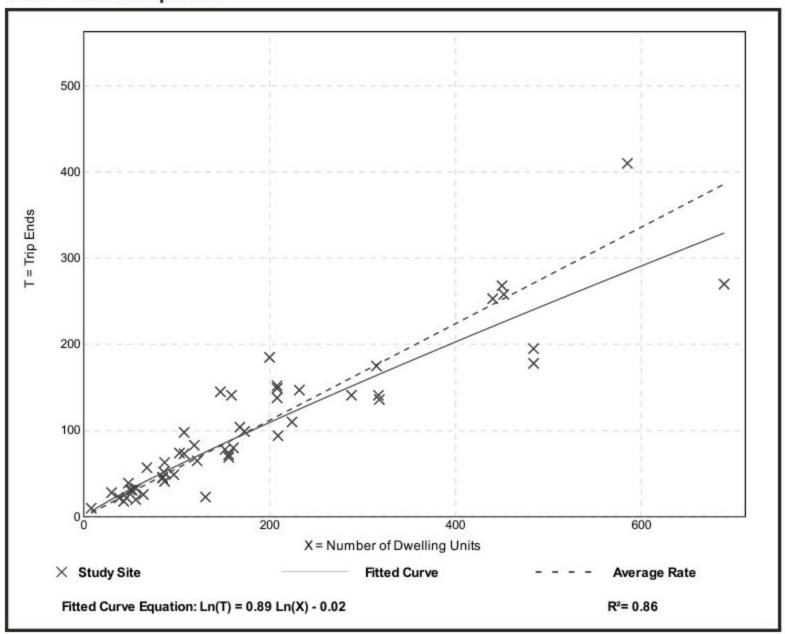
Number of Studies: 50 Avg. Num. of Dwelling Units: 187

Directional Distribution: 63% entering, 37% exiting

### Vehicle Trip Generation per Dwelling Unit

1.5			A DAMAGE AND A PROPERTY OF THE PARTY OF THE	
	Average Rate	Range of Rates	Standard Deviation	
	0.56	0.18 - 1.25	0.16	

#### **Data Plot and Equation**





#### THE RESERVES (SIMMS DEVELOPMENT) - HUBER HEIGHTS, OHIO

### **Traffic Impact Study**

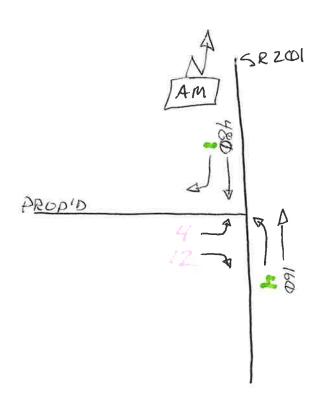
Trip Generation Rates

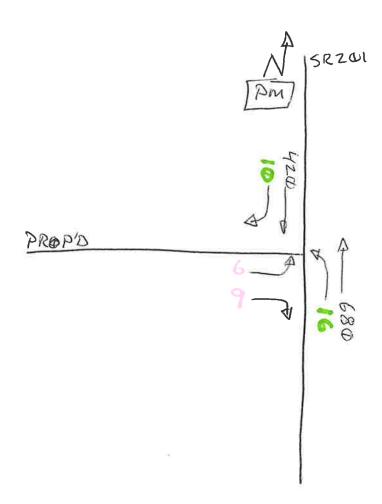
Institute of Transportation Engineer, 10th Edition

Land Use	Variable	Time Period	ITE LUC	C ITE Formula	Total Trips	% Trips Entering	% Trips Exiting	Trips Entering	Trips Exiting
Multifamily Housing	66	ADT	220	T=7.56(X)-40.86	460	50%	50%	230	230
(Low-Rise)	Units	AM Peak	220	Ln(T)=0.95Ln(X)-0.51	21	23%	77%	5	16
Peak Hour of Adjacent Street Traffic		PM Peak	220	Ln(T)=0.89Ln(X)-0.02	41	63%	37%	26	15
TOTAL				ADT	460			230	230
				AM TOTAL	21			5	16
				PM TOTAL	41			26	15

Directional Distribution Time Period	od	% NB	% SB	NbL Entering	SbR Entering	EbL Exiting	EbR Exiting
ADT		50%	50%	115	115	115	115
AM Peak	:	25%	75%	4	1	4	12
PM Peak		62%	38%	16	10	6	9

Note: Italics indicate volumes assumed to come/go mostly from the south.





**Project:** THE RESERVES (SIMMS DEVELOPMENT) - HUBER HEIGHTS, OH **Location:** SR 201 AT "THE RESERVES" PROP'D ACCESS (~625' N OF SHULL)

Scenario: 2023 OPENING DAY

Analyst: JDO

**Date:** 31 JAN. 2022



Northbound	Direction	
	Northbound	

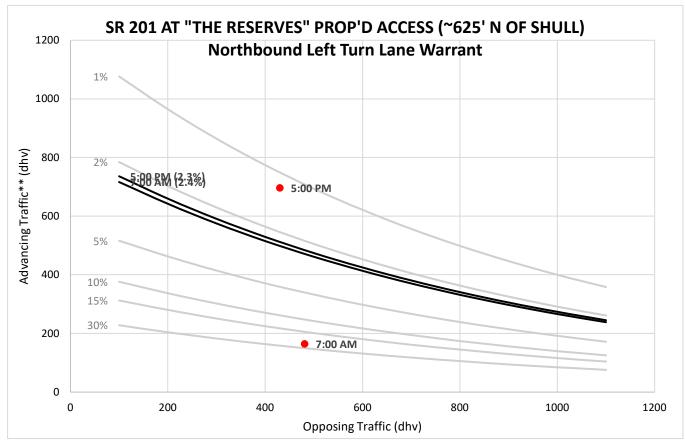
Left/Right Turn Left Turn

Posted Speed > 40 mph

Number of Lanes 2

Median Type Divided\*

Start Time	Advancing Traffic**	Turning Volume	Percent Turning	Opposing Volume	Warrant Met?
6:00 AM					
7:00 AM	164	4	2.4	481	NO
8:00 AM					
9:00 AM					
10:00 AM					
11:00 AM					
12:00 PM					
1:00 PM					
2:00 PM					
3:00 PM					
4:00 PM					
5:00 PM	696	16	2.3	430	YES
6:00 PM					
7:00 PM					
8:00 PM					



Points plotted above the corresponding decision line indicate that the warrant is met

<sup>\*</sup>A highway is considered divided as long as median width is adequate for full storage of a left turn vehicle

<sup>\*\*</sup>Includes Left Turns

**Project:** THE RESERVES (SIMMS DEVELOPMENT) - HUBER HEIGHTS, OH **Location:** SR 201 AT "THE RESERVES" PROP'D ACCESS (~625' N OF SHULL)

Scenario: 2023 OPENING DAY

Analyst: JDO

**Date:** 31 JAN. 2022



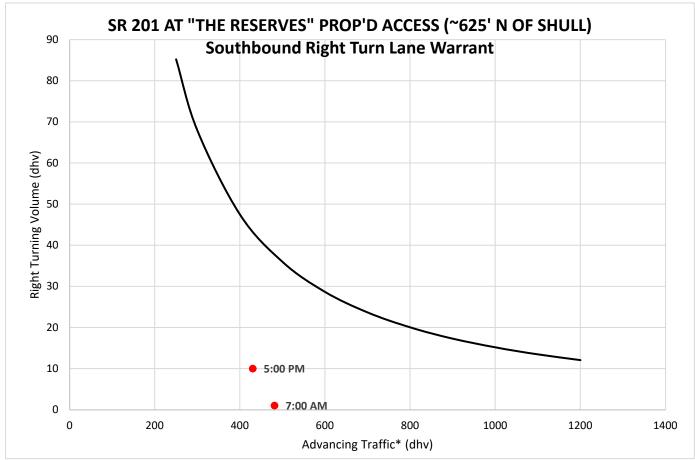
Direction	
Southbound	

Left/Right Turn Right Turn

Posted Speed > 40 mph

Number of Lanes 2

Start Time	Advancing Volume	Turning Volume	Warrant Met?
6:00 AM			
7:00 AM	481	1	NO
8:00 AM			
9:00 AM			
10:00 AM			
11:00 AM			
12:00 PM			
1:00 PM			
2:00 PM			
3:00 PM			
4:00 PM			
5:00 PM	430	10	NO
6:00 PM			
7:00 PM			
8:00 PM			



Points plotted above the corresponding decision line indicate that the warrant is met

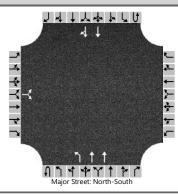
## THE RESERVES (SIMMS DEVELOPMENT) - HUBER HEIGHTS, OH Turn Lane Length Calculations SR 201 AT "THE RESERVES" PROP'D ACCESS (~625' N OF SHULL)

MOVEMENT:NB Left Turn								
AM Peak hour volumes								
Movement	NBLT							
Design Speed	50	mph						
Cycle Length	60	seconds						
Control (Stop or Signal)	Stop							
Through Volume	680	vph						
Number of Through Lanes	2							
Turning Volume	16	vph						
Number of Turning Lanes	1							
Design Condition	В	A, B, or C						
Turning Percentage	2%							
Vehicles Per Cycle	0.3							
Storage Length	50	feet						
Deceleration/Taper	225	feet						
Calculated Turn Lane Length	225	feet						
No Block Distance	N.A.	feet						
No Block Turn Lane Length	N.A.	feet						

<sup>\* -</sup> No Block Turn Lane Length adds a 50' taper to No Block Distance

HCS7 Two-Way Stop-Control Report									
General Information		Site Information							
Analyst	JDO	Intersection	SR 201 AT THE RESERVES						
Agency/Co.	LJB INC	Jurisdiction	HUBER HEIGHTS, OH						
Date Performed	31-Jan-22	East/West Street	Prop'd Access						
Analysis Year	2023	North/South Street	SR201						
Time Analyzed	AM PEAK	Peak Hour Factor	0.90						
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25						
Project Description	THE RESERVES (SIMMS DEVELOPMENT) - HUBER HEIGHTS								

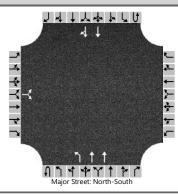
#### Lanes



Vehicle Volumes and Adj	ustme				_											
Approach		Eastb	ound		Westbound				Northbound				Southbound			
Movement	U	L	Т	R	U	L	Т	R	U	L	Т	R	U	L	Т	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	0	0	0	1	2	0	0	0	2	0
Configuration			LR							L	Т				Т	TR
Volume (veh/h)		4		12					0	4	160				480	1
Percent Heavy Vehicles (%)		2		2					0	2						
Proportion Time Blocked																
Percent Grade (%)			0													
Right Turn Channelized																
Median Type   Storage				Undi	vided											
Critical and Follow-up H	eadwa	ys														
Base Critical Headway (sec)		7.5		6.9						4.1						
Critical Headway (sec)		6.84		6.94						4.14						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.52		3.32						2.22						
Delay, Queue Length, an	d Leve	l of S	ervice													
Flow Rate, v (veh/h)			18							4						
Capacity, c (veh/h)			612							1030						
v/c Ratio			0.03							0.00						
95% Queue Length, Q <sub>95</sub> (veh)			0.1							0.0						
Control Delay (s/veh)			11.1							8.5						
Level of Service (LOS)	Ì	Ì	В			Ì			Ì	А				Ì		
Approach Delay (s/veh)		11.1						0.2								
Approach LOS		В														

HCS7 Two-Way Stop-Control Report									
General Information		Site Information							
Analyst	JDO	Intersection	SR 201 AT THE RESERVES						
Agency/Co.	LJB INC	Jurisdiction	HUBER HEIGHTS, OH						
Date Performed	31-Jan-22	East/West Street	Prop'd Access						
Analysis Year	2023	North/South Street	SR201						
Time Analyzed	PM PEAK	Peak Hour Factor	0.90						
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25						
Project Description	THE RESERVES (SIMMS DEVELOPMENT) - HUBER HEIGHTS								

#### Lanes



Vehicle Volumes and Ad	ustme	nts														
Approach		Eastb	ound		Westbound				Northbound				Southbound			
Movement	U	L	Т	R	U	L	Т	R	U	L	T	R	U	L	Т	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	0	0	0	1	2	0	0	0	2	0
Configuration			LR							L	T				Т	TR
Volume (veh/h)		6		9					0	16	680				420	10
Percent Heavy Vehicles (%)		2		2					0	2						
Proportion Time Blocked																
Percent Grade (%)			0													
Right Turn Channelized																
Median Type   Storage				Undi	vided											
Critical and Follow-up H	eadwa	ys														
Base Critical Headway (sec)		7.5		6.9						4.1						
Critical Headway (sec)		6.84		6.94						4.14						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.52		3.32						2.22						
Delay, Queue Length, an	d Leve	l of S	ervice													
Flow Rate, v (veh/h)			17							18						
Capacity, c (veh/h)			451							1081						
v/c Ratio			0.04							0.02						
95% Queue Length, Q <sub>95</sub> (veh)			0.1							0.1						
Control Delay (s/veh)			13.3							8.4						
Level of Service (LOS)	Ì		В		Ì				Ì	А				Ì		
Approach Delay (s/veh)		13.3						0.2								
Approach LOS		В														



#### STORMWATER MEMO

To: City of Huber Heights Planning Commission

From: Max Paton, PE

Date: 01/27/2022

Subject: The Gables of Huber Heights Basic Development Plan

#### To Whom it May Concern:

LJB Inc. has provided a preliminary design for the proposed Gables of Huber Heights development in compliance with Montgomery County stormwater regulations.

When evaluating the stormwater management requirements for the development, only the disturbed area draining to the outlet of the development was considered. The outlet for the proposed development will be the unnamed stream that ultimately discharges to Drylick Run.

Of the total site area, 14.22 acres will be disturbed during construction. The pre-developed site contains 8.44 acres that drains to the outlet of the post-developed site. The remaining 5.78 acres drains to the existing detention pond within the Reserves at the Fairways development. The 8.44 acres draining to outlet of the proposed site consists of bare soil and brush.

The post-developed site contains 11.57 acres that will drain to the outlet of the proposed site consisting of buildings, roadways, parking, and greenspace. Approximately 2.65 disturbed acres will continue to drain to the existing detention pond within the Reserves at the Fairways development. This area will consist only of greenspace area and will represent an improvement of the pre-developed drainage condition. Detailed calculations will be provided during the engineering permitting process to ensure that the existing detention pond has sufficient capacity for the proposed changes to the drainage conditions.

The runoff from the pre-developed and post-developed conditions were evaluated to determine the maximum allowable release rate from the proposed development. The critical storm method was used to determine the design storm for the site. The maximum allowable release rates were then used to size stormwater detention facilities for the site. The maximum allowable release rates can be seen in Table 1 below:

**Table 1: Allowable Release Rates** 

Storm Event	Pre-Developed Runoff (cfs)	Allowable Runoff (cfs)
1 Year	13.23	13.23
2 Year	15.90	13.23
5 Year*	22.30	13.23
10 Year	26.96	26.96
25 Year	32.58	32.58
50 Year	36.34	36.34
100 Year	41.05	41.05

<sup>\*-</sup>Critical Storm

The Gables of Huber Heights – Basic Development Plan 01/27/2022 Page 2

Based on the allowable release rates, a 31,000 cubic foot stormwater detention facility is required. This facility must ensure that the post developed runoff at a 5-year storm water event is reduced to the predeveloped runoff of a 1-year storm event. Additionally, any storm less frequent than a 5-year storm event must not release more runoff than its pre-developed counterpart. The detention will be provided with the use of one dry detention basin and one wet retention basin to be interconnected. The proposed basins provide 43,500 cubic feet of storage, providing ample storage to meet the runoff release rate requirements. A stormwater report and detailed hydrographs will be provided during the engineering permitting stage of the development.

MAXWELL TAYLOR
PATON
PE82866

1/27/22



## Huber Heights Fire Division

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

Occupancy Nam	ie:	The Gables of H	uber Heights						
Occupancy Addr	ess:	Brandt Pike							
Type of Permit:		HHP&D Site Pla	n						
Additional Permi	ts:	Choose an item.	pose an item.						
Additional Permi	ts:	Choose an item.	Choose an item.						
MCBR BLD:	Not Ye	et Assigned	HH P&D:						
MCBR MEC:			HHFD Plan:	22-032					
MCBR ELE:			HHFD Box:	55					
REVIEWER: Susong			DATE:	2/25/2022					

#### 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. The proposed development will need to meet the requirements of the Ohio Fire Code 2017, Ohio Building Code 2017 and the Huber Heights Codified Ordinance. Based on the drawings provided the following requirements need to be met.

#### Requirements:

- Hydrants in multi-family and commercial districts shall be placed not more than 300 feet apart, measured on the main and not more than 400 feet from any opening in any building. All new fire hydrants and any existing fire hydrants that are in need of replacement, shall meet the Huber Heights hydrant standard for this district of two (2), five (5) inch diameter steamer nozzles. These steamer nozzles shall have a five (5) inch STORTZ quick connection and one steamer shall have a four (4) inch STORTZ connection approved by the Code Official. Huber Heights Codified Ordinance 1521.06(c). (A utility drawing has not been provided at this time.)
- Unobstructed access to fire hydrants shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate

- access to fire protection equipment or fire hydrants. Ohio Fire Code 507.5.4. (See below.)
- A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved. (No trees, bushes, plantings, etc.) Ohio Fire Code 507.5.5.
- The water supply shall be capable of providing required fire flows for fire protection. Ohio Fire Code 507.1 & 507.3. Calculations and findings will need to be determined and provided. (Refer to Ohio Fire Code Appendix B for required flows.)
- Verify that proposed trees do not obstruct fire department access and access roads. The minimum clear vertical height for fire apparatus access roads shall be 13 feet 6 inches, in accordance with Ohio Fire Code 503.2.1.
- Fire department access roads shall be capable of supporting the imposed load of fire apparatus weighing up to 75,000 lbs. Refer to Ohio Fire Code Appendix D102.1.
- Fire department access roads with fire hydrants shall be a minimum of 26 feet in width exclusive of shoulders. Refer to Ohio Fire Code Appendix D103.1. (Roads need to be increased from 24 feet to 26 feet.)
- Multi-family residential developments with more than 100 dwelling units shall be equipped throughout with two separate and approved fire access roads. Refer to OFC Appendix D106.1. (Current drawing indicates 74 units and a secondary emergency access off cul de sac.)
- Buildings where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet, shall be provided with approved aerial fire apparatus access roads. OFC Appendix D105.1. Refer to D105.2, D105.3 and D105.4 for additional requirements. (Elevations of units has not been provided.)

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

Plans reviewed by the Huber Heights Fire Division are reviewed with the intent they comply in <u>ALL</u> respects to this code, as prescribed in <u>SECTION (D) 104.1 of the 2017 Ohio Fire Code</u>. Any omissions or errors on the plans or in this review do not relieve the applicant of complying with <u>ALL</u> 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.

The Gables of Huber Heights – Charles Simms Development Comments and Questions

**Emergency Access Point:** 

According to Fire Department comments, two access roads are required only when there are more than 100 dwelling units. The Gables is to have 74; thus, it appears that an emergency access would not be required.

The concern is that there appears not to be any way to prevent traffic coming from the Gables on to Salon Circle in the Reserve via the proposed exit. Ours is a gated community with only one entry/exit point. If extra traffic from the Gables uses Salon it will increase maintenance requirements on our pavement and the automated exit gate. The Reserve HOA should not have to bear the cost of the increased maintenance.

Our request is that the emergency access be eliminated from the Simms plan.

**Separation Mound:** 

Will there be any landscaping on the six feet high mound that separates the two developments?

If it is merely a mound of soil without any vegetation and silt barrier, the muddy runoff will go on the surface of Salon Circle.

Our preference is that the mound be adequately mulched or grassed to prevent mud from forming. Trees, especially evergreens, planted on the mound would be desirable. This would enhance the appearance for both communities, reduce mowing, and help control erosion.

The drawings do not show a mound extending along the Reserve's buildings Monte Carlo Way and the Simms buildings. Since the developer will be removing soil in that area for the retention pond, it could be used to build the separation mound there. This would reduce his expense for removing the soil from the area while providing privacy for both communities.

**Completion Date:** 

What is the anticipated completion date for the development?

The buildings appear to be very beautiful and will be a positive addition to Huber Heights when completed.

Submitted by: James and Sue Bartrum

6994 Salon Circle, Huber Heights, OH

937-506-7781

### **Memorandum**

Staff Report for Meeting of March 15, 2022

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, Interim City Planner

Community Planning Insights

Date: March 7, 2022

Subject: Basic Development Plan: The Gables of Huber Heights

Application dated January 28, 2022

#### Department of Planning and Zoning City of Huber Heights

**APPLICANT/OWNER:** Charles V. Simms Development – Applicant

Trebein Limited ADK IV, LLC - Owners

**DEVELOPMENT NAME:** The Gables of Huber Heights

ADDRESS/LOCATION: Brandt Pike, north of The Reserves at the Fairways and

the Aquatic Center.

**ZONING/ACREAGE:** Planned Mixed Use / 15.93 Acres

EXISTING LAND USE: Vacant

ZONING

**ADJACENT LAND:** Planned Mixed Use (north and south)

R-7 (west)

Agriculture (East – Carriage Hill MetroPark

**REQUEST:** The applicant requests approval of the basic

development plan to construct 74 for sale residential

units within 11 buildings.

**ORIGINAL APPROVAL**: This land was originally intended to be developed as a

later phase of the Reserves at the Fairways approved

in early 2000.

**APPLICABLE HHCC:** Chapter 1171, 1179

**CORRESPONDENCE:** In Favor – None Received

In Opposition – None Received

### STAFF ANALYSIS AND RECOMMENDATION:

### <u>Overview</u>

The applicant requests approval of a basic development plan to construct 74 condominiums in 11 buildings on 15.93 acres, which yields an average density of 4.64 units/acre. Approximately 64% of the site is open space (10.20 acres).

This land was originally approved as part of The Reserves at the Fairways, a similar condominium development immediately south of the project site.

### **Conformance with Zoning Regulations**

The proposal largely conforms to the regulations outlined in Chapter 1179, Planned Mixed Use District (PM):

- Residential uses are permitted in the district and the buildings meet the setback requirement of 15-feet between residential buildings.
- Buildings are clustered and a large, usable greenspace area is proposed in the development. Approximately 64% of the site is open space, including detention areas.
- Walking paths are included throughout the development.
- Site access is limited to one private drive from Brandt Pike. A secondary emergency exit is proposed at the cul-de-sac terminus and connects to an existing private street (Salon Circle).
- Parking will be provided through a mixture of garage and driveway spaces and various guest parking areas. A total of 334 spaces are provided, 222 are required.
- A six-foot high landscaping mound is provided to buffer the open space area from the existing development to the south.
- Lighting will be provided through a combination of exterior building lights and lamp posts along walking and parking areas.
- Proposed building elevations indicate substantial use of masonry products on the front elevations of the buildings.

### Other Considerations

• The applicant has agreed to enlarge the private street width to 27 feet, as required by 1111.04 of the subdivision regulations.

### **Standards for Approval**

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;
- 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.

### **Staff Analysis**

As outlined above, this land was originally envisioned and approved as a condominium development and has sat fallow for nearly 20-years. Staff feels the proposed basic development plan meets the requirements of the PM District and the general standards for approval outlined in Section 1171.06.

### Additional Comments:

**Fire:** See Attached. The applicant will comply will all fire code requirements.

### **City Engineer:**

- The water and sanitary sewer lines are to be public lines made of City standard materials and they are to be in easements.
- The entrance off of Brandt Pike should be a minimum 36' wide with one lane in and two lanes out.

### **Recommendation**

Staff recommends approval of the basic development plan submitted on January 28, 2022 with the following conditions:

- Applicant shall comply will all fire code requirements.
- The minimum private street pavement width shall be 27 feet.
- The water and sanitary sewer lines are to be public lines made of City standard materials and they are to be in easements.
- The entrance off of Brandt Pike should be a minimum 36' wide with one lane in and two lanes out.

### **Planning Commission Action**

Planning Commission may take the following actions with a motion to:

- 1) Approve the basic development plan application, with or without conditions.
- 2) Deny the basic development plan.
- 3) Table the application in order to gather additional information.



## Planning Commission Decision Record

WHEREAS, on January 28, 2022, the applicant, Charles V. Simms Development, requested approval of the Basic Development Plan for property located at Brandt Pike, Parcel Number P70-03910-0057 of the Montgomery County, Ohio Records (Case BDP 22-07); and

WHEREAS, on March 15, 2022, 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.

Mr. Jeffries moved to recommend approval of the request by the applicant, Charles V. Simms Development, for a Basic Development Plan for property located at Brandt Pike, Parcel Number P70-03910-0057 of the Montgomery County, Ohio Records (Case BDP 22-07) in accordance with the recommendation of Staff's Memorandum dated March 7, 2022, and the amended Planning Commission Decision Record:

- 1. Applicant shall comply with all fire code requirements.
- 2. The minimum private street pavement width shall be 27 feet.
- 3. The water and sanitary sewer lines are to be public lines made of City standard materials and they are to be in easements.
- 4. The entrance off of Brandt Pike shall be a minimum 36' wide with one lane in and two lanes out.

BDP 22-07 – Decision Record

•	ements may be needed subject to approval by aging stripping and painting of future left lane.
	showed: YEAS: Ms. Vargo, Ms. Thomas, Mr. None. Motion to recommend approval carried
Terry Walton, Chair Planning Commission	Date

### Planning Commission March 15, 2022, Meeting City of Huber Heights

- **I.** Chair Terry Walton called the meeting to order at approximately 6:01 p.m.
- **II.** Present at the meeting: Mr. Jeffries, Ms. Thomas, Ms. Vargo and Mr. Walton.

Members absent: Ms. Opp

Staff Present: Aaron K. Sorrell, Interim City Planner, and Geri Hoskins, Planning & Zoning Administrative Secretary.

### III. Opening Remarks by the Chairman and Commissioners

### 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. MAJOR CHANGE – The applicant, Kirmon Khalilov, is requesting approval of 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).

Mr. Sorrell stated that this application was heard and tabled at the December 14, 2021, Planning Commission meeting. Based on the minutes, there was discussion about whether vehicles would be serviced on site, existing buffering between the adjacent funeral home, and moving the parking setback significantly closer to Old Troy Pike.

The applicant has submitted a revised plan which:

- Includes auto sales and service as the primary use;
- Added a masonry dumpster enclosure to the rear of the lot;
- Added a 42-inch hedge as screening between the front parking area and the funeral home parking area;
- Illustrates possible building expansion for garage bays and/or possible office;
   and
- Added three 25-foot light poles (two in front, one at the rear).

No other substantial changes were submitted.

### STAFF ANALYSIS AND RECOMMENDATION:

This analysis will focus on the changes to the proposal since the application was tabled at the December 14, 2021, meeting:

### **Vehicle Display and Landscaping**

The revised plan includes a 42" hedge, 60-feet long, between the display area and the property line. While this does help buffer the display area from the adjoining property, the proposed plan reduces the existing required yard buffer from 15-feet (required in the PC District) to approximately 7-feet.

### The code states:

1176.03 (b)(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.

Both the original and revised plan locate the vehicle display area 25-feet from the right-of-way. While this meets the zoning standards for a parking area, the proposed plan shows three tightly packed display rows. This will have a greater visual impact along Old Troy Pike than a traditional parking area with one row of parked vehicles, separated by a 20-foot drive aisle. Additionally, parking areas of this size would be required to have interior parking landscaping to break up the mass of the vehicles and reduce storm water runoff. There are little to no recently developed uses within the vicinity that have such concentrated vehicular display or parking areas.

### **Conformance with Zoning Regulations**

The proposed vehicle sales and service uses are permitted uses within the Planned Commercial district, if the Planning Commission approves such uses. At this time, there are no vehicle sales uses in this area of Old Troy Pike.

The proposed site plan brings the site out of conformance with the yard standards set in 1176.03(b)(1), described above.

If the Planning Commission deems the vehicle display area as a parking area, the site plan is not in conformance with the parking requirements found in Chapter 1185.

### Staff Analysis

As proposed, it is the staff's opinion that the site becomes less conforming to the zoning code than it currently exists. This includes yard standards, and parking layout and design.

#5 in the Decision Record would read the only use approved is the sale and service automobiles.

Strike #7 from the Decision Record.

Revise to March 15, 2022.

Chad spoke on behalf of the applicant.

### **Action**

Ms. Thomas moved to approve the request by the applicant Kirmon Khalilov, for approval of a Major Change to the Basic and Detailed Plan in a Planned Commercial District for 2.55 acres at 5840 Old Troy Pike (ZC 21-45).

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

All three Nays stated no similar uses in the area. Case moves to City Council

### VII. New Business

1. MINOR CHANGE - The applicant, Atlantic Sign Company, is requesting approval of a Minor Change for Signage at Camping World located at 8001 Old Troy Pike (MC 22-09).

Mr. Sorrell stated that the applicant requests approval to replace existing wall signs due to the acquisition of Gander Outdoors by Camping World. The net effect of the change is an overall reduction in wall sign area.

### **Original Approval**

As you can see below, the amount of approved and/or installed wall sign area has changed over the years:

September 2004 962 SF July 2012 666 SF September 2018 562 SF

### **Current Application**

The applicant seeks a minor change to replace one internally illumined wall sign and remove one existing internally illuminated wall sign. Two existing wall signs remain unchanged. The total wall sign area will be reduced from approximately 562 SF to approximately 429 SF.

The applicant seeks a minor change to replace one internally illumined wall sign and remove one existing internally illuminated wall sign. Total wall sign area will be reduced from approximately 562 SF to approximately 429 SF, a reduction of approximately 23%.

Brooke Alini from Atlantic Sign Company was there for any questions.

### Action

Ms. Vargo moved to approve the request by the applicant Atlantic Sign Company for approval of a Minor Change for Signage at Camping World located at 8001 Old Troy Pike (MC 22-09) in accordance with the recommendation of Staff's

Memorandum dated March 8, 2022, and the Planning Commission Decision Record attached thereto.

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

2. BASIC DEVELOPMENT PLAN - The applicant, Charles V. Simms Development, is requesting approval of a Basic Development Plan for the Gables of Huber Heights, located on Brandt Pike North of the Reserves at the Fairways (BDP 22-07).

Mr. Sorrell stated that the applicant requests approval of a basic development plan to construct 74 condominiums in 11 buildings on 15.93 acres, which yields an average density of 4.64 units/acre. Approximately 64% of the site is open space (10.20 acres).

This land was originally approved as part of The Reserves at the Fairways, a similar condominium development immediately south of the project site.

### **Conformance with Zoning Regulations**

The proposal largely conforms to the regulations outlined in Chapter 1179, Planned Mixed Use District (PM):

- Residential uses are permitted in the district and the buildings meet the setback requirement of 15-feet between residential buildings.
- Buildings are clustered and a large, usable greenspace area is proposed in the development. Approximately 64% of the site is open space, including detention areas.
- Walking paths are included throughout the development.
- Site access is limited to one private drive from Brandt Pike. A secondary emergency exit is proposed at the cul-de-sac terminus and connects to an existing private street (Salon Circle).
- Parking will be provided through a mixture of garage and driveway spaces and various guest parking areas. A total of 334 spaces are provided, 222 are required.
- A six-foot high landscaping mound is provided to buffer the open space area from the existing development to the south.
- Lighting will be provided through a combination of exterior building lights and lamp posts along walking and parking areas.
- Proposed building elevations indicate substantial use of masonry products on the front elevations of the buildings.

### **Other Considerations**

 The applicant has agreed to enlarge the private street width to 27 feet, as required by 1111.04 of the subdivision regulations.

### Staff Analysis

As outlined above, this land was originally envisioned and approved as a condominium development and has sat fallow for nearly 20-years. Staff feels the proposed basic development plan meets the requirements of the PM District and the general standards for approval outlined in Section 1171.06.

### **Additional Comments:**

**Fire:** See Attached. The applicant will comply will all fire code requirements.

### **City Engineer:**

- The water and sanitary sewer lines are to be public lines made of City standard materials and they are to be in easements.
- The entrance off of Brandt Pike should be a minimum 36' wide with one lane in and two lanes out.

### **Recommendation**

Staff recommends approval of the basic development plan submitted on January 28, 2022, with the following conditions:

- Applicant shall comply will all fire code requirements.
- The minimum private street pavement width shall be 27 feet.
- The water and sanitary sewer lines are to be public lines made of City standard materials and they are to be in easements.
- The entrance off of Brandt Pike should be a minimum 36' wide with one lane in and two lanes out.

### **Planning Commission Action**

Planning Commission may take the following actions with a motion to:

- 1) Approve the basic development plan application, with or without conditions.
- 2) Deny the basic development plan.
- 3) Table the application in order to gather additional information.

Robert Simms John Moore Barry Payne James Moore Christine Olinsky

Amended Decision Record to add #5, Brandt Pike road improvements may be needed subject to approval by the City Engineer for changing stripping and painting of future left lane.

### **Action**

Mr. Jeffries moved to approve the request by the applicant Charles V. Simms Development, for approval of a Basic Development Plan for the Gables of Huber Heights, P70 03910 0057 of the Montgomery County Records Map (BDP 22-07) in accordance with the recommendation of Staff's Memorandum dated March 7, 2022, and the Planning Commission Decision Record attached thereto.

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

Move to City Council

 BASIC DEVELOPMENT PLAN - The applicant, Amarjit Takhar, is requesting approval of a Basic Development Plan and Rezoning to (Planned Commercial) PC for 35 acres at State Route 35 for a Service Station (BDP 22-08).

Mr. Sorrell stated that the applicant has provided some preliminary revised plans. The applicant requests approval of a basic development plan and rezoning to Planned Commercial District to construct a fueling center, convenience store, truck stop and diesel repair facility on approximately nine (9) acres of a 35-acre parcel. The site is adjacent to the I-70 / SR 235 interchange.

The land is currently zoned "I-1" Light Industrial and Mixed-Use District. The surrounding lands are predominantly zoned I-1 and used for manufacturing or logistics purposes. There is a significant amount of agricultural / vacant land immediately east of this site in Clark County that has development potential but limited access to SR 235 and I-70.

The proposed service station and diesel repair facilities are Special Uses within the existing I-1 zoning district. The convenience store is not a principally permitted use in the existing I-1 zoning district.

There is an existing service station with convenience store adjacent to this site zoned Planned Commercial.

### **On-Site Uses and Facilities**

The applicant is proposing two buildings, one 6,720 SF building containing a convenience store and restaurant, and the second 6,642 SF diesel truck repair facility. Both buildings are proposed to be clad with a mix of brick and stucco EFIS.

Fuel will be dispensed through one five-pump island in front of the convenience store, and a second five-pump island located at the rear of the property for semi-trucks and large oversized vehicles. Both fueling islands will be covered by large canopies.

Parking is provided throughout the site. The applicant is proposing 62 parking spaces, including 10 for semi-trucks.

### **Applicable Zoning Regulations**

The appliable zoning chapters include: 1171 General Provisions, 1176 Planned Commercial District, 1181 General Provisions, 1182 Landscaping and Screening, 1185 Parking and Loading. The relevant sections are citied below:

### Staff Analysis

The analysis below is based on the application and drawings originally submitted as a Planned Industrial District. Staff realized this application was in error, but not in time to enable the applicant to revise the drawings for this meeting. Additionally, staff has been in discussion with the applicant to reconfigure the site plan to allow for a future extension of Center Point 70 Blvd. The applicant has agreed to make these accommodations and is working on these revisions.

### **Conformance with Zoning Regulations:**

### 1176 (PC) Planned Commercial District

The proposed uses are principally permitted in the PC district. The current plan indicates a 10-foot perimeter buffer yard, which must be 15-feet. All other standards for this Chapter are met.

### **Chapter 1181 General Provisions**

The proposal meets the requirements of Chapter 1181, with the exception of the following items are not in compliance or not illustrated on the Basic Development Plan:

- Street trees shall be placed every 40-feet along the public street.
- No exterior lighting plan was submitted. Unless otherwise directed by the Planning Commission, parking light fixtures shall not exceed 25 feet in height.

### Chapter 1182 Landscaping and Screening Standards

The Basic Development Plan indicates potential locations for landscape islands and trees within the parking areas. Additional detail shall be provided during the detailed development plan phase.

### Chapter 1185 Parking and Loading

The proposal generally meets the requirements of Chapter 1185. The applicant is illustrating parking island landscaping. The maximum required number of parking spaces required is approximately 67 total spaces. The plan indicates 62 proposed spaces. The number of required parking spaces is likely to decrease once the final area of the convenience store (less storage) and restaurant are determined.

# <u>Chapter 1193 Trailers, Trucks, Recreational Vehicles, Boats, Farm or Construction Equipment</u>

The proposal meets the requirements of this chapter which limits the number of semi parking spaces to no more than ten spaces. The plans indicate ten spaces that are correctly dimensioned.

### Other Considerations:

The original submission illustrates a driveway that aligns with Center Point 70 Boulevard. This alignment would severely limit any future expansion of the roadway to the east. Staff has asked the applicant to redesign the site to allow a future extension of Center Point 70 by moving the gas pumps and store further south and/or changing their alignment. This will enable the roadway to be extended in the future with less disruption to the business. This extension would also provide hundreds of acres of potential development lands with better access to I-70. The applicant has agreed, and is currently working on these revisions.

### **Additional Comments:**

Fire: See Attached. The applicant will comply will all fire code requirements.

### **City Engineer:**

### Recommendation

Staff recommends approval of the rezoning from I-1 to Planned Commercial and approval of the basic development plan with the following conditions:

- A 15-foot buffer yard shall be illustrated on the basic development plan
- Street trees shall be placed every 40-feet
- The applicant shall revise the alignment and location of the gas pumps and convenience store to allow for a future extension of Center Point 70 Boulevard.
- Applicant shall comply with all fire code requirements.
- Prior to submission to City Council for review and approval, applicant shall resubmit a basic development plan that conforms with the conditions above.

### **Planning Commission Action**

Planning Commission may take the following actions with a motion to:

- 4) Approve the rezoning and basic development plan application, with or without conditions.
- 5) Deny the basic development plan.
- 6) Table the application in order to gather additional information.

Chris Besecker

### Action

Mr. Jeffries moved to table the request by the applicant Amarjit Takhar, for approval of a Basic Development Plan and Rezoning to Planned Commercial (PC) to construct a fueling center, convenience store, truck stop and diesel repair facility on approximately nine (9) acres of a 35-acre parcel located on the East side of intersection of SR 235 and Center Point 70 Blvd, Parcel Numbers P70-03903-0079 and P70-03903-0005 of the Montgomery County Records Map (BDP 22-08) in accordance with the recommendation of Staff's Memorandum dated March 10, 2022, and the Planning Commission Decision Record attached thereto.

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

4. BASIC DEVELOPMENT PLAN - The applicant, DEC Land Co., I LLC, is requesting approval of a Detailed Development Plan and Final Plat for Section 7, Phase 5 of the Carriage Trails Development (DDP 22-10).

Mr. Sorrell stated that the applicant requests approval of the detailed development plan and final plat for section seven, phase five of the Carriage Trails subdivision. This phase contains 65 lots on approximately 17.34 acres.

### **Conformance with Zoning Regulations**

The detailed development plan conforms to the regulations outlined in Chapter 1179, Planned Mixed Use District and the basic development plan approved by City Council.

The mixture of lot sizes (approximately) are:

60 feet x 130 feet: 53 lots 66 feet x 130 feet: 3 lots 70 feet x 130 feet: 3 lots 77 feet x 130 feet: 6 lots

Minimum yard setbacks: Front & Rear: 25 feet Side: 5 feet

The HOA covenants have the following applicable requirements and restrictions:

- Uses: Limited to a single-family residence
- Building material: The covenants require a minimum of 50% of the single-family homes within each subareas shall have front façade of no less than 25% masonry materials.
- Accessory Buildings: No larger than 10' x 10' shed.
- Fences: Limited to the rear yard, no higher than 4-feet. Chain link fencing is prohibited.

The HOA will be responsible for the care and maintenance of all common areas.

### **Staff Analysis**

The applicant requests approval of the detailed development plan and final plat for section seven, phase five of the Carriage Trails subdivision. This phase contains 65 lots on approximately 17.34 acres, which is approximately 3.7 units per acre.

It is important to note that the current municipal boundary bisects lots 1-36 because the annexation has not yet been completed. The developer plans to build out the street infrastructure, but not fully plat lots 1-36 until the annexation is complete. Staff is supportive of this approach on the condition that no zoning permit shall be issued for lots 1-36 until such time as these lots are fully platted and recorded within the City of Huber Heights.

### **Additional Comments:**

Fire: See attached

### **City Engineer:**

 The temporary cul-de-sac near the intersection of Arrowwood Street and Woodmint Drive is not required and can be removed if desired.

### Recommendation

Staff recommends approval of the detailed development plan submitted on February 18, 2022, with the condition that that no zoning permit shall be issued for lots 1 – 36 until such time as these lots are fully platted and recorded within the City of Huber Heights.

### **Planning Commission Action**

Planning Commission may take the following actions with a motion to:

- 7) Approve the Detailed Development Plan; or,
- 8) Deny the Detailed Development Plan.

Ken Conaway

### **Action**

Mr. Jeffries moved to approve the request by the applicant DEC Land Co. I LLC, for approval of the Detailed Development Plan and Final Plat for section 7, Phase 5 of the Carriage Trails subdivision (DDP 22-10) in accordance with the recommendation of Staff's Memorandum dated March 8, 2022, and the Planning Commission Decision Record attached thereto.

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

### VIII. Additional Business

1. Proposed Change to an Existing Ordinance for Planning Commission Recommendation for Sidewalks and Curb Associated with all New Development within the City (ORD 22-16).

### **Action**

Ms. Vargo moved to approve the request by the applicant The City of Huber Heights, for a proposed change to an Existing Ordinance for Sidewalks and Curb Associated with all New Development within the City (ORD 22-16).

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

### IX. Approval of the Minutes

Without objection, the minutes of the January 25, 2022, and February 15, 2022, Planning Commission meeting are approved.

### X. Reports and Calendar Review

Rezoning State Route 235 Basic Development Plan Brandt Pike, North of the Reserves Comprehensive Plan Mid-April, Yard, Inc.

### XI. Upcoming Meetings

March 15, 2022 March 29, 2022

### XII. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at approximately 8:05 p.m.

Terry Walton, Chair	Date		
Geri Hoskins, Administrative Secretary	Date		

### CITY OF HUBER HEIGHTS STATE OF OHIO

### ORDINANCE NO. 2022-O-

TO APPROVE A BASIC DEVELOPMENT PLAN FOR THE PROPERTY LOCATED ON BRANDT PIKE NORTH OF THE RESERVES AT THE FAIRWAYS AND FURTHER IDENTIFIED AS PARCEL NUMBER P70-03910-0057 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION (ZONING CASE BDP 22-07).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Zoning Case BDP 22-07 and on March 15, 2022, recommended approval by a vote of 4-0 of the Basic Development Plan; and

WHEREAS, the City Council has considered the issue.

Section 3.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. The application requesting approval of a Basic Development Plan (Zoning Case BDP 22-07) is hereby approved in accordance with the Planning Commission's recommendation and following conditions:

- 1. Applicant shall comply with all Fire Code requirements.
- 2. The minimum private street pavement width shall be 27 feet.
- 3. The water and sanitary sewer lines are to be public lines made of City standard materials and they are to be in easements.
- 4. The entrance off Brandt Pike shall be a minimum 36 feet wide with one lane in and two lanes out.
- 5. Brandt Pike road improvements may be needed subject to approval by the City Engineer for changing striping and painting of future left lane.

This Ordinance shall go into effect upon its passage as provided by law and the

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Charter of the City of Huber Heights.

Passed by Council on the \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2022;
\_\_\_\_\_ Yeas; \_\_\_\_\_ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council Mayor

Date

Date

Al-8380 Pending Business C.

City Council Meeting City Manager

**Meeting Date:** 05/09/2022

ZC CBDP 22-11 - Campbell Berling Huber Heights, LLC - Rezoning/Combined Basic And Detailed Development

Plan - Bellefontaine Road

Submitted By: Geri Hoskins

Department: Planning Division: Planning Council Committee Review?: Council Work Date(s) of Committee Review: 04/19/2022

Session

Audio-Visual Needs: SmartBoard Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

### Agenda Item Description or Legislation Title

An Ordinance To Approve A Combined Basic And Detailed Development Plan And Rezoning To Planned Residential (PR) For 22.968 Acres For The Property Located On The East Side Of Bellefontaine Road And South Of Chambersburg Road And Further Identified As Parcel Number P70-03908-0126 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Zoning Case CBDP 22-11). (second reading)

### **Purpose and Background**

The applicant, Campbell Berling Huber Heights, LLC, is requesting approval of a Combined Basic and Detailed Development Plan and a Rezoning to Planned Residential (PR).

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

### **Attachments**

**Drawings** 

**Entrance Drawings** 

Fire Assessment

Staff Report

**Decision Record** 

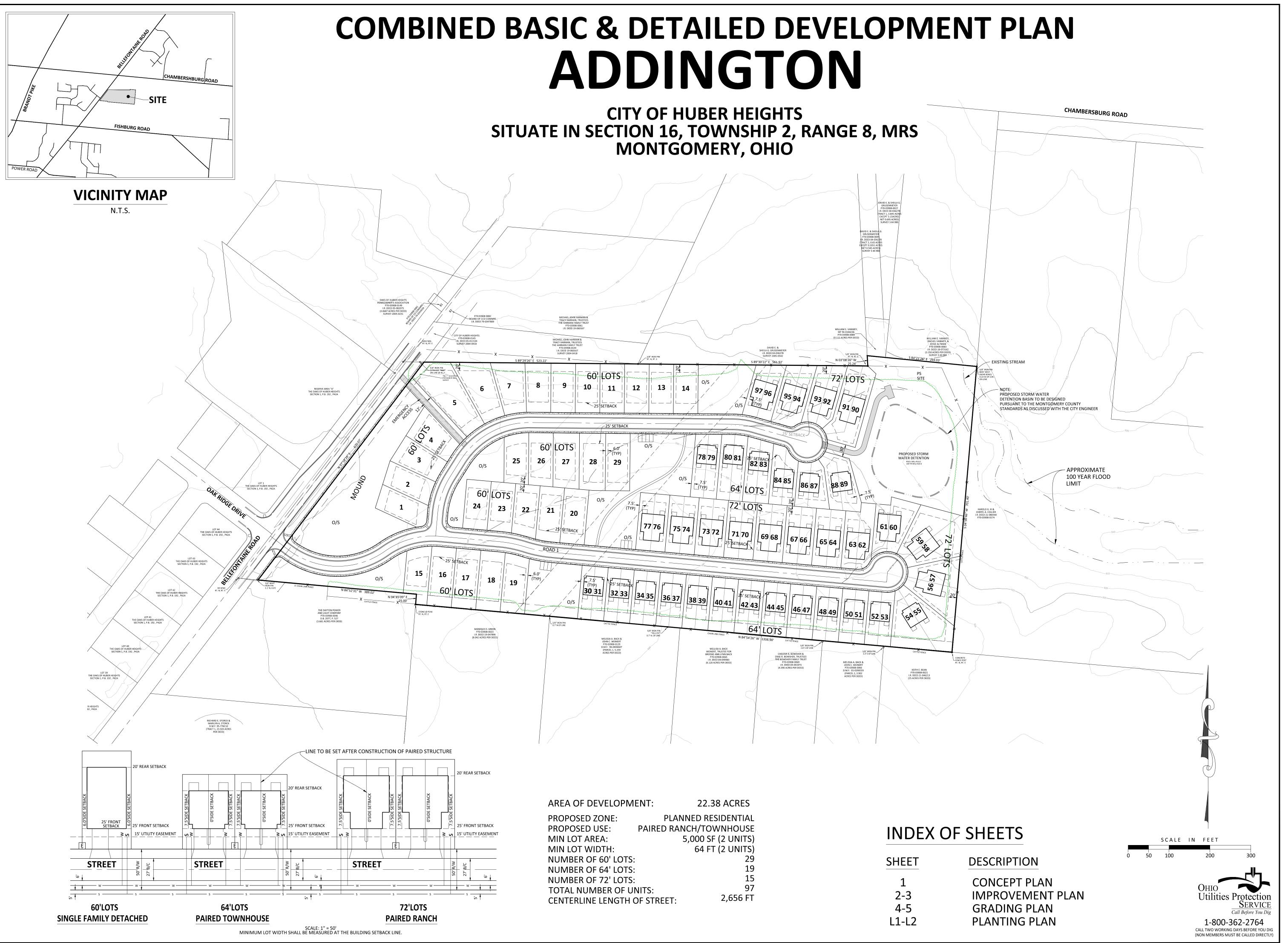
Minutes

Correspondence

Correspondence - Additional

Ordinance

Ordinance - Amended





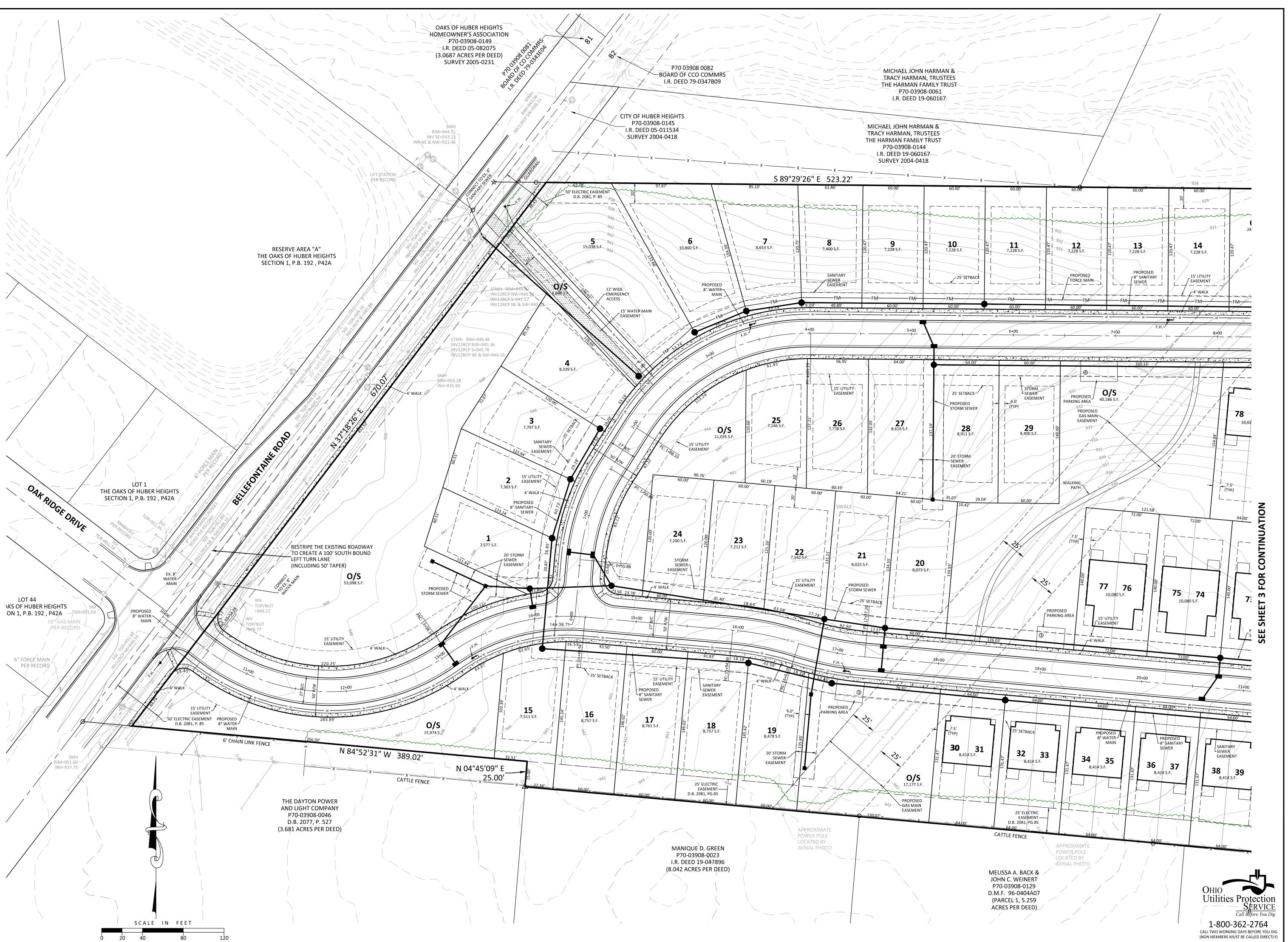
Drawn By

**Sheet Title** 

**CONCEPT PLAN** 

Project Number 20632.00 1" = 100' **Drawing Scale Sheet Number** 20632

File Number





■ Engineering Suite 190B ■ Landscape Architecture Cincinnati OH 45241 ■ Planning Phone 513.759.0004 ■ Surveying www.mspdesign.com

Project Manager Drawn By 20632004-IMP-04-2022 20632003-BAS-00

Issue/Revision No. Date © Copyright 2022, McGILL SMITH PUNSHON, Inc.

SECTION 16, TOWNSHIP 2, MONTGOMERY, OHIO

Sheet Title

# **IMPROVEMENT PLAN**

20632.00 **Project Number** 1" = 40' Drawing Scale Sheet Number

20632 File Number





■ Architecture 3700 Park 42 Drive
■ Engineering Suite 1908
■ Landscape Architecture Planning Phone 513.759.0004
■ Surveying www.mspdesign.com

Project Manager RA
Drawn By NAK
DWG 20632004-IMP-04-2022
X-Ref(s) 20632003-BAS-00

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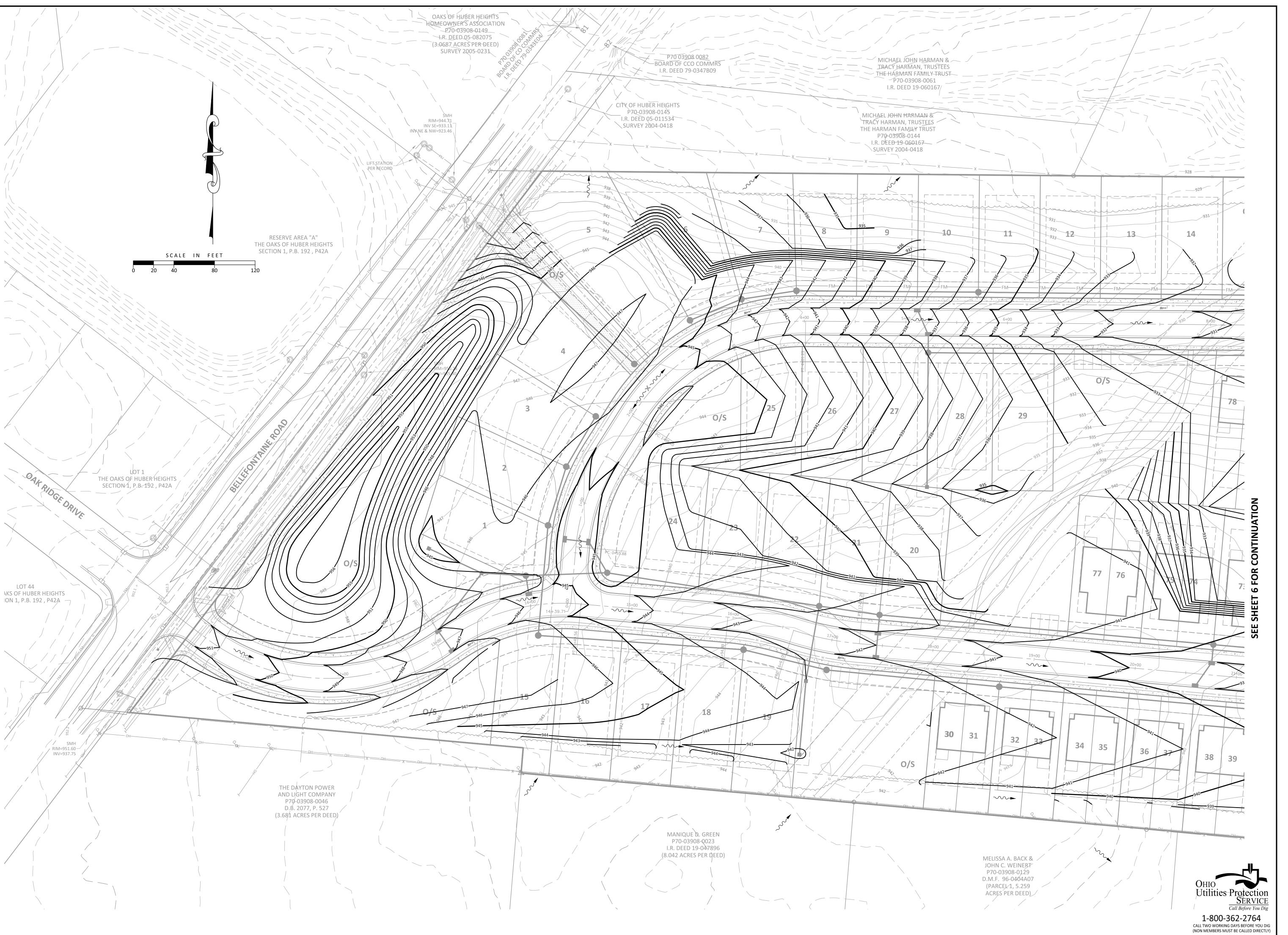
# ADDINGTON

CITY OF HUBER HEIGHTS ITUATE IN SECTION 16, TOWNSHIP 2, F MONTGOMERY, OHIO

Sheet Title

# IMPROVEMENT PLAN

Project Number 20632.00
Drawing Scale 1" = 40'
Sheet Number 3
File Number 20632





■ Architecture 3700 Park 42 Drive
■ Engineering Suite 1908
■ Landscape Architecture
■ Planning Phone 513.759.0004
■ Surveying www.mspdesign.com

Project Manager RA
Drawn By NAK
DWG 20632004-IMP-04-2022
X-Ref(s) 20632003-BAS-00

Issue/Revision No. Date

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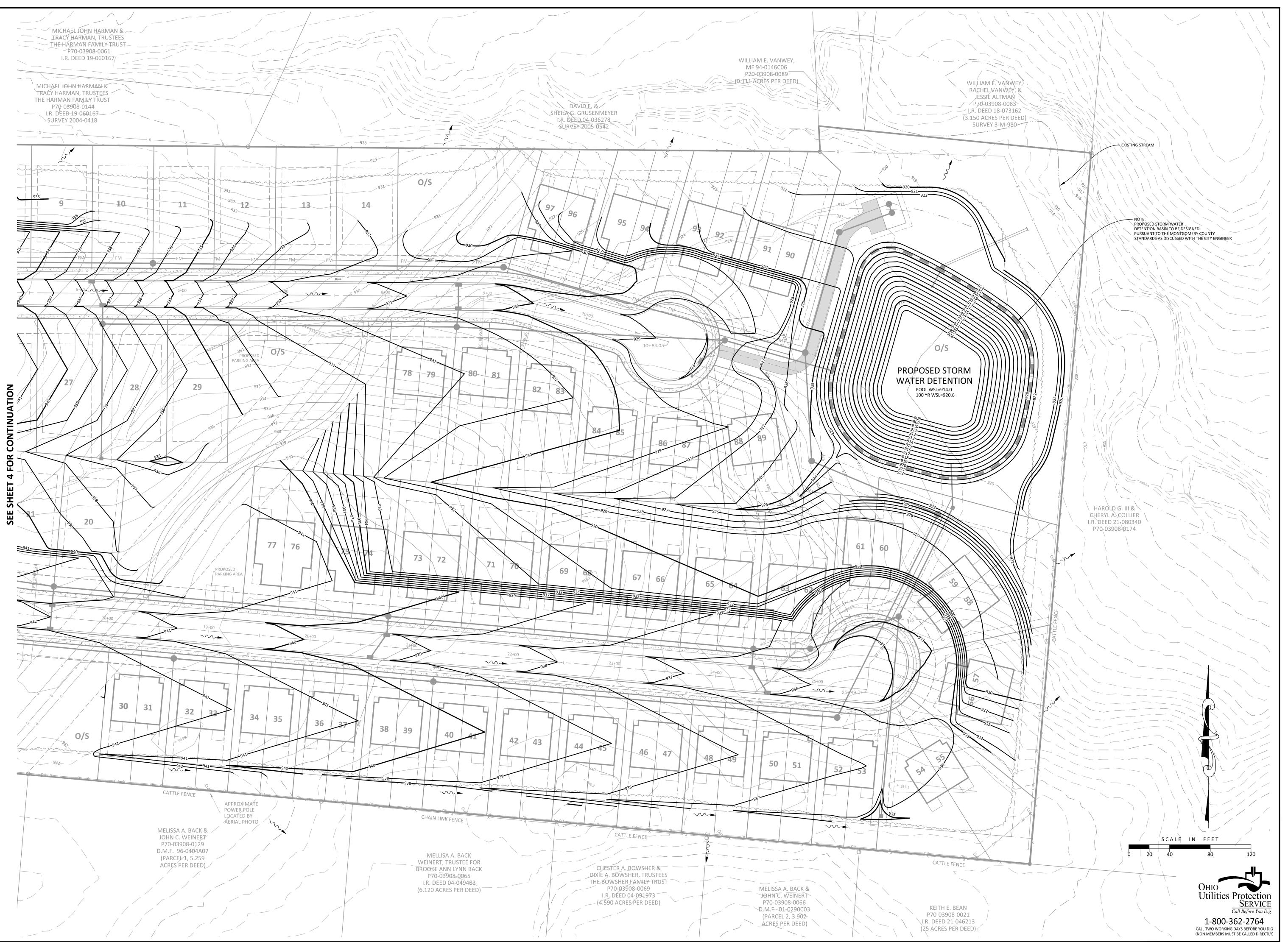
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CITY OF HUBER HEIGHTS TUATE IN SECTION 16, TOWNSHIP 2, I MONTGOMERY, OHIO

Sheet Title

GRADING PLAN

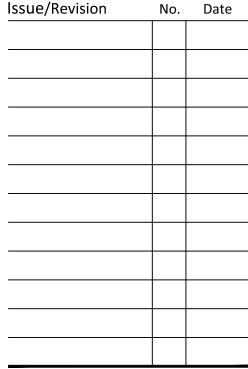
Project Number 20632.00
Drawing Scale 1" = 40'
Sheet Number 4
File Number 20632





■ Architecture 3700 Park 42 Drive
■ Engineering Suite 1908
■ Landscape Architecture
■ Planning Phone 513.759.0004
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Project Manager RA
Drawn By NAK
DWG 20632004-IMP-04-2022
X-Ref(s) 20632003-BAS-00



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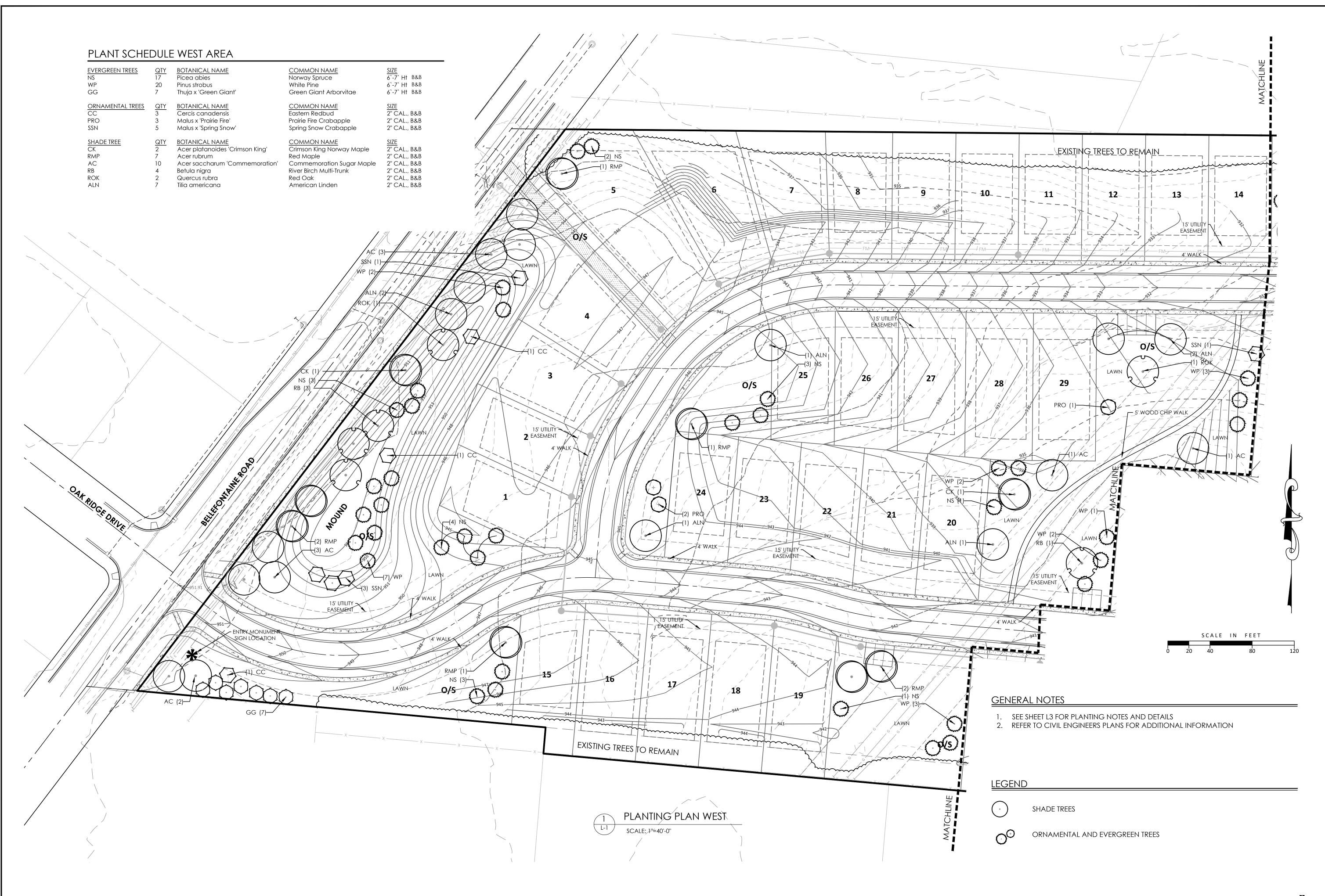
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CITY OF HUBER HEIGHTS SITUATE IN SECTION 16, TOWNSHIP 2, F MONTGOMERY, OHIO

Sheet Title

GRADING PLAN

Project Number 20632.00
Drawing Scale 1" = 40'
Sheet Number 5
File Number 20632





■ Engineering ■ Landscape Architecture

Project Manager Drawn By 20632006-PLA 20632003-BAS-00

Issue/Revision No. Date 03/03/22 ISSUED

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Sheet Title

Utilities Protection
SERVICE
Call Before You Dig

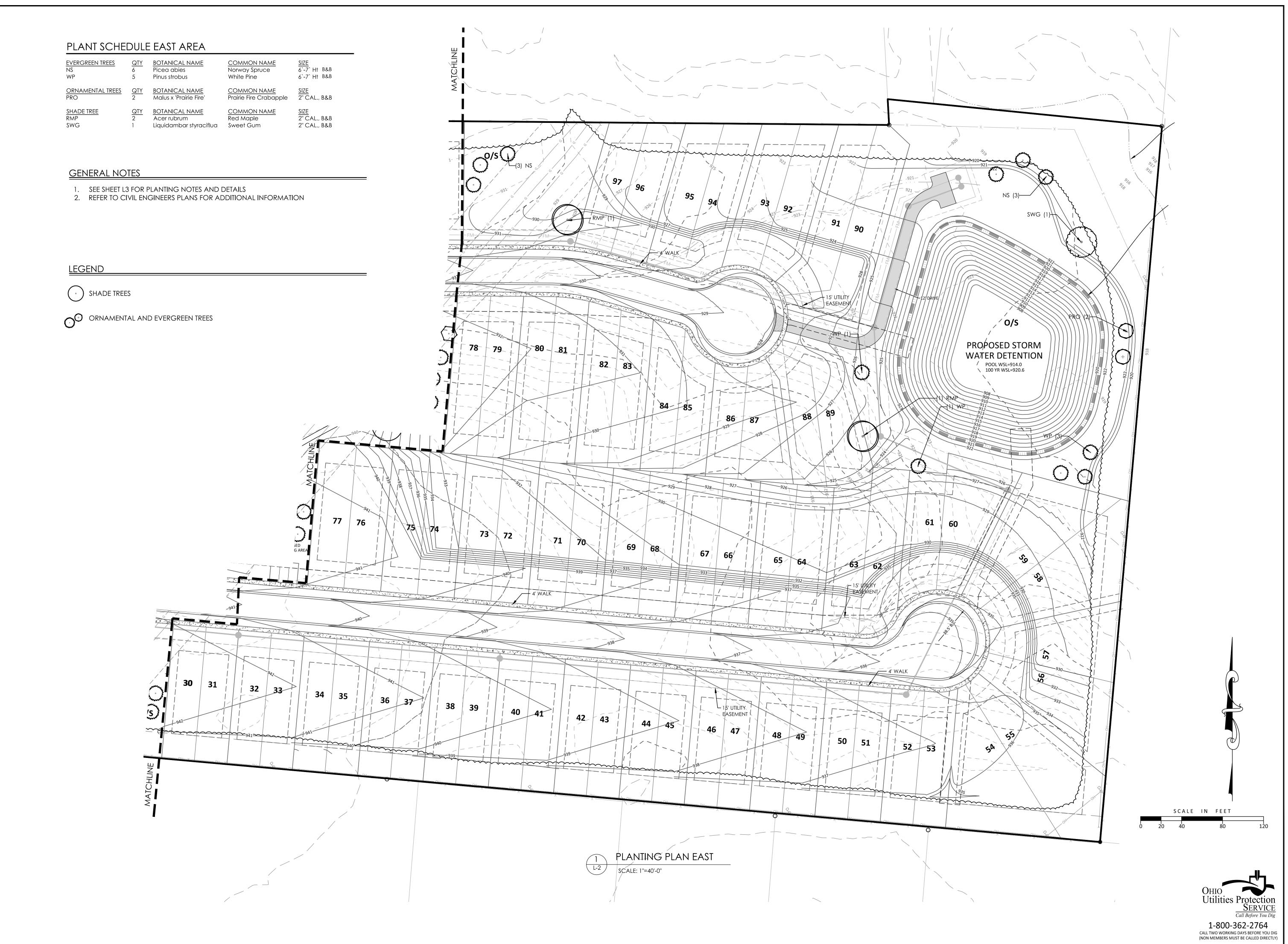
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CALL TWO WORKING DAYS BEFORE YOU DIG (NON MEMBERS MUST BE CALLED DIRECTLY)

## **PLANTING PLAN WEST**

20632.00 Project Number 1" = 40' **Drawing Scale Sheet Number** 20632

File Number





rchitecture 3700 Park 42 Driv ngineering Suite 190 andscape Architecture Cincinnati OH 4524 anning Phone 513.759.000 urveying www.mspdesign.co

Project Manager RA
Drawn By NAK
DWG 20632006-PLA
X-Ref(s) 20632003-BAS-00

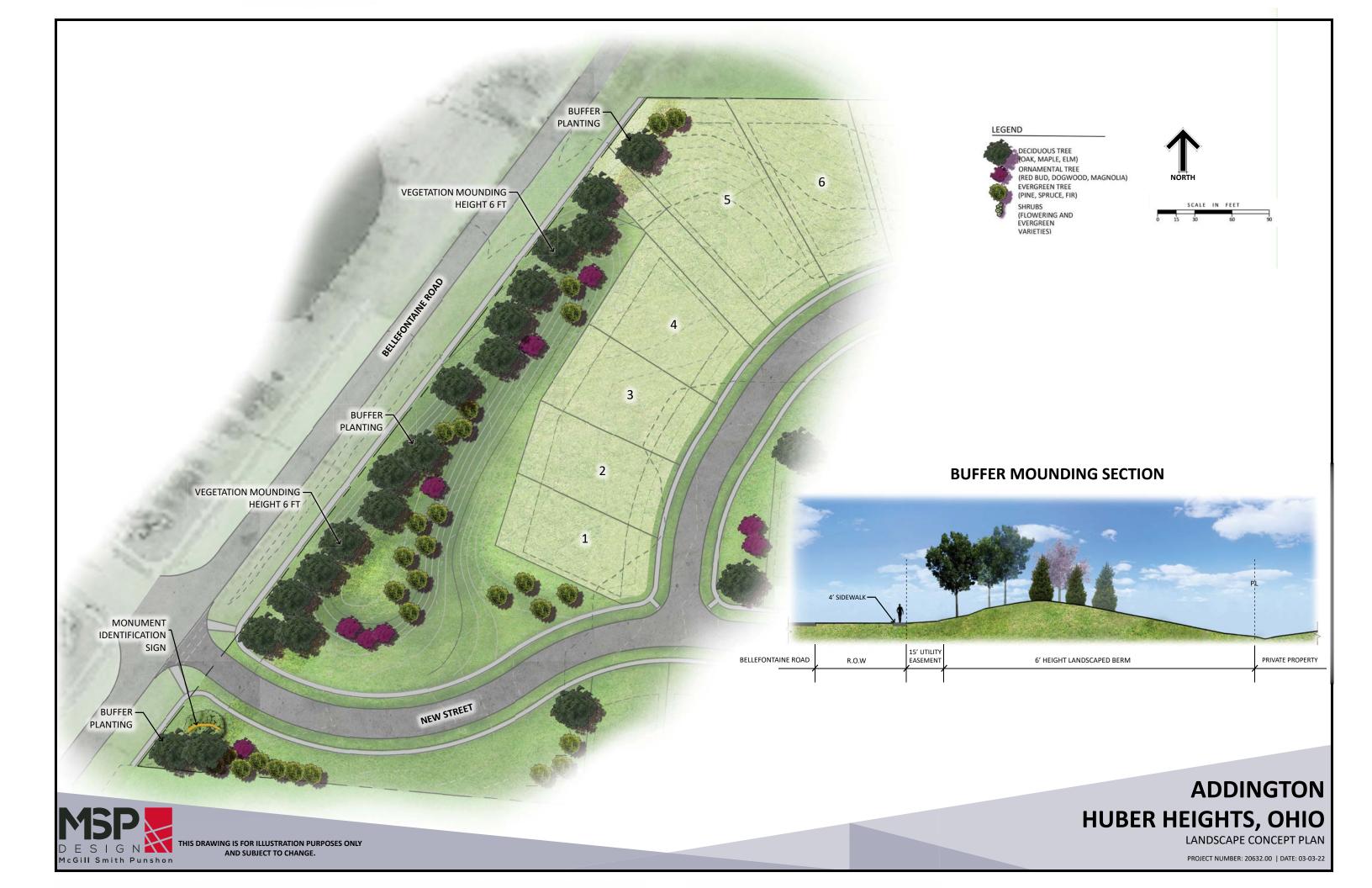
ISSUED 03/03/22

ADDINGTON

Sheet Title

# PLANTING PLAN EAST

Project Number 20632.00
Drawing Scale 1" = 40'
Sheet Number L2
File Number 20632





SECTION CUT LINE



# Huber Heights Fire Division

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

Addington Dlago Boyician 1

Occupancy Nam	ne:	Addington Place – Revision 1			
Occupancy Add	ress:	s: Bellefontaine Road			
Type of Permit: HHP&D Site Plan					
Additional Perm	its:	Choose an item.			
Additional Perm	its:	Choose an item.			
MCBR BLD:	Not Ye	et Assigned	HH P&D:		
MCBR MEC:	Not Yet Assigned		HHFD Plan:	21-262/22-050	
MCBR ELE:	Not Yet Assigned		HHFD Box:		
REVIEWER:	Susong		DATE:	3/22/2022	

### 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) Drawing shows a dimension of 12 feet, minimum width must be 20 feet.
  - Constructed of materials capable of handling 75,000 pounds (Ohio Fire Code D102.1.) Material has not been provided.
- The turning radius for fire department access roads shall meet requirements for Huber Heights Fire Division (HHFD) vehicles. Contact HHFD to obtain information. Ohio Fire Code 503.2.4 and Appendix D103.3.
- Dead end fire department access roads in excess of 150 feet shall be provided with width and turnaround provisions that comply with Ohio Fire Code Appendix D103.4. Current cul de sac measurements do not appear to meet this requirement. Nor Parking signage that complies with Ohio Fire Code Appendix D103.6 shall be provided.
- Site utility plan showing fire hydrants has not been provided. Provided.

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

- 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. Spacing appears to meet 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. Drawing indicates an 8-inch water main that is looped.
- 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. Flow calculations have not been provided.

Plans reviewed by the Huber Heights Fire Division are reviewed with the intent they comply in <u>ALL</u> respects to this code, as prescribed in <u>SECTION (D)</u> <u>104.1 of the 2017 Ohio Fire Code</u>. Any omissions or errors on the plans or in this review do not relieve the applicant of complying with <u>ALL</u> 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.

## Memorandum

Staff Report for Meeting of March 29, 2022

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, Interim City Planner

Community Planning Insights

Date: March 22, 2022

Subject: BDP 22-11 Rezoning, Combined Basic & Detailed Development Plan

Addington Subdivision

Application dated March 4, 2022

### Department of Planning and Zoning City of Huber Heights

**APPLICANT/OWNER:** Cambell Berling Huber Heights, LLC – Applicant

Richard and Marilyn Storck - Owner

**DEVELOPMENT NAME:** Addington

**ADDRESS/LOCATION:** Bellefontaine Road (P70 03908 0126)

**ZONING/ACREAGE:** A – Agricultural / 22.96 Acres

**EXISTING LAND USE:** Vacant / Agricultural

**ZONING** 

**ADJACENT LAND:** PR – West; A – North; A – East; R-1 - South

**REQUEST:** The applicant requests approval of a rezoning to

Planned Residential (PR) and approval of a combined basic and detailed development plan to construct 97

units on 22.38 acres.

ORIGINAL APPROVAL: N/A

**APPLICABLE HHCC:** Chapter 1171, 1172

**CORRESPONDENCE**: In Favor –

In Opposition –

### STAFF ANALYSIS AND RECOMMENDATION:

### Overview:

This case was originally ZC 21-47, which contemplated 132 units (66 2-family townhomes) on approximately 23 acres. The applicant withdrew the application and is now submitting approval for 97 units, comprised of 29 single-family lots and 34 two-family townhomes. The average density is approximately 4.33/units per acre.

### Applicable Zoning Regulations

The appliable zoning chapters include: 1171 General Provisions, 1172 Planned Residential District, 1181 General Provisions. The relevant sections are cited and discussed below:

### **Chapter 1171 General Provisions**

### 1171.01 Purpose.

Planned Unit Developments Districts may be permitted as amendments to the zoning map, after application and approval of specific and detailed plans, where tracts suitable in location and character for the uses and structures proposed are to be planned and developed as units. The provisions of this chapter are adopted to unify planning and development in such districts. Applications for rezoning of land into a Planned Unit Development District shall be granted only when the basic development plan for the project is such that the public health, safety and morals shall not be jeopardized by a departure from the restrictions on corresponding uses in the standard zoning district. PUD rezonings may be approved only when a basic development plan for the area has been approved by Council. A detailed development plan shall then be approved for zoning permit to be approved for development in the District. Normally the detailed development plan shall be approved by the Planning Commission after the rezoning and basic development plan have been approved by Council. Owners shall have the option however, of submitting a combined basic and detailed development plan ("combined development plan") if they should so desire for some or all of the site.

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

### 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;
- 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.

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

### 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)

### **Development Standards Analysis:**

### 1172.03 Development standards (Planned Residential)

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.

The proposed development contains 97 dwelling units on approximately 23 acres, which yields an average density of 4.33 dwelling units per acre, which is consistent with the surrounding neighborhood character.

Section 1147.04 has the following standards:

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

			*Front	Side Yard Widths		Rear
	Lot (square	Lot Frontage	Yard Depth	Least Width	Sum of Least	Yard Depth
	feet)	(feet)	(feet)	(feet)	Width (feet)	(feet)
Dwellings	7,500	60	25	8	20	40

### The applicant proposes the following:

			*Front	Side Yard Widths		Rear
	Lot (square feet)	Lot Frontage (feet)	Yard Depth (feet)	Least Width (feet)	Sum of Least Width (feet)	Yard Depth (feet)
1-family 60' (29 lots)	7,200	60	25	6	12	20
2-family 64' (19 lots)	5,760	64	25	7.5	14	20
2-family 72' (15 lots)	7,920	72	25	7.5	14	20

The proposed one-family lots are slightly smaller and 20-feet shallower than what is prescribed by the code. The 64-foot-wide lots are significantly smaller in square footage than prescribed by the code, however this does provide a housing product for those

households who do not want or need a larger yard. Overall, the average lot size in this development is 6,937 square feet. In staff's professional opinion the slightly smaller and shallower lots will have a negligible impact on surrounding properties and the character of the area.

### 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)

Each unit, both detached and attached, will contain a two-car garage, along with driveway space for parking. The proposal complies with this standard.

### 1172.05 Utilities.

The distribution systems for utilities are required to be underground.

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

All utilities will be placed below ground.

### 1181 General Provisions

### 1181.20 Building materials for dwellings.

- (a) One-Story Dwellings. All exterior walls of one-story dwellings shall be constructed of brick or other approved masonry type of material.
- (b) Dwellings Over One Story. All first-floor exterior walls of dwellings over one story shall be constructed of brick or other approved masonry type of materials. Other exterior wall areas of dwellings over one story may be constructed of other code approved building materials; provided, however, no vinyl siding shall be permitted, unless permitted under subsection (c) hereof.
- (c) Exceptions. The requirement for certain exterior walls of dwellings to be constructed of brick or other approved masonry type of material shall not apply to:
  - (1) Exterior wall areas of the dwelling where federal, state and/or local building codes prohibit the use of brick or other masonry materials such as gas fireplace inserts, cantilevers, gables, overhangs, downspouts and gutters, kitchen and other bays and other type of protrusion for which it is not reasonably practical to use the material stated above.
  - (2) Room additions, remodeling, or reconstruction, to or of, dwellings that do not comply with subsections (a) and (b) above when such dwellings were constructed prior to enactment of this Ordinance. Material that is used for additions or remodeling must be similar to the existing structure and maintain the integral look of the dwelling.

- (3) Any dwelling constructed on a lot in a subdivision whose preliminary plat was approved prior to February 1, 2007 but received final plat approval after February 1, 2007. Provided, however, all such dwellings shall have front facades with a minimum 50 percent brick or other approved masonry type of material.
- (d) Definitions. For purposes of this section, the following terms shall have the following definitions:
  - (1) "Dwelling" means any building or portion thereof occupied or intended to be occupied exclusively for residential purposes, but not including a tent, cabin, trailer or trailer coach or other temporary or transient structure or facility.
  - (2) "First floor" means the highest point at the finish grade of the proposed ground surface.
  - (3) "Other approved masonry type of material" means masonry material approved in advance by the Planning Commission so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity so that such use will not change the essential character of the same area.
  - (4) "Front Façade" means the side of the building facing the lot front as defined by Section 1123.69 (Lot, Front).

(Ord. 2011-O-1925, Passed 11-28-11)

The applicant has submitted proposed elevations that that are consistent with this requirement.

### **Additional Considerations**

While landscaping and screening is not required in the Planned Residential District, the applicant is proposing significant buffering and screening along Bellefontaine Road, and along the interior gas transmission easement.

### Staff Analysis of 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;

The comprehensive plan indicates this area should be single-family with a maximum density of six (6) units per acre. The proposed development contains 29 single-family homes and 35 duplex townhomes. The overall density of the development is 4.33 units per acre, consistent with the comprehensive plan.

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

While no phasing plan was submitted with the application, this is a relatively small subdivision for Huber Heights.

(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;

The public roads are adequate for this development. Bellefontaine Road is classified as a Major Collector in the City Thoroughfare Plan.

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

The site is served by adequate utilities.

 (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;

Draft covenants were not included in the application, however the standards set by the Planning Commission will be incorporated into the covenants before any zoning permit is issued.

(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;

The applicant is proposing significant landscaping and screening beyond the code requirements along Bellefontaine Road. Additional tree plantings are proposed throughout the development in the common areas.

(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;

This site is currently used for agriculture and no natural features exist.

 (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;

The site plan takes advantage of the natural grade and existing contours to limit grading and arrange the building sites in an efficient manner. A gas pipeline easement and the site width significantly constrain design options.

 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;

All utilities will be placed below ground.

(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.

This residential development should not create excessive additional requirements to 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

Only residential uses are contemplated for this site.

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

The rezoning from Agricultural to Planned Residential is consistent with previous residential developments in this area.

### STAFF RECOMMENDATION

It is the staff's opinion the proposal meets the standards outlined in Section 1171.06 and the intent of 1171.09. Staff recommends approval of the rezoning to Planned Residential and the combined Basic and Detailed Development Plan to construct 97 homes. Staff recommends approval with the following conditions:

- 1) The dwellings shall meet the material requirements of Section 1181.20 Building Materials for Dwellings;
- 2) The applicant will comply with all stormwater requirements, per the City Engineer;
- 3) The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department.

### **Planning Commission Action**

Planning Commission may take the following actions with a motion:

- 1) Approve the rezoning and Combined Basic and Detailed Development Plan;
- 2) Deny the Combined Basic and Detailed Development Plan (the Commission should state the specific reasons for denial); or
- 3) Table the application.



# **Planning Commission Decision Record**

WHEREAS, on March 4, 2022, the applicant, Campbell Berling, requested approval of a Rezoning to Planned Residential (PR) and a Combined Basic and Detailed Development Plan for 22.38 acres for property located on the East side of Bellefontaine Road and South of Chambersburg Road, further identified as Parcel Number P70 03908 0126 of the Montgomery County, Ohio Recorder's Office (Zoning Case CBDP 22-11), and;

WHEREAS, on March 29, 2022, 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.

Ms. Thomas moved to recommend approval of the application by Campbell Berling, for a Rezoning and a Combined Basic and Detailed Development Plan for property located on the East side of Bellefontaine Road and South of Chambersburg Road, further identified as Parcel Number P70 03908 0126 of the Montgomery County, Ohio Recorder's Office (Zoning Case CBDP 22-11), in accordance with the recommendation of Staff's Memorandum dated March 22, 2022 with the following conditions:

- 1. Single-story dwellings shall meet the material requirements of Section 1181.20 Building Materials for Dwellings;
- 2. Multi-story dwellings shall average 50% of the surface area of the front façade finished with brick or stone masonry products, not including the garage opening;
- 3. The applicant will comply with all stormwater requirements, per the City Engineer; and,
- 4. The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department.

	owed: YEAS: Ms. Opp, Ms. Vargo, Mr. Jeffries, None. Motion to recommend approval carried
Terry Walton, Chair Planning Commission	Date

### Planning Commission March 29, 2022, 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: Aaron K. Sorrell, Interim City Planner, and Geri Hoskins, Planning & Zoning Administrative Secretary.

### III. Opening Remarks by the Chairman and Commissioners

#### 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, AMARJIT TAKHAR, is requesting approval of a Basic Development Plan and Rezoning to (Planned Commercial) PC for 35 acres at State Route 35 for a Service Station (BDP 22-08).

Mr. Sorrell stated that the applicant requests approval of a basic development plan and rezoning to Planned Commercial District to construct a fueling center, convenience store, truck stop and diesel repair facility on approximately nine (9) acres of a 35-acre parcel. The site is adjacent to the I-70 / SR 235 interchange.

This case was tabled at the March 15, 2022, to allow time to review the revised development plan that was submitted shortly before the meeting. The crux of the revision reconfigures the western access point to allow for a future extension of Center Point 70 Boulevard and meet the development standards of the Planned Commercial District.

The applicant is proposing two buildings, one 6,720 SF building containing a convenience store and restaurant, and the second 6,642 SF diesel truck repair facility. Both buildings are proposed to be clad with a mix of brick and stucco EFIS.

Fuel will be dispensed through one five-pump island in front of the convenience store, and a second five-pump island located at the rear of the property for semiPlanning Commission Meeting March 29, 2022

trucks and large oversized vehicles. Both fueling islands will be covered by large canopies.

Parking is provided throughout the site. The revised site plan illustrates 76 parking spaces, including 10 for semi-trucks. This is an increase from 62 automobile parking spaces.

The proposed uses are principally permitted in the PC district. The revised plan indicates a 15-foot perimeter buffer yard, which meets the standards for this chapter. All other standards for this Chapter are met.

The revision meets the requirements of Chapter 1181. The revised plans illustrate street trees placed every 40-feet. No exterior lighting plan was submitted at this time, but will be submitted at the time of detailed development review. Unless otherwise directed by the Planning Commission, parking light fixtures shall not exceed 25 feet in height.

The Basic Development Plan indicates potential locations for landscape islands and trees within the parking areas. Additional detail shall be provided during the detailed development plan phase.

The revised proposal meets the requirements of Chapter 1185. The applicant is illustrating parking island landscaping. The maximum required number of parking spaces required is approximately 67 total spaces. The revised plan indicates 70 proposed spaces. The number of required parking spaces is likely to decrease once the final area of the convenience store (less storage) and restaurant are determined.

The proposal meets the requirements of this chapter which limits the number of semi parking spaces to no more than ten spaces. The plans indicate ten spaces that are correctly dimensioned.

#### Other Considerations:

Staff has asked the applicant to redesign the site to allow a future extension of Center Point 70 by moving the gas pumps and store further south and/or changing their alignment. The applicant has adjusted the site plan by reconfiguring the parking and circulation plan. The revised configuration will likely improve vehicle stacking at the intersection along the proposed roadway, rather than internally as was originally illustrated.

#### **Additional Comments:**

Fire: See Attached. The applicant will comply will all fire code requirements.

#### **City Engineer:**

#### Recommendation

Staff recommends approval of the rezoning from I-1 to Planned Commercial and approval of the revised basic development plan with the following conditions:

Applicant shall comply will all fire code requirements.

### **Action**

Ms. Thomas moved to approve the request by the applicant Amarjit Takhar, for approval of a Basic Development Plan and Rezoning to Planned Commercial (PC) on approximately nine (9) acres of a 35-acre parcel at property located on the East side of intersection of State Route 235 and Center Point 70 Blvd, Parcel Numbers P70-03903-0079 and P70-03903-0005 of the Montgomery County Ohio Records (ZC BDP 22-08) and accordance with the recommendation of staff's memorandum dated March 22, 2022 and the Planning Commission's Decision Record attached thereto.

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

Move to City Council

#### VII. New Business

 COMBINED BASIC AND DETAILED DEVELOPMENT PLAN - The applicant, CAMPBELL BERLING HUBER HEIGHTS, LLC, is requesting approval of a Rezoning to Planned Residential (PR) and a Combined Basic and Detailed Development Plan for property located on the East side of Bellefontaine Road and South of Chambersburg Road (ZC CBDP 22-11).

Mr. Sorrell stated that This case was originally ZC 21-47, which contemplated 132 units (66 2-family townhomes) on approximately 23 acres. The applicant withdrew the application and is now submitting approval for 97 units, comprised of 29 single-family lots and 34 two-family townhomes. The average density is approximately 4.33/units per acre.

The proposed one-family lots are slightly smaller and 20-feet shallower than what is prescribed by the code. The 64-foot-wide lots are significantly smaller in square footage than prescribed by the code, however this does provide a housing product for those households who do not want or need a larger yard. Overall, the average lot size in this development is 6,937 square feet. In staff's professional opinion the slightly smaller and shallower lots will have a negligible impact on surrounding properties and the character of the area.

Each unit, both detached and attached, will contain a two-car garage, along with driveway space for parking. The proposal complies with this standard.

All utilities will be placed below ground.

The applicant has submitted proposed elevations that that are consistent with this requirement.

While landscaping and screening is not required in the Planned Residential District, the applicant is proposing significant buffering and screening along Bellefontaine Road, and along the interior gas transmission easement.

Planning Commission Meeting March 29, 2022

The comprehensive plan indicates this area should be single-family with a maximum density of six (6) units per acre. The proposed development contains 29 single-family homes and 35 duplex townhomes. The overall density of the development is 4.33 units per acre, consistent with the comprehensive plan.

While no phasing plan was submitted with the application, this is a relatively small subdivision for Huber Heights.

The public roads are adequate for this development. Bellefontaine Road is classified as a Major Collector in the City Thoroughfare Plan

The site is served by adequate utilities.

The applicant is proposing significant landscaping and screening beyond the code requirements along Bellefontaine Road. Additional tree plantings are proposed throughout the development in the common areas.

It is the staff's opinion the proposal meets the standards outlined in Section 1171.06 and the intent of 1171.09. Staff recommends approval of the rezoning to Planned Residential and the combined Basic and Detailed Development Plan to construct 97 homes. Staff recommends approval with the following conditions:

- 1) The dwellings shall meet the material requirements of Section 1181.20 Building Materials for Dwellings;
- 2) The applicant will comply with all stormwater requirements, per the City Engineer;
- 3) The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department.

Bob Krohngold was present. Cindy Smith and Tracy Harman

Discussion on the Fire Assessment and percentage of masonry

#### **Action**

Ms. Thomas moved to approve the request by the applicant Campbell Berling for approval of a Rezoning to Planned Residential (PR) and a Combined Basic and Detailed Development Plan for property located on the East side of Bellefontaine Road and South of Chambersburg Road, Parcel Number P70 03908 0126 of the Montgomery County, Ohio Recorder's Office (ZC CBDP 22-11) in accordance with the recommendation of Staff's Memorandum dated March 22, 2022, and the Planning Commission Decision Record attached thereto.

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

Move to City Council

Planning Commission Meeting March 29, 2022

 REZONING AND BASIC DEVELOPMENT PLAN - The applicant, HORIZON LINE DEVELOPMENT, is requesting approval of a Rezoning and Basic Development Plan to PM (Planned Mixed) for 197 unit Residential Town-Home Apartment Community, located at 7125 Executive Boulevard (ZC BDP 22-12).

Mr. Sorrell stated that the applicant is requesting approval for a rezoning of approximately 43 acres from Planned Employment Park to Planned Mixed Use, to facilitate the construction of 197 residential townhome apartments and five commercial out lots.

The applicant has proposed development and use standards that are generally consistent with the applicable zoning regulations. Staff would like to see the following revisions:

- Residential garage openings shall be set back at least 20-feet from the back of the sidewalk. (It appears this is the case in most instances; however, the drawings are not dimensioned and to the greatest extent possible staff desire to limit the overhang of vehicles into the sidewalk pathways).
- The following proposed permitted non-residential uses should be eliminated from permitted use list:
  - Filling stations
  - Sweepstakes cafes
  - Convenience store
  - o Self-Storage Indoor Climate Controlled
  - o Car Wash

The area contains a mixture of residential, commercial and office uses.

This site is located along a well-traveled thoroughfare, surrounded by residential uses to the north and west, commercial uses to the south, and Carriage Hill MetroPark to the east. The vast majority of the proposed land uses are residential and are located adjacent to other residential uses. The proposed commercial out lots, which will likely have more intensive uses, are appropriated located to front Executive Boulevard.

Commodity crop production is the current use of the site, and few natural features exist. There is a small drainage stream that bisects the site near the southwest corner, which crosses under Executive Boulevard and ultimately into Drylick Run Creek. The proposed development plan appears to limit the impact on the drainage stream.

In general, the site slopes west to east. Two onsite and one offsite stormwater basins will provide for stormwater management. The stormwater basins are designed to be wet basins, which will provide an attractive landscape amenity.

This development will have two entrances from Executive Boulevard that are aligned and spaced in a manner where little traffic conflict points should exist. Interior sidewalks and walking trails are proposed for pedestrian circulation. As the commercial spaces are developed sidewalks along the north side of Executive Boulevard should be constructed to provide pedestrian connections to the amenities near and along Executive Boulevard.

Parking for the residential units is provided by what appears to be a mixture of one-and two-car garages, along with driveway space. The applicant is providing at least two spaces per unit for the residential development, including the driveway space. As previously stated, the setback from the garage face to the back of sidewalk for the residential units should be a minimum 20-feet.

The proposal provides interior sidewalks and walking paths. Additional sidewalks should be constructed as the commercial lots are developed along Executive Boulevard to provide pedestrian access to the surrounding amenities.

A sign package was not submitted with the application; however, two monument signs are indicated on the landscaping plan. Signs shall comply with Chapter 1189.

The residential buildings are set back 15-feet from each residential building. While the commercial out lots illustrate generic building footprints, plenty of land area exists to meet these setback requirements.

The residential buildings are approximately 20-feet tall.

The plans and renderings indicate a mixture of decorative light poles and wall sconce lighting throughout the residential development. A lighting plan will be required at the detailed development plan phase.

The site plan indicates the trash receptacles will be fully enclosed where provided.

The architecture of the commercial structures is not indicated in the application, but will be reviewed at the time of the detailed development plan submission for each out building.

All utilities will be placed underground.

The residential open space will be owned by the apartment development owner.

The applicant proposes to retain the existing trees along the north property line as a buffer, and the closest structure is approximately 80-feet from the property line. Staff does not feel a 6-foot-high landscaping mound is warranted and would require the removal of existing trees.

Along the west property line, the screening will be a mixture of evergreen and ornamental trees. No mounding or fencing is proposed or required.

The commercial out lots will be reviewed at the detailed development plan phase; however, the covenants indicate the commercial developments will comply with Chapter 1185.

Street trees are indicated throughout the development. Street trees will be required along Executive Boulevard as those sites are developed.

### **STAFF RECOMMENDATION**

Staff recommend approval of the rezoning and Basic Development Plan to construct 197 residential units and five commercial out lots. Staff recommend the following conditions for approval:

- 1) The setback for the residential units shall be a minimum of 20-feet between the garage face and the back of the sidewalk.
- 2) The permitted uses shall exclude those recommended by staff.
- 3) The water mains and sanitary sewers shall be built to city standards and in easements.
- 4) The applicant shall submit a sign package consistent with Section 1189.
- 5) The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department.

Eric Allen Kevin Brolema Steve Massingill

Discussion on the entertainment area, traffic, widening Executive, adding turn lane.

#### **Action**

Ms. Vargo moved to approve the request by the applicant Horizon Line Development, for approval of a Rezoning and Basic Development Plan to Planned Mixed (PM) for 35 acres at 7125 Executive Boulevard, Parcel Number P70 03910 0005 of the Montgomery County Ohio Records (ZC BDP 22-12) in accordance with the recommendation of Staff's Memorandum dated March 29, 2022, and the Planning Commission Decision Record attached thereto.

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

Move to City Council

### VIII. Additional Business

None.

### IX. Approval of the Minutes

Without objection, the minutes of the March 15, 2022, Planning Commission meeting are approved.

### X. Reports and Calendar Review

Rezoning and Basic Detailed Development Plan, Medical Facility Major change and Detailed Development Plan, Commercial Lot Major Change and Detailed Development Plan, Discount Tire

	ning Commission Meeting h 29, 2022		
XI.	Upcoming Meetings		
	March 29, 2022 April 12, 2022		
XII.	Adjournment		
	There being no further business to come before the Commission, the meeting was adjourned at approximately 8:33 p.m.		
Terry	Walton, Chair	Date	
Geri	Hoskins, Administrative Secretary	 Date	

From: Tressa Kneer <treskneer@aol.com>

**Sent:** Tuesday, March 29, 2022 2:22 PM

To: Chodkowski, Bryan

**Cc:** elyons57@gmail.com; Byrge, Nancy

**Subject:** Opposition to Case 22-11

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.

#### Dear Sir/Madam:

It is our belief that the development being proposed on Bellefontaine Road across from Oak Ridge Drive will adversely affect our property values and will not fit in with our overall neighborhood aesthetic. \*The City's Comprehensive Plan specifically states that the use for this land be single family detached homes on medium-to-large lots.\* This proposal does not follow the Comprehensive Plan. We acknowledge that the builder has amended the plans from the first filing (to now include some single family homes and reduce the density a bit), BUT IT IS STILL A HUGE VARIANCE FROM WHAT THE PLAN IS AND WHAT THE SURROUNDING PROPERTIES CONTAIN. The proposed buildings include duplexes and detached homes, and the lot size is not medium-to-large. The proposed minimum lot sizes are 2280sf to 7200sf. The Oaks' minimum lot size is 12,000sf.

This land is bordered by residential properties with a minimum of 3 acres, a density of 0.33. The density of the proposed development is 4.4. By comparison, The Oaks' is 2.05. This dramatic increase in density will cause issues like traffic, aesthetics, and decreased surrounding property values.

Because of these reasons, we are opposed to this development and request that the City Council deny the application. Mayor Gore even told the developer last time that he likes the idea but IN ANOTHER PART OF THE CITY, because the small lots and high density don't belong in the middle of this mainly rural area. We insist that the city stick with the Comprehensive Plan. Why is the City always bending to the wants of the developers and not the citizens? The density does not need to match that of the Oaks exactly, but putting A) duplexes and B) buildings so close together does not at all fit the LOOK and PLAN of the area!

In December, the Planning Commission, after hearing from multiple residents opposed to the developer's first plan, still voted unanimously to NOT follow the Comprehensive Plan and recommended the development be allowed. A member of the Planning Commission, during the December meeting to discuss this topic, said that if a resident didn't like what was proposed, he/she could always buy the land him/herself. Really, that is the Clty's solution??! The answer should be that the City is following the Comprehensive Plan, especially when the people whom the variance would affect are opposed.

Thank you for your attention to this matter.

Sincerely, Jon and Tressa Kneer

From: Warren Taldo <wtaldo@gmail.com>
Sent: Saturday, March 26, 2022 9:20 AM

To: Lyons, Ed; orgnbyrge@hhoh.org; Chodkowski, Bryan

Cc: Brad Smith

**Subject:** Opposition to Case 22-11

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.

#### Members of the Planning Committee:

As a long time resident of the Oaks of Huber Heights, I would like you all to know that the vast majority of the people living in the Oaks are vehemently opposed to the recent application that this planning committee is about to review.

It is our belief that the development being proposed will adversely affect our property values as well as not fit in with our overall neighborhood aesthetic. The City's Comprehensive Plan specifically states that the use for this land be single family detached homes on medium to large lots. It does not follow the Comprehensive Plan. They are duplexes, not detached homes and the lot size is not medium to large. Their minimum lot size is 2500sf. The Oaks minimum lot size is 12,000sf.

It is bordered by residential properties with a minimum of 3 acres, with a density of 0.33. The density of the proposed development is 5.7. By comparison, The Oaks is 2.05. This dramatic increase in density will cause many issues, primarily traffic-related.

We here in the Oaks are hoping that the City Council will use common sense when they make decision that truly affect other residents in the said area, and deny this application.

Thank You, Warren & Catherine Taldo 5921 Oak Creek Trail, Huber Heights, Ohio 45424

From: William <skimarks@hotmail.com>

**Sent:** Monday, March 28, 2022 12:14 PM **To:** Chodkowski, Bryan

**Subject:** FW: Opposition to Case 22-11

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Resending email message below to you.

From: William

Sent: Monday, March 28, 2022 12:07 PM

To: elyons@hhoh.org; nbyrge@hhoh.org; bchodkowski@hhoh.orgit

Cc: BTGeek@aol.com

**Subject:** Opposition to Case 22-11

**Huber Heights City Leaders:** 

I respectfully provide this email for your attention and action as appropriate.

Consistent with my prior opposition to Case ZC 21-47, I have reservations against case 22-11 on the same grounds. Namely it is not similar with the housing sizes and density associated with the Oaks of Huber Heights and therefore will look more and more like a hodge-podge of mixed housing concepts for this section of Huber Heights. People will ask, "who planned these neighborhoods?" This ultimately results in lower home values and less trust and interaction among neighbors. The question I have is, why can't Huber Heights provide a similar housing concept like the Oaks of Huber Heights, for more than just a few blocks? Why would we divert from the original Oaks of Huber Heights concept for this area? We should not be in a hurry to accept a developer's pleas that he will lose money if he can't build smaller homes in higher density neighborhoods. Frankly, I would like to see an expansion of the Callamere Farms home styles on the east side of Bellefontaine Rd. Wouldn't it be nice to have at least a few more homes of the styles used by the Oaks of Huber Heights or even Callamere farms,... or does Huber Heights want to be known as the small home capital of OH?

Let's expand on a good concept. Thanks for your continued support.

William Marks

From: Mellanie Toles <tolesm@clarkstate.edu>

**Sent:** Monday, March 28, 2022 8:54 AM

To:Chodkowski, BryanCc:Lyons, Ed; Byrge, NancySubject:Opposition to Case 22-11

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#### **Dear City Council Members:**

We are writing in opposition to the proposed Zoning Case 22-11, which would be located directly across from The Oaks of Huber Heights entrance and specifically, our home.

It is our belief that the development being proposed will adversely affect our property values and it will not fit in with our overall neighborhood aesthetic. The City's Comprehensive Plan specifically states that the use for this land be single family DETACHED homes on medium to large lots. This proposed development does not follow the Comprehensive Plan. They are duplexes, not detached homes, and the lot size is not medium to large. Their minimum lot size is 2,500 sf, while The Oaks' minimum lot size is 12,000 sf.

The property is bordered by residential properties with a minimum of 3 acres, with a density of 0.33. The density of the proposed development is 4.4. By comparison, The Oaks is 2.05. This dramatic increase in density will cause many issues, primarily traffic-related.

Because of these and other reasons, we are opposed to this development and request that the City Council deny the application. We respectfully ask that you act to protect the property values we have worked hard to maintain by voting down this proposed development.

Thank you for your time and 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 | www.clarkstate.edu
937.328.6002 | tolesm@clarkstate.edu

From: Nick Winner < nickandcarol88@yahoo.com>

**Sent:** Monday, March 28, 2022 8:00 AM

**To:** Chodkowski, Bryan

Subject: Case 22-11

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This does not comply with the city's comprehensive plan which calls for single family detached homes on medium to large lots Sent from my iPhone

From: Bailey Reid <reidb3@udayton.edu>

**Sent:** Monday, March 28, 2022 12:27 AM

To: Chodkowski, Bryan
Cc: Lyons, Ed; Byrge, Nancy
Subject: Opposition to Case 22-11

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Good evening, today I'm writing to you to oppose Case 22-11.

As a resident of The Oaks, I am concerned with how this project does not comply with the city's Comprehensive Plan which outlines single-family detached homes on the lot sizes described in the project. I am not only concerned with the potential effects on the property values of the residents of The Oaks, but also with the potential for increased crime near or within our development which could come from these duplexes.

We've dealt with this same developer before and it is clear to me that they do not have the existing community's best interest at heart. Packing as many residences as possible into a small area like this before, and attempting to push another plan through like prior shows to me that their primary motivator is money with no concern with potential illeffects.

# **Bailey Reid**

Mechanical Engineering Student University of Dayton - 2022 reidb3@udayton.edu | (937)-546-2259

From:

Ron Hinds <ronshinds@aol.com>

Sent:

Sunday, March 27, 2022 7:33 PM

To:

Chodkowski, Bryan

Cc: Subject: Lyons, Ed; Byrge, Nancy Opposition to Case 22-11

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### Dear Council Members,

In reference to Zoning Case 22-11. I am in opposition to this project.

This application is for 97 homes (instead of the previous 132) with 29 single family detached homes and 68 duplex (attached) homes. This plan has reduced their density to 4.4 (The Oaks is 2.05). By comparison, the same density as The Oaks would limit the development to 47 homes.

According to the Staff Report written by the Interim City Planner: Lot sizes range from 2,280sf to 7,200sf. The minimum lot size for The Oaks is 12,000 sf. The smallest lot that physically borders the project is 4 acres.

Lot frontages range from 60 feet to less than 32. Minimum frontage for The Oaks is 85 feet. The frontages for the lots that physically border the project are all in excess of 85 feet. Side yard depth ranges from 6 to 7.5 feet. Minimum side yard for The Oaks is 10 feet. The side yards for the lots that physically border the project are all in excess of 10 feet. Rear yard depth is 20 feet. Minimum rear yard depth for The Oaks is 40 feet. The rear yards for the lots that physically border the project are all in excess of 40 feet.

It's obvious that this project does not comply with the City's Comprehensive Plan which calls for single-family DETACHED homes on medium to large lots.

This project does not fit the aesthetics of our overall neighborhood and I believe it will adversely affect our property values. As a Realtor I understand <u>firsthand</u> what this type of development will do to the property values of our homes in The Oaks as well as the properties to the north and east of this proposed development. With traffic increasing significantly this will affect all of the surrounding neighbors and of course the value of our homes.

The neighbors to the north and east have purchased their properties with the intent to enjoy the benefits of having homes on large lots with acreage. This project will affect many of the amenities they currently enjoy.

Thanks for your consideration.

Sincerely,

Ron

Ron Hinds 6265 White Oak Way

From: tadrjd <tadrjd@woh.rr.com>
Sent: Sunday, March 27, 2022 10:51 AM

**To:** Chodkowski, Bryan; Lyons, Ed; Byrge, Nancy

Cc: Cindy Smith Zoning 22-11

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.

I am writing this on the above case that is planned to come up before the planning committee.

This is the second time and is still totally lacking in justification for a rezoning change. First i want to say thank you to the developer that took time out of his schedule to discuss the project. I will be unable to come as i will be in Florida for business and a little pleasure. The area is currently zonss as multiacre with agriculture. The plots are at least 3 to 5 acres. The density of the area proposed is almost 5 units per acre. The setbacks are against the current ordinances the back yard and distances between the unit are also. I have asked during the last design proposal to see the calculations of the storm run off pond. I again asked the developer and seemed hesitant to provide. He indicated that the city engineer has it also. Who all i wsnt os to see the calculations as the old design did not put much thought into the size and now what i look at is much more thought many times larger but nothing even from the telcon i had with the developer. What is being hidden. Is there something that you do not want me to see? That is where my thought is right now. Would not yours. Especially when the new current design has more grass area than the last. Density if you omit the gas easement is much denser than the previous. Why...i will say it in a moment as it is what the developer said to me. The two cul-de-sac is terrible design. Too many units on a dead end. As in the area across the road it was determined that per city you can have no more than 30 units this has over 50. What if there is a fire response accident or anything else and many families cannot get to ther own home. These are just a few. Mrs smith and i have spoken and has the rest of my concerns and will speak on my behalf. The next issue is the memo from your city planner as it is written totally insufficient. The memo as i understand is to guide the planning committee on what the project is and what the rules are and what of the ordinances zoning are met and not. Me smith will go through at least 19 items that are incorrect. How does someone expect the committee and council to do their jobs if they get incorrect and inadequate information to look at and evaluate. I believe the memo was just whipped together due to lack of leadership as guidance as you had under schommer and falcokowski. The jib is to evaluate and do whatvis right under the rules and ordinances of the city. The job is to give impartial and correct guidance to the developer the residents the committee and council to had good dialogue and allow good decision process information. The job is not to have a solution for the developer to do what they propose that is TOTALLY DRIVEN BY COST. That is what was spoken to me directly from the developer. Totally wrong way. As i said before ms smith has my in depth concerns and will discuss on tuesday. Please vote to reject this zoning chnage as it is driven based on cost and not what is correct and redo the city memo so it is correct. Do jot make a decision on what a developer wants but what is right for the city and the residents. Regards ron deak 5908 oak creek trail 7816989177

Sent from my T-Mobile 4G LTE Device

From: Sent: William <skimarks@hotmail.com> Monday, March 28, 2022 12:14 PM

To:

Chodkowski, Bryan

Subject:

FW: Opposition to Case 22-11

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Resending email message below to you.

From: William

Sent: Monday, March 28, 2022 12:07 PM

To: elyons@hhoh.org; nbyrge@hhoh.org; bchodkowski@hhoh.orgit

Cc: BTGeek@aol.com

**Subject:** Opposition to Case 22-11

**Huber Heights City Leaders:** 

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Let's expand on a good concept. Thanks for your continued support.

William Marks

From: Brad Smith <BTGeek@aol.com>

**Sent:** Monday, March 28, 2022 2:23 PM

To:Chodkowski, BryanCc:Byrge, Nancy; Lyons, Ed

Subject: Case 22-11

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This letter is in opposition Case 22-11.

While there are slight changes from the previous case, it still does not comply with the Comprehensive Plan, nor do any lots comply with Ordinance 1147.04 which is cited in the Staff Report. The density of 4.4 far exceeds the density of any of the bordering properties which all have a density of less than one.

The Comprehensive Plan, on Page 19, calls for these lots to be single family DETACHED homes on medium to large lots. There are still duplex (attached) homes in this plan. Also, not one of the lots complies with the lot requirements from Ordinance 1147.04 which calls for 20 feet between homes and 40 foot backyards. The only explanation we have heard for these excessive exceptions is developer profitability. In conversation with the developer, he stated that this is the plan he needs to make his project work. Our question is: Why should City standards be compromised to support developer profitability when these exceptions will have a negative effect on the existing neighbors?

The Staff Report details Ordinance 1147.04 which calls for 20 feet between houses and 40 feet backyards. Staff Report states "Overall, the average lot size in this development is 6,937 square feet. In staff's professional opinion the slightly smaller and shallower lots will have a negligible impact on surrounding properties and the character of the area." Our calculations show that the average lot size is 4,506; the number that Staff identifies fails to take into account that the "64 and 72 foot lots" are duplexes, which are actually 2 lots each. The statement that this project, as designed, will have a negligible impact on the surrounding properties and the character of the area is highly objectionable. In the previous case, there was significant discussion of the impact of putting such a dense, urban product in a rural area. The surrounding homes are on lots from 4 to 25 acres. These homeowners made a decision to live in a rural setting with few neighbors. In one case, a homeowner who recently moved from a subdivision lifestyle will end up with more neighbors than he had before. To say it will have negligible impact and will not affect the character of the area is to totally disrespect and dismiss the objections raised by these citizens of Huber Heights.

For these and other reasons, we respectfully request the Planning Commission deny this application.

Cindy and Brad Smith

From: Sherry Herstine <sharelda@aol.com>
Sent: Monday, March 28, 2022 10:59 PM

To:Chodkowski, BryanCc:Lyons, Ed; Byrge, NancySubject:Opposition to case 22-11

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### Good afternoon,

While I am not opposed to development of the property across from the Oaks on Bellefountaine, I do believe that the density proposed is still not in line with the character of the existing neighborhood. In addition, I believe the home density proposed would change the traffic to an undesirable amount, particularly at the entrances to the developments on both sides of road. As the pandemic subsides, more and more people will be heading back to work and Bellefountaine is not a super-wide thoroughfare. Adding a much more densely populated development on the other side of Bellefountaine does not seem prudent at this time.

The increased development on 202 and 201 is already making travel increasingly congested throughout our community. I feel that Bellefountaine now provides a safer alternative for residents to avoid this ever increasing situation, also alleviating some of the traffic in the business areas.

Sherry Herstine 4215 Silver Oak Way

From:

Sherry Herstine <sharelda@aol.com>

Sent:

Monday, March 28, 2022 10:59 PM

To:

Chodkowski, Bryan Lyons, Ed; Byrge, Nancy

Cc: Subject:

Opposition to case 22-11

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The increased development on 202 and 201 is already making travel increasingly congested throughout our community. I feel that Bellefountaine now provides a safer alternative for residents to avoid this ever increasing situation, also alleviating some of the traffic in the business areas.

Sherry Herstine 4215 Silver Oak Way

From:

Matt Preissler <siuecu2@att.net>

Sent:

Monday, March 28, 2022 8:35 PM

To:

Chodkowski, Bryan Lyons, Ed; Byrge, Nancy

Cc: Subject:

Opposition to Case 22-11

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### To Whom It May Concern,

We are writing in opposition to the request for rezoning of the land on Bellefontaine Road directly across from the entry to The Oaks subdivision. This project does not comply with the city's Comprehensive Plan which calls for single-family DETACHED homes on medium to large lots. This project does not fit with the aesthetics of our overall neighborhood and believe it will not only increase traffic on Bellefontaine Road, but also adversely affect our property value.

We encourage you to vote in opposition of this rezoning request. Thank you for your time and consideration of this matter. Matt and Kelli Preissler 6114 White Oak Way Lot #70

From: Roger Zambile <rogerzambile@email.com>

**Sent:** Monday, March 28, 2022 5:43 PM

To: Chodkowski, Bryan; Lyons, Ed; nnyrge@hhoh.org

**Subject:** Opposition to Zoning Case 22-11

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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 comply with the City's Comprehensive Plan which calls for single-family DETACHED homes on medium to large lots. 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 From: Publicmeeting
To: Rodgers, Anthony

Subject: FW: Opposition to Zoning Case 22-11

Date: Friday, April 22, 2022 3:57:00 PM

From: Brad Smith <BTGeek@aol.com>
Sent: Tuesday, April 19, 2022 10:27 AM

**To:** Publicmeeting <Publicmeeting@hhoh.org>; Gore, Jeff <JGore@hhoh.org>; Baker, Kathleen <KBaker@hhoh.org>; Byrge, Nancy <NByrge@hhoh.org>; Campbell, Mark <MCampbell@hhoh.org>; Kitchen, Anita <AKitchen@hhoh.org>; Lyons, Ed <ELyons@hhoh.org>; Otto, Glenn <GOtto@hhoh.org>; Shaw, Richard <RShaw@hhoh.org>; Webb, Don <DEWebb@hhoh.org>

**Subject:** Opposition to Zoning Case 22-11

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Mr. Mayor and Council Members,

We are writing in opposition to Zoning Case 22-11.

There are many things that are objectionable regarding this case so, in the interest of clarity, objections are divided by headers.

THIS DOES NOT FOLLOW THE COMPREHENSIVE PLAN. The Comprehensive Plan clearly states that this area is to be single family detached homes on medium to large lots. There are duplexes in the plan and the lots do not follow even the minimum standards set by City Code.

THIS DOES NOT MATCH THE DENSITY OF THE SURROUNDING EXISTING USES. As previously identified, the bordering properties are all rural lots of over 4 acres. People who live on the bordering properties bought with the understanding that the Comprehensive Plan would limit any development on this property to single family detached homes on medium to large lots. On all the bordering properties, the density is less than 1. The Oaks, which is across the street, has a density of 2.05. This development is 4.33, more than double anything in the area.

THE LOTS DO NOT COMPLY WITH CITY CODE 1147.04. The Code requires city lots to be a minimum of 7500 sf, 25ft front yard, 20ft between homes and 40ft rear yards. The smallest lots in the area are across the street in The Oaks: 12,000sf, with 25ft front yard, 20ft between homes and 40ft rear yards. This was identified in the Staff Report but called negligible. We disagree. Compliance with the City Code would help with correcting the density issue.

THE STAFF REPORT STATES THERE ARE NO WATER FEATURES TO BE CONSIDERED. There is a stream that runs along the northern neighboring properties, cuts the corner of the property and follows into

the property to the east. As the neighboring properties are permitted to have livestock, the quality and preservation of this water feature is of concern.

QUAIL RIDGE (THE SAME DEVELOPER) HAS A 20 FOOT BUFFER ZONE BETWEEN THE DEVELOPMENT AND THE HOMEOWNERS ON AARON LANE. As the homes on Aaron Lane are on lots of over 1 acre, it would seem that the same should be extended to the homeowners that border this property. Also, there is a provision in the Quail Ridge documentation that the existing trees in the buffer zone must remain.

THE REAR YARDS ARE LESS THAN THE MINIMUM REQUIRED. While Staff states that this is negligible, we believe that going from 40 to 20 feet is significant. Especially for the lots that border existing homes, an extra 20 feet of privacy would be noticeable.

THE DEVELOPER HAS STATED NO FENCES. However, these lots will border land that is used for farming and livestock as well as forested areas where there is an abundance of wildlife. There could be combines harvesting up to the property line. There may be cows, chickens, pigs and donkeys up to the property line. And in the forested areas, there are deer, raccoons, coyotes, skunks and more. The developer has stated that people will be allowed to have underground electric fences. These work to keep the animals wearing the shock collars in; they do nothing to keep predators out. It would be our suggestion that the developer put a fence in the 20 foot buffer zone, that can be maintained on both sides by the HOA. This would serve the dual purpose of keeping the wildlife out of the development and also address some of the trespassing and safety concerns of the current residents.

THE SPECIFICS OF THE BERM DESIGN ARE NOT IN THE DECISION RECORD OR THE ORDINANCE. As this is the same Developer as Section 9 of The Oaks and there has been significant correspondence between citizens, Councilmember and the City Manager regarding compliance of the berm, curb, sidewalk and gutters requirement from Ordinance 1405-2003; it is our belief that the berm, curb, sidewalk and gutter requirements should be specifically written into the legislation to avoid future confusion. The Developer has submitted a plan of a 6ft high berm with trees planted on top of the berm that is the length of the property on Bellefontaine. Requirements for sidewalk, curb and gutter should also be in the legislation.

THE BUILDING MATERIALS DO NOT COMPLY WITH CITY CODES. The builder has stated that they will comply with City Code 1181.20 for the single story dwellings; however, there is no information on how many single story homes will be in the development, if at all. For two story homes, the builder is asking for a variance to only 50% the front facade, excluding the garage to be brick. The drawings submitted all show enclosed garages, not attached garages. As the garage appears to be more than 50% of the frontage of the homes, there is not much left to be considered for this 50% of brick. The building codes call for 100% of all exterior walls of the first floor to be brick. The exception being asked for is from 100% to approximately 6.25%. That is a huge drop in the standards of the City. Also, if there are single story homes complying with Code 1181.20, they will be a full brick wrap. We believe this prevent a cohesive look to this development. By comparison, the bordering properties have full brick wrap homes.

PRECEDENTS IN BUILDING MATERIALS/HOME HEIGHT IN THE AREA. In The Oaks development, acknowledgment was given to the bordering existing properties on Shady Oak. The Oaks homes that border Shady Oak must be a full brick wrap and must be one story homes to match the bordering properties. Also, the homes that border main streets (Fishburg and Bellefontaine) must be 50% brick. We

believe these guidelines should also apply in Addington Place to give our neighborhood a consistent look.

CONCERN REGARDING THE NUMBER OF HOMES ON CUL-DE-SACS. As a development of over 30 homes, they will have to comply with having a second fire road. The current plan has two long streets, basically two long cul-de-sacs. The previous plan had two additional north/south streets that bisected these streets, creating alternative pathways and reducing the number of homes isolated on any cul-de-sac. The northern street has 15 single-family homes and 10 duplexes (20 homes) for a total of 35 homes. The southern street has 8 homes and 24 duplexes (48 homes) for a total of 56 homes. Our question is if 30 is the number we look at for maximum isolation, should there be some consideration given to having these high (35 and 56) numbers on cul-de-sacs? Should the two roads be connected to allow for alternative exits or should additional interior streets be re-established?

CONCERN OVER THE CALCULATIONS USED IN THE STAFF REPORT. The staff report cites an average lot size of 6,937sf. Staff has used the total number of square footage on lots divided by the number of buildings (as a duplex is one building but 2 homes). (Staff: 437,040sf divided by 63 lots) As these lots are sold individually (a duplex would have 2 lots), we believe the correct calculation should be the total number of square footage divided by the number of lots/homes for sale. (437,040sf divided by 97). This number is 4,505sf per lot; a significant difference from the 7,500sf required by City Code. An alternative would be to separate the types of lots (single family detached homes versus duplex) and identify average square footages of each specific type of lot.

Also, the Staff Report identifies some of the duplex lots as 64 or 72 foot lots. One, these are duplexes so there will be two lots for sale in that measurement. Also, when I examined the documents available before the Planning Commission meeting, the referenced 64 and 72 feet measurements were at the back of lots around the cul-de-sac curve with some of the measurements on the diagonal. I have always seen the "lotwidth" reference done at the frontage point and wanted to point out that the widths required by City Code are at the frontage measurement.

In summary, our objections are as follows:

There should not be any duplexes in this development; they should all be single family DETACHED homes on medium to large lots. They should fit in with the surrounding properties by overall density, by individual lot size and by the building materials of the homes. People who currently live in the bordering properties, many of who recently purchased their homes, bought to leave the subdivision lifestyle behind and enjoy the calm and quiet of rural living. Putting a development in their backyard that is even denser than what they left behind seems especially cruel. The belief was, and still is, that the City has a Comprehensive Plan for a reason and that is to demonstrate that the City values planned, thoughtful growth.

This is the final piece of land outside The Oaks to be developed in our neighborhood. There is a wonderful transition from the semi-rural to rural homes. In the past, consideration has been given to existing homes to create a transition that was inclusive to the desires of all. We are not on any public transportation that would support an urban design such as Addington Place. This is an urban design in a rural setting, it does not fit. Please do not allow this development to proceed in its current evolution. If the developer is unwilling or unable to produce a plan that will answer the objections raised before the Council, we respectfully request that this Zoning Case be denied.

Brad and Cindy Smith

#/

#### STATEMENT FROM BORDERING HOMEOWNERS IN OPPOSITION TO ZONING CASE 22-11

We all live on properties that surround the proposed development. Some of us purchased within the past 3 years to leave the suburban lifestyle behind. We chose to live in a rural setting, to enjoy the peace that comes with it. The proposed development does not follow the Comprehensive Plan which calls for single family detached homes. The proposed development has 68 duplexes. The lot sizes do not match even the minimums for the City Code. There is no buffering or transition to the existing properties. Moreover, no traffic study is planned to be completed before approving this development. If traffic proves to be a problem, we can only mitigate it, not change the plans to prevent it.

Our concerns are that this development will change the lifestyle that we seek to protect. The rapid increase in density will affect our everyday lives and feeling of security. With backyards 20 feet from our property line, it would be difficult to prevent trespassing. We are concerned about chemicals used on urban lawns leeching into our streams. We are also concerned about dumping and debris on the edge of the property. While the developer has answered these concerns with "that is a police matter"; we do not believe that is the appropriate response. If the density is held to the standard of single family detached homes that is in the Comprehensive Plan, it would answer many of our concerns and be in line with what we all expected any development on that property to be.

We are not opposed to development; we ask that any development fit into the existing uses of land. Generally, density increases as you go from urban to suburban to semi-rural to rural. In this case, the developer wishes to put an urban project in the midst of rural living.

Please deny this application.

Michael & Tracy Harman 6480 Belle fontaine Rd., Mya- 4/24/22



We all live on properties that surround the proposed development. Some of us purchased within the past 3 years to leave the suburban lifestyle behind. We chose to live in a rural setting, to enjoy the peace that comes with it. The proposed development does not follow the Comprehensive Plan which calls for single family detached homes. The proposed development has 68 duplexes. The lot sizes do not match even the minimums for the City Code. There is no buffering or transition to the existing properties. Moreover, no traffic study is planned to be completed before approving this development. If traffic proves to be a problem, we can only mitigate it, not change the plans to prevent it.

Our concerns are that this development will change the lifestyle that we seek to protect. The rapid increase in density will affect our everyday lives and feeling of security. With backyards 20 feet from our property line, it would be difficult to prevent trespassing. We are concerned about chemicals used on urban lawns leeching into our streams. We are also concerned about dumping and debris on the edge of the property. While the developer has answered these concerns with "that is a police matter"; we do not believe that is the appropriate response. If the density is held to the standard of single family detached homes that is in the Comprehensive Plan, it would answer many of our concerns and be in line with what we all expected any development on that property to be.

We are not opposed to development; we ask that any development fit into the existing uses of land. Generally, density increases as you go from urban to suburban to semi-rural to rural. In this case, the developer wishes to put an urban project in the midst of rural living.

Please deny this application.



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Please deny this application.

RAChel VANWey
7230 chambersburg RD.
Rachel Vanuey

937-718-24

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Please deny this application.

Hardd G Collier III Hardd J. Collier III 41/24/22

7400 Chatombersburg Rd.



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Please deny this application.

Manique Green

6515 Fishburg Rd.

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Please deny this application.

BILL BACK Bin Beck 6535 Fishburg Rd.

#7

#### STATEMENT FROM BORDERING HOMEOWNERS IN OPPOSITION TO ZONING CASE 22-11

We all live on properties that surround the proposed development. Some of us purchased within the past 3 years to leave the suburban lifestyle behind. We chose to live in a rural setting, to enjoy the peace that comes with it. The proposed development does not follow the Comprehensive Plan which calls for single family detached homes. The proposed development has 68 duplexes. The lot sizes do not match even the minimums for the City Code. There is no buffering or transition to the existing properties. Moreover, no traffic study is planned to be completed before approving this development. If traffic proves to be a problem, we can only mitigate it, not change the plans to prevent it.

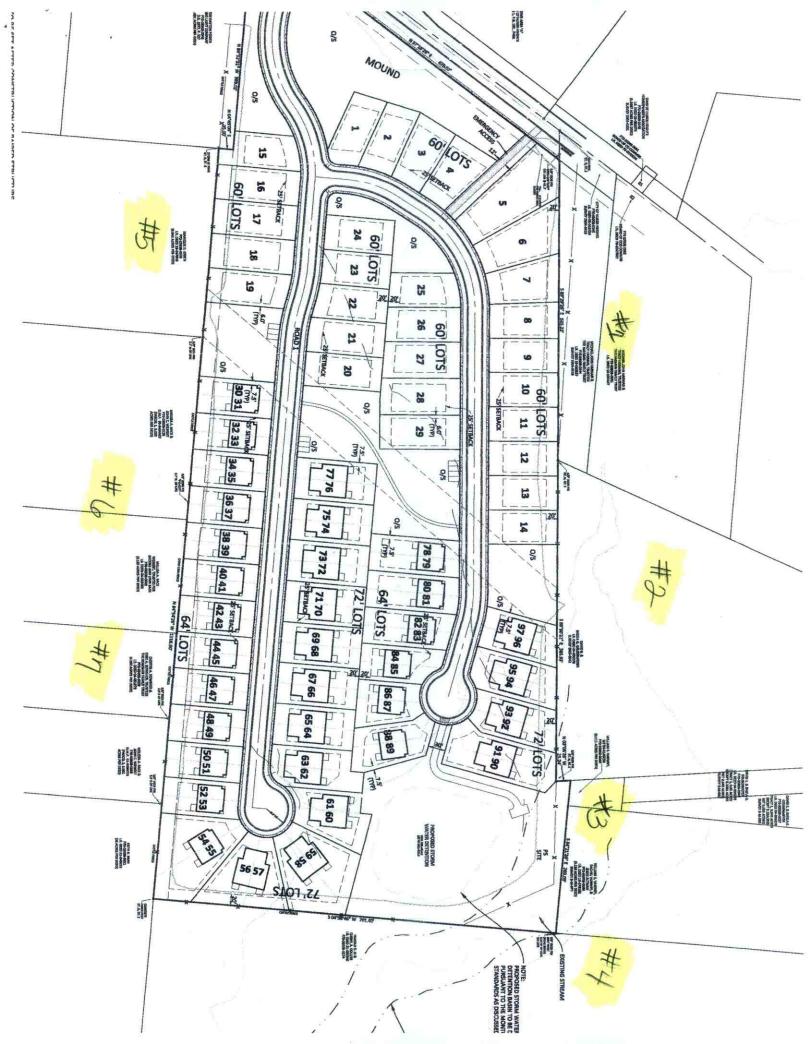
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We are not opposed to development; we ask that any development fit into the existing uses of land. Generally, density increases as you go from urban to suburban to semi-rural to rural. In this case, the developer wishes to put an urban project in the midst of rural living.

Please deny this application.

Dixie Bowsher 4/25/22

6725 Fishburg Rd.



#### CITY OF HUBER HEIGHTS STATE OF OHIO

#### ORDINANCE NO. 2022-O-

TO APPROVE A COMBINED BASIC AND DETAILED DEVELOPMENT PLAN AND REZONING TO PLANNED RESIDENTIAL (PR) FOR 22.968 ACRES FOR THE PROPERTY LOCATED ON THE EAST SIDE OF BELLEFONTAINE ROAD AND SOUTH OF CHAMBERSBURG ROAD AND FURTHER IDENTIFIED AS PARCEL NUMBER P70-03908-0126 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION (ZONING CASE CBDP 22-11).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Zoning Case CBDP 22-11 and on March 29, 2022, recommended approval by a vote of 5-0 of the Combined Basic and Detailed Development Plan and Rezoning to Planned Residential (PR); and

WHEREAS, the City Council has considered the issue.

Section 3.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. The application requesting approval of a Combined Basic and Detailed Development Plan and Rezoning to Planned Residential (PR) (Zoning Case CBDP 22-11) is hereby approved in accordance with the Planning Commission's recommendation and following conditions:

- 1. Single-story dwellings shall meet the material requirements of Section 1181.20 Building Materials for Dwellings;
- 2. Multi-story dwellings shall average 50 percent of the surface area of the front facade finished with brick or stone masonry products, not including the garage opening;
- 3. The applicant will comply with all stormwater requirements, per the City Engineer; and,
- 4. The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department.
- Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

This Ordinance shall go into effect upon its passage as provided by law and the

Charter of the City of Huber Heights.			
Passed by Council on the Yeas; Nays.	day of, 2022;		
Effective Date:			
AUTHENTICATION:			
Clerk of Council	Mayor		
Date			

#### CITY OF HUBER HEIGHTS STATE OF OHIO

#### ORDINANCE NO. 2022-O-

TO APPROVE A BASIC DEVELOPMENT PLAN AND REZONING TO PLANNED RESIDENTIAL DEVELOPMENT (PR) FOR 22.968 ACRES FOR THE PROPERTY LOCATED ON THE EASAT SIDE OF BELLEFONTAINE ROAD AND SOUTH OF CHAMBERSBURG ROAD AND FURTHER IDENTIFIED AS PARCEL NUMBER P70-03908-0126 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION, AS AMENDED (ZONING CASE CBDP 22-11)

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission reviewed Zoning Case CBDP 22-11 and on March 29, 2022, recommended approval by a vote of 5-0 of the Combined Basic and Detailed Development Plan and Rezoning to Planned Residential (PR); and

WHEREAS, the City Council held a Public Hearing for Zoning Case CBDP 22-11 on April 25, 2022 at which the applicant, Campbell Berling, voluntarily agreed to modify their proposed development in response to concerns expressed before City Council; and

WHEREAS, upon further review and recommendation by staff, the City Planning Commission amended its recommendation on Zoning Case CBDP 22-11 on April 28, 2022 by a vote of 3-0 of the Combined Basic and Detailed Development Plan and Rezoning to Planned Residential (PR); and

WHEREAS, the Campbell Berling communicated via electronic mail to the City on May 2, 2022 its desire in Zoning Case CBDP 22-11 to separate the approval of the Basic Development Plan from the Detailed Development Plan; and

WHEREAS, the City Council has considered the issue.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. The application requesting approval of a Basic Development Plan and Rezoning to Planned Residential (PR) in association with Zoning Case CBDP 22-11 is hereby approved in accordance with the Planning Commissions recommendations and the applicant's voluntary amendments:

- 1) Dwelling shall average 40 percent of the surface are of the front façade finished with brick or stone masonry products; and
- 2) The applicant will comply with all stormwater requirements, per the City Engineer; and
- 3) The applicant will comply with all Fire Code requirements, per the Huber Heights Fire Department; and'
- 4) The applicant shall restripe Bellfontaine Road to provide a center turn lane for traffic turning northwest on to Oak Ridge Drive and southeast onto proposed "Road 1" from Bellfontaine Road; and
- 5) The applicant shall leave the existing tree line along the project's north boundary as a natural buffer, adding additional coniferous trees and shrubs from Lots 6-12 every 15 feet on center to increase buffer screening; and
- 6) The applicant shall provide a boulevarded entry at the intersection of Bellefontaine Road and "Road 1" as approved by the City Engineer and Fire Department; and

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

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Passed by Council on the day of Yeas; Nays.	, 2022;	
Effective Date:		
AUTHENTICATION:		
Clerk of Council	Mayor	
Date	Date	

Al-8381 Pending Business D.

City Council Meeting City Manager

**Meeting Date:** 05/09/2022

ZC BDP 22-12 - Horizon Line Development - Rezoning/Basic Development Plan - 7125 Executive Boulevard

Submitted By: Geri Hoskins

Department:PlanningDivision:PlanningCouncil Committee Review?:Council WorkDate(s) of Committee Review: 04/19/2022

Session

Audio-Visual Needs: None Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

#### Agenda Item Description or Legislation Title

An Ordinance To Approve A Basic Development Plan And Rezoning To Planned Mixed Use (PM) For The Property Located At 7125 Executive Boulevard And Further Identified As Parcel Number P70-03910-0005 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Zoning Case BDP 22-12). (second reading)

#### **Purpose and Background**

The applicant, Horizon Line Development, is requesting approval of a Basic Development Plan and a Rezoning to Planned Mixed (PM).

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

**Drawings** 

Elevations

Fire Assessment

Staff Report

Decision Record

Minutes

Ordinance

Exhibit A

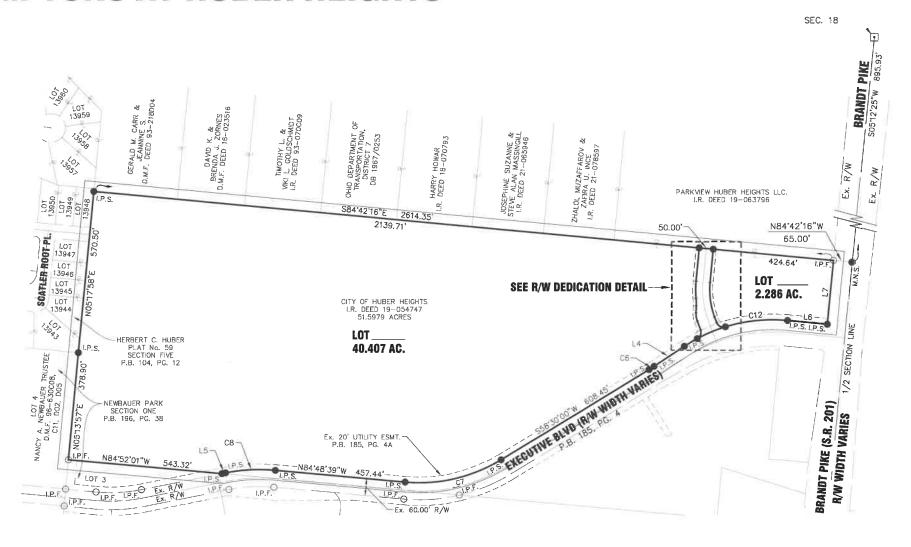
Exhibit B

Exhibit C

Exhibit D

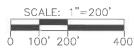
## **EXHIBIT B**

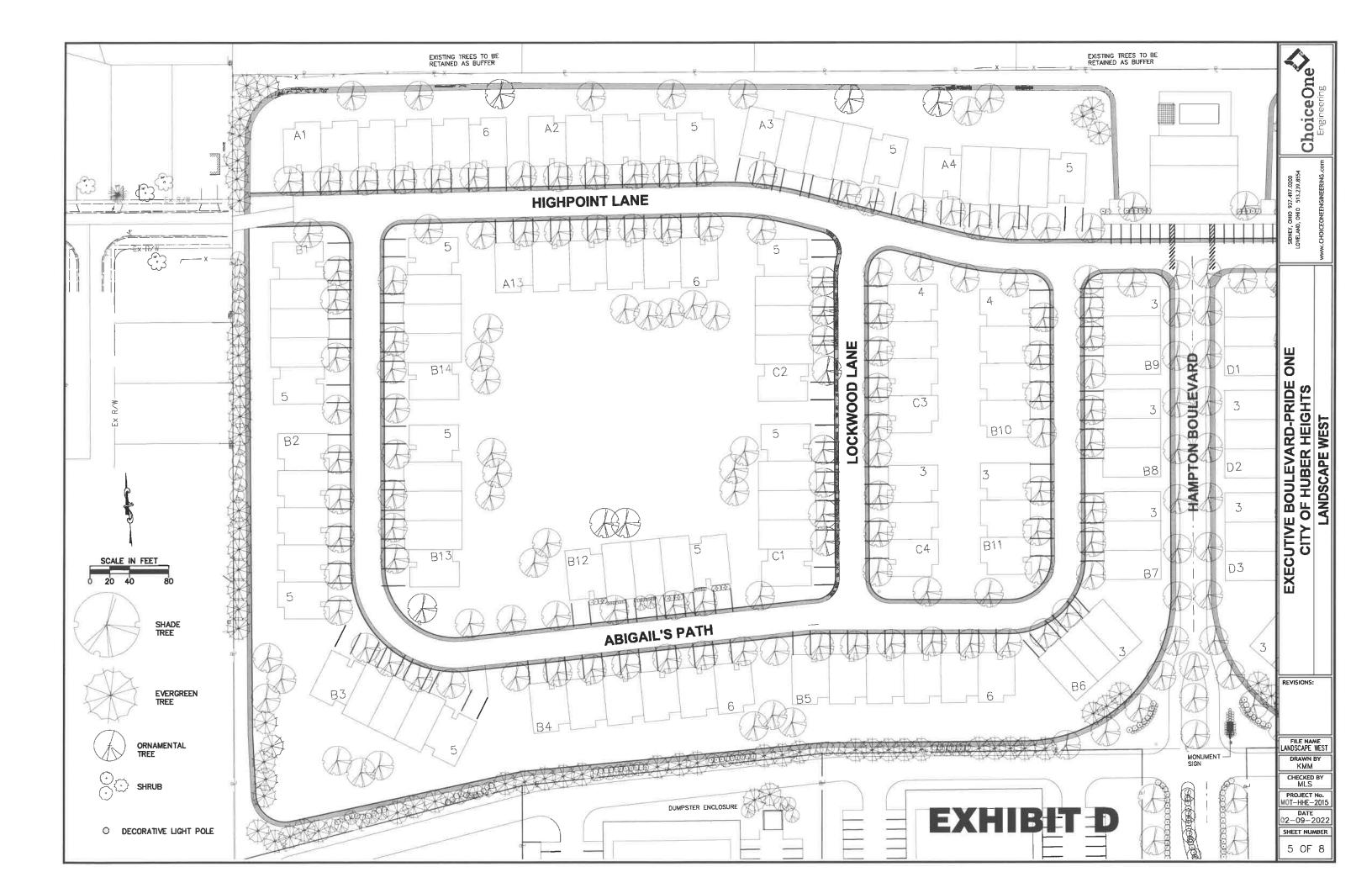
#### PUD-PM HAMPTONS AT HUBER HEIGHTS

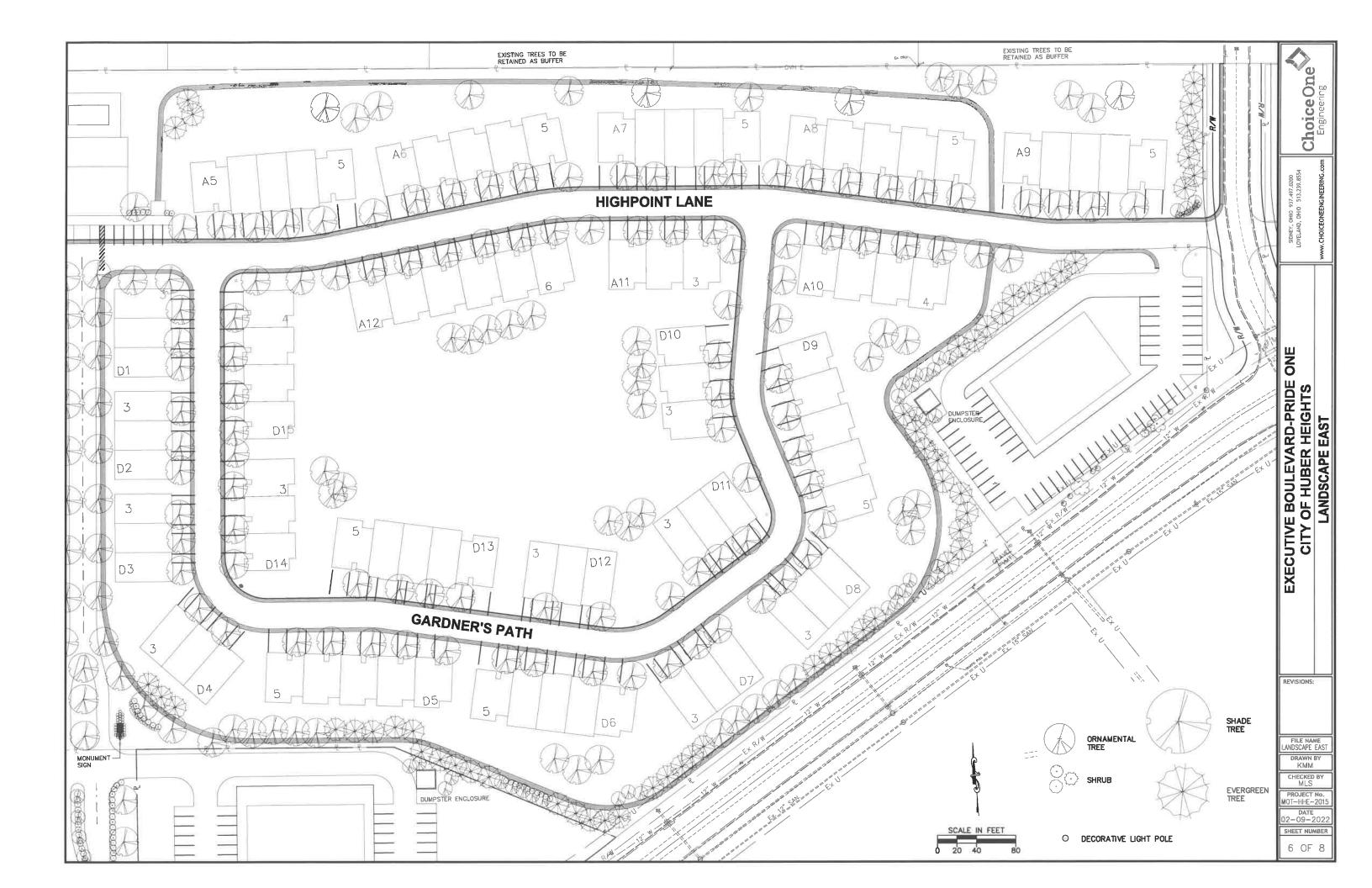


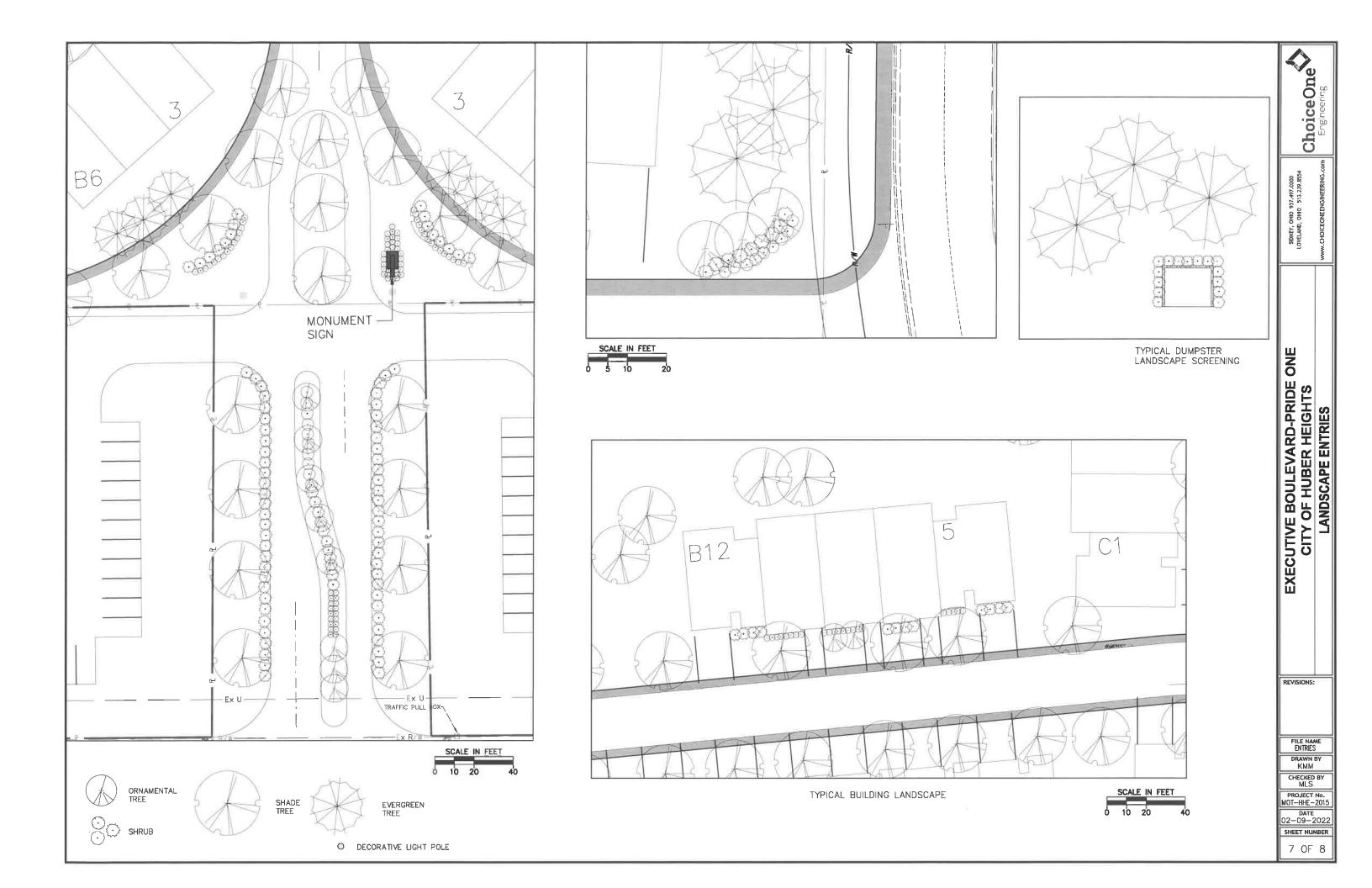


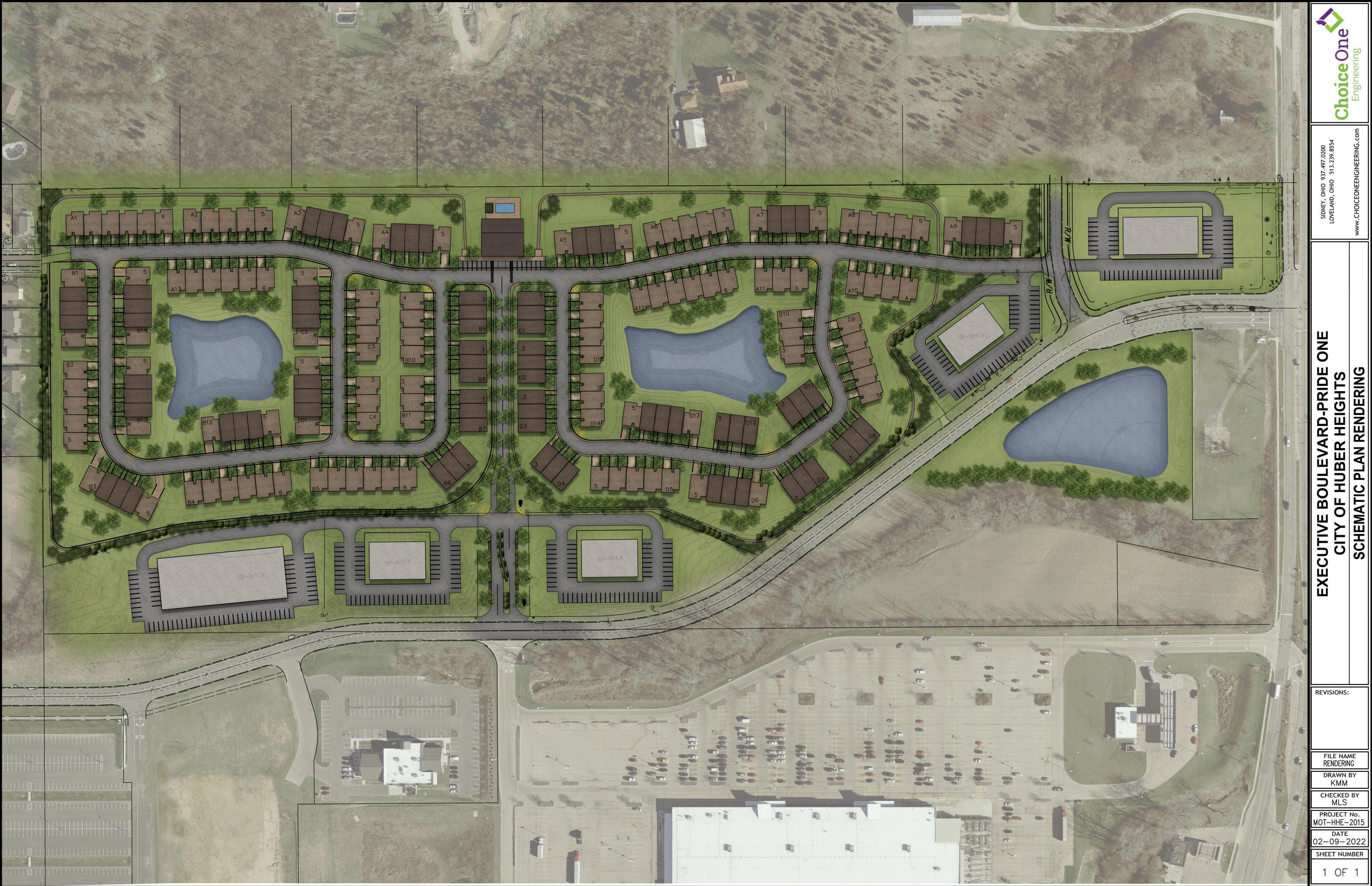
THE BEARING OF SO5'-12'-25"W
ALONG THE 1/2 SECTION LINE WAS
BASED ON NAD 83 CORS 2011
ADJUSTMENT, OHIO SOUTH ZONE,
ODOT VRS CORS NETWORK

















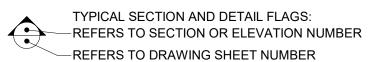






- 1. VERIFY ALL DIMENSIONED CONDITIONS IN THE FIELD. WHEN DIMENSIONS AND/OR CONDITIONS AS INDICATED ON THE DRAWINGS CONFLICT WITH ACTUAL, CONTACT THE ARCHITECT FOR CLARIFICATION.
- 2. COORDINATE ALL EXTERIOR FINISH MATERIALS, STYLES, AND COLORS WITH
- 3. REFER TO STRUCTURAL DETAILS FOR TYPICAL EXPANSION AND CONTROL JOINT CONSTRUCTION.

#### SYMBOL LEGEND



- INDICATES DOOR TYPE REFER TO SHEET A6.1 FOR DOOR SCHEDULE & 101-1 DOOR/FRAME MATERIALS & ELEVATIONS
- INDICATES WINDOW TYPE, REFER TO SHEET A6.3 FOR WINDOW ELEVATIONS



DOWNSPOUT, SEE DETAILS

#### **FLAG NOTES - EXTERIOR ELEVATIONS**

- PREFINISHED ALUMINUM GUTTER; K-STYLE, TYP. SLOPE 1/16" PER 12" MINIMUM TO DOWNSPOUTS.
- 3 3x4 PREFINISHED ALUMINUM HEAVY-DUTY COMMERCIAL GRADE DOWNSPOUT.
- 5 ARCHITECTURAL FIBERGLASS SHINGLE ROOF PER ASSEMBLY AND SPECS.
- 6 VINYL TRIM BAND, SIZE AS INDICATED.
- 7 FIBER CEMENT PANEL (PRE-ROCK AT ELECTRICAL GEAR); LOCATE JOINTS BEHIND BRACKETS AND/OR TRIM AND FLASH ALL HORIZONTAL JOINTS IN PANEL SIDING PER MFR. TEXTURE TO BE APPROVED BY OWNER. GC TO COORDINATE LOCATIONS IN FIELD PRIOR TO ROUGH-IN.
- 9 CONTINUOUS RIDGE VENT TO MATCH ROOF SHINGLES, TYP.
- 12 DECORATIVE LIGHT FIXTURE, TYP. REFER TO ELECTRICAL DRAWINGS.
- 13 PREMIUM VINYL DUTCH LAP SIDING 5" EXPOSURE. COORDINATE FINAL COLOR(S)
- 15 PREMIUM VINYL SHAKE SIDING. COORDINATE FINAL STYLE & COLOR(S) WITH OWNER.

- OVERHEAD DOOR, COLOR BY OWNER. REFER TO SCHEDULE.

- STANDING SEAM METAL ROOF ACCENT, COLOR AND STYLE BY OWNER.

- APPROXIMATE FINISHED GRADE, SEE CIVIL DRAWINGS

- 4 TYPICAL FASCIA TRIM ALUM CLAD 2x6 WITH ALUM DRIP EDGE, TYP UNO.

- 10 WINDOW PER SCHEDULE, TYP. SEE PLANS. PROVIDE 4" NOMINAL TRIM AROUND ALL FRONT AND HIGH PROFILE (HP) LOCATIONS.
- 11 DOOR PER SCHEDULE, TYP. SEE PLANS.

TRUSS BEARING 2

FIRST FLOOR

TRUSS BEARING 2 9'-1 1/8"

ELEVATION BUILDINGS 'A1', 'A13', 'B4', & 'B5' - RIGHT 3/32" = 1'-0"

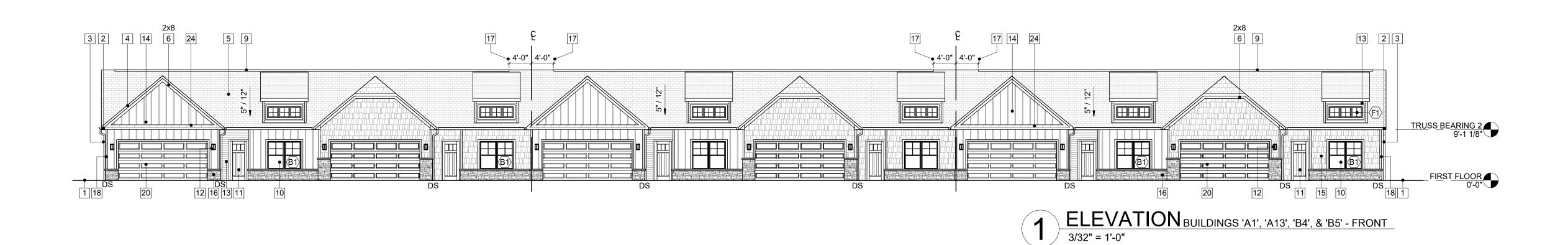
ELEVATION BUILDINGS 'A1', 'A13', 'B4', & 'B5' - REAR 3/32" = 1'-0"

10

18 1

- WITH OWNER.
- 14 VINYL BOARD ON BATTEN: 2" BATTEN AT 12" O.C., COLOR(S) BY OWNER.
- 16 MANUFACTURED STONE VENEER, REFER TO DETAILS FOR MORE INFORMATION. COORDINATE FINAL COLOR, SIZE, AND STYLE WITH OWNER.
- 17 NO OPENINGS OR PENETRATIONS WITHIN MIN. 4'-0" OF EITHER SIDE OF 2-HOUR FIRE RATED WALL, TYP.
- 18 4" NOMINAL VINYL CORNER TRIM, COLOR(S) BY OWNER.
- A/C UNIT, TYP. REFER TO PLANS AND MECHANICAL DRAWINGS.

- DECORATIVE VENT AND BRACKETS, COLOR AND STYLE BY OWNER



TRUSS BEARING 2

(C1)

ELEVATION BUILDINGS 'A1', 'A13', 'B4', & 'B5' - LEFT 3/32" = 1'-0"

1 21 18 TYP.

• (B1)

12' 18' 24' 30'

**PRELIMINARY** 

NOTE!!! THIS DRAWING IS NOT FOR CONSTRUCTION

**REVISIONS** 



DATE: MARCH 2, 2022
THE HEIGHTS

EXTERIOR ELEVATIONS - BUILDINGS A1, A13, B4, & B5

PROJECT #: 1322

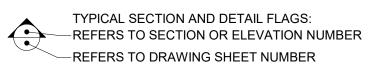
THE HAMPTONS AT THE HEIGHTS

EXECUTIVE BOULEVARD
HUBER HEIGHTS, OHIO 45424

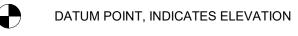
A2.01

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- 2. COORDINATE ALL EXTERIOR FINISH MATERIALS, STYLES, AND COLORS WITH
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#### **SYMBOL LEGEND**



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DOWNSPOUT, SEE DETAILS

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- A/C UNIT, TYP. REFER TO PLANS AND MECHANICAL DRAWINGS.
- DECORATIVE COLUMN OVER WOOD POST/COLUMN, COLOR AND STYLE BY OWNER.
- 25 DECORATIVE VENT AND BRACKETS, COLOR AND STYLE BY OWNER

# APPROXIMATE FINISHED GRADE, SEE CIVIL DRAWINGS

TRUSS BEARING 2 9'-1 1/8"

FIRST FLOOR 0'-0"

TRUSS BEARING 2 9'-1 1/8"

FIRST FLOOR 0'-0"

ELEVATION BUILDINGS 'A2', 'A6', 'A8', & 'B2' - RIGHT

ELEVATION BUILDINGS 'A2', 'A6', 'A8', & 'B2' - REAR

3/32" = 1'-0" BUILDINGS 'D5' & 'D9' SIM.

BUILDINGS 'D5' & 'D9' SIM.

2x8 9 5 4 6

- BRACKETS AND/OR TRIM AND FLASH ALL HORIZONTAL JOINTS IN PANEL SIDING PER FIELD PRIOR TO ROUGH-IN.
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- 20 OVERHEAD DOOR, COLOR BY OWNER. REFER TO SCHEDULE.
- STANDING SEAM METAL ROOF ACCENT, COLOR AND STYLE BY OWNER.



TRUSS BEARING 2 9'-1 1/8"

FIRST FLOOR

DS 14 16 12

13

ELEVATION BUILDINGS 'A2', 'A6', 'A8', & 'B2' - LEFT

12' 18' 24' 30'

**PRELIMINARY** 

NOTE!!! THIS DRAWING IS NOT FOR CONSTRUCTION

**REVISIONS** 



DATE: MARCH 2, 2 HEIGHTS EXTERIOR ELEVATIONS - BUILDINGS A2, A6, A8, & B2

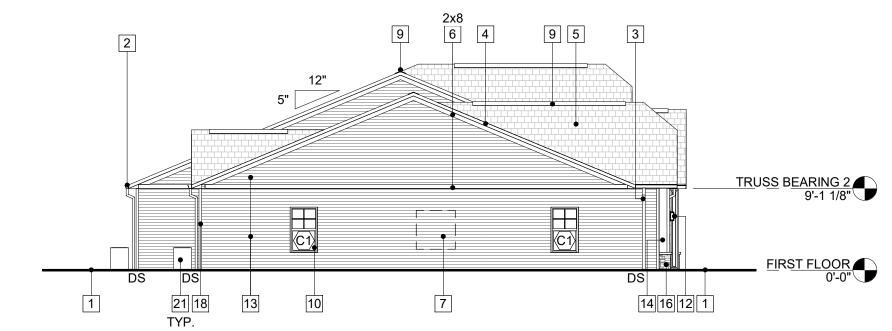
PROJECT #: 1322

THE HAMPTONS AT 1

BUILDINGS 'D5' & 'D9' SIM.

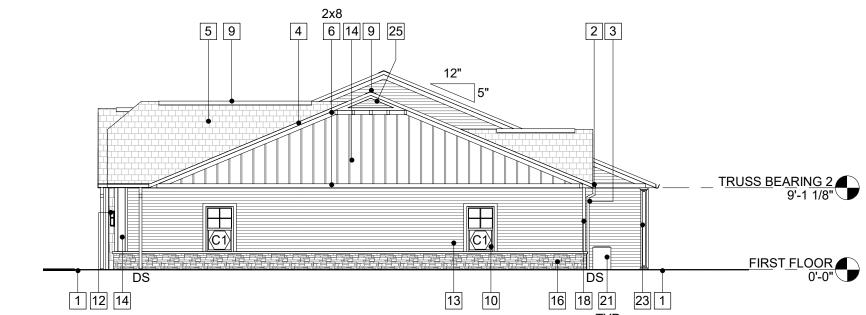
# 25 9 14 6 4 4 6 14 9 25 TRUSS BEARING 2 9'-1 1/8"

ELEVATION BUILDINGS 'C1' - LEFT - HP

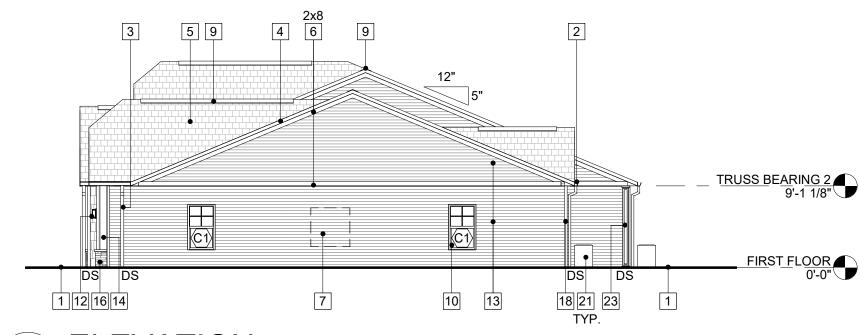


14 12 1

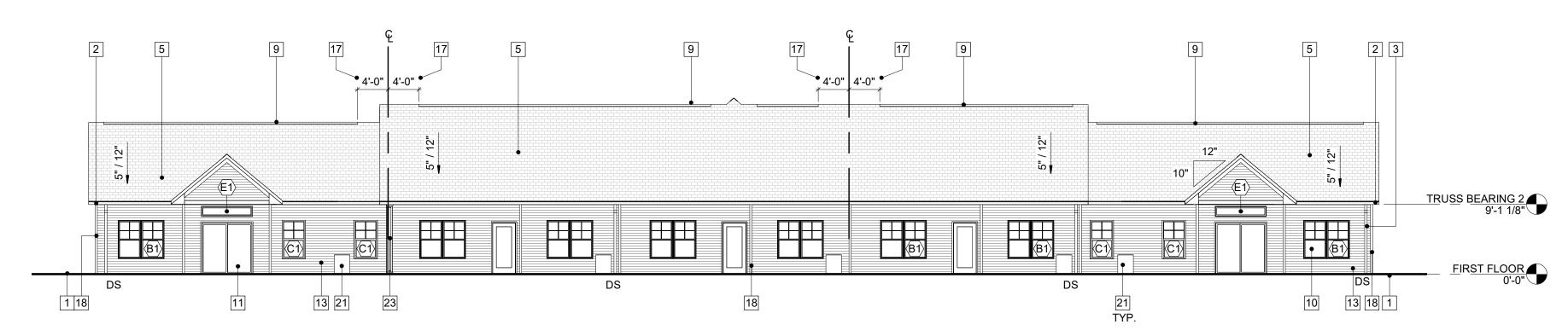
ELEVATION BUILDINGS 'A5', 'A7', 'B3', 'B12', & 'B13' - LEFT



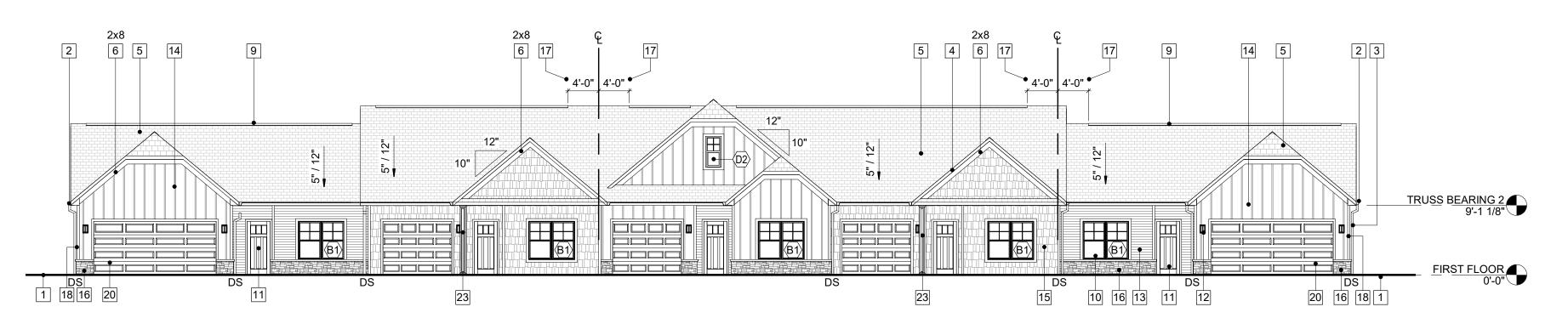
ELEVATION BUILDING 'B13'- RIGHT - HP 3/32" = 1'-0"



ELEVATION BUILDINGS 'A5', 'A7', 'B3', 'B12', & 'C1' - RIGHT 3/32" = 1'-0"



ELEVATION BUILDINGS 'A5', 'A7', 'B3', 'B12', 'B13', & 'C1' - REAR 3/32" = 1'-0"



ELEVATION BUILDINGS 'A5', 'A7', 'B3', 'B12', 'B13', & 'C1' - FRONT 3/32" = 1'-0"

#### **GENERAL NOTES - ELEVATIONS**

- 1. VERIFY ALL DIMENSIONED CONDITIONS IN THE FIELD. WHEN DIMENSIONS AND/OR CONDITIONS AS INDICATED ON THE DRAWINGS CONFLICT WITH ACTUAL, CONTACT THE ARCHITECT FOR CLARIFICATION.
- 2. COORDINATE ALL EXTERIOR FINISH MATERIALS, STYLES, AND COLORS WITH
- 3. REFER TO STRUCTURAL DETAILS FOR TYPICAL EXPANSION AND CONTROL JOINT CONSTRUCTION.

#### **SYMBOL LEGEND**

TYPICAL SECTION AND DETAIL FLAGS: REFERS TO SECTION OR ELEVATION NUMBER -REFERS TO DRAWING SHEET NUMBER

- INDICATES DOOR TYPE REFER TO SHEET A6.1 FOR DOOR SCHEDULE & 101-1 DOOR/FRAME MATERIALS & ELEVATIONS
- INDICATES WINDOW TYPE, REFER TO SHEET A6.3 FOR WINDOW ELEVATIONS

DATUM POINT, INDICATES ELEVATION

DOWNSPOUT, SEE DETAILS

OWNER.

#### FLAG NOTES - EXTERIOR ELEVATIONS

- APPROXIMATE FINISHED GRADE, SEE CIVIL DRAWINGS
- PREFINISHED ALUMINUM GUTTER; K-STYLE, TYP. SLOPE 1/16" PER 12" MINIMUM TO DOWNSPOUTS.
- 3x4 PREFINISHED ALUMINUM HEAVY-DUTY COMMERCIAL GRADE DOWNSPOUT
- TYPICAL FASCIA TRIM ALUM CLAD 2x6 WITH ALUM DRIP EDGE, TYP UNO.
- ARCHITECTURAL FIBERGLASS SHINGLE ROOF PER ASSEMBLY AND SPECS.
- 6 VINYL TRIM BAND, SIZE AS INDICATED.
- FIBER CEMENT PANEL (PRE-ROCK AT ELECTRICAL GEAR); LOCATE JOINTS BEHIND BRACKETS AND/OR TRIM AND FLASH ALL HORIZONTAL JOINTS IN PANEL SIDING PER MFR. TEXTURE TO BE APPROVED BY OWNER. GC TO COORDINATE LOCATIONS IN FIELD PRIOR TO ROUGH-IN.
- 9 CONTINUOUS RIDGE VENT TO MATCH ROOF SHINGLES, TYP.
- 10 WINDOW PER SCHEDULE, TYP. SEE PLANS. PROVIDE 4" NOMINAL TRIM AROUND ALL FRONT AND HIGH PROFILE (HP) LOCATIONS.
- 11 DOOR PER SCHEDULE, TYP. SEE PLANS.
- 12 DECORATIVE LIGHT FIXTURE, TYP. REFER TO ELECTRICAL DRAWINGS.
- 13 PREMIUM VINYL DUTCH LAP SIDING 5" EXPOSURE. COORDINATE FINAL COLOR(S) WITH OWNER.
- 14 VINYL BOARD ON BATTEN: 2" BATTEN AT 12" O.C., COLOR(S) BY OWNER.
- 15 PREMIUM VINYL SHAKE SIDING. COORDINATE FINAL STYLE & COLOR(S) WITH
- MANUFACTURED STONE VENEER, REFER TO DETAILS FOR MORE INFORMATION. COORDINATE FINAL COLOR, SIZE, AND STYLE WITH OWNER.
- 17 NO OPENINGS OR PENETRATIONS WITHIN MIN. 4'-0" OF EITHER SIDE OF 2-HOUR FIRE RATED WALL, TYP.
- 18 4" NOMINAL VINYL CORNER TRIM, COLOR(S) BY OWNER.
- 20 OVERHEAD DOOR, COLOR BY OWNER. REFER TO SCHEDULE.
- 21 A/C UNIT, TYP. REFER TO PLANS AND MECHANICAL DRAWINGS.
- 23 DECORATIVE COLUMN OVER WOOD POST/COLUMN, COLOR AND STYLE BY OWNER.
- STANDING SEAM METAL ROOF ACCENT, COLOR AND STYLE BY OWNER.
- DECORATIVE VENT AND BRACKETS, COLOR AND STYLE BY OWNER

**PRELIMINARY** 

NOTE!!! THIS DRAWING IS NOT FOR CONSTRUCTION

**REVISIONS** 

330.666.5770 330.666.8812

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HEIGHTS

MARCH 2,

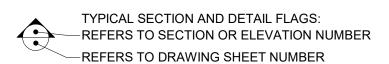
EXTERIOR ELEV. - BLDGS. A5, A7, B3, B12, B13, & C1

PROJECT #: 1322
THE HAMPTONS AT 1

A2.05

- 1. VERIFY ALL DIMENSIONED CONDITIONS IN THE FIELD. WHEN DIMENSIONS AND/OR CONDITIONS AS INDICATED ON THE DRAWINGS CONFLICT WITH ACTUAL, CONTACT THE ARCHITECT FOR CLARIFICATION.
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#### **SYMBOL LEGEND**



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OWNER.

DOWNSPOUT, SEE DETAILS

#### **FLAG NOTES - EXTERIOR ELEVATIONS**

- PREFINISHED ALUMINUM GUTTER; K-STYLE, TYP. SLOPE 1/16" PER 12" MINIMUM TO
- 3 3x4 PREFINISHED ALUMINUM HEAVY-DUTY COMMERCIAL GRADE DOWNSPOUT.
- 4 TYPICAL FASCIA TRIM ALUM CLAD 2x6 WITH ALUM DRIP EDGE, TYP UNO.
- 5 ARCHITECTURAL FIBERGLASS SHINGLE ROOF PER ASSEMBLY AND SPECS.
- 6 VINYL TRIM BAND, SIZE AS INDICATED.

4 6 14 9 25

3 ELEVATION BUILDING 'A9' - RIGHT
3/32" = 1'-0"

(C1)

2 ELEVATION BUILDING 'A9' - REAR
3/32" = 1'-0"

(B1)

(B1)

2x8 5 4 6 17

(C1)

16" BREAK

(B1)

ELEVATION BUILDING 'A9' - FRONT
3/32" = 1'-0"

TRUSS BEARING 2 9'-1 1/8"

8" BREAK

16" BREAK

12"

ELEVATION BUILDING 'A9' - LEFT 3/32" = 1'-0"

16" BREAK

13 21

(B1)

2x8 6 5 14

1 18 16 20

FIRST FLOOR 0'-0"

16" BREAK

8" BREAK

(B1)

- FIBER CEMENT PANEL (PRE-ROCK AT ELECTRICAL GEAR); LOCATE JOINTS BEHIND BRACKETS AND/OR TRIM AND FLASH ALL HORIZONTAL JOINTS IN PANEL SIDING PER MFR. TEXTURE TO BE APPROVED BY OWNER. GC TO COORDINATE LOCATIONS IN

TRUSS BEARING 2 9'-1 1/8"

TRUSS BEARING 2 9'-1 1/8"

TRUSS BEARING 2 9'-1 1/8"

18 21

• B1

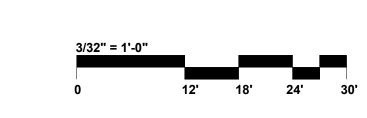
13 18 1

- 14 VINYL BOARD ON BATTEN: 2" BATTEN AT 12" O.C., COLOR(S) BY OWNER.

- A/C UNIT, TYP. REFER TO PLANS AND MECHANICAL DRAWINGS.
- DECORATIVE COLUMN OVER WOOD POST/COLUMN, COLOR AND STYLE BY OWNER.

- 1 APPROXIMATE FINISHED GRADE, SEE CIVIL DRAWINGS
- DOWNSPOUTS.

- FIELD PRIOR TO ROUGH-IN.
- 9 CONTINUOUS RIDGE VENT TO MATCH ROOF SHINGLES, TYP.
- 10 WINDOW PER SCHEDULE, TYP. SEE PLANS. PROVIDE 4" NOMINAL TRIM AROUND ALL FRONT AND HIGH PROFILE (HP) LOCATIONS.
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- STANDING SEAM METAL ROOF ACCENT, COLOR AND STYLE BY OWNER.
- 25 DECORATIVE VENT AND BRACKETS, COLOR AND STYLE BY OWNER





NOTE!!! THIS DRAWING IS NOT FOR CONSTRUCTION

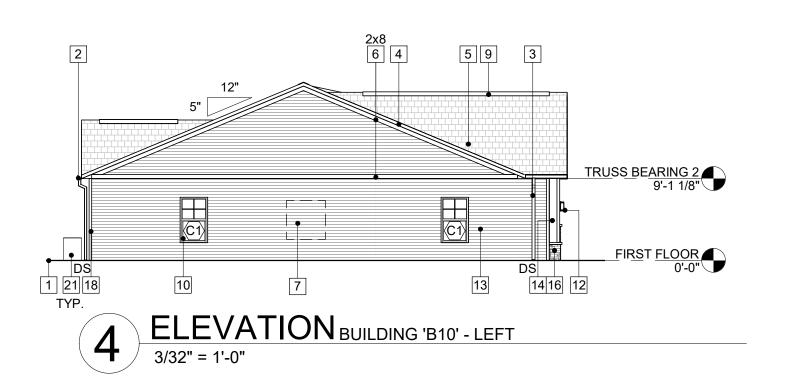
**REVISIONS** 

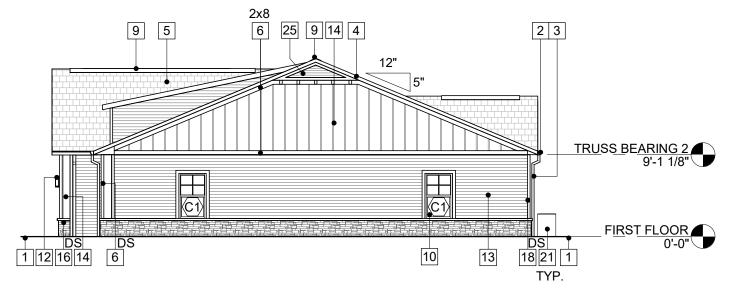
**≥**|**<** DATE: MARCH 2, 2 HEIGHTS EXTERIOR ELEVATIONS - BUILDING A9
PROJECT #: 1322

THE HAMPTONS AT THE HE
EXECUTIVE BOULEVARD
HUBER HEIGHTS, OHIO 45424

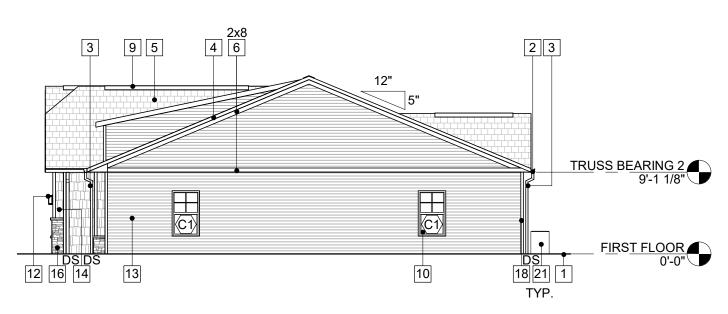
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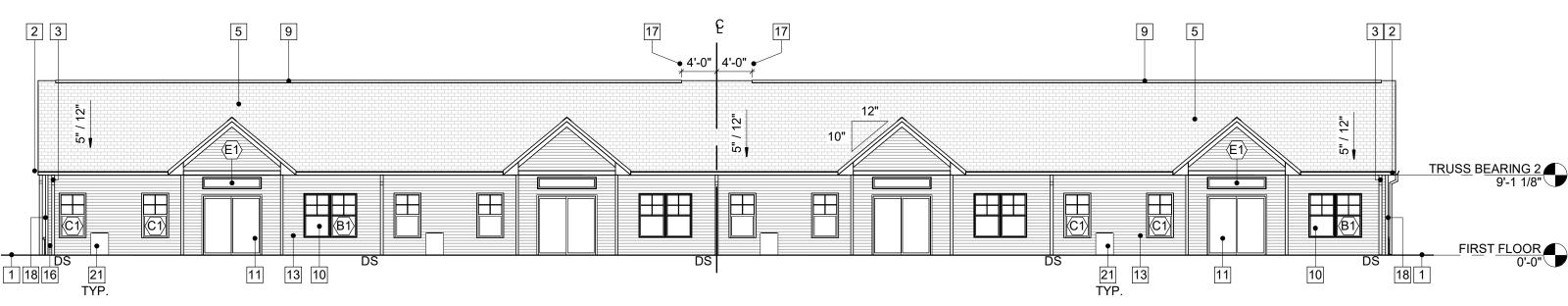




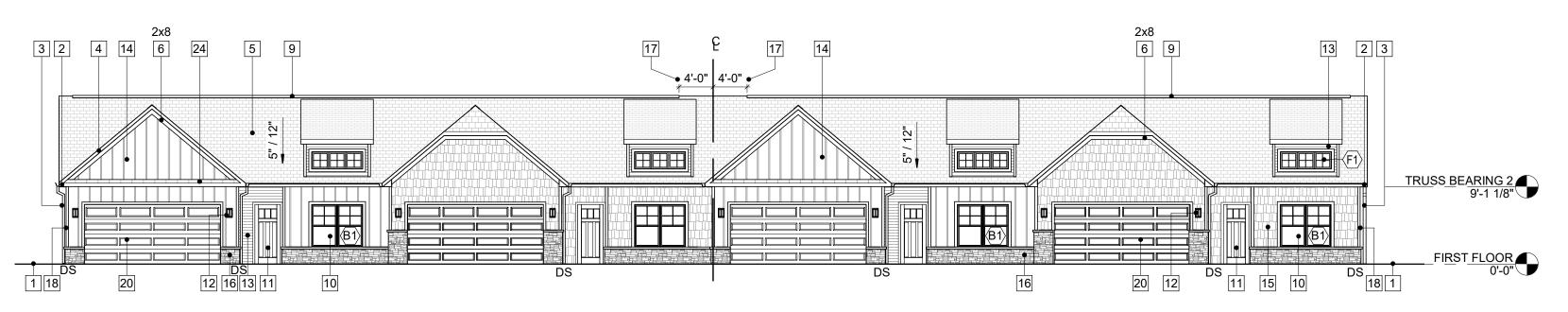








2 ELEVATION BUILDINGS 'A10', 'B10', 'C3', & 'D15' - REAR 3/32" = 1'-0"

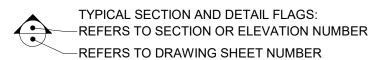


ELEVATION BUILDINGS 'A10', 'B10', 'C3', & 'D15' - FRONT 3/32" = 1'-0"

#### **GENERAL NOTES - ELEVATIONS**

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#### SYMBOL LEGEND



- 101-1 INDICATES DOOR TYPE REFER TO SHEET A6.1 FOR DOOR SCHEDULE & DOOR/FRAME MATERIALS & ELEVATIONS
- A INDICATES WINDOW TYPE, REFER TO SHEET A6.3 FOR WINDOW ELEVATIONS



S DOWNSPOUT, SEE DETAILS

#### FLAG NOTES - EXTERIOR ELEVATIONS

- 1 APPROXIMATE FINISHED GRADE, SEE CIVIL DRAWINGS
- 2 PREFINISHED ALUMINUM GUTTER; K-STYLE, TYP. SLOPE 1/16" PER 12" MINIMUM TO
- 3 3x4 PREFINISHED ALUMINUM HEAVY-DUTY COMMERCIAL GRADE DOWNSPOUT.
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## **PRELIMINARY**

NOTE!!!
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FOR CONSTRUCTION

A REVISIONS

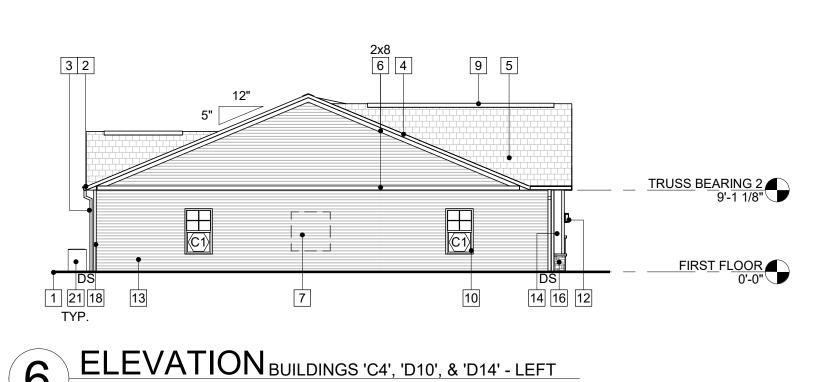


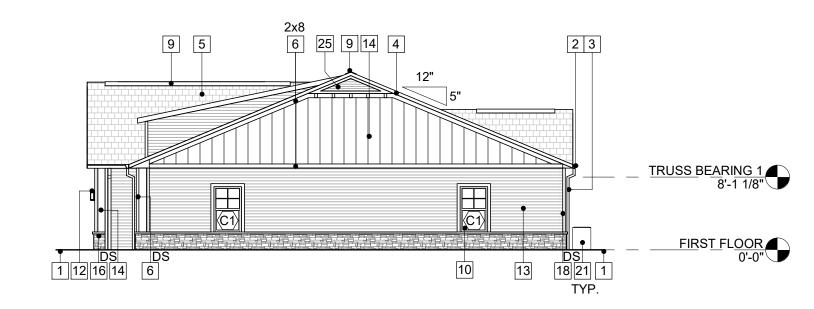
A2.07

EXTERIOR ELEVATIONS - BUILDINGS A10, B10, C3, & D15
PROJECT #: 1322

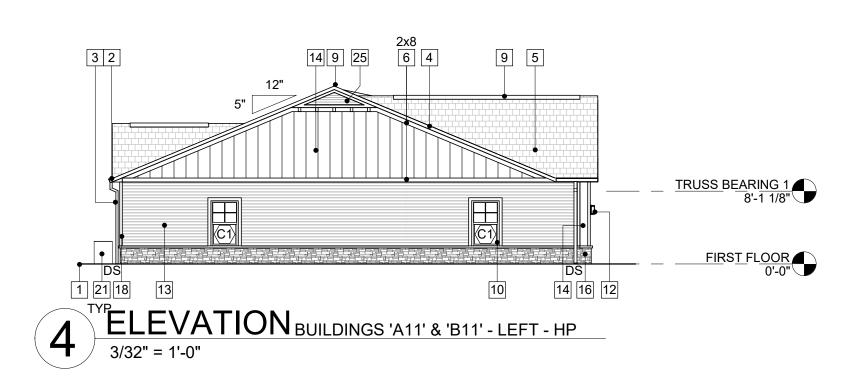
THE HAMPTONS AT THE HEIGHTS

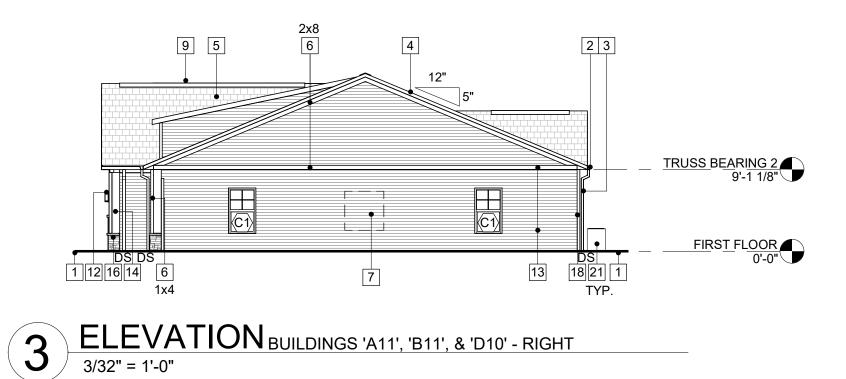
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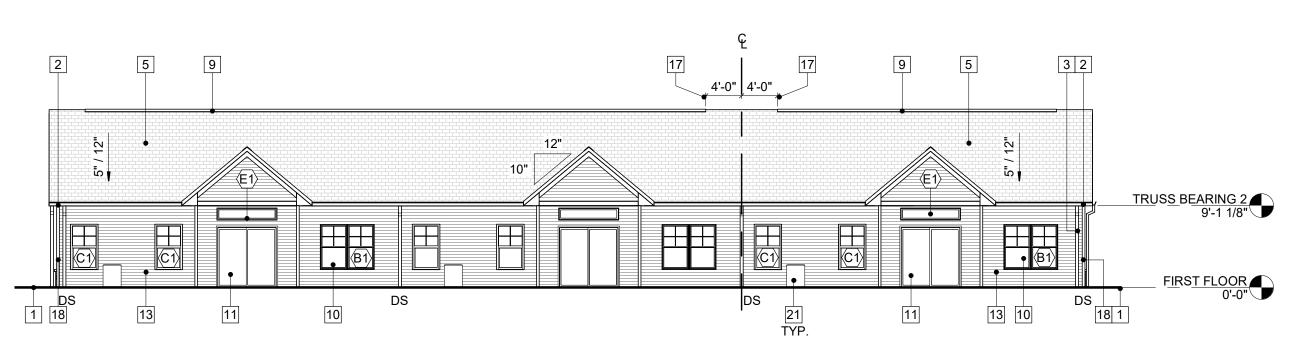




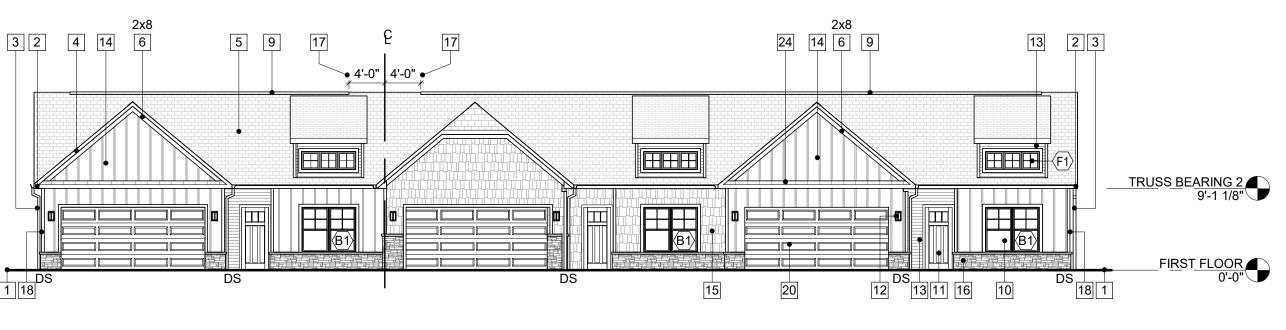
# 5 ELEVATION BUILDINGS 'C4' & 'D14' - RIGHT - HP 3/32" = 1'-0"







# 2 ELEVATION BUILDINGS 'A11', 'B11', 'C4', 'D10', & 'D14' - REAR 3/32" = 1'-0"

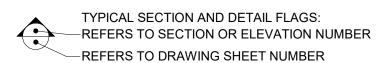


1 ELEVATION BUILDINGS 'A11', 'B11', 'C4', 'D10', & 'D14' - FRONT 3/32" = 1'-0"

#### **GENERAL NOTES - ELEVATIONS**

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#### SYMBOL LEGEND



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- (A) INDICATES WINDOW TYPE, REFER TO SHEET A6.3 FOR WINDOW ELEVATIONS



DOWNSPOUT, SEE DETAILS

## FLAG NOTES - EXTERIOR ELEVATIONS

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- 2 PREFINISHED ALUMINUM GUTTER; K-STYLE, TYP. SLOPE 1/16" PER 12" MINIMUM TO DOWNSPOUTS.
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## **PRELIMINARY**

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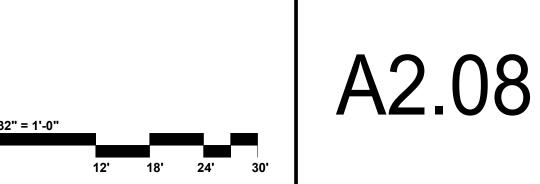
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EXTERIOR ELEVATIONS - BUILDINGS A11, B11, C4, D10, & D14
PROJECT #: 1322

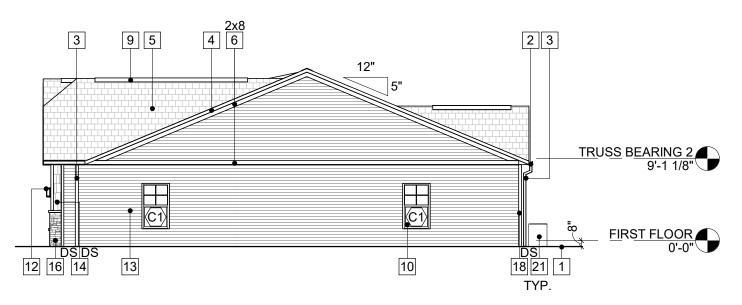
THE HAMPTONS AT THE HEIGHTS



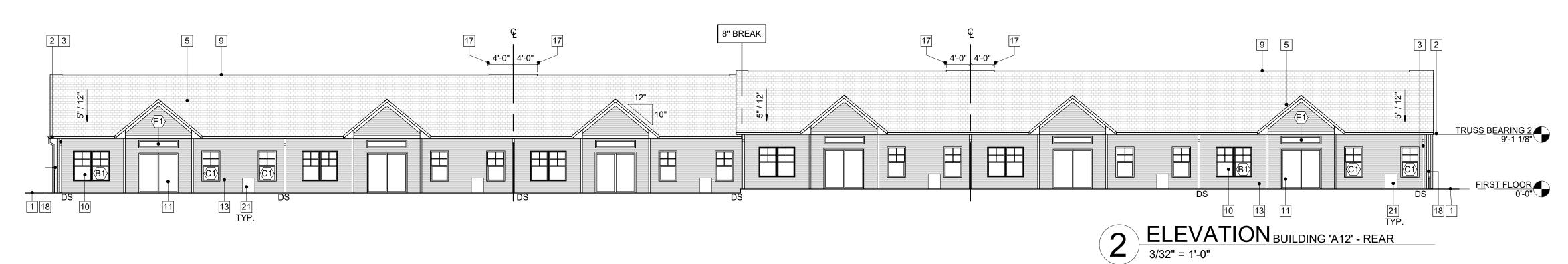
# 2x8 6 4 5 9 3 TRUSS BEARING 2 9'-1 1/8"

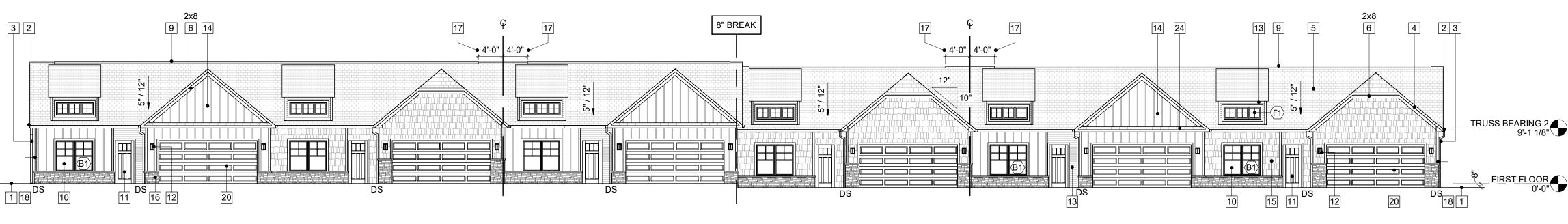
ELEVATION BUILDING 'A12' - LEFT

1 21 18 TYP.







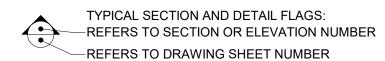


1 ELEVATION BUILDING 'A12' - FRONT 3/32" = 1'-0"

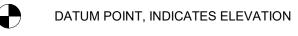
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#### SYMBOL LEGEND



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DOWNSPOUT, SEE DETAILS

OWNER.

#### 

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## **PRELIMINARY**

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A REVISIONS



A2.09

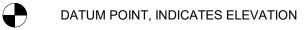


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DOWNSPOUT, SEE DETAILS

#### FLAG NOTES - EXTERIOR ELEVATIONS

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- 15 PREMIUM VINYL SHAKE SIDING. COORDINATE FINAL STYLE & COLOR(S) WITH
- MANUFACTURED STONE VENEER, REFER TO DETAILS FOR MORE INFORMATION. COORDINATE FINAL COLOR, SIZE, AND STYLE WITH OWNER.
- 17 NO OPENINGS OR PENETRATIONS WITHIN MIN. 4'-0" OF EITHER SIDE OF 2-HOUR FIRE RATED WALL, TYP.
- 18 4" NOMINAL VINYL CORNER TRIM, COLOR(S) BY OWNER.

BUILDINGS 'A3', 'A4', & 'D6' SIM.

- 20 OVERHEAD DOOR, COLOR BY OWNER. REFER TO SCHEDULE.
- A/C UNIT, TYP. REFER TO PLANS AND MECHANICAL DRAWINGS.
- DECORATIVE COLUMN OVER WOOD POST/COLUMN, COLOR AND STYLE BY OWNER.
- STANDING SEAM METAL ROOF ACCENT, COLOR AND STYLE BY OWNER.

**REVISIONS** 

**PRELIMINARY** 

NOTE!!!

THIS DRAWING IS NOT FOR CONSTRUCTION

330.666.5770 330.666.8812

**≥**|**<** 

MARCH 2, HEIGHTS

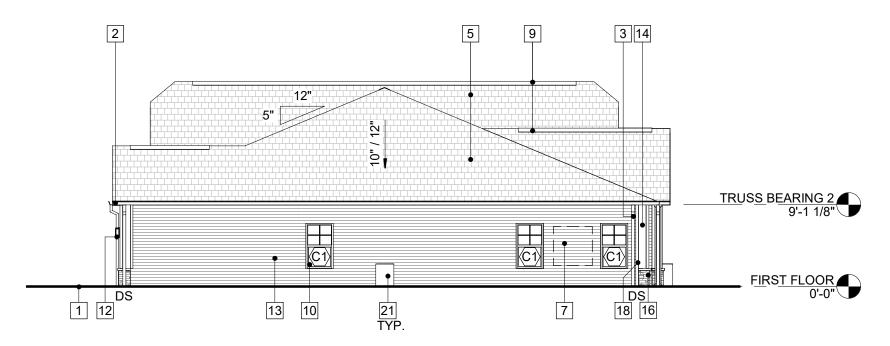
EXTERIOR ELEVATIONS - BUILDINGS B1 & B14
PROJECT #: 1322

THE HAMPTONS AT THE HEIGH

A2.10 BUILDINGS 'A3', 'A4', & 'D6' SIM.

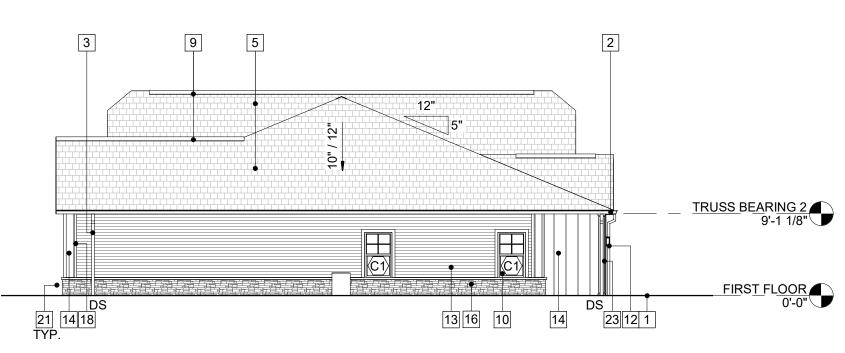
# TRUSS BEARING 2 9'-1 1/8" FIRST FLOOR 0'-0" 1 12 13 10 21 16 18

# 6 ELEVATION BUILDINGS 'B9' - LEFT - HP 3/32" = 1'-0"



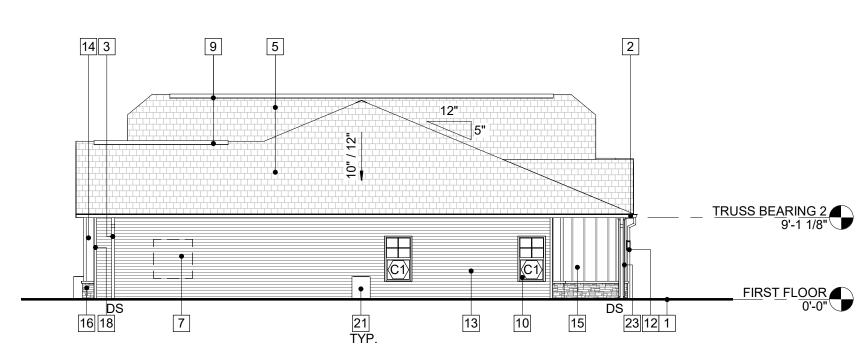
ELEVATION BUILDINGS 'B6', 'D1' 'D2', 'D3', & 'D4' - LEFT, 'B7', 'B8', & 'B9' (MIRR.)

3/32" = 1'-0"

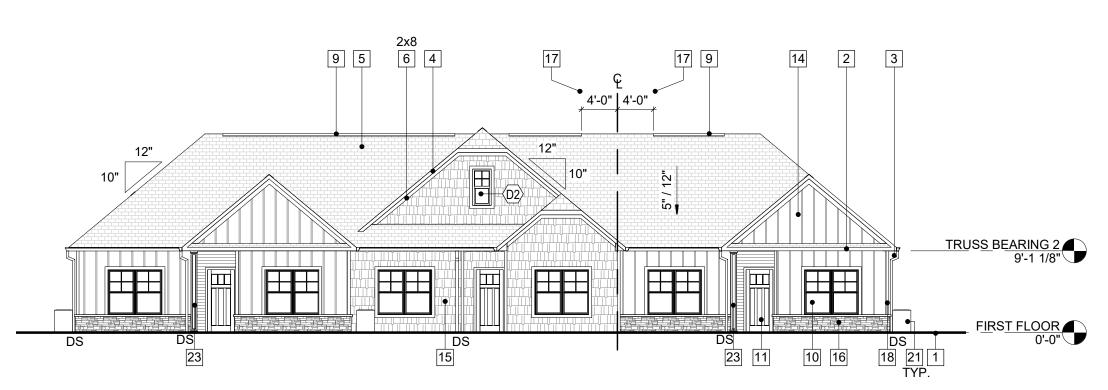


5 ELEVATION BUILDING 'D1' - RIGHT - HP

3/32" = 1'-0"

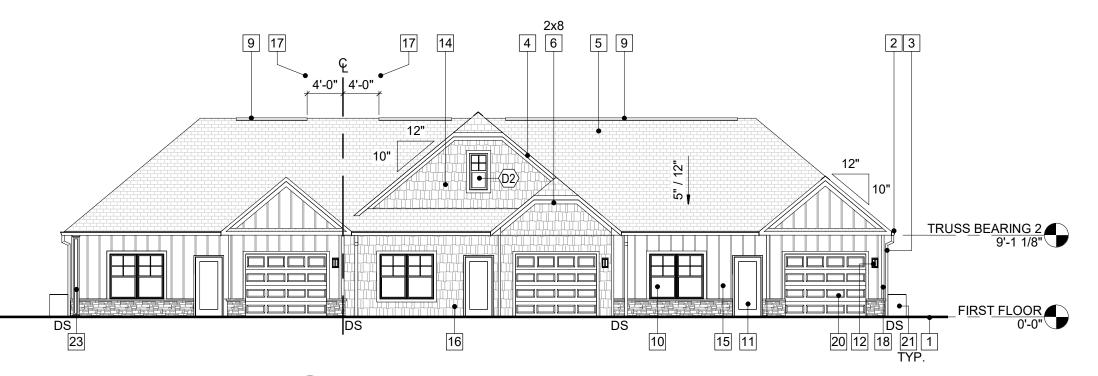


3 ELEVATION BUILDINGS 'B6', 'D2', 'D3', & 'D4' - RIGHT, 'B7', & 'B8' (MIRR.)



2 ELEVATION BUILDINGS 'B6', 'D1', 'D2', 'D2', 'D3', & 'D4' - REAR HP, 'B7', 'B8', & 'B9' (MIRR.)

3/32" = 1'-0"



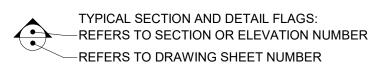
1 ELEVATION BUILDINGS 'B6', 'D1', 'D2', 'D3', & 'D4' - FRONT, 'B7', 'B8', & 'B9' (MIRR.)

3/32" = 1'-0"

#### **GENERAL NOTES - ELEVATIONS**

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- 2. COORDINATE ALL EXTERIOR FINISH MATERIALS, STYLES, AND COLORS WITH
- 3. REFER TO STRUCTURAL DETAILS FOR TYPICAL EXPANSION AND CONTROL JOINT CONSTRUCTION.

#### SYMBOL LEGEND



- O1-1 INDICATES DOOR TYPE REFER TO SHEET A6.1 FOR DOOR SCHEDULE & DOOR/FRAME MATERIALS & ELEVATIONS
- A INDICATES WINDOW TYPE, REFER TO SHEET A6.3 FOR WINDOW ELEVATIONS



DOWNSPOUT, SEE DETAILS

#### **FLAG NOTES - EXTERIOR ELEVATIONS**

- 1 APPROXIMATE FINISHED GRADE, SEE CIVIL DRAWINGS
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- 3 3x4 PREFINISHED ALUMINUM HEAVY-DUTY COMMERCIAL GRADE DOWNSPOUT.
- 4 TYPICAL FASCIA TRIM ALUM CLAD 2x6 WITH ALUM DRIP EDGE, TYP UNO.
- 5 ARCHITECTURAL FIBERGLASS SHINGLE ROOF PER ASSEMBLY AND SPECS.
- 6 VINYL TRIM BAND, SIZE AS INDICATED.
- 7 FIBER CEMENT PANEL (PRE-ROCK AT ELECTRICAL GEAR); LOCATE JOINTS BEHIND BRACKETS AND/OR TRIM AND FLASH ALL HORIZONTAL JOINTS IN PANEL SIDING PER MFR. TEXTURE TO BE APPROVED BY OWNER. GC TO COORDINATE LOCATIONS IN FIELD PRIOR TO ROUGH-IN.
- 9 CONTINUOUS RIDGE VENT TO MATCH ROOF SHINGLES, TYP.
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## **PRELIMINARY**

NOTE!!!
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A REVISIONS

H 2, 2022 MANN - PARSONS - A R C H I T E (

EXT. ELEV. - BLDGS. B6, D1, D2, D3, & D4, B7, B8, & B9 (MIRR.)

PROJECT #: 1322

THE HAMPTONS AT THE HEIGHTS

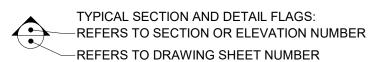
EXECUTIVE BOULEVARD

A2.11



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DOWNSPOUT, SEE DETAILS

#### **FLAG NOTES - EXTERIOR ELEVATIONS**

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- 11 DOOR PER SCHEDULE, TYP. SEE PLANS.

TRUSS BEARING 2 9'-1 1/8"

FIRST FLOOR 0'-0"

TRUSS BEARING 2 9'-1 1/8"

FIRST FLOOR 0'-0"

TRUSS BEARING 2 9'-1 1/8"

TRUSS BEARING 2

8" BREAK

2x8 17 6 4 5

4 ELEVATION BUILDING 'C2' - LEFT 3/32" = 1'-0"

(C1)

4'-0" 4'-0"

DS 15

1 18 13 10

14

1 12 16 14

8" BREAK

4'-0" 4'-0"

(B1)

ELEVATION BUILDING 'C2' - RIGHT 3/32" = 1'-0"

4'-0" 4'-0"

23

2 ELEVATION BUILDING 'C2' - REAR
3/32" = 1'-0"

ELEVATION BUILDING 'C2' - FRONT
3/32" = 1'-0"

2x8 5 6

- 12 DECORATIVE LIGHT FIXTURE, TYP. REFER TO ELECTRICAL DRAWINGS.
- 13 PREMIUM VINYL DUTCH LAP SIDING 5" EXPOSURE. COORDINATE FINAL COLOR(S)

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- BRACKETS AND/OR TRIM AND FLASH ALL HORIZONTAL JOINTS IN PANEL SIDING PER MFR. TEXTURE TO BE APPROVED BY OWNER. GC TO COORDINATE LOCATIONS IN FIELD PRIOR TO ROUGH-IN.

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12' 18' 24' 30'

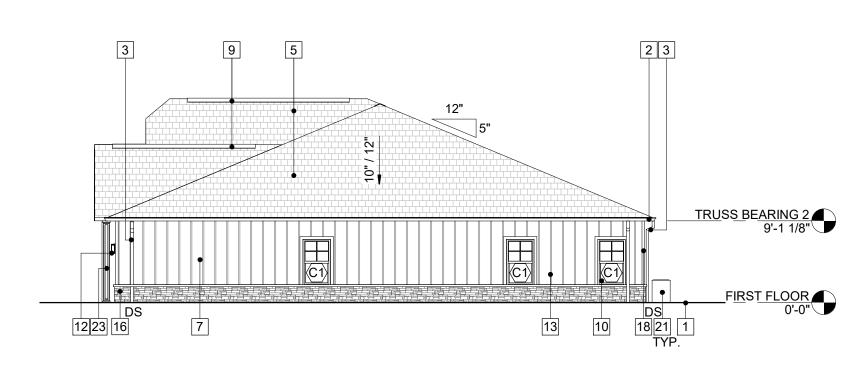


FOR CONSTRUCTION

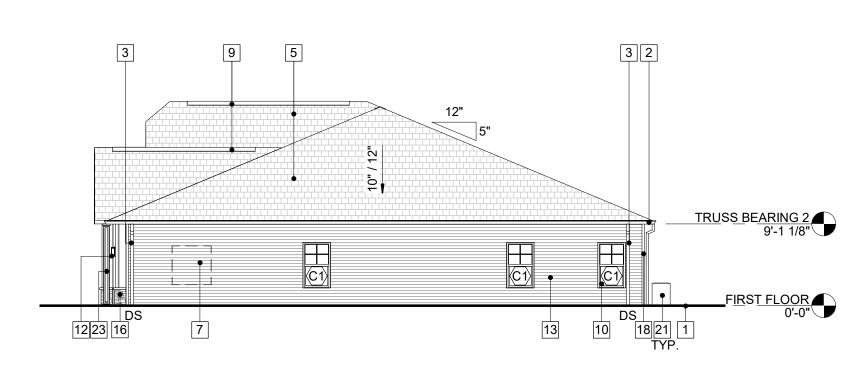
**REVISIONS** 



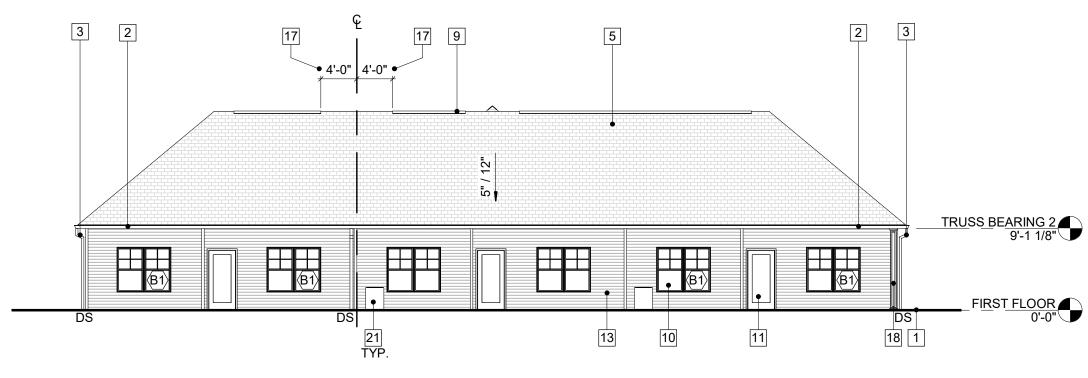
A2.12



# 6 ELEVATION BUILDING 'D11' - RIGHT - HP 3/32" = 1'-0"



4 ELEVATION BUILDINGS 'D7', 'D8', & 'D12' - RIGHT 3/32" = 1'-0"



ELEVATION BUILDINGS 'D7', 'D8', 'D11' & 'D12' - LEFT

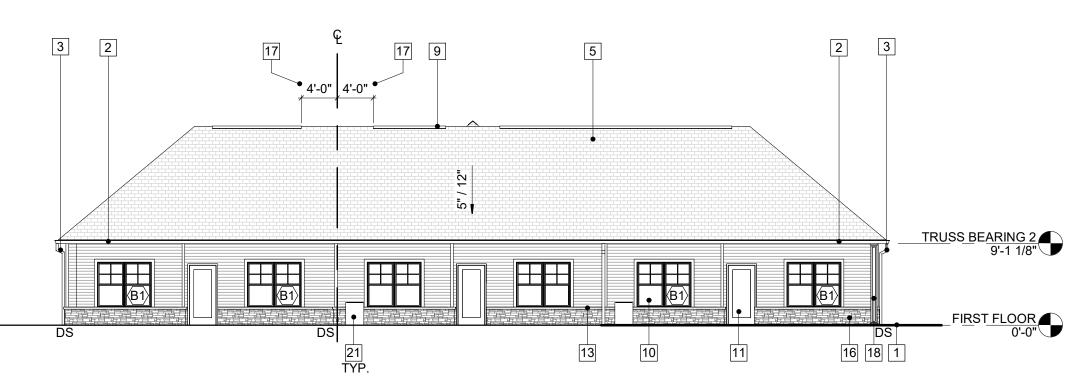
3/32" = 1'-0"

TRUSS BEARING 2 9'-1 1/8"

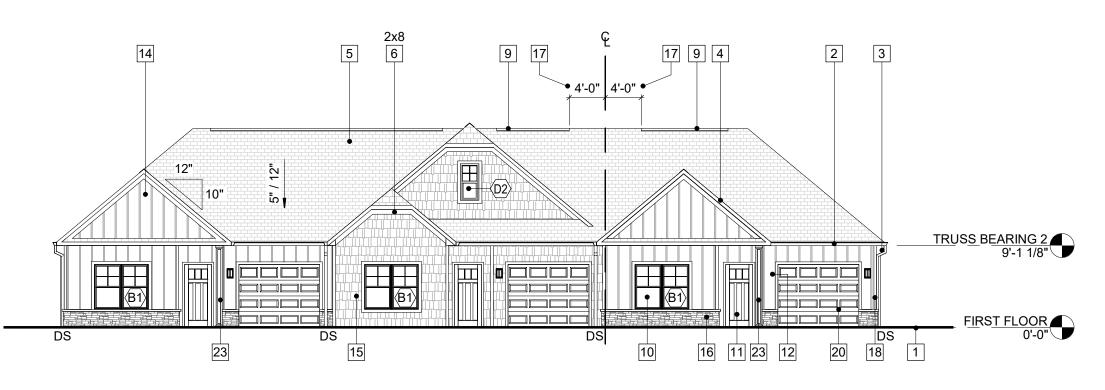
FIRST FLOOR 0'-0"

13 7

3 ELEVATION BUILDINGS 'D11' & 'D12'- REAR 3/32" = 1'-0"



# 2 ELEVATION BUILDINGS 'D7' & 'D8' - REAR - HP 3/32" = 1'-0"

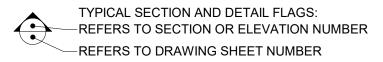


1 ELEVATION BUILDINGS 'D7', 'D8', 'D11' & 'D12' - FRONT 3/32" = 1'-0"

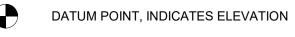
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#### SYMBOL LEGEND



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DOWNSPOUT, SEE DETAILS

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## **PRELIMINARY**

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FOR CONSTRUCTION

\_\_ REVISIONS

330.666.5770 330.666.8812

EXTERIOR ELEVATIONS - BLDGS. D7, D8, D11, D12

PROJECT #: 1322

THE HAMPTONS AT THE HEIGHTS

EXECUTIVE BOULEVARD
HUBER HEIGHTS, OHIO 45424

Photograph of the control of th

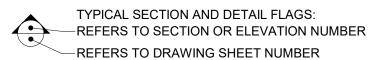
A2.15

## TRUSS BEARING 2 TRUSS BEARING 2 9'-1 1/8" 21 18 TYP. 14 16 12 1 1 12 16 14 ELEVATION BUILDING 'D13' - RIGHT 3/32" = 1'-0" ELEVATION BUILDING 'D13' - LEFT 3/32" = 1'-0" 16" BREAK TRUSS BEARING 2 9'-1 1/8" DS 13 21 13 18 1 ELEVATION BUILDING 'D13' - REAR 3/32" = 1'-0" 2x8 6 5 14 2x8 5 4 6 17 16" BREAK TRUSS BEARING 2 9'-1 1/8" (B1) FIRST FLOOR 0'-0" 3/32" = 1'-0"

#### **GENERAL NOTES - ELEVATIONS**

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DOWNSPOUT, SEE DETAILS

OWNER.

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## PRELIMINARY

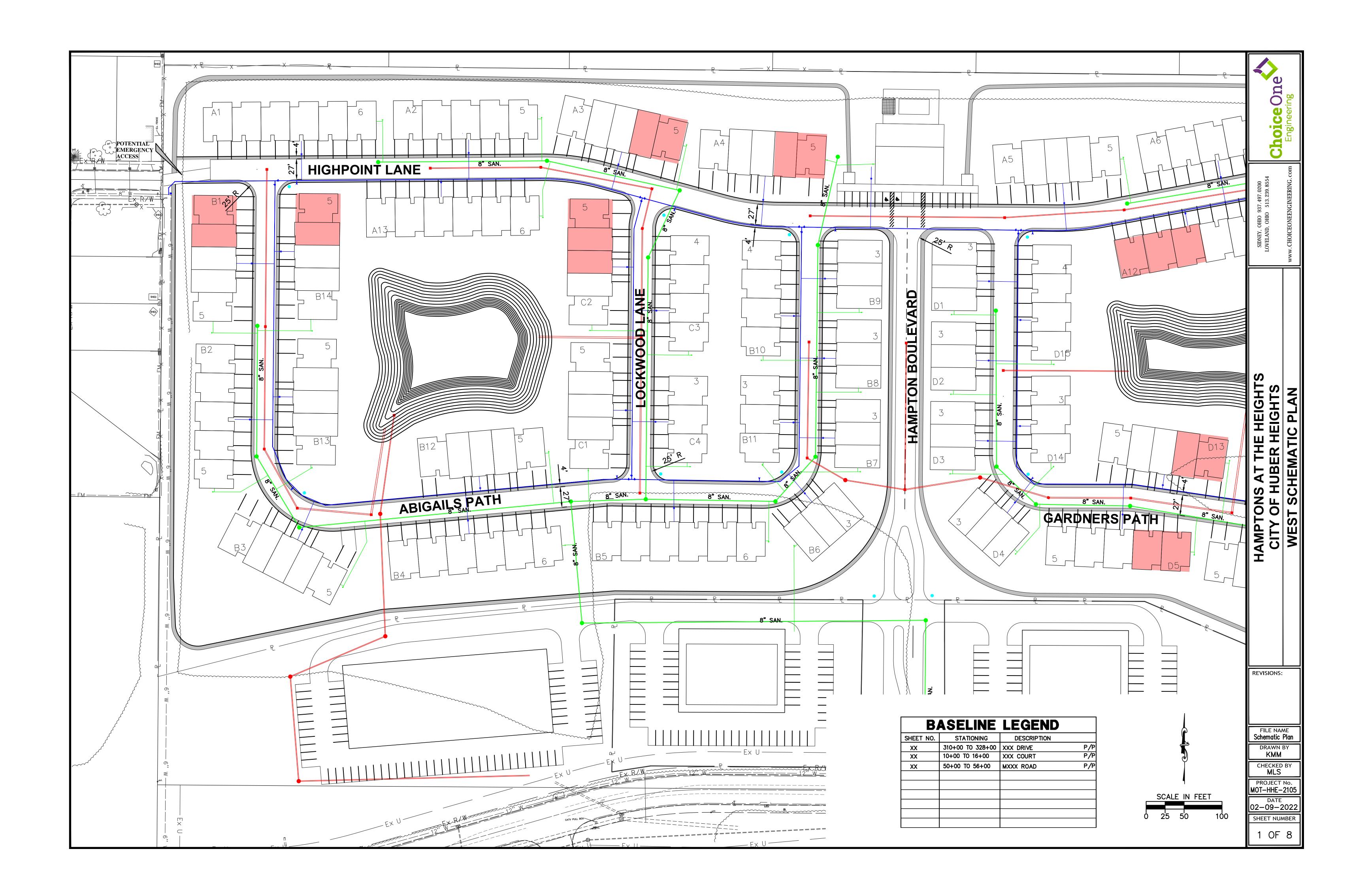
NOTE!!!
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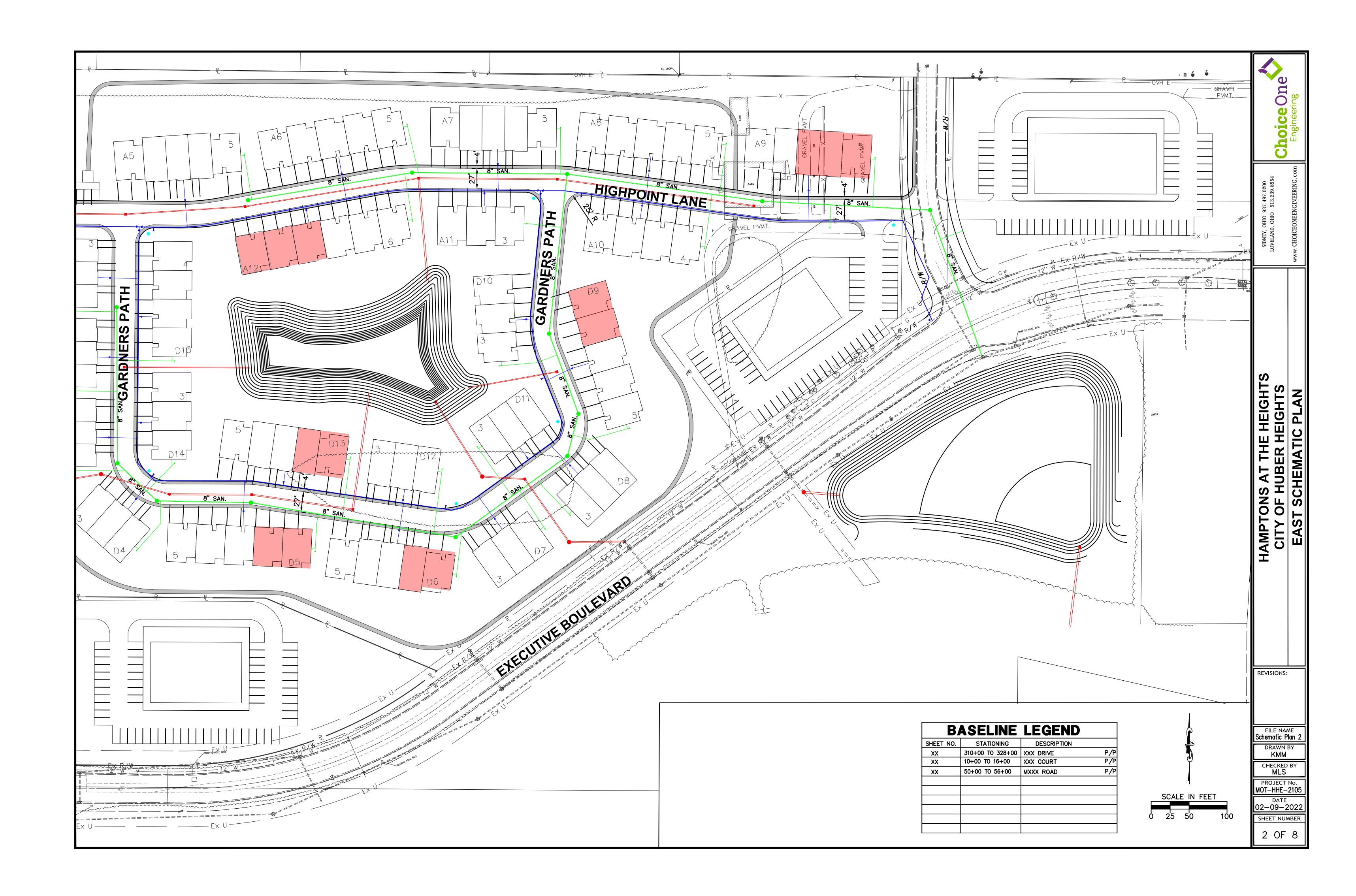
A REVISIONS

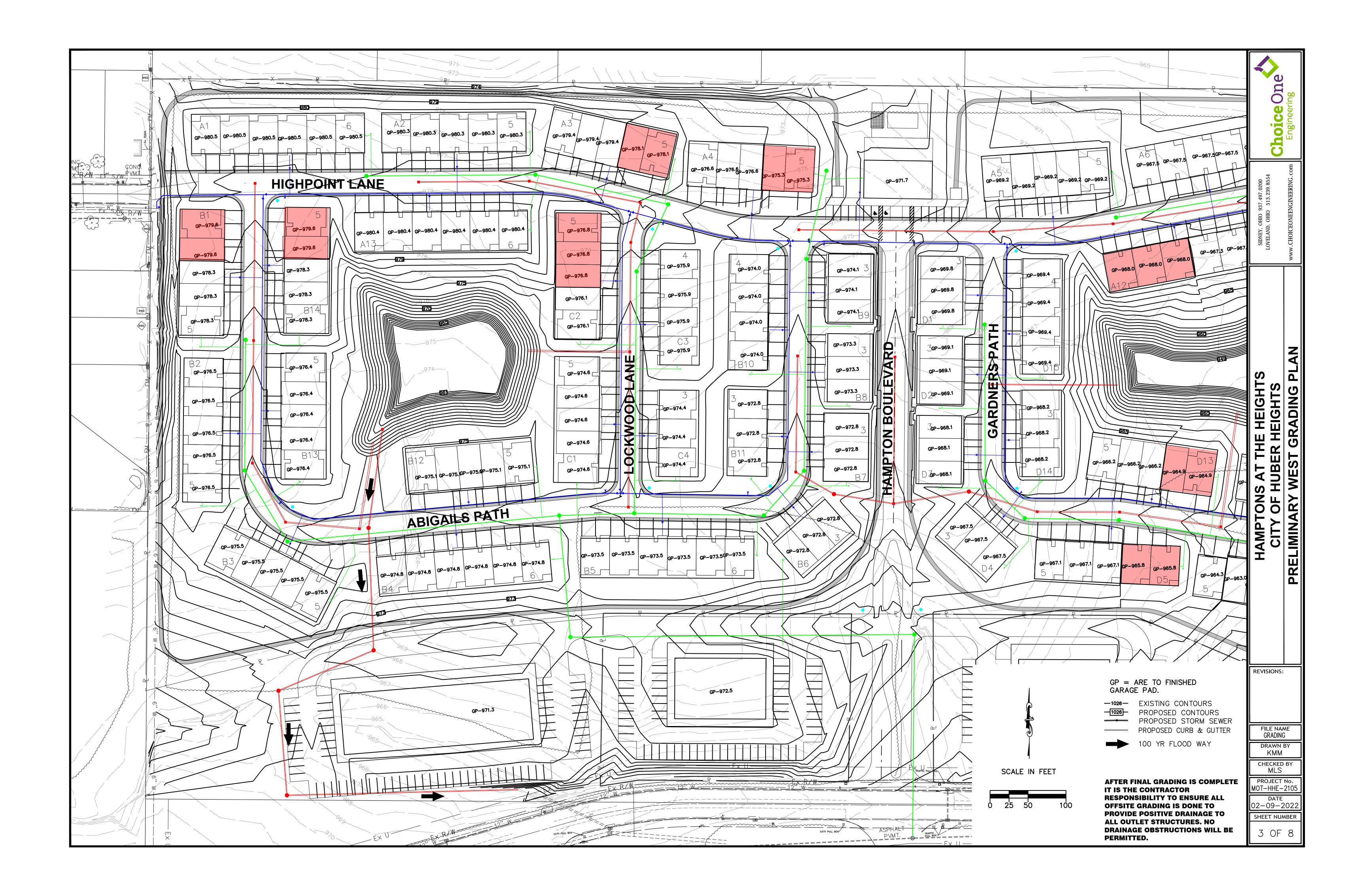


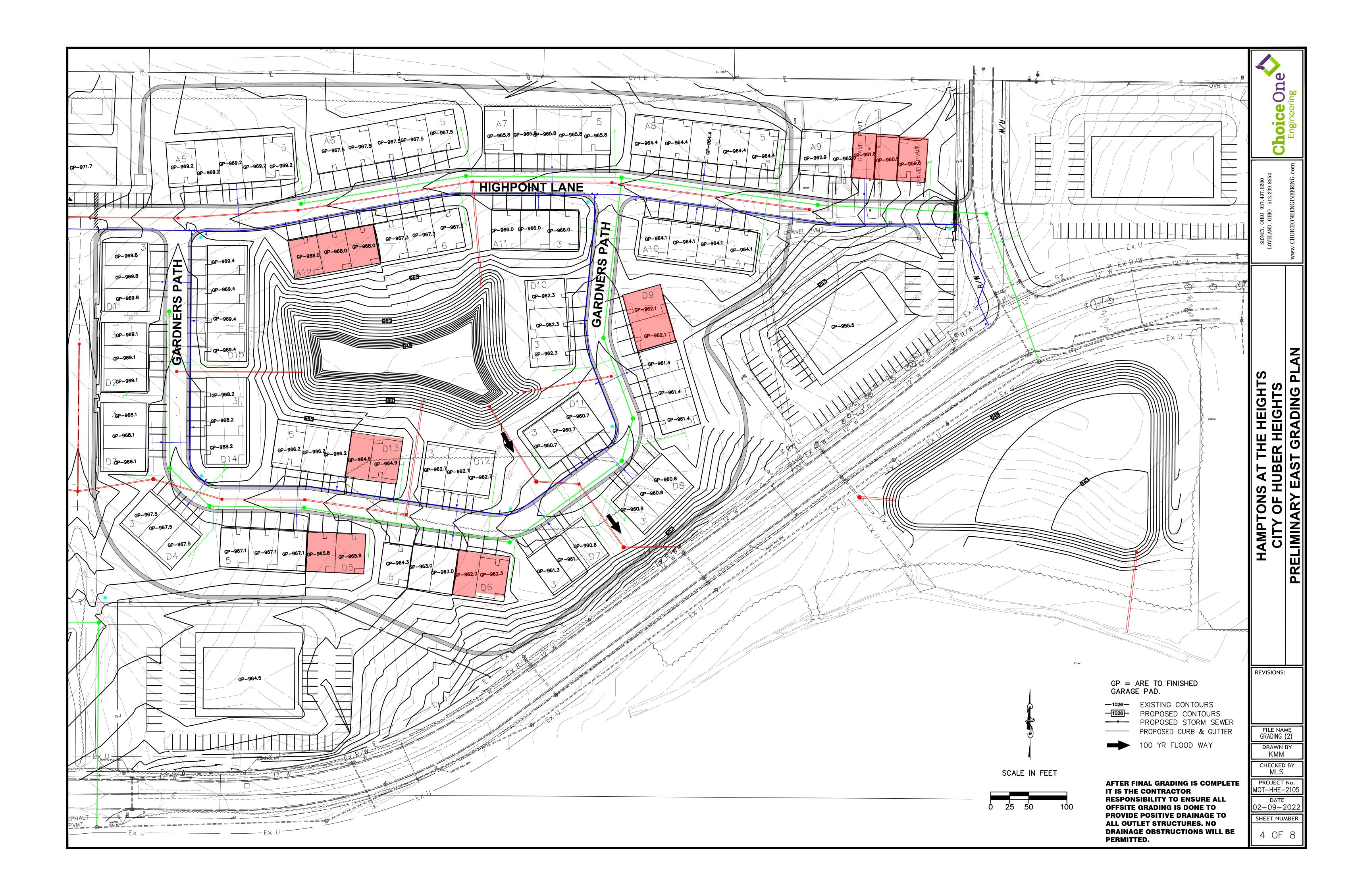
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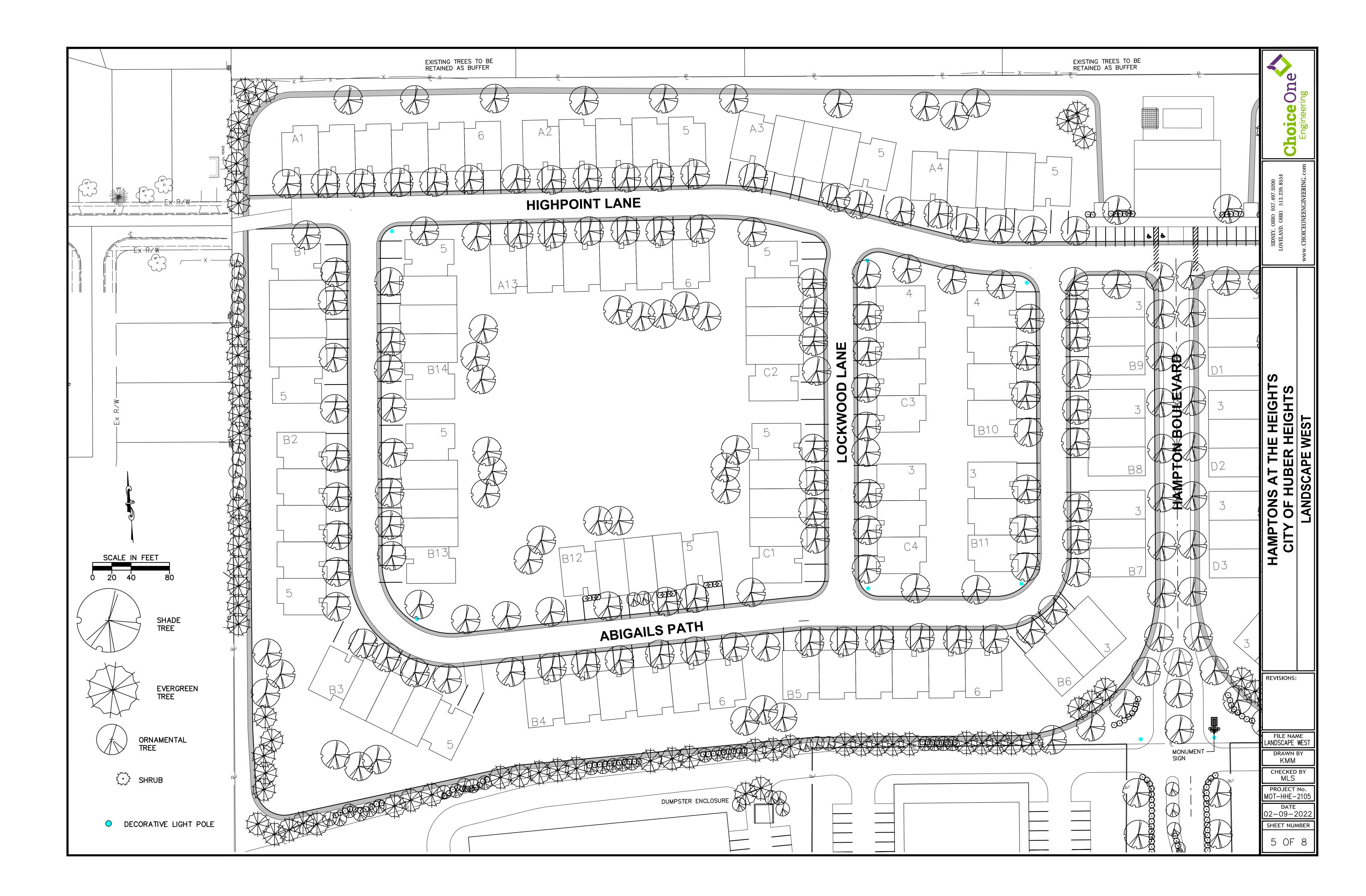
A2.17

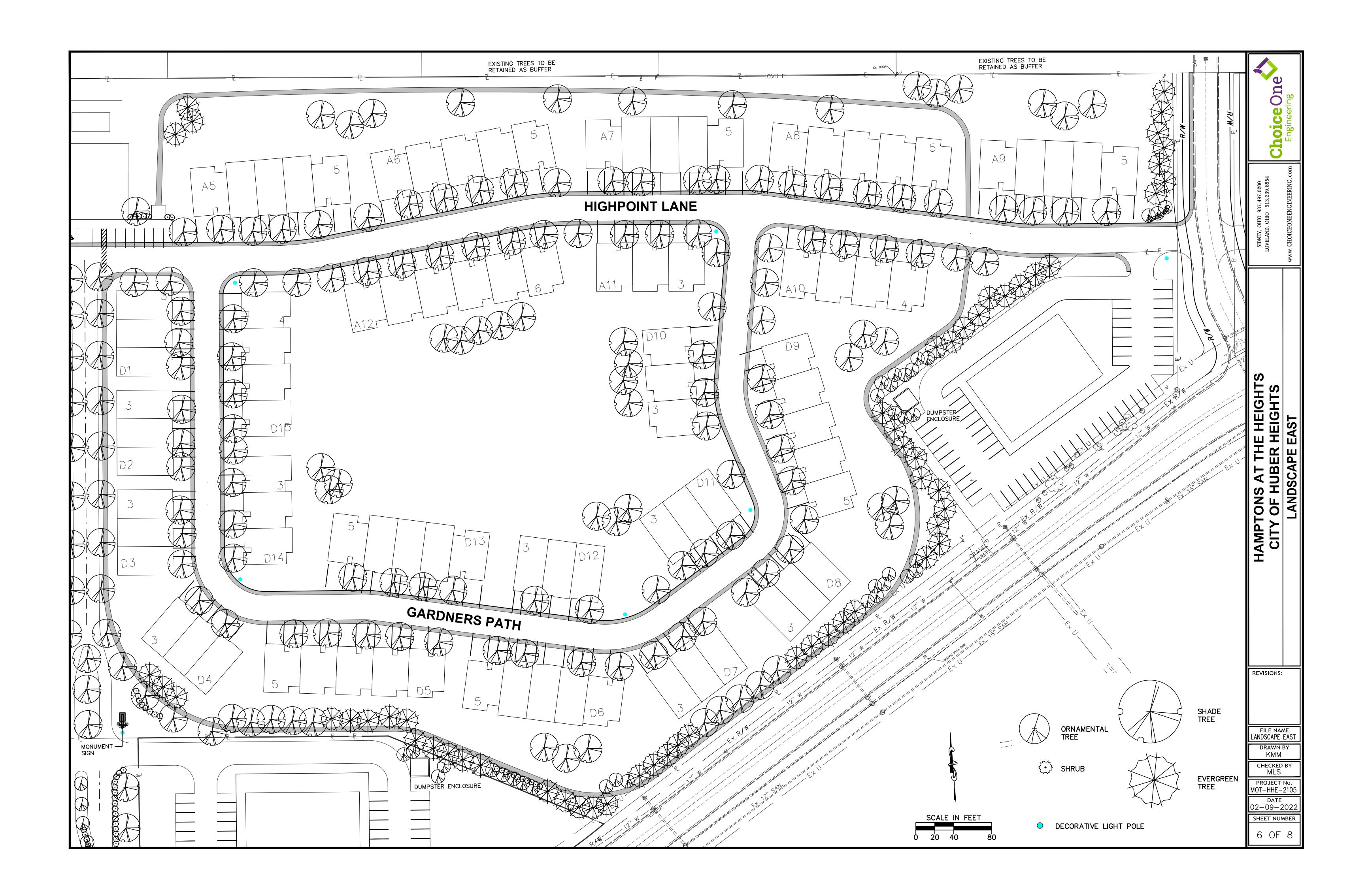


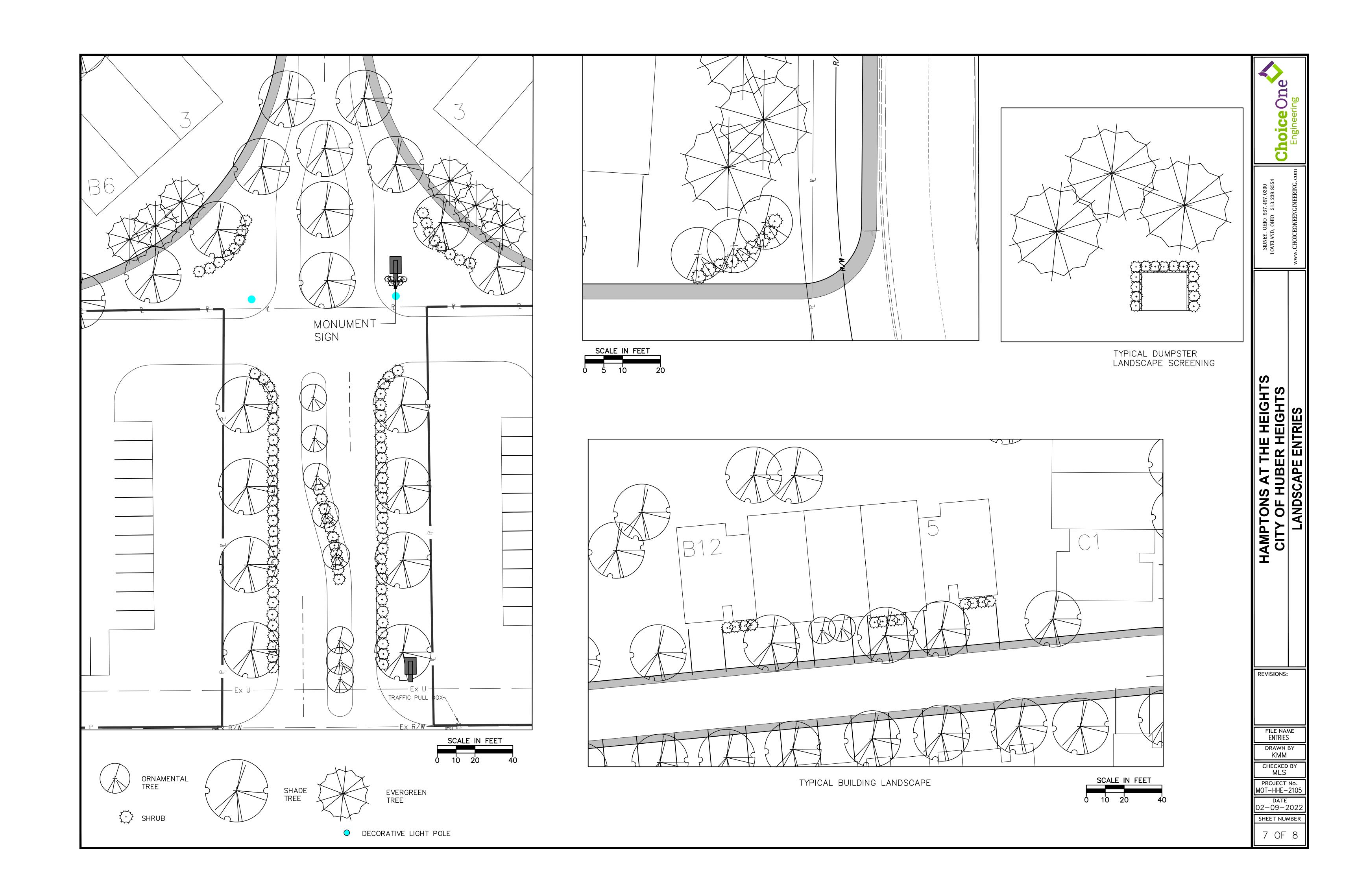


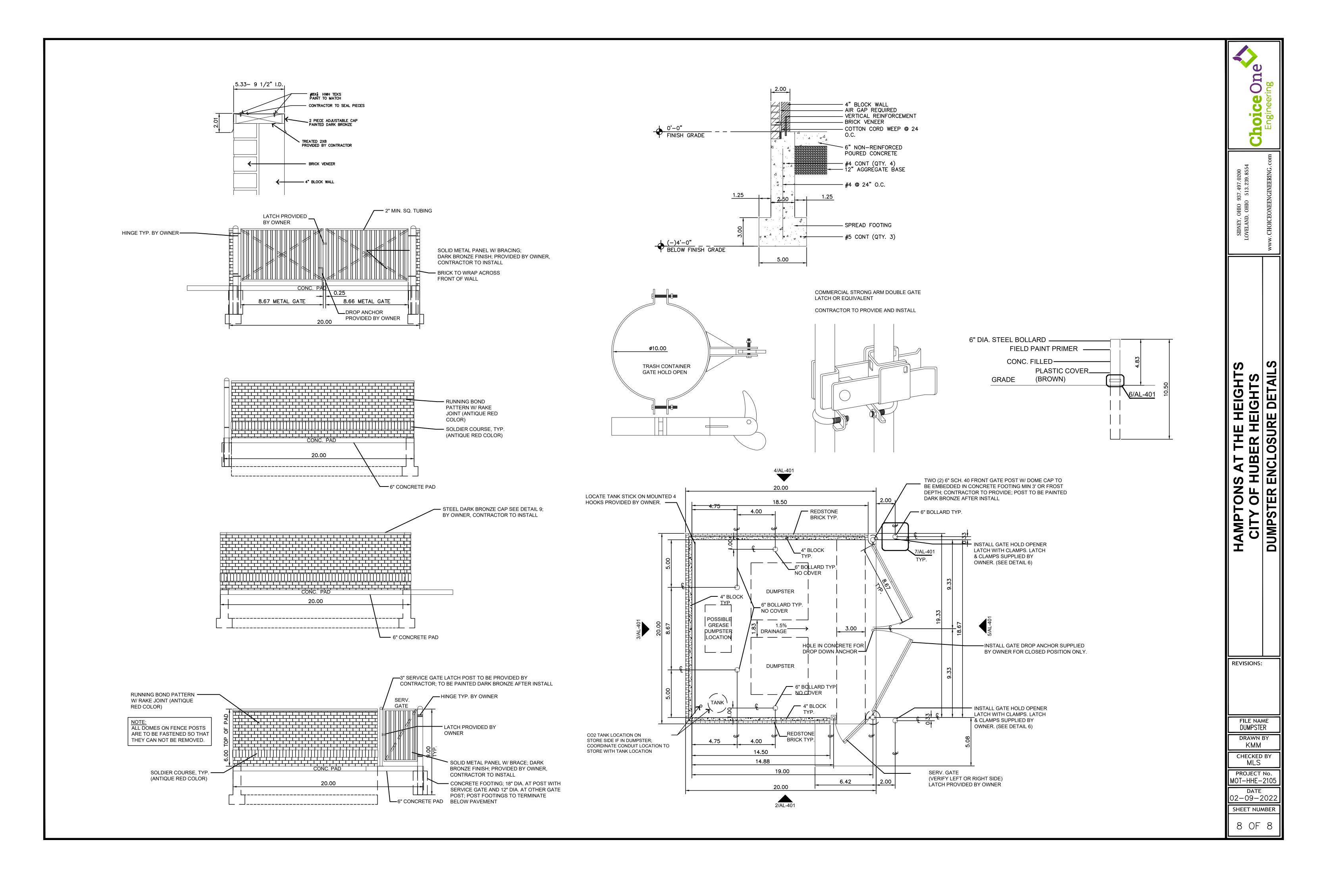












CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	CH DIST	CH BEARING	
C1	325.00'	61.22'	10°47'34"	61.13'	S00°06'03"E	
C2	200.00	26.08'	07°28'16"	26.06	N01°45'42"W	
С3	75.00'	29.16'	22°16'39"	28.98'	S09°09'53"E	
C4	25.00'	35.80'	82°03'19"	32.82'	N20°43'27"E	
C5	560.00'	52.45	05°22'00"	52.43'	S59°04'07"W	
C6	582.67	21.51'	02°06'53"	21.50'	N57°26'34"E	
C7	552.67	353.90'	36°41'21"	347.88	N76°50'40"E	
C8	612.67	175.81	16°26'28"	175.20'	S86°58'07"W	
С9	275.00'	122.87	25°35'56"	121.85	S07°30'14"E	
C10	25.00'	37.92'	86°53'57"	34.39'	S63°45'11"E	
C11	560.00'	107.96	11°02'43"	107.79	S67°16'29"W	
C12	560.00'	220.80'	22°35'28"	219.37'	S84°05'34"W	
C13	300.00	134.04	25°35'56"	132.92	S07°30'14"E	

LINE TABLE						
LINE	LENGTH	BEARING				
L1	24.81'	S01°58'26"W				
L2	33.47'	S20°18'12"E				
L3	21.76'	N20°18'12"W				
L4	127.66	S56°23'07"W				
L5	13.28'	S78°44'53"W				
L6	140.57	N84°36'42"W				
L7	225.92	S05°23'18"W				
		•				

# RECORD PLAN

# **LEHMAN PLAT**

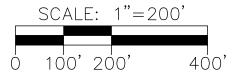
LOCATED IN SECTION 18, TOWN 2, RANGE 8 M.Rs., CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO 43.067 ACRES TOTAL

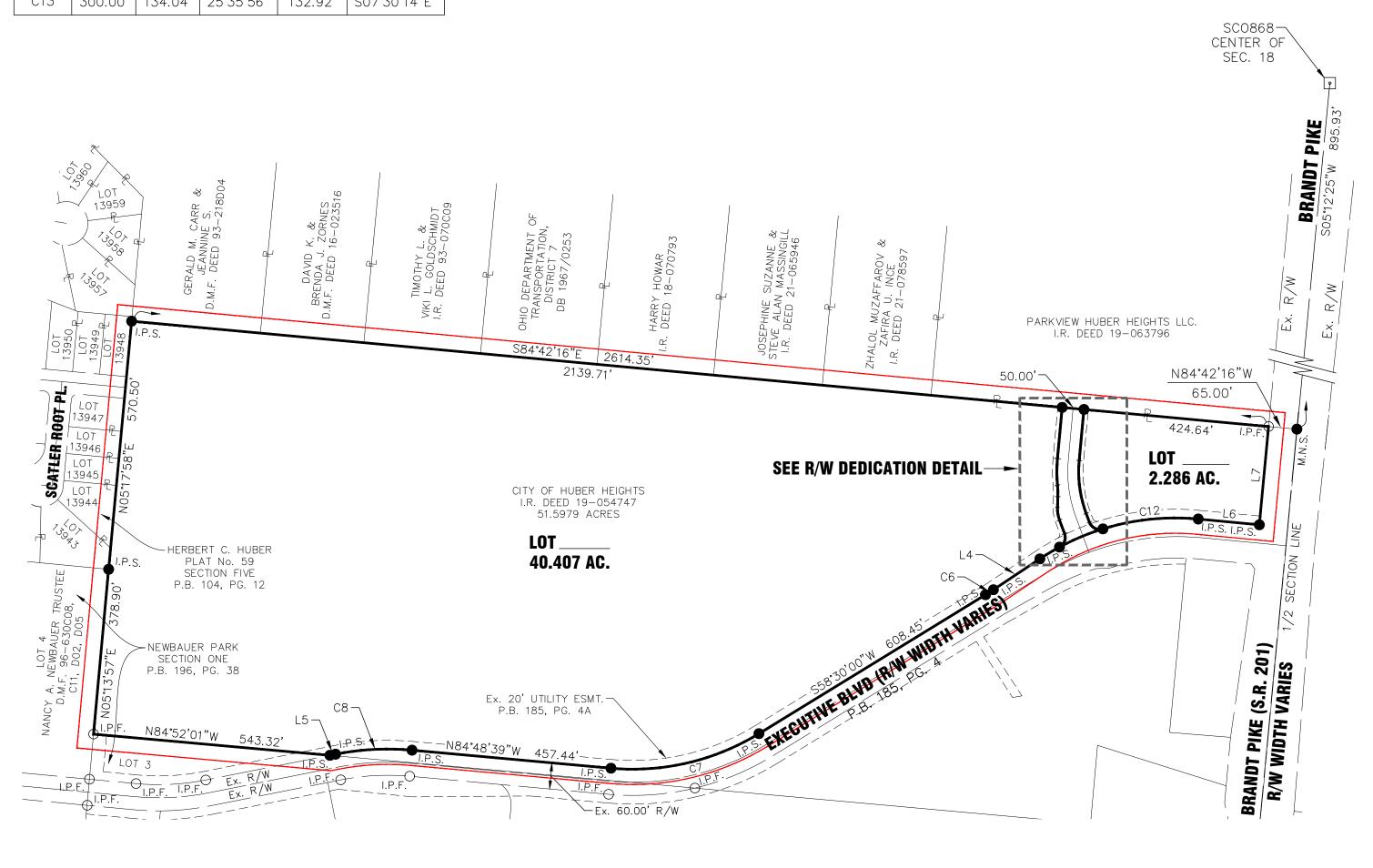
### **ACREAGE SUMMARY**

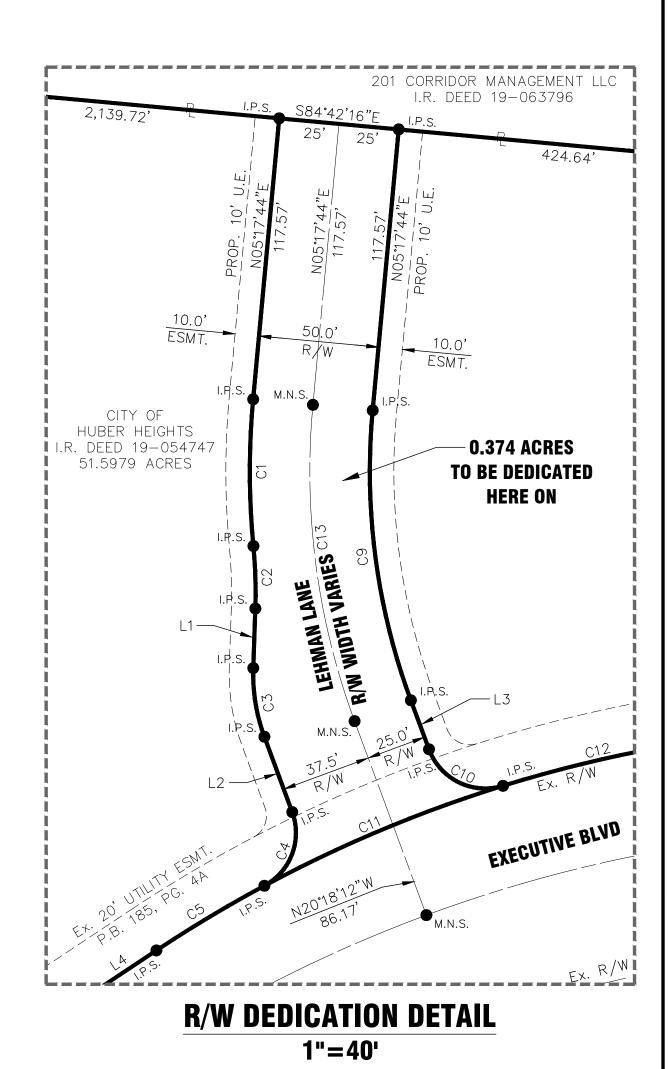
LOT \_\_\_\_\_ 40.407 ACRES LOT \_\_\_\_\_ 2.286 ACRES R/W DEDICATION 0.374 ACRES

TOTAL 43.067 ACRES

THE BEARING OF S05°-12'-25"W ALONG THE 1/2 SECTION LINE WAS BASED ON NAD 83 CORS 2011 ADJUSTMENT, OHIO SOUTH ZONE, ODOT VRS CORS NETWORK







# **LEGEND**

5/8" X 30" REBAR W/CAP SET

O<sup>I.P.F.</sup> 5/8" I.R.ON PIN FOUND

MAG NAIL SET

MONUMENT BOX W/IP FOUND

### PERTINENT INFORMATION

SUR. 87-42 LAND SURVEY 2019-0011 PLAT BOOK 185, PAGE 4A

**Choice**One Engineering SIDNEY, OHIO 937.497.0200 LOVELAND, OHIO 513.239.8554 ALLEN J. BERTKE, P.S. #8629 DATE

www.CHOICEONEENGINEERING.com

PREPARED BY:

JOB NUMBER: MOT-HHE-2107 SHEET NUMBER

DATE:

11-5-2021 DRAWN BY:

**OF** 2

# SHULL ROAD **PROJECT AREA I-70**

# **VICINITY MAP**

# SHULL ROAD CITY OF HUBER HEIGHTS--CITY OF HUBER HEIGHTS 0.374 ACRES LOT TO BE DEDICATED 2.286 AC. HERE ON CITY OF HUBER HEIGHTS LOT \_\_\_\_\_, 40.407 AC. **I-70**

# **SUPERIMPOSED AREA NOTE:**

ALL OF THE LANDS OF THE DEDICATOR ARE CONTAINED WITHIN SURVEY.

# RECORD PLAN LEHMAN PLAT

LOCATED IN SECTION 18, TOWN 2, RANGE 8 M.Rs., CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO 43.067 ACRES TOTAL

APPROVALS	
 PPROVED THIS DA	Y OF, 20,
	SION OF THE CITY OF HUBER HEIGHTS, OHIO
HAI.R.MAN	
	THIS, 20,
Y THE COUNCIL OF THE C	ITY OF HUBER HEIGHTS, OHIO
IAYOR	CLERK

## **OCCUPATION STATEMENT**

LINES OF OCCUPATION (WHERE EXISTING) IN GENERAL AGREE WITH PROPERTY LINES.

PROPERTY LINES CALCULATED FROM EXISTING MONUMENTATION AND SURVEYS OF RECORD.

### **DESCRIPTION**

BEING 43.067 ACRES OUT OF A 51.5979 ACRE TRACT, SITUATE IN SECTION 18, TOWN 2, RANGE 8 M.Rs., CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO, OWNED BY THE CITY OF HUBER HEIGHTS AS CONVEYED IN I.R. DEED 19-054747 OF THE MONTGOMERY COUNTY DEED RECORDS.

### **CERTIFICATION**

I HEREBY CERTIFY THIS PLAT WAS PREPARED IN ACCORDANCE WITH O.A.C, CHAPTER 4733.37 STANDARDS OF PLAT OF SURVEYS AND ALSO CONFORMS TO THE O.R.C. CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DI.R.ECT SUPERVISION AND BASED ON ACTUAL FIELDWORK PERFORMED IN SEPTEMBER 2021. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE SET OR TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC.

### PLAT AUTHORIZATION AND DEDICATION

CITY OF HUBER HEIGHTS, THE OWNER OF THE LAND INCLUDED WITHIN THIS PLAT HAVE CAUSED THE AREA LOCATED IN THE CITY OF HUBER HEIGHTS, OHIO, ENCOMPASSED BY THIS PLAT, TO BE SURVEYED, PLATTED, AND KNOWN AS LEHMAN PLAT. FURTHERMORE, CITY OF HUBER HEIGHTS DEDICATES THE ROAD RIGHT-OF-WAY AND RESERVES THE EASEMENTS AS SHOWN ON THIS PLAT TO THE PUBLIC USE FOREVER.

EASEMENTS SHOWN ON THIS PLAT ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAI.R., REPLACEMENT OR REMOVAL OF WATER, GAS, SEWER, ELECTRIC, TELEPHONE, OR OTHER UTILITIES OR SERVICES, AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES AND FOR PROVIDING OF INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES. AND ARE TO BE MAINTAINED AS SUCH FOREVER.

BY:, CITY OF HUBER HEIGHTS	DATE:,
AND CORPORATIONS, TO THE BES	AFFI.R.MED, SAYS THAT ALL PERSONS ST OF HIS KNOWLEDGE, INTERESTED IN NERS OR AS LIEN HOLDERS, HAVE
SIGNED AND ACKNOWLEDGED OWNER: CITY OF HUBER HEIGHTS	S IN THE PRESENCE OF:
	CITY OF HUBER HEIGHTS
STATE OF OHIO COUNTY OF MONTGOMERY, SS	
PERSONALLY CAME CITY OF HUB ACKNOWLEDGED THE SIGNING OF	N AND FOR SAID STATE AND COUNTY, ER HEIGHTS, OWNER, AND
IN TESTIMONY WHEREOF, I HAVE SEAL ON THE DAY AND YEAR A	HEREUNTO SET MY HAND AND OFFICIAL BOVE WRITTEN.
NOTARY PUBLIC	
MY COMMISSION EXPI.R.ES	
APPROVED FOR DESCRIPTIOFILE # 2021-0332,	N ONLY

MONTGOMERY	COUNTY	ENGINE	EER	DATE
			۔	,
CHECKED BY				DATE

PREPARED BY: **Choice**One Engineering

SIDNEY, OHIO 937.497.0200 LOVELAND, OHIO 513.239.8554

MOT-HHE-2107 SHEET NUMBER 2 **o**f 2

DATE:

11-5-2021

R.D.J.

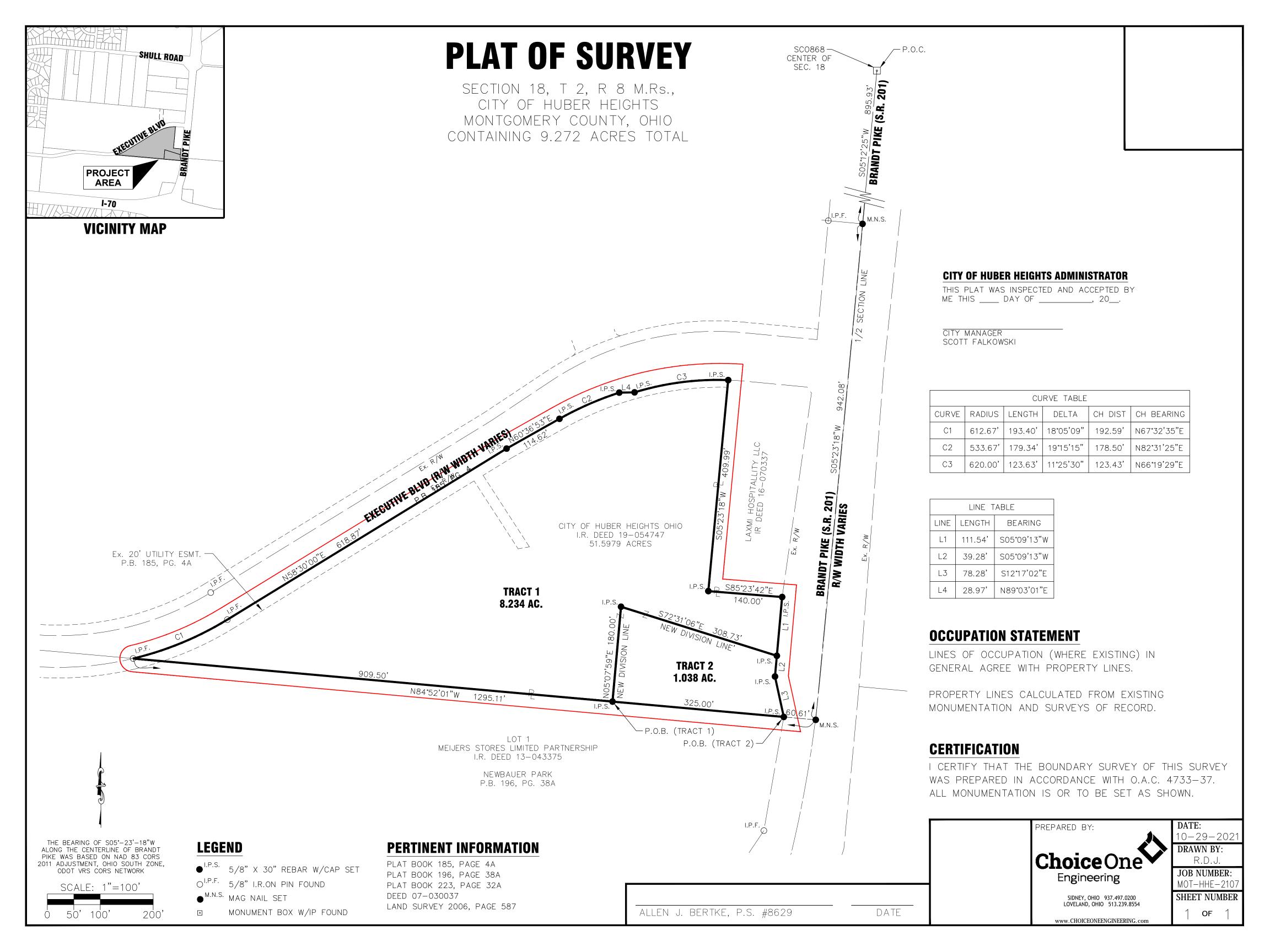
JOB NUMBER:

DRAWN BY:

ALLEN J. BERTKE, P.S. #8629

DATE

www.CHOICEONEENGINEERING.com





# Huber Heights Fire Division

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

- 40		The Hamptons at the Heights				
7125 Executive Boulevard						
Occupancy Address: 7125 Executive Boulevard						
HHP&D Site Plan						
Choose an item.						
Choose an item.						
Assigned	HH P&D:					
	HHFD Plan:	22-051				
	HHFD Box:					
ng DATE: 3/25/2022		3/25/2022				
C	hoose an item.	hoose an item.  hoose an item.  Assigned HH P&D: HHFD Plan: HHFD Box:				

#### 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. The proposed development will need to meet the requirements of the Ohio Fire Code 2017, Ohio Building Code 2017 and the Huber Heights Codified Ordinance. Based on the drawings provided the following requirements need to be met.

#### Requirements:

Hydrants in multi-family and commercial districts shall be placed not more than 300 feet apart, measured on the main and not more than 400 feet from any opening in any building. All new fire hydrants and any existing fire hydrants that are in need of replacement, shall meet the Huber Heights hydrant standard for this district of two (2), five (5) inch diameter steamer nozzles. These steamer nozzles shall have a five (5) inch STORTZ quick connection and one steamer shall have a four (4) inch STORTZ connection approved by the Code Official. Huber Heights Codified Ordinance 1521.06(c). (Current layout does not appear to meet the 300 feet spacing.)

- If buildings are required to be sprinklered at least one fire hydrant shall be provided within 75 feet of the fire department connection for each building. Huber Heights Codified Ordinance 1521.01(e).
- Unobstructed access to fire hydrants shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants. Ohio Fire Code 507.5.4. (See below.)
- A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved. (No trees, bushes, plantings, etc.) Ohio Fire Code 507.5.5.
- The water supply shall be capable of providing required fire flows for fire protection. Ohio Fire Code 507.1 & 507.3. Calculations and findings will need to be determined and provided. (Refer to Ohio Fire Code Appendix B for required flows.)
- Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates and an unobstructed vertical height for fire apparatus access roads shall be 13 feet 6 inches, in accordance with Ohio Fire Code 503.2.1. (Boulevard lanes may need to be widened depending on proposed size.)
- Fire department access roads shall be capable of supporting the imposed load of fire apparatus weighing up to 75,000 lbs. Refer to Ohio Fire Code Appendix D102.1.
- If required, fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or otherwise approved by the fire code official. Ohio Fire Code 912.2.1.
- If required, immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or moveable object. Access to fire department connections shall be approved by the fire code official. Ohio Fire Code 912.4.

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

Plans reviewed by the Huber Heights Fire Division are reviewed with the intent they comply in <u>ALL</u> respects to this code, as prescribed in <u>SECTION (D) 104.1 of the 2017 Ohio Fire Code</u>. Any omissions or errors on the plans or in this review do not relieve the applicant of complying with <u>ALL</u> 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.



# Huber Heights Fire Division

### Memorandum

Staff Report for Meeting of March 29, 2022

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, Interim City Planner

Community Planning Insights

Date: March 22, 2022

Subject: BDP 22-12 "Hamptons at the Heights"

Rezoning and Basic Development Plan

Application dated March 15, 2022

#### Department of Planning and Zoning City of Huber Heights

**APPLICANT/OWNER:** Horizon Line Development - Applicant

City of Huber Heights - Owner

**DEVELOPMENT NAME:** Hamptons at the Heights

ADDRESS/LOCATION: 7125 Executive Boulevard

**ZONING/ACREAGE:** PEP - Planned Employment Park / ~43 Acres

**EXISTING LAND USE:** Vacant land / Agriculture

ZONING

**ADJACENT LAND:** A & PM – North; PM – South; A – East;

R-7 & PEP - West

**REQUEST:** The applicant requests approval of a rezoning from

Planned Employment Park to Planned Mixed Use; and approval of a Basic Development Plan containing

a mix of residential and commercial uses.

ORIGINAL APPROVAL: N/A

**APPLICABLE HHCC:** Chapter 1171, 1179

**CORRESPONDENCE:** In Favor – None received

In Opposition – None received

#### STAFF ANALYSIS AND RECOMMENDATION:

#### Overview:

The applicant is requesting approval for a rezoning of approximately 43 acres from Planned Employment Park to Planned Mixed Use, to facilitate the construction of 197 residential townhome apartments and five commercial out lots.

#### **Applicable Zoning Regulations**

The appliable zoning chapters include: 1171 General Provisions, 1179 Planned Mixed Use District, 1181 General Provisions, 1189 Signs. The relevant sections are citied and discussed below:

#### Chapter 1171 General Provisions

#### 1171.01 Purpose.

Planned Unit Developments Districts may be permitted as amendments to the zoning map, after application and approval of specific and detailed plans, where tracts suitable in location and character for the uses and structures proposed are to be planned and developed as units. The provisions of this chapter are adopted to unify planning and development in such districts. Applications for rezoning of land into a Planned Unit Development District shall be granted only when the basic development plan for the project is such that the public health, safety and morals shall not be jeopardized by a departure from the restrictions on corresponding uses in the standard zoning district. PUD rezonings may be approved only when a basic development plan for the area has been approved by Council. A detailed development plan shall then be approved for zoning permit to be approved for development in the District. Normally the detailed development plan shall be approved by the Planning Commission after the rezoning and basic development plan have been approved by Council. Owners shall have the option however, of submitting a combined basic and detailed development plan ("combined development plan") if they should so desire for some or all of the site.

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

#### 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)

#### **Development Standards Analysis:**

#### 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.

The area proposed to be rezoned to PM is approximately 35 acres.

(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.

The applicant has proposed development and use standards that are generally consistent with the applicable zoning regulations. Staff would like to see the following revisions:

- Residential garage openings shall be set back at least 20-feet from the back of the sidewalk. (It appears this is the case in most instances; however, the drawings are not dimensioned and to the greatest extent possible staff desire to limit the overhang of vehicles into the sidewalk pathways).
- The following proposed permitted non-residential uses should be eliminated from permitted use list:
  - Filling stations
  - Sweepstakes cafes
  - Convenience store
  - Self-Storage Indoor Climate Controlled
  - o Car Wash

(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.

The area contains a mixture of residential, commercial and office uses.

- (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.

This site is located along a well-traveled thoroughfare, surrounded by residential uses to the north and west, commercial uses to the south, and Carriage Hill MetroPark to the east. The vast majority of the proposed land uses are residential and are located adjacent to other residential uses. The proposed commercial out lots, which will likely have more intensive uses, are appropriated located to front Executive Boulevard.

(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.

Commodity crop production is the current use of the site, and few natural features exist. There is a small drainage stream that bisects the site near the southwest corner, which crosses under Executive Boulevard and ultimately into Drylick Run Creek. The proposed development plan appears to limit the impact on the drainage stream.

In general, the site slopes west to east. Two onsite and one offsite stormwater basins will provide for stormwater management. The stormwater basins are designed to be wet basins, which will provide an attractive landscape amenity.

(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.

This development will have two entrances from Executive Boulevard that are aligned and spaced in a manner where little traffic conflict points should exist. Interior sidewalks and walking trails are proposed for pedestrian circulation. As the commercial spaces are developed sidewalks along the north side of Executive Boulevard should be constructed to provide pedestrian connections to the amenities near and along Executive Boulevard.

(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.

Parking for the residential units is provided by what appears to be a mixture of one-and two-car garages, along with driveway space. The applicant is providing at least two spaces per unit for the residential development, including the driveway space. As previously stated, the setback from the garage face to the back of sidewalk for the residential units should be a minimum 20-feet.

(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.

The proposal provides interior sidewalks and walking paths. Additional sidewalks should be constructed as the commercial lots are developed along Executive Boulevard to provide pedestrian access to the surrounding amenities.

(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.

A sign package was not submitted with the application; however, two monument signs are indicated on the landscaping plan. Signs shall comply with Chapter 1189.

- (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.

The residential buildings are set back 15-feet from each residential building. While the commercial out lots illustrate generic building footprints, plenty of land area exists to meet these setback requirements.

(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.

The residential buildings are approximately 20-feet tall.

(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.

The plans and renderings indicate a mixture of decorative light poles and wall sconce lighting throughout the residential development. A lighting plan will be required at the detailed development plan phase.

(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.

The site plan indicates the trash receptacles will be fully enclosed where provided.

(11) The architecture of nonresidential structures is encouraged to be unique yet similar in certain sections of the PM.

The architecture of the commercial structures is not indicated in the application, but will be reviewed at the time of the detailed development plan submission for each out building.

(12) The distribution systems for utilities are required to be underground.

All utilities will be placed 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.

The residential open space will be owned by the apartment development owner.

(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.

No on-site fencing is proposed

(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.

A phasing plan was not submitted.

#### 1179.07 Landscaping.

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

- (a) Development Landscaping. Within the PM development that is proposed, entirely residential buildings shall be screened from nonresidential and mixed-use buildings with a 20-foot-wide buffer strip that includes a six-foot-high earth mound, wooden or vinyl fence, wall, landscaping and/or mixture thereof that shall maintain an opaqueness of at least 80 percent year around. Parking areas, accessways, or any impervious surfaces are prohibited within this buffer strip. If planted materials are used, the screen must achieve the required height, width, and opaqueness within two years of planting. The use of pre-existing trees, natural features or amenities as part of this buffer is encouraged. The Planning Commission may approve some other arrangement of buffering if it determines that such an arrangement meets the intent of this requirement.
- (b) Perimeter Landscaping. In a section of a PM development that contains nonresidential, mixed use, or multi-family buildings that abut a neighboring property with a single-family residential zoning designation or in a PM development section that contains an entirely residential section that abuts a neighboring property with a commercial, office, or multi-family zoning designation, the perimeter of the section of the PM development shall be screened with a 25 foot wide buffer strip that includes a six foot high earth mound, wooden or vinyl fence, wall, landscaping and/or mixture thereof that shall maintain an opaqueness of at least 80 percent year-round. Parking areas,

accessways or an impervious surfaces are prohibited within this buffer strip. If planted materials are used, the screen must achieve the required height, width, and opaqueness within two years of planting. The use of pre-existing trees, natural features or amenities as part of this buffer is encouraged. The Planning Commission may approve some other arrangement of buffering if it determines that such an arrangement meets the intent of this requirement.

The applicant proposes to retain the existing trees along the north property line as a buffer, and the closest structure is approximately 80-feet from the property line. Staff does not feel a 6-foot-high landscaping mound is warranted and would require the removal of existing trees.

Along the west property line, the screening will be a mixture of evergreen and ornamental trees. No mounding or fencing is proposed or required.

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

The commercial out lots will be reviewed at the detailed development plan phase; however, the covenants indicate the commercial developments will comply with Chapter 1185.

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

Street trees are indicated throughout the development. Street trees will be required along Executive Boulevard as those sites are developed.

#### STAFF RECOMMENDATION

Staff recommend approval of the rezoning and Basic Development Plan to construct 197 residential units and five commercial out lots. Staff recommend the following conditions for approval:

- 1) The setback for the residential units shall be a minimum of 20-feet between the garage face and the back of the sidewalk.
- 2) The permitted uses shall exclude those recommended by staff.

- 3) The water mains and sanitary sewers shall be built to city standards and in easements.
- 4) The applicant shall submit a sign package consistent with Section 1189.
- 5) The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department.

#### **Planning Commission Action**

Planning Commission may take the following actions with a motion:

- 1) Approve the rezoning and basic development plan with or without conditions;
- 2) Deny the rezoning and basic development plan (the Commission should state the specific reasons for denial); or
- 3) Table the application.



### Planning Commission Decision Record

WHEREAS, on March 04, 2022, the applicant, Horizon Line Development, requested approval of a Rezoning and Basic Development Plan to Planned Mixed (PM) for 35 acres at 7125 Executive Boulevard, Parcel Number P70-03910-0005 of the Montgomery County, Ohio Records (Case BDP 22-12); and

WHEREAS, on March 29, 2022, 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.

Ms. Vargo moved to recommend approval of the request by the applicant, Horizon Line Development, of a Rezoning and Basic Development Plan to Planned Mixed (PM) for 35 acres at 7125 Executive Boulevard, Parcel Number P70-03910-0005 of the Montgomery County, Ohio Records (Case BDP 22-12) in accordance with the recommendation of Staff's Memorandum dated March 22, 2022, with the following conditions:

- 1. The setback for the residential units shall be a minimum of 20-feet between the garage face and the back of the sidewalk.
- 2. The water mains and sanitary sewers shall be built to city standards and in easements.
- 3. The applicant shall submit a sign package consistent with Section 1189.
- 4. The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department;

#### BDP 22-12 - Decision Record

Seconded by Ms. Opp.			•	
Vargo, and Mr. Walton.	NAYS:	Mr. Jeffries	Motion to re	commend approval
carried 4-1.				
Terry Walton, Chair		<del></del>	Date	<del></del>
Planning Commission				

#### Planning Commission March 29, 2022, 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: Aaron K. Sorrell, Interim City Planner, and Geri Hoskins, Planning & Zoning Administrative Secretary.

#### III. Opening Remarks by the Chairman and Commissioners

#### 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, AMARJIT TAKHAR, is requesting approval of a Basic Development Plan and Rezoning to (Planned Commercial) PC for 35 acres at State Route 35 for a Service Station (BDP 22-08).

Mr. Sorrell stated that the applicant requests approval of a basic development plan and rezoning to Planned Commercial District to construct a fueling center, convenience store, truck stop and diesel repair facility on approximately nine (9) acres of a 35-acre parcel. The site is adjacent to the I-70 / SR 235 interchange.

This case was tabled at the March 15, 2022, to allow time to review the revised development plan that was submitted shortly before the meeting. The crux of the revision reconfigures the western access point to allow for a future extension of Center Point 70 Boulevard and meet the development standards of the Planned Commercial District.

The applicant is proposing two buildings, one 6,720 SF building containing a convenience store and restaurant, and the second 6,642 SF diesel truck repair facility. Both buildings are proposed to be clad with a mix of brick and stucco EFIS.

Fuel will be dispensed through one five-pump island in front of the convenience store, and a second five-pump island located at the rear of the property for semiPlanning Commission Meeting March 29, 2022

trucks and large oversized vehicles. Both fueling islands will be covered by large canopies.

Parking is provided throughout the site. The revised site plan illustrates 76 parking spaces, including 10 for semi-trucks. This is an increase from 62 automobile parking spaces.

The proposed uses are principally permitted in the PC district. The revised plan indicates a 15-foot perimeter buffer yard, which meets the standards for this chapter. All other standards for this Chapter are met.

The revision meets the requirements of Chapter 1181. The revised plans illustrate street trees placed every 40-feet. No exterior lighting plan was submitted at this time, but will be submitted at the time of detailed development review. Unless otherwise directed by the Planning Commission, parking light fixtures shall not exceed 25 feet in height.

The Basic Development Plan indicates potential locations for landscape islands and trees within the parking areas. Additional detail shall be provided during the detailed development plan phase.

The revised proposal meets the requirements of Chapter 1185. The applicant is illustrating parking island landscaping. The maximum required number of parking spaces required is approximately 67 total spaces. The revised plan indicates 70 proposed spaces. The number of required parking spaces is likely to decrease once the final area of the convenience store (less storage) and restaurant are determined.

The proposal meets the requirements of this chapter which limits the number of semi parking spaces to no more than ten spaces. The plans indicate ten spaces that are correctly dimensioned.

#### Other Considerations:

Staff has asked the applicant to redesign the site to allow a future extension of Center Point 70 by moving the gas pumps and store further south and/or changing their alignment. The applicant has adjusted the site plan by reconfiguring the parking and circulation plan. The revised configuration will likely improve vehicle stacking at the intersection along the proposed roadway, rather than internally as was originally illustrated.

#### **Additional Comments:**

Fire: See Attached. The applicant will comply will all fire code requirements.

#### **City Engineer:**

#### **Recommendation**

Staff recommends approval of the rezoning from I-1 to Planned Commercial and approval of the revised basic development plan with the following conditions:

Applicant shall comply will all fire code requirements.

#### **Action**

Ms. Thomas moved to approve the request by the applicant Amarjit Takhar, for approval of a Basic Development Plan and Rezoning to Planned Commercial (PC) on approximately nine (9) acres of a 35-acre parcel at property located on the East side of intersection of State Route 235 and Center Point 70 Blvd, Parcel Numbers P70-03903-0079 and P70-03903-0005 of the Montgomery County Ohio Records (ZC BDP 22-08) and accordance with the recommendation of staff's memorandum dated March 22, 2022 and the Planning Commission's Decision Record attached thereto.

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

Move to City Council

#### VII. New Business

 COMBINED BASIC AND DETAILED DEVELOPMENT PLAN - The applicant, CAMPBELL BERLING HUBER HEIGHTS, LLC, is requesting approval of a Rezoning to Planned Residential (PR) and a Combined Basic and Detailed Development Plan for property located on the East side of Bellefontaine Road and South of Chambersburg Road (ZC CBDP 22-11).

Mr. Sorrell stated that This case was originally ZC 21-47, which contemplated 132 units (66 2-family townhomes) on approximately 23 acres. The applicant withdrew the application and is now submitting approval for 97 units, comprised of 29 single-family lots and 34 two-family townhomes. The average density is approximately 4.33/units per acre.

The proposed one-family lots are slightly smaller and 20-feet shallower than what is prescribed by the code. The 64-foot-wide lots are significantly smaller in square footage than prescribed by the code, however this does provide a housing product for those households who do not want or need a larger yard. Overall, the average lot size in this development is 6,937 square feet. In staff's professional opinion the slightly smaller and shallower lots will have a negligible impact on surrounding properties and the character of the area.

Each unit, both detached and attached, will contain a two-car garage, along with driveway space for parking. The proposal complies with this standard.

All utilities will be placed below ground.

The applicant has submitted proposed elevations that that are consistent with this requirement.

While landscaping and screening is not required in the Planned Residential District, the applicant is proposing significant buffering and screening along Bellefontaine Road, and along the interior gas transmission easement.

Planning Commission Meeting March 29, 2022

The comprehensive plan indicates this area should be single-family with a maximum density of six (6) units per acre. The proposed development contains 29 single-family homes and 35 duplex townhomes. The overall density of the development is 4.33 units per acre, consistent with the comprehensive plan.

While no phasing plan was submitted with the application, this is a relatively small subdivision for Huber Heights.

The public roads are adequate for this development. Bellefontaine Road is classified as a Major Collector in the City Thoroughfare Plan

The site is served by adequate utilities.

The applicant is proposing significant landscaping and screening beyond the code requirements along Bellefontaine Road. Additional tree plantings are proposed throughout the development in the common areas.

It is the staff's opinion the proposal meets the standards outlined in Section 1171.06 and the intent of 1171.09. Staff recommends approval of the rezoning to Planned Residential and the combined Basic and Detailed Development Plan to construct 97 homes. Staff recommends approval with the following conditions:

- 1) The dwellings shall meet the material requirements of Section 1181.20 Building Materials for Dwellings;
- 2) The applicant will comply with all stormwater requirements, per the City Engineer;
- 3) The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department.

Bob Krohngold was present. Cindy Smith and Tracy Harman

Discussion on the Fire Assessment and percentage of masonry

#### **Action**

Ms. Thomas moved to approve the request by the applicant Campbell Berling for approval of a Rezoning to Planned Residential (PR) and a Combined Basic and Detailed Development Plan for property located on the East side of Bellefontaine Road and South of Chambersburg Road, Parcel Number P70 03908 0126 of the Montgomery County, Ohio Recorder's Office (ZC CBDP 22-11) in accordance with the recommendation of Staff's Memorandum dated March 22, 2022, and the Planning Commission Decision Record attached thereto.

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

Move to City Council

Planning Commission Meeting March 29, 2022

 REZONING AND BASIC DEVELOPMENT PLAN - The applicant, HORIZON LINE DEVELOPMENT, is requesting approval of a Rezoning and Basic Development Plan to PM (Planned Mixed) for 197 unit Residential Town-Home Apartment Community, located at 7125 Executive Boulevard (ZC BDP 22-12).

Mr. Sorrell stated that the applicant is requesting approval for a rezoning of approximately 43 acres from Planned Employment Park to Planned Mixed Use, to facilitate the construction of 197 residential townhome apartments and five commercial out lots.

The applicant has proposed development and use standards that are generally consistent with the applicable zoning regulations. Staff would like to see the following revisions:

- Residential garage openings shall be set back at least 20-feet from the back of the sidewalk. (It appears this is the case in most instances; however, the drawings are not dimensioned and to the greatest extent possible staff desire to limit the overhang of vehicles into the sidewalk pathways).
- The following proposed permitted non-residential uses should be eliminated from permitted use list:
  - Filling stations
  - Sweepstakes cafes
  - Convenience store
  - o Self-Storage Indoor Climate Controlled
  - o Car Wash

The area contains a mixture of residential, commercial and office uses.

This site is located along a well-traveled thoroughfare, surrounded by residential uses to the north and west, commercial uses to the south, and Carriage Hill MetroPark to the east. The vast majority of the proposed land uses are residential and are located adjacent to other residential uses. The proposed commercial out lots, which will likely have more intensive uses, are appropriated located to front Executive Boulevard.

Commodity crop production is the current use of the site, and few natural features exist. There is a small drainage stream that bisects the site near the southwest corner, which crosses under Executive Boulevard and ultimately into Drylick Run Creek. The proposed development plan appears to limit the impact on the drainage stream.

In general, the site slopes west to east. Two onsite and one offsite stormwater basins will provide for stormwater management. The stormwater basins are designed to be wet basins, which will provide an attractive landscape amenity.

This development will have two entrances from Executive Boulevard that are aligned and spaced in a manner where little traffic conflict points should exist. Interior sidewalks and walking trails are proposed for pedestrian circulation. As the commercial spaces are developed sidewalks along the north side of Executive Boulevard should be constructed to provide pedestrian connections to the amenities near and along Executive Boulevard.

Parking for the residential units is provided by what appears to be a mixture of one-and two-car garages, along with driveway space. The applicant is providing at least two spaces per unit for the residential development, including the driveway space. As previously stated, the setback from the garage face to the back of sidewalk for the residential units should be a minimum 20-feet.

The proposal provides interior sidewalks and walking paths. Additional sidewalks should be constructed as the commercial lots are developed along Executive Boulevard to provide pedestrian access to the surrounding amenities.

A sign package was not submitted with the application; however, two monument signs are indicated on the landscaping plan. Signs shall comply with Chapter 1189.

The residential buildings are set back 15-feet from each residential building. While the commercial out lots illustrate generic building footprints, plenty of land area exists to meet these setback requirements.

The residential buildings are approximately 20-feet tall.

The plans and renderings indicate a mixture of decorative light poles and wall sconce lighting throughout the residential development. A lighting plan will be required at the detailed development plan phase.

The site plan indicates the trash receptacles will be fully enclosed where provided.

The architecture of the commercial structures is not indicated in the application, but will be reviewed at the time of the detailed development plan submission for each out building.

All utilities will be placed underground.

The residential open space will be owned by the apartment development owner.

The applicant proposes to retain the existing trees along the north property line as a buffer, and the closest structure is approximately 80-feet from the property line. Staff does not feel a 6-foot-high landscaping mound is warranted and would require the removal of existing trees.

Along the west property line, the screening will be a mixture of evergreen and ornamental trees. No mounding or fencing is proposed or required.

The commercial out lots will be reviewed at the detailed development plan phase; however, the covenants indicate the commercial developments will comply with Chapter 1185.

Street trees are indicated throughout the development. Street trees will be required along Executive Boulevard as those sites are developed.

#### **STAFF RECOMMENDATION**

Staff recommend approval of the rezoning and Basic Development Plan to construct 197 residential units and five commercial out lots. Staff recommend the following conditions for approval:

- 1) The setback for the residential units shall be a minimum of 20-feet between the garage face and the back of the sidewalk.
- 2) The permitted uses shall exclude those recommended by staff.
- 3) The water mains and sanitary sewers shall be built to city standards and in easements.
- 4) The applicant shall submit a sign package consistent with Section 1189.
- 5) The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department.

Eric Allen Kevin Brolema Steve Massingill

Discussion on the entertainment area, traffic, widening Executive, adding turn lane.

#### **Action**

Ms. Vargo moved to approve the request by the applicant Horizon Line Development, for approval of a Rezoning and Basic Development Plan to Planned Mixed (PM) for 35 acres at 7125 Executive Boulevard, Parcel Number P70 03910 0005 of the Montgomery County Ohio Records (ZC BDP 22-12) in accordance with the recommendation of Staff's Memorandum dated March 29, 2022, and the Planning Commission Decision Record attached thereto.

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

Move to City Council

#### VIII. Additional Business

None.

#### IX. Approval of the Minutes

Without objection, the minutes of the March 15, 2022, Planning Commission meeting are approved.

#### X. Reports and Calendar Review

Rezoning and Basic Detailed Development Plan, Medical Facility Major change and Detailed Development Plan, Commercial Lot Major Change and Detailed Development Plan, Discount Tire

	ning Commission Meeting h 29, 2022		
XI.	Upcoming Meetings		
	March 29, 2022 April 12, 2022		
XII.	Adjournment		
	There being no further business to cowas adjourned at approximately 8:33 p	· · · · · · · · · · · · · · · · · · ·	ting
Terry	Walton, Chair	Date	
Geri	Hoskins, Administrative Secretary	Date	

#### CITY OF HUBER HEIGHTS STATE OF OHIO

#### ORDINANCE NO. 2022-O-

TO APPROVE A BASIC DEVELOPMENT PLAN AND REZONING TO PLANNED MIXED USE (PM) FOR THE PROPERTY LOCATED AT 7125 EXECUTIVE BOULEVARD AND FURTHER IDENTIFIED AS PARCEL NUMBER P70-03910-0005 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION (ZONING CASE BDP 22-12).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case BDP 22-12 and on March 29, 2020, recommended approval by a vote of 4-1 of the Basic Development Plan and Rezoning to Planned Mixed Use (PM); and

WHEREAS, the City Council has considered the issue.

Section 3.

Date

Charter of the City of Huber Heights.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. The application requesting approval of a Basic Development Plan and Rezoning to Planned Mixed Use (PM) (Zoning Case 22-12) is hereby approved in accordance with the Planning Commission's recommendation and following conditions:

- 1. The setback for the residential units shall be a minimum of 20-feet between the garage face and the back of the sidewalk.
- 2. The water mains and sanitary sewers shall be built to city standards and in easements.
- 3. The applicant shall submit a sign package consistent with Section 1189.
- 4. The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department.

This Ordinance shall go into effect upon its passage as provided by law and the

- Section 2. The permissible uses and development standards are described in the attached Exhibit A and incorporated herein.
- Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Passed by Council on the Yeas; Nays.	day of	, 2022	;	
Effective Date:				
AUTHENTICATION:				
Clerk of Council		layor		
	_			

Date

# ORDINANCE XXXX.XX EXHIBIT A

# PLANNED UNIT DEVELOPMENT PUD-PM XXXX.XX

# HAMPTONS AT THE HEIGHTS PLANNED MIXED USE DISTRICT Huber Heights, Ohio

#### SECTION 100.01 STATEMENT OF INTENT

This land lies at the intersection of Brandt Pike and Executive Boulevard near the Rose Music Center at the Heights and represents a focal point of the district for visitors and residents alike. As such, there is interest in protecting and guiding the character of its development, including future uses, land planning, and design.

The objective of this Planned Unit Mixed district (PUD-PM) is to facilitate the creation of a successful, well-planned, visually appealing residential, commercial, and office mixed-use project that will complement surrounding development and provide an attractive destination to live, work and play for residents and visitors. The PUD-PM will also encourage imaginative and creative development design while providing flexibility to the developer beyond what traditional zoning would allow.

The PUD shall meet the requirements in the Planning and Zoning Code, with any exceptions listed hereafter in this Ordinance and Exhibits.

- a) Chapter 1111 Planned Development Requirements
- b) Chapter 1171 General Provisions Code
- c) Chapter 1179 (PM) Planned Mixed Use District

#### SECTION 100.02 DISTRICT BOUNDARIES

The PUD district boundaries and location of land uses are illustrated on Exhibit B, following property lines as displayed. All questions of PUD boundary interpretation shall be determined by the Planning Commission in accordance with the purpose and intent of these regulations.

#### SECTION 100.03 REGULATIONS

#### (A) District 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:

#### 1. Minimum Land Area Requirement and Density.

- a. A minimum of 20 acres shall be required.
- b. Dwelling unit density for the entire district shall not exceed twenty four (24) dwelling units per acre of land on which dwellings are constructed.

#### 2. 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 PUD ordinance 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.

#### 3. Required Mix of Land Uses.

The following uses are permitted in a PM Development: residential, commercial, and office.

#### 4. Site Planning.

- a. 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.
- b. 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.
- c. 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. The approximate proposed access points are indicated in Exhibit B and D.
- d. 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.
- e. 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 bikeways, walkways, and crosswalks into an overall thematic scheme for pedestrian traffic. Sidewalks shall be
- f. 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.
- g. 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:
  - 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. Along the west property line, minimum rear building setback shall be 40 feet. Along the north property line, minimum rear building setback shall be 30 feet.

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.

h. For the nonresidential buildings, including commercial, office, and hotels, 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. No residential dwelling shall exceed 4 stories or 55 feet in height.

- i. The provisions of Chapter 1181.21 "Lighting Standards" shall apply. To create continuity in the PUD district, dark bronze or black ornamental poles and fixtures are to be used throughout. Coach lights placed on the building front are permitted to illuminate the sidewalks, driveways and streets. 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.
- j. 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.

The architecture of nonresidential structures is encouraged to be unique yet similar in certain sections of the PM. The design standards of the residential units and clubhouse shall be of a similar character to the architectural details, fenestration, and color variation as shown in Exhibit C. Vinyl and cultured Stone materials are permitted for the residential structures.

- k. The distribution systems for utilities are required to be underground.
- I. Privately owned open space shall be maintained by the developer or by a duly authorized owner's association.
- m. 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
- n. 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.

#### (B) Stormwater.

The entire PUD-PM stormwater collection is to be handled by on-site and off-site detention/retention stormwater ponds. The on-site facilities are within the PUD district. The off-site facilities are located outside of the district in the area southeast area at Brandt Pike and Executive Boulevard and will serve as a regional stormwater pond for the district.

#### (C) Landscaping.

To protect and promote a harmonious development that ensures a functional and logical arrangement of the proposed mixed uses, the effective and efficient use of landscaping and buffering is required. The intent of the PUD-PM landscape development standards in Chapter 1179.07 shall be met. Exhibit D is attached and incorporated herein which illustrates the intent of landscape screening and buffering between various residential and non-residential land uses within the PUD-PM district.

#### (D) Parking and loading.

For commercial and office portion of district, the provisions of Chapter 1185, "Parking and Loading" shall apply, except that the off-street loading spaces and docks 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 off-street loading shall not be used for off-street parking. Within the PM development, off-street loading areas shall be physically isolated and/or enclosed from residences in or adjacent to the PM Development. In all cases, off-street loading spaces and docks are prohibited in the front and side yards of any property.

For the residential portion of district, 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, and that a minimum of 20' distance is required between the residential garage face and the back of sidewalks, to allow a vehicle to park in the driveway without overhanging sidewalks.

#### SECTION 100.04 Permitted uses.

#### (A) Residential Permitted Uses

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

#### (B) Commercial and Office Permitted Uses

The following principal uses are permitted.

Retail, office and commercial establishments;

Stores and shops for the conducting of any retail business;

Financial offices including banks, credit unions, savings, and loans;

Professional offices, including medical and dental clinics and offices;

Personal service commercial establishments;

Hotels;

Restaurants, cafes, tearooms and other eating places;

Bars, breweries, and distilleries offering alcohol for on and off site consumption;

Fueling stations;

Car Wash

Fueling stations and Car Wash uses are not permitted in Area 3, as illustrated on the attached Exhibit B and incorporated herein. These specific uses are only permitted in the easternmost areas designated as Area 1 and 2, in addition to all the commercial and office permitted uses.

#### (C) Accessory uses (Residential and Nonresidential)

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

Uses customarily incident to all principal permitted uses; and

Temporary buildings and uses for construction purposes, not to exceed 12 months.

#### (D) Special uses (nonresidential)

The following shall be permitted as special uses:

Places of worship.

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 may have to be reviewed yearly as determined by the Planning Commission.

Commercial printing and publishing.

Technical services and professional offices, including, data processing facilities, testing laboratories and technical schools.

(Any use the principal function of which is basic research, design and/or pilot or experimental product development or technical training.

Business and industrial service facilities.

Laboratories: experimental, film, testing, research or engineering.

Medical, dental and optical manufacturing.

#### (E) Prohibited uses

The following uses are specifically prohibited:

Bingo Establishments and Instant Bingo Facilities;

Kennels, unless as an accessory use to a veterinarian;

Cemeteries;

Blacksmith shops;

Machine shops, sheet metal and commercial painting shops;

Lumber yards;

Establishments for display, hire, sale and repair of farm implements, semi-tractors, and semi-trailers;

Truck stops or service stations servicing and/or repairing semis, semi-tractors and semi-trailers;

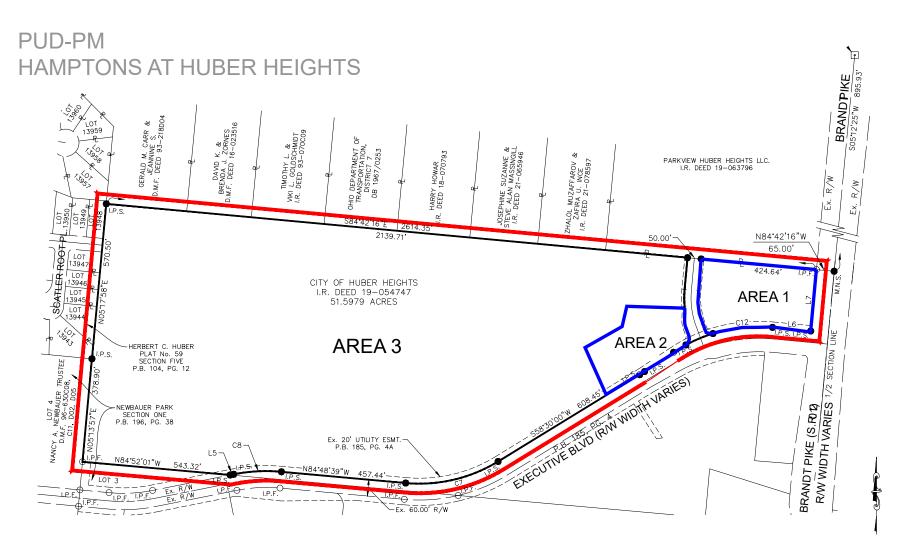
Parking of semis, semi-tractors and semi-trailers except for the purposes of loading or unloading and located in a designated loading space for a reasonable length of time necessary to load or unload;

Sexually oriented businesses;

Outside storage except for trash containers or recycling containers that are screened as required by this chapter;

Above ground parking garage

### **EXHIBIT B**



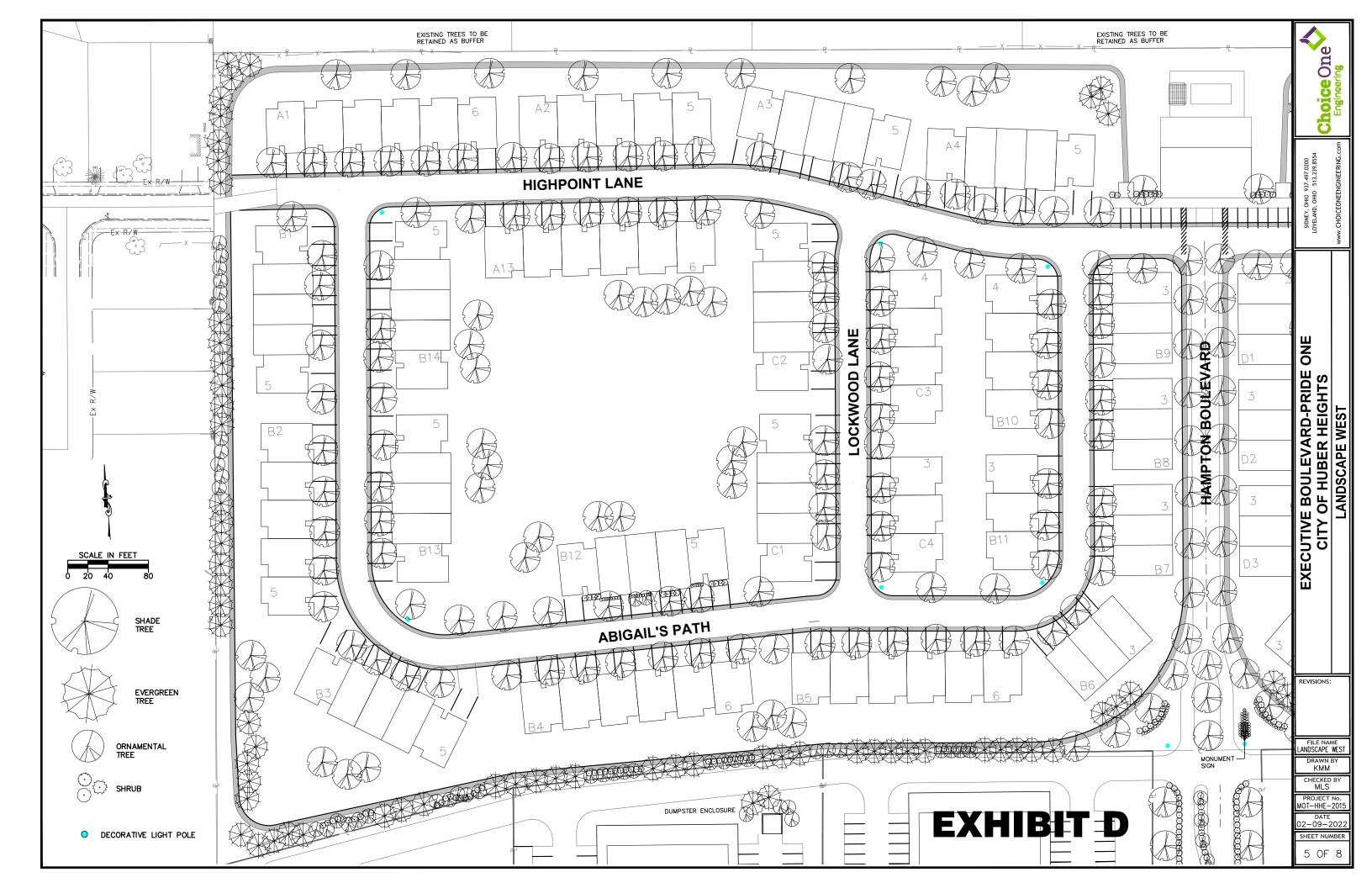
THE BEARING OF S05\*-12'-25"W ALONG THE 1/2 SECTION LINE WAS BASED ON NAD 83 CORS 2011 ADJUSTMENT, OHIO SOUTH ZONE, ODOT VRS CORS NETWORK

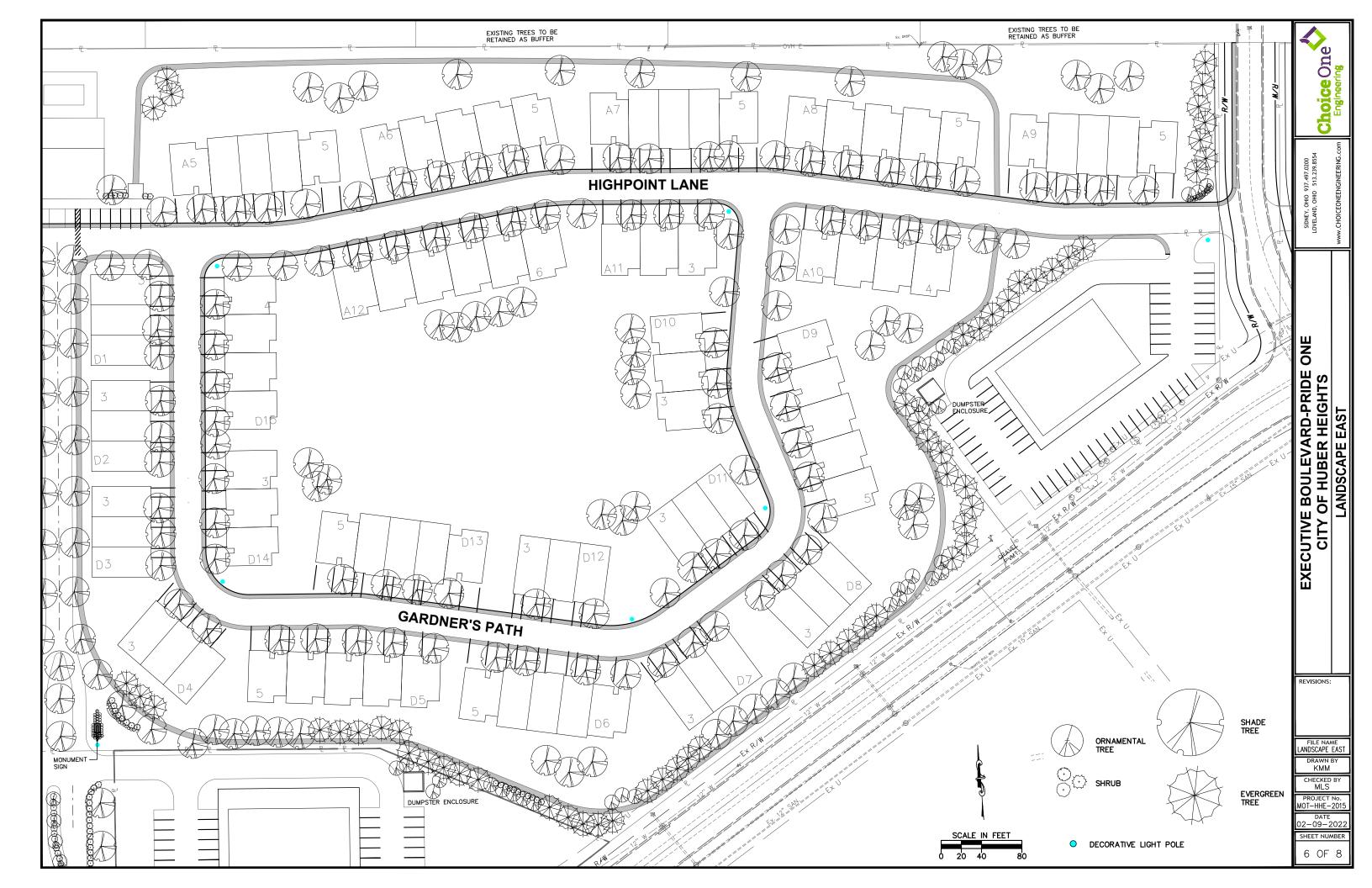


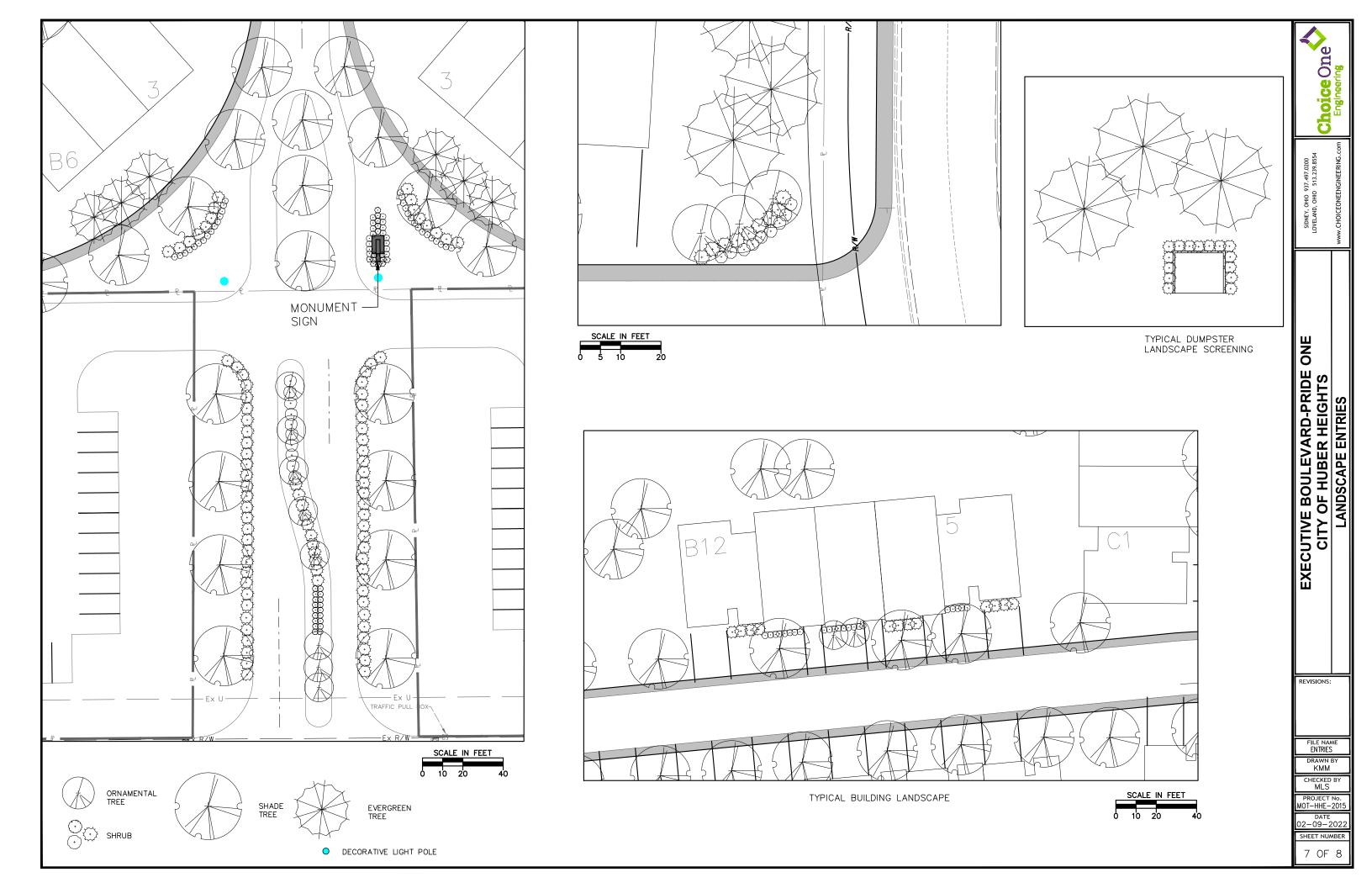
# **EXHIBIT C**

PUD-PM
HAMPTONS
AT THE HEIGHTS









Al-8382 Pending Business E.

City Council Meeting City Manager

**Meeting Date:** 05/09/2022

Supplemental Appropriations

Submitted By: Jim Bell

**Department:** Finance **Division:** Accounting

Council Committee Review?: Council Work Session

Date(s) of Committee Review: 04/19/2022

Audio-Visual Needs: None Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

### **Agenda Item Description or Legislation Title**

An Ordinance Amending Ordinance No. 2021-O-2511 By Making Supplemental Appropriations For Expenses Of The Fire Division Of The City Of Huber Heights, Ohio For The Period Beginning January 1, 2022 And Ending December 31, 2022. (second reading)

### **Purpose and Background**

The supplemental appropriations are for the following purposes:

- \$217,000 for 4 new hires in the Fire Department, estimated to begin work on 7/1/22.
- \$20,000 for new unfiorms and turnout gear for 4 new hires in Fire Department.

**Fiscal Impact** 

Source of Funds: Fire Fund Cost: \$237,000

Recurring Cost? (Yes/No): Yes Funds Available in Current Budget? (Yes/No): Yes

**Financial Implications:** 

**Attachments** 

Ordinance

### CITY OF HUBER HEIGHTS STATE OF OHIO

### ORDINANCE NO. 2022-O-

AMENDING ORDINANCE NO. 2021-O-2511 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES OF THE FIRE DIVISION OF THE CITY OF HUBER HEIGHTS, OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022.

WHEREAS, supplemental appropriations for expenses of the City of Huber Heights must be made for appropriations of funds for various 2022 operating and project funding.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

- Section 1. Ordinance No. 2021-O-2511 is hereby amended as shown in Exhibit A of this Ordinance.
- Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the Yeas; Nays.	day of		_, 2022;
Effective Date:			
AUTHENTICATION:			
Clerk of Council		Mayor	
Date		Date	

### **EXHIBIT A**

AMENDING ORDINANCE NO. 2021-O-2511 BY MAKING APPROPRIATIONS FOR EXPENSES OF THE FIRE DIVISION OF THE CITY OF HUBER HEIGHTS, OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022.

- 1) Section 6 of Ordinance No. 2021-O-2511 is hereby amended to reflect an increase in the appropriations of the 210 Fire Fund, as follows:
  - a. Subsection a) Fire, Personnel of \$217,000.00
  - b. Subsection a) Fire, Operations and Capital of \$20,000.00.

Fire Fund	\$237,000.00

AI-8401 New Business A.

**City Council Meeting** 

**City Council** 

**Meeting Date:** 05/09/2022

Liquor Permit #13139450105 - Casey's General Store - 8000 Brandt Pike

**Submitted By:** Anthony Rodgers

**Department:** City Council

Type of New

Liquor Permit: Motion/Ordinance/ Resolution No.:

### **Agenda Item Description**

A Motion To Direct The Clerk Of Council To Respond To The Ohio Division Of Liquor Control With No Objections In Reference To New Liquor Permit #13139450105 For Casey's General Store At 8000 Brandt Pike, Huber Heights, Ohio 45424.

### **Review and Comments - Police Division**

The Police Division has no objections to the approval of this liquor permit.

### **Review and Comments - Fire Division**

The Fire Division has no objections to the approval of this liquor permit.

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

Liquor Permit

# NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL 6606 TUSSING ROAD, P.O. BOX 4005 REYNOLDSBURG, OHIO 43068-9005 (614)644-2360 FAX(614)644-3166

TO

3	23 20 NG DATE	22	ASSES	CASEYS MARKETING COMPANY  DBA CASEYS GENERAL STORE 4155  8000 BRANDT PIKE  HUBER HEIGHTS OH 45424
57 <sub>TAX</sub>	083	A	D34994 RECEIPT NO.	
				FROM 04/13/2022
	PER	MIT NUME	BER TYPE	
ISS	UE DATE			
FILI	NG DATE			
	P	ERMIT CL	ASSES	
TAY	DISTRICT		RECEIPT NO.	



MAILED	04/13/2022 RESPONSES MUST BE POSTMARKED	NO LATER	THAN.	05/16/2022
PLEASE	COMPLETE AND RETURN THIS FORM TO THE DIV	ISION OF	LIQU	OR CONTROL
REFER	ER OR NOT THERE IS A REQUEST FOR A HEARING TO THIS NUMBER IN ALL INQUIRIES	TRANSACTION		1313945-0105
	(MUST MARK ONE OF THE FO			
WE REC	QUEST A HEARING ON THE ADVISABILITY OF ISSUI ARING BE HELD IN OUR COUNTY SEAT	ING THE		T AND REQUEST THAT N COLUMBUS.
WE DO	NOT REQUEST A HEARING.   J MARK A BOX? IF NOT, THIS WILL BE CONSI	IDERED A	A LATE	RESPONSE.
	SIGN BELOW AND MARK THE APPROPRIATE BOX			
(Signatur	(Title)- Clerk of County		er	(Date)
	Township Fiscal			

CLERK OF HUBER HGTS CITY COUNCIL 6131 TAYLORSVILLE RD HUBER HGTS OHIO 45424

Al-8374 New Business B.

City Council Meeting City Council

**Meeting Date:** 05/09/2022

BDP 22-13 - Hartman I, LLC - Rezoning/Basic Development Plan - 7611 Old Troy Pike - Public Hearing

Submitted By: Geri Hoskins

**Department:** Planning **Division:** Planning **Council Committee Review?:** Council **Date(s) of Committee Review:** 05/03/2022

Work Session

Audio-Visual Needs: SmartBoard Emergency Legislation?: No

Motion/Ordinance/ Resolution No.: N/A

### Agenda Item Description or Legislation Title

A Public Hearing Scheduled For May 9, 2022 By The Huber Heights City Council For Case BDP 22-13. The Applicant Is Hartman I, LLC. The Applicant Is Requesting Approval Of A Basic Development Plan And A Rezoning To Planned Office For Property Located At 7611 Old Troy Pike And Further Described As Parcel ID P70 04005 0140 On The Montgomery County Auditor's Map.

### **Purpose and Background**

The applicant, Hartman I, LLC, is requesting approval of a Basic Development Plan and a Rezoning to Planned Office for property located at 7611 Old Troy Pike (Case BDP 22-13).

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

No file(s) attached.

AI-8376 **New Business** C. **City Council** 

City Council Meeting

**Meeting Date:** 05/09/2022

Case MJC 22-14 - Parveen Wadhwa - Major Change - Basic Development Plan/Detailed Development

Plan - 6025 Taylorsville Road - Public Hearing

Submitted By: Geri Hoskins

**Department: Planning** Division: **Planning** Council Committee Review?: Council Date(s) of Committee Review: 05/03/2022

> Work Session

Audio-Visual Needs: SmartBoard **Emergency Legislation?**: No

Motion/Ordinance/ N/A

Resolution No.:

### Agenda Item Description or Legislation Title

A Public Hearing Scheduled For May 9, 2022 By The Huber Heights City Council For Zoning Case MJC 22-14. The Applicant Is Parveen Wadhwa. The Applicant Is Requesting Approval Of A Major Change To The Basic Development Plan And Approval Of A Detailed Development Plan For Property Located At 6025 Taylorsville Road And Further Described As Parcel ID P70 04005 0006 On The Montgomery County Auditor's Map.

### **Purpose and Background**

The applicant, Parveen Wadhwat, is requesting approval of a Major Change to the Basic Development Plan and Approval of a Detailed Development Plan for property located at 6025 Taylorsville Road (Case MJC 22-14).

**Fiscal Impact** 

Source of Funds: N/A Cost: N/A Recurring Cost? (Yes/No): N/A Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

No file(s) attached.

AI-8399 **New Business** D. **City Manager** 

City Council Meeting

**Meeting Date:** 

05/09/2022

Case MJC 22-14 - Parveen Wadhwa - Major Change - Basic Development Plan/Detailed Development

Plan - 6025 Taylorsville Road

Geri Hoskins Submitted By:

**Department: Planning** Division: **Planning** Council Committee Review?: Council Date(s) of Committee Review: 05/03/2022

> Work Session

Audio-Visual Needs: SmartBoard **Emergency Legislation?**: No

Motion/Ordinance/ Resolution No.:

### Agenda Item Description or Legislation Title

An Ordinance To Approve A Major Change To The Basic Development Plan And Approval Of A Detailed Development Plan For The Property Located At 6025 Taylorsville Road And Further Identified As Parcel Number P70 04005 0006 On The Montgomery County Auditor's Map And Accepting The Recommendation Of The Planning Commission (Case MJC 22-14). (first reading)

### **Purpose and Background**

The applicant, Parveen Wadhwa, is requesting a Major Change to the Basic Development Plan and approval of a Detailed Development Plan for a retail/commercial building with a drive-thru.

**Fiscal Impact** 

Source of Funds: N/A Cost: N/A Recurring Cost? (Yes/No): N/A Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

### **Attachments**

Drawings

Fire Assessment

**Engineering Comments** 

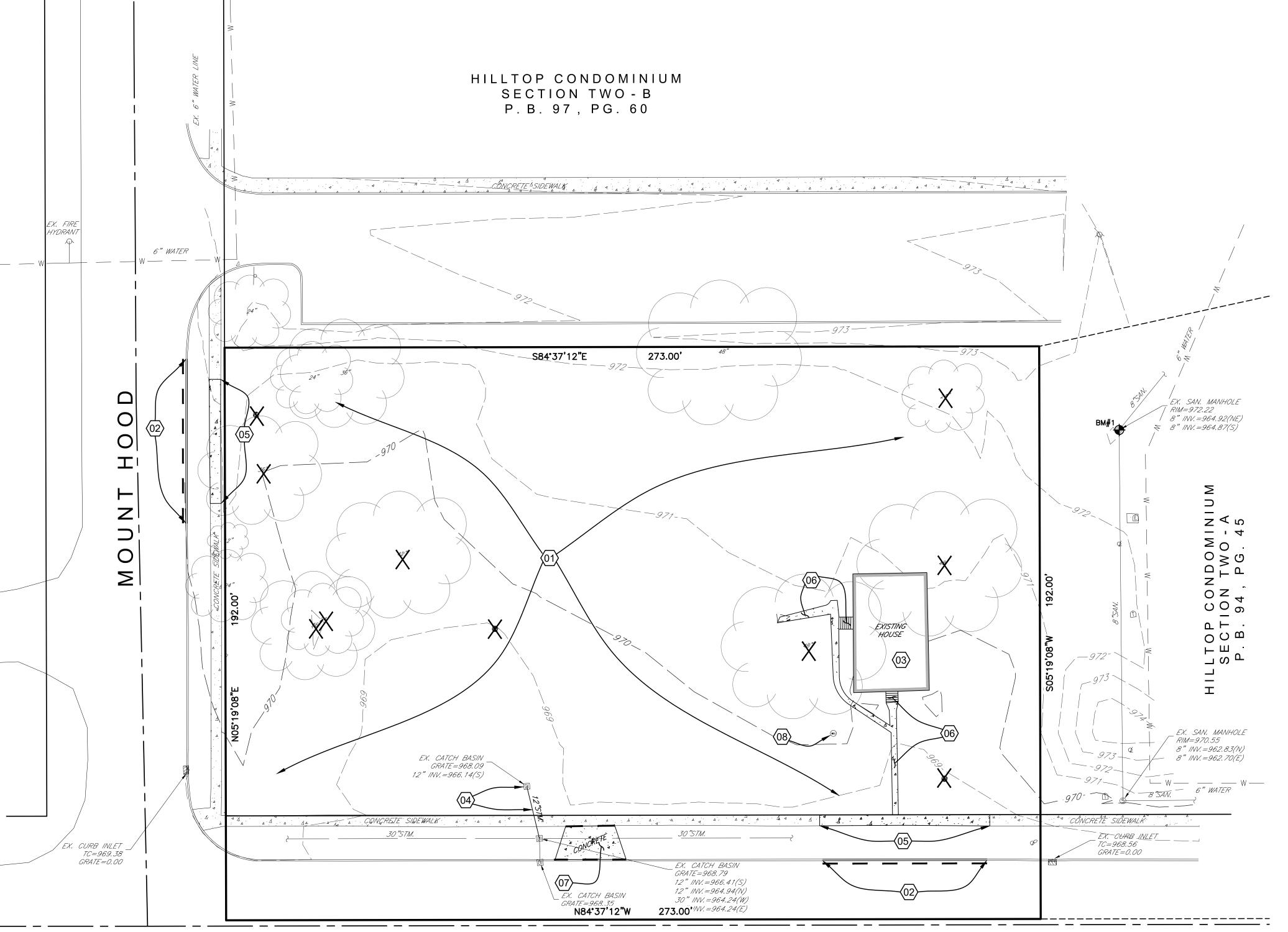
Traffic Impact Study

Staff Report

**Decision Record** 

Minutes

Ordinance



# TAYLORSVILLE ROAD

floodplain.

DEVELOPMENT / DESIGN TEAM

DEVELOPER Carra Builders Contact: Eric Wall Phone: 937.836.0251 Email: ewall@carrabuilders.com

CIVIL ENGINEER / CONSULTANT Burkhardt Engineering Contact: Kurt Ziessler Phone: 937.388.0060 Email: kziessler@burkhardtinc.com

Location: 6025 Taylorsville Road, City of Huber Heights,

## SHEET INDEX

CP-1.0 : Existing Conditions & Demolition Plan

CP-2.0 : Site Plan

CP-3.0 : Grading Plan

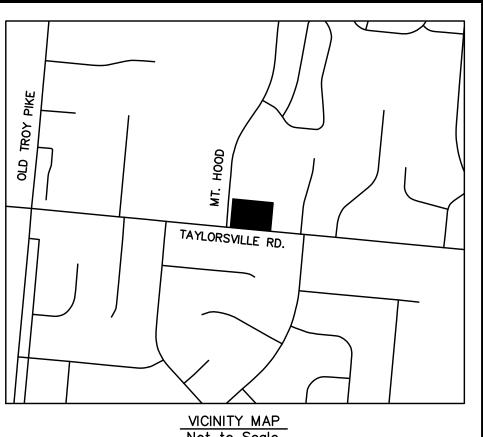
CP-4.0 : Utility Plan

CP-5.0 : Details

CP-6.0 : Erosion Control Plan

CP-7.0 : Storm Water Management Plan

ISSUE LOG	
Description	Date
DDP Set Submittal	03-18-22



## **GENERAL DEMOLITION NOTES**

- 1. Within the subject property, the intent is to have a clean, clear site, free of all existing items noted to be removed in order to allow for the construction of the new project.
- 2. All items noted to be removed shall be done as part of the contract for general construction.
- 3. Remove and dispose of any materials requiring removal from the work area in an approved off-site landfill.
- 4. The Contractor shall secure all permits for demolition and disposal of demolition material to be removed from the site. The Contractor shall post all bonds and pay all permit fees as required.
- 5. The Contractor shall cut and plug, or arrange for the appropriate utility company to cut and plug service piping at the property line or at the main (as required). All services may not be shown on this plan.
- 6. For all items noted to be removed, remove not only above ground elements, but all underground elements as well, including, but not necessarily limited to: foundations, slabs, gravel fills, tree roots, pipes, wires, unsuitable
- 7. The Contractor shall sawcut existing pavement to provide a clean edge between existing pavement to remain and existing pavement to be removed.
- 8. Limits of removal shown on demolition plan are approximate only. Actual quantities may vary due to construction activities. Contractor is responsible for all demolition, removal and restoration work necessary to allow for the construction of the new project.
- 9. Backfill excavations resulting from demolition work to meet the requirements for fill outlined in the Geotechnical / Soils Report.

## **DEMOLITION KEYNOTES**

(01) REMOVE TOPSOIL, GRASS, TREES, SHRUBS, AND ANY OTHER

X REMOVE TREE/BUSH

(02) REMOVE EXISTING CURB AND GUTTER AND SAWCUT PAVEMENT

SAWCUT LINE

(03) REMOVE EXISTING HOUSE

- (04) REMOVE EXISTING CATCH BASIN AND STORM SEWER
- (05) REMOVE EXISTING CONCRETE SIDEWALK
- (06) REMOVE EXISTING CONCRETE WALK AND STAIRS
- (07) REMOVE EXISTING CONCRETE DRIVEWAY
- (08) REM

E.	XISTING COND	ITIONS LE	EGEND
IRON PIN	FOUND	\$	SANITARY MANHOLE
→ MAGNAIL			CURB INLET
IRON PIP	E FOUND	DI	DRIP INLET
	DNUMENT FOUND	0	
E ELECTRIC			FIRE HYDRANT
POWER P		8	WATER MAIN VALVE
	SIGNAL POLE	(W)	WATER MANHOLE
∠ LIGHT PO     ▼ TELEBRION	LE NE MANHOLE	< WELL	FIRE DEPT. CONNECTION
	CONTROL BOX		WELL BOLLARD
	LK SIGNAL POLE		SIGN
□ LAMPHOLI		- 0	TREE W/SIZE
	-		EVERGREEN TREE
	— G ——	EX. GAS	MAIN
		EX. SAN	ITARY SEWER
	W	EX. WAT	ER MAIN
	· -	EX. STO	RM SEWER
	— Е ——	EX. UND	ERGROUND ELECTRIC LINE
	OHE	EX. OVE	RHEAD ELECTRIC LINE
	— т ——	EX. TELE	PHONE LINE

---- ADJACENT PROPERTY LINE

SUBJECT PROPERTY LINE

D X O

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Scale: 1" = 20' 03.18.2022

**EXISTING CONDITIONS & DEMOLITION PLAN** 

Sheet No.:



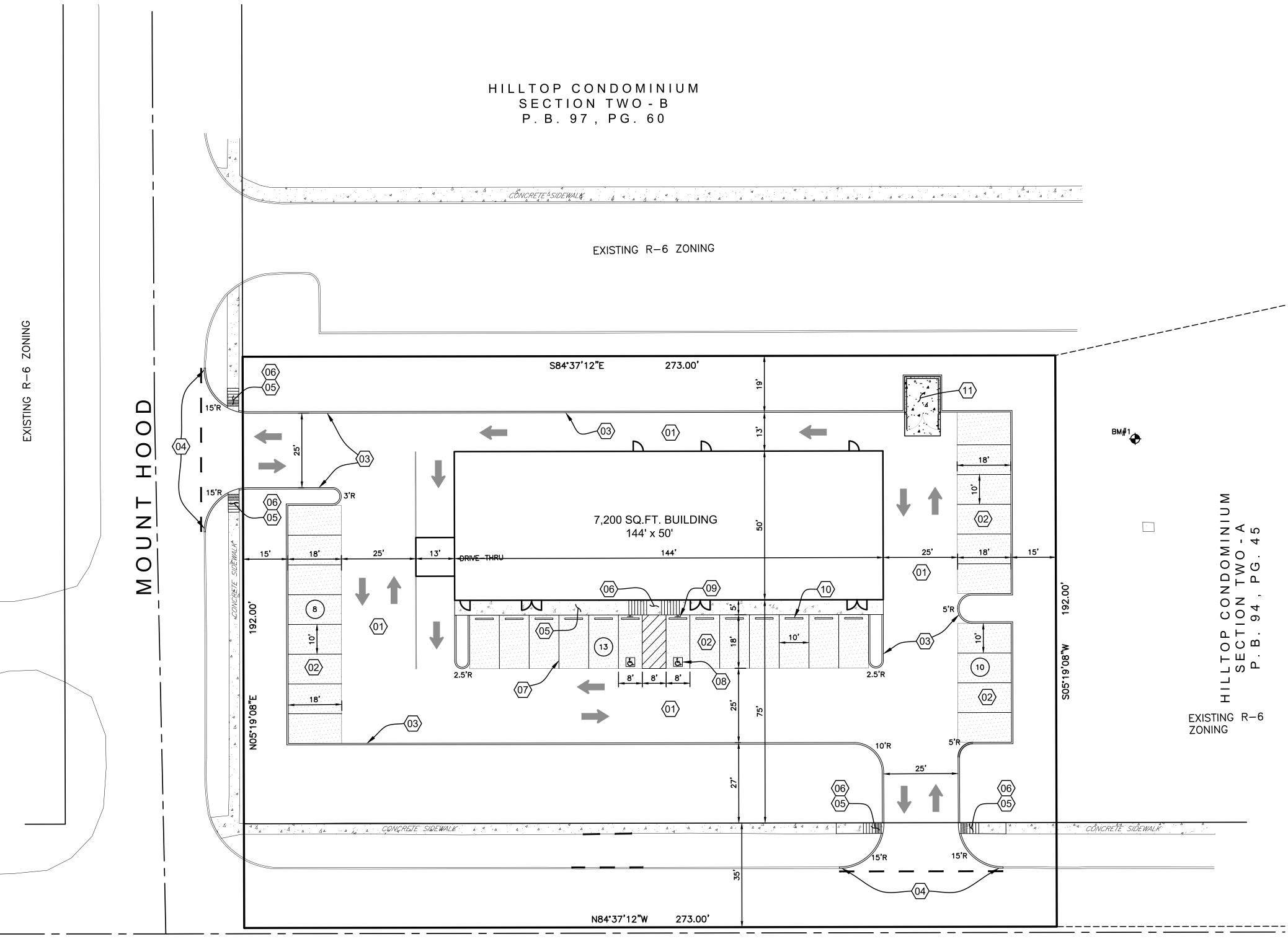
◆ SITE BENCHMARKS BM#1 Description: Existing Sanitary Manhole Rim Elevation: 972.22

PROJECT SUMMARY

Proposed convenience store and retail space with associated parking lot, driveways, utilities, and landscaping.

## PROPERTY INFORMATION

Montgomery County, Ohio. Zoning: PUD (Planned Unit Development) Flood Zone Designation: FIRM # 39113C0157E Effective Date: 1-6-2005 Zone "X": Areas determined to be outside the 0.2% annual chance



TAYLORSVILLE ROAD

EXISTING R-4 ZONING

EXISTING ZONING: R-4 RESIDENTIAL PROPOSED ZONING: PLANNED COMMERCIAL PUD PROPOSED USE: CONVENIENCE STORE AND RETAIL SPACE PARKING SPACES TABLE

## **GENERAL SITE NOTES**

- 1. Building dimensions shown on the Civil Engineering Plans are for reference purposes only.
- 2. All site and radii dimensions are referenced to the face of curbs or edge of paving unless otherwise noted.
- 3. All dimensions to the building are referenced to the outside face of the structure's facade.
- 4. All sidewalks, curb and gutter, street paving, curb cuts, driveway approaches, handicap ramps, etc. constructed outside the property line in the right-of-way shall conform to all Local and/or State specifications and requirements.
- 5. All proposed handicap ramps, parking areas, and accessible routes shall strictly comply with current Local, State, and Federal regulations, including but not necessarily limited to the ADA Accessibility Guidelines (ADAAG).
- 6. All ADA accessible routes shall have detectable warnings installed as required by the ADAAG. Detectable warnings shall consist of raised truncated domes which contrast visually with the adjoining surfaces, either light-on-dark, or dark-on-light.
- 7. Contractor shall sawcut existing pavement and concrete to provide a clean, straight joint where new pavement meets existing pavement and ensure positive drainage.
- 8. All concrete pavement shall have joints in accordance with ACI 330R-08, Section 3.7 and Appendix C. Contraction joints shall be 1/4 of the slab thickness. Isolation joints shall be placed between pavement and foundations, inlets, and other fixed structures. Contraction joints shall be tool finished and spaced as follows:

Curbing: 10'-0" (max) spacing. Sidewalks: 5'-0" (max) spacing. Vehicular Traffic Areas: 24 x Concrete Pavement Thickness (feet), 15'-0" (max) spacing.

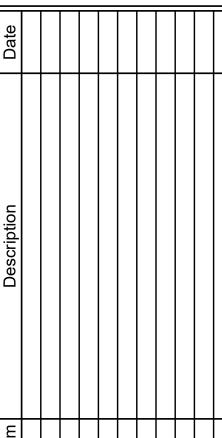
## SITE KEYNOTES

- (01) HEAVY DUTY ASPHALT PAVEMENT - PER DETAIL / SHEET C5.0
- (02) STANDARD DUTY ASPHALT PAVEMENT - PER DETAIL / SHEET C5.0
- (03) CONCRETE BARRIER CURB -PER DETAIL / SHEET C5.0
- (04) CONCRETE CURB END TAPER -PER DETAIL / SHEET C5.0
- (05) CONCRETE SIDEWALK WITH INTEGRAL CURB -PER DETAIL / SHEET C5.0
- ADA ACCESSIBLE RAMP - PER DETAIL / SHEET C5.0
- (07) PARKING STRIPE / HATCH - 4" WIDE PAINTED STRIPES. HATCHING TO BE AT 45° AND 2'-0" O.C. - STRIPING ON ASPHALT PAVEMENT TO BE PAINTED WHITE.
- (08) ADA PARKING SYMBOL - PER DETAIL / SHEET C5.0
- (09) ADA PARKING SIGNAGE - PER DETAIL / SHEET C5.0
- (10) CONCRETE WHEEL STOP - PER DETAIL / SHEET C5.0
- TRASH ENCLOSURE ON CONCRETE PAD SEE ARCHITECTURAL PLANS

# SITE AND PAVEMENT LEGEND

(#) NUMBER OF PARKING SPACES ADA PARKING SYMBOL CONCRETE WHEEL STOP DIRECTION OF TRAVEL (TWO WAY) DIRECTION OF TRAVEL (ONE WAY) CONCRETE HEAVY-TRAFFIC PAVEMENT LIGHT-TRAFFIC PAVEMENT





D & O



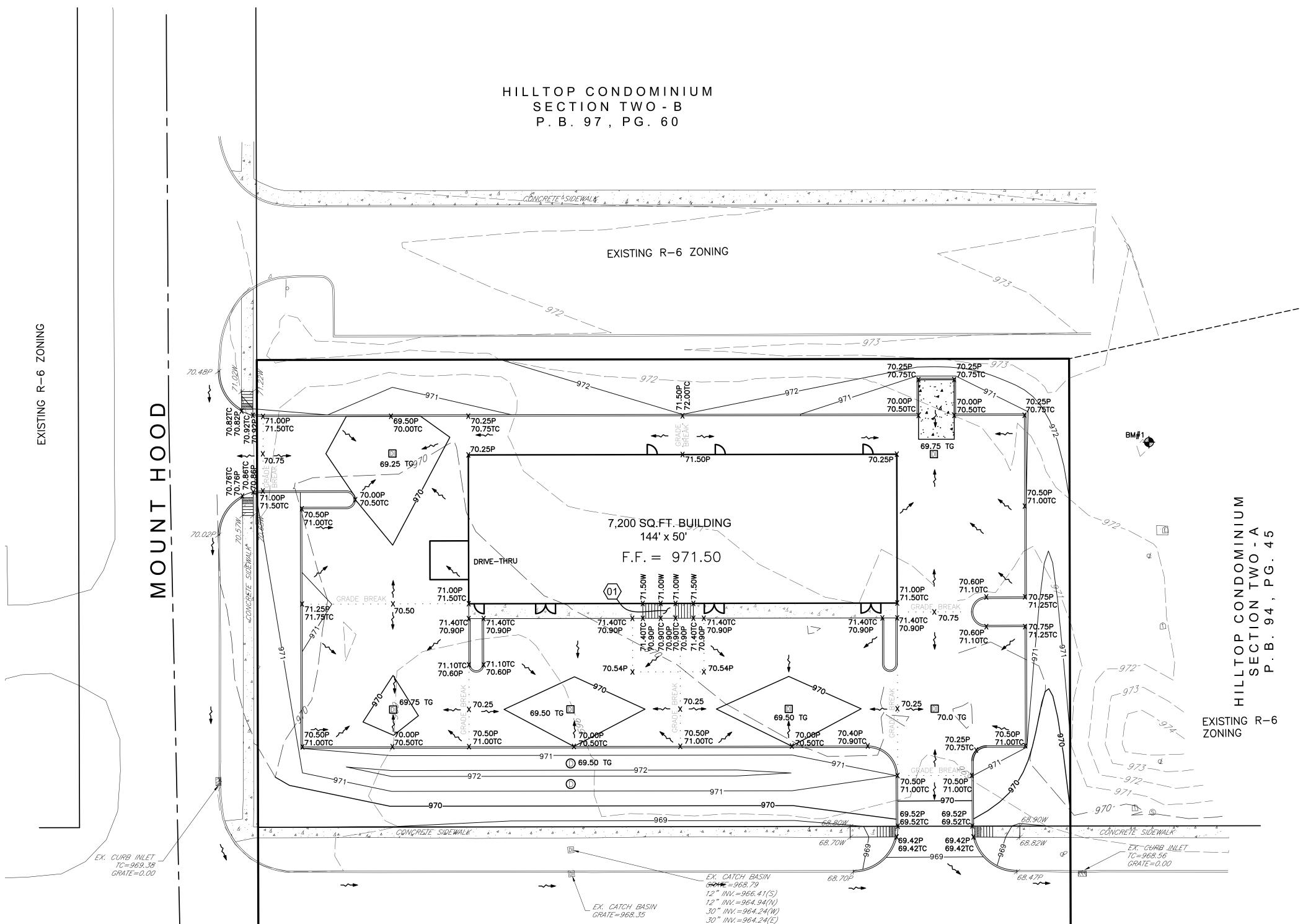
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Scale: 1" = 20' 03.18.2022

SITE PLAN

Know what's below.

Call before you dig.



TAYLORSVILLE ROAD

EXISTING R-4 ZONING

ADA ACCESSIBLE RAMP
- PER DETAIL / SHEET C5.0

## GENERAL GRADING, EARTHWORK & DRAINAGE NOTES

- 1. All spot elevations indicated in pavement areas are at bottom face of curb and/or finished pavement grade unless noted otherwise. All spot elevations indicated in grass or landscape areas are finished grade unless noted
- 2. The Contractor shall be responsible for the removal and disposal of all vegetation and organic materials from the site that results from clearing & grubbing activities.
- 3. The Contractor shall be responsible for stripping and removal of all excess topsoil from the site. All topsoil that cannot be used on site shall be removed from the site at the Contractor's expense. The Contractor may dispose of excess topsoil by burying topsoil in landscape areas only at the direction of the Owner or the Owner's Representative.
- 4. The Contractor will be responsible for all safety requirements and for the protection of all existing and proposed utilities or structures during earthwork
- 5. The Contractor shall be responsible for the import of structural fill materials if suitable material is not available on site. The location and testing of suitable material shall be the Contractor's responsibility. The Contractor shall be responsible for the export and disposal of all excess or unsuitable materials.
- 6. The Contractor shall provide construction dewatering as necessary to complete construction as outlined in plans.
- 7. The Contractor shall exercise extreme care in establishing all grades and slopes in pavement areas, ramps and sidewalks in the vicinity of handicap parking and access areas and shall comply with Federal, State, and Local Codes.
- 8. In areas where sheet drainage flows from grass or landscape areas onto paved areas, the finished grade in grass or landscape areas shall be 1/2 inch above the top of curb or above the pavement in areas without curb. In areas where sheet drainage flows from pavement to grass or landscaped areas, the finished grade in grass or landscape areas shall be 1/2 inch below the pavement.
- 9. The Contractor shall provide positive drainage in all areas and away from all buildings.
- 10. All pavement shall be laid on a straight, even, and uniform grade with a minimum of 1:100 (1.0%) slope toward the collection points unless otherwise specified on plans. Cut or fill slopes in unpaved areas shall not exceed 3:1 (33.3%) maximum grade unless otherwise noted on plans.
- 11. ADA accessible areas shall not exceed the following slopes:

Ramps - 1:12 (8.3%) max. Routes - 1:20 (5.0%) max. Parking - 1:50 (2.0%) max. Cross Slopes - 1:50 (2.0%) max.

- 12. The Contractor shall adjust tops/lids/grates of all existing and proposed cleanouts, manholes, inlets, valves, etc. to match final grade.
- 13. Following grading of subsoil to subgrade elevations, the Contractor shall provide 4" of topsoil (minimum) in all disturbed areas which are not to be paved. Final grades should be smoothly finished to surrounding areas and ensure positive drainage. Stockpiled topsoil shall be screened prior to respreading and should be free of subsoil, debris, and stones.
- 14. The Contractor shall be responsible for determining exact quantities of cut and/or fill for estimating and construction and should alert the Engineer of any excessive cut and/or fill, especially if additional cut and/or fill will be required due to poor existing soil conditions discovered during earthwork operations.
- 15. Refer to the Architectural and Structural Plans for information regarding any perimeter foundation drains.
- 16. The Contractor shall obtain a copy of the Geotechnical / Soils Report and become thoroughly familiar with site and subgrade information and fully implement recommendations given therein.
- 17. Proposed spot elevations are provided in a truncated form to save space, add 900' to each spot elevation to convert the elevation to NAVD88 datum.
- 18. Refer to the Landscape Plans for finish material specifications (topsoil, seed, sod, mulch, etc.) in all landscape and open space areas.

GRADING	S LEGEND
INV	INVERT
TC	TOP-OF-CURB
GR	GRATE/RIM ELEVATION
<b>~~</b> ~	PROP. SHEET FLOW
+00.00	PROP. SPOT ELEVATION
+00.00	EXIST. SPOT ELEVATION
970 ———	PROP. CONTOUR
— — — 969 — — —	EXISTING CONTOUR
DI	PROP. CATCH BASIN
	GRADE BREAK
ADD 900' TO SPOT ELEVATION ALL GRADES IN PAVEMENT AR ELEVATIONS UNLESS OTHERWIS	REAS ARE TOP OF PAVEMENT

¥ Y

D & O

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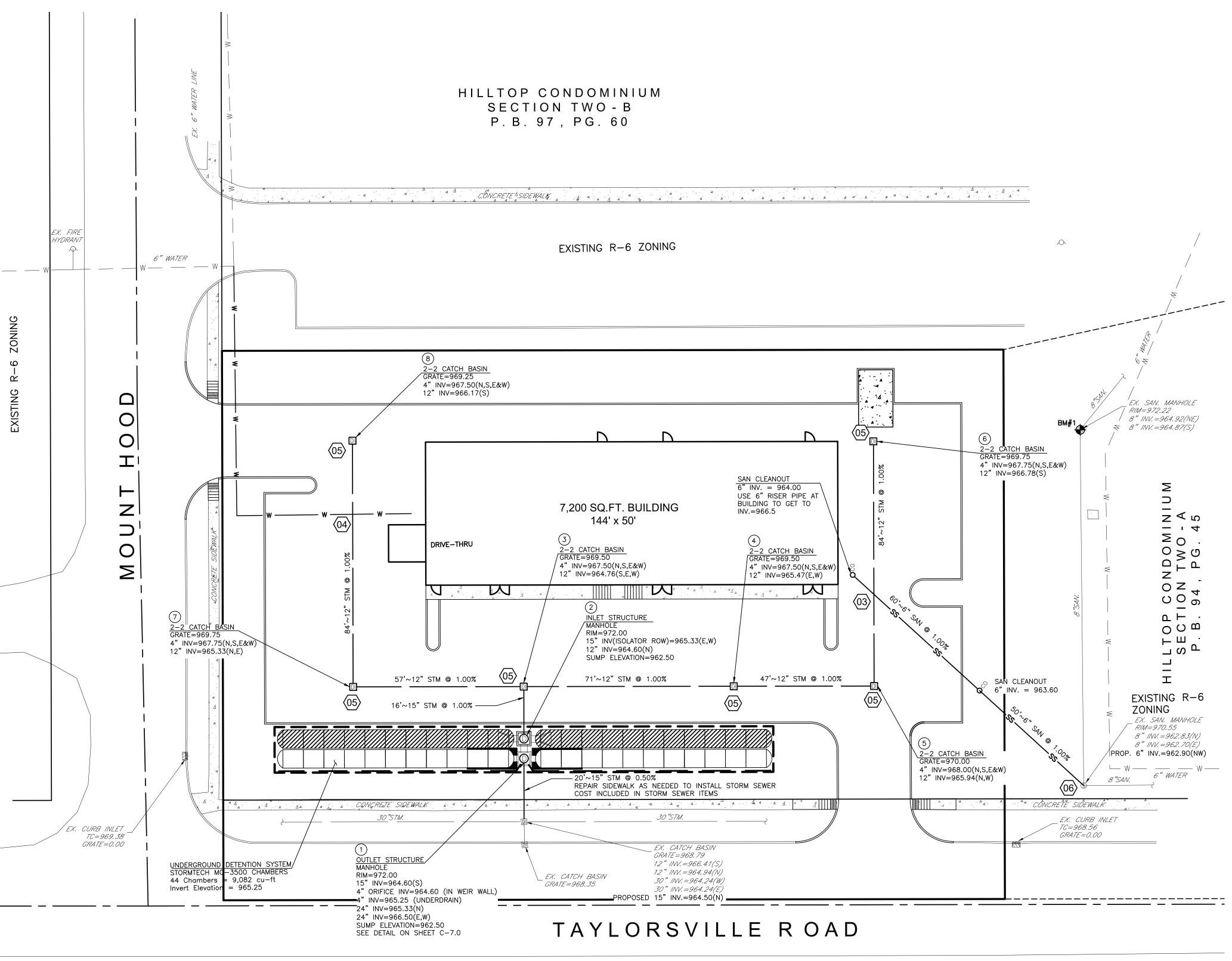
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**GRADING PLAN** 

C - 3.0



Call before you dig.



EXISTING R-4 ZONING

## UTILITY KEYNOTES

- PROPOSED 2" WATER SERVICE. VERIFY SIZE AND LOCATION WITH PLUMBING PLANS.
- PROPOSED 6" SANITARY SERVICE. VERIFY SIZE AND LOCATION WITH PLUMBING PLANS.
- MAINTAIN 1.5' VERTICAL CLEARANCE BETWEEN SANITARY SEWER AND STORM SEWER. SANITARY SERVICE WILL BE BELOW STORM SEWER.
- MAINTAIN 1.5' VERTICAL CLEARANCE BETWEEN WATER SERVICE AND STORM SEWER. WATER SERVICE WILL BE BELOW STORM SEWER.
- STORM STRUCTURES IN PAVEMENT AREAS ARE TO HAVE 4" UNDERDRAINS INSTALLED PER DETAIL ON SHEET C-5.0.
- CORE NEW 6" SANITARY SERVICE INTO EXISTING SANITARY MANHOLE PER CITY REQUIREMENTS.

## GENERAL UTILITY NOTES:

- 1. All utilities shown are approximate locations only and have been compiled from the latest available mapping. The exact location of all underground utilities shall be verified by the Contractor prior to the start of construction.
- 2. Contractor to coordinate with the local utility companies for all locations and connections. A preconstruction meeting with the various utility companies may be required prior to the start of any construction activity.
- 3. The Contractor shall visit the site and verify the location, elevation, and condition of all existing utilities by various means prior to beginning any excavation. Test pits shall be dug at all locations where existing and proposed utility lines cross, and the horizontal and vertical locations of the utilities shall be determined. The Contractor shall contact the Engineer in the event of any unforeseen conflicts between existing and proposed utilities so that an appropriate modification may be made.
- 4. The Contractor shall ensure that all utility companies and local standards for materials and construction methods are met. The Contractor shall perform proper coordination with the respective utility company. The Contractor shall coordinate work to be performed by the various utility companies and shall pay all fees for connections, disconnection, relocations, inspections, and demolition.
- This plan details pipes up to 5' from the building face. Refer to the building drawings for building connections. Supply and install pipe adapters as necessary.
- 6. All valve boxes and curb boxes shall be adjusted to the final grades and located in grassed areas unless indicated otherwise on the plans.
- 7. The Contractor shall provide traffic bearing concrete collars and lids for all cleanouts, manholes, inlets, valves, etc. which are located in paved areas.
- 8. All existing pavement within the rights-of-way where utility piping is to be installed shall be saw cut and replaced or directionally bored in accordance with Local and/or State requirements. Existing pavement shall be repaired as necessary.
- 9. All utility lines and trenches shall be installed, bedded and backfilled according to manufacturer's specifications and to the satisfaction of Local and State Authorities.
- 10. Sanitary sewer laterals shall maintain (10' min. horizontal, 1.5' min. vertical) separation distance from water lines unless otherwise shown, or additional protection measures will be required. Where water line crosses above sanitary lateral by less than 2' vertical, a concrete encasement shall be installed, Contractor shall center one joint of pipe at crossing.
- 11. Roof drains, foundation drains, and other clean water connections to the sanitary sewer system are prohibited.

## **STORM SEWER NOTES:**

All storm sewer shall be reinforced concrete pipe (RCP, ASTM C76 - Class III, minimum) or high-density polyethylene pipe (ADS N-12 or equivalent), unless otherwise noted on plans. All pipe shall be installed according to Local, State, and manufacturer's specifications.

Contractor to provide downspout collection system to connect building downspouts / roof drains to storm sewer system. See architectural/plumbing plans for downspout locations and connection details.

Downspout collection pipe (DCP) may be HDPE (ADS N-12 or equivalent) or Schedule 40 PVC pipe. All downspout collector pipes to be at 2.00% minimum slope. All pipe shall be installed according to Local, State, and manufacturer's specifications. Provide cleanouts at all bends, angles, and junctions. All cleanouts in pavement areas shall be installed with traffic bearing lids and concrete collars, per detail / Sheet C-5.0.

Storm sewer connection, permit and construction to be coordinated with City of Huber Heights.

## GAS NOTES:

Coordinate gas service lines, meter, and connections with mechanical plans and local utility provider. Contractor shall verify both location and availability of service prior to the start of construction.

## **ELECTRIC NOTES:**

Coordinate electric service lines, transformer, meter, and connections with electrical plans and local utility provider. Contractor shall verify both location and availability of service prior to the start of construction.

Coordinate site lighting, signage wiring, conduit locations, connections, etc. with electrical plans. Notify Engineers of any potential conflicts.

## **TELECOM NOTES:**

Coordinate telecommunication service lines and connections with electrical plans and local utility provider. Contractor shall verify both location and availability of service prior to the start of construction.

## SANITARY SEWER NOTES:

Contractor to provide 6" sanitary sewer line from building to end of service. Install tap, cleanouts and other appurtenances as required by City of Huber Heights. Coordinate building connection with plumbing plans.

All 6" sanitary sewer pipe shall be P.V.C. SDR-26 with joints conforming to ASTM 3212.

All sanitary lines shall be installed in accordance with the manufacturer's recommended procedures. 6" lines shall maintain a minimum slope of 1.00%.

Sanitary sewer clean-outs shall be installed at all sewer pipe bends, angles, and

junctions, unless a manhole is indicated. All cleanouts in pavement areas shall be installed with traffic bearing lids and concrete collars. Cleanout spacing should not exceed 100'. Cleanouts Per detail on Sheet C-5.0.

Sanitary sewer service connection, permit and construction to be coordinated with City of Huber Heights.

## WATER NOTES:

Contractor to provide a water service line to building to end of service line. Install connection, valves, backflow preventer, meters and other appurtenances as required by the City of Huber Heights. Coordinate building connection with plumbing plans.

Water lines shall be per City of Huber Heights & Montgomery County requirements, installed per manufacturer's recommended procedures. >2" waterlines to be Class 52 Ductile Iron. 2" and smaller service lines to be K Copper with Ford Meter Valves and a curb stop valve in a box in front of meter pit. Tapping Sleeve to be Stainless Steel or Ductile Iron. Main line valves to be Mueller. Lines shall be installed with a minimum cover of 48" or below frost line, whichever is greater.

Water service connection, meter, permit and construction to be coordinated with City of Huber Heights.



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E DEVELOPMENT PLANS FOR TAYLORSVILLE ROAD COMMERCIAL SITE

ENGINEEDING I AND SUDVEYING I NATIONAL DETAIL STEEDING OF STANDS O

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03.18.2022

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UTILITY PLAN

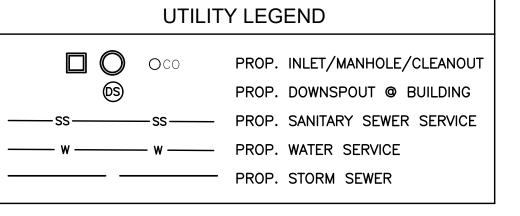
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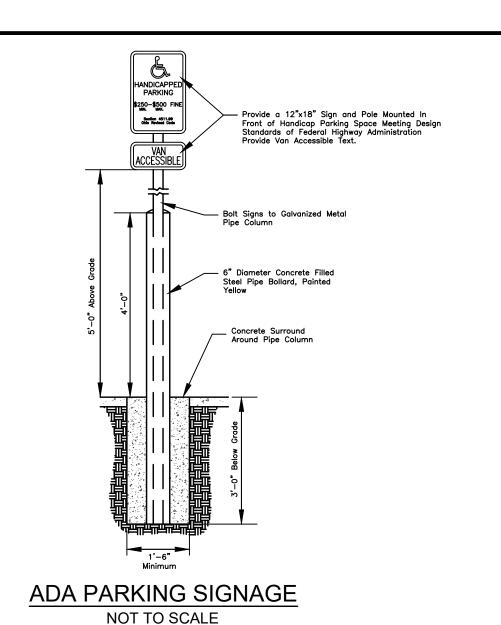
C-4.0

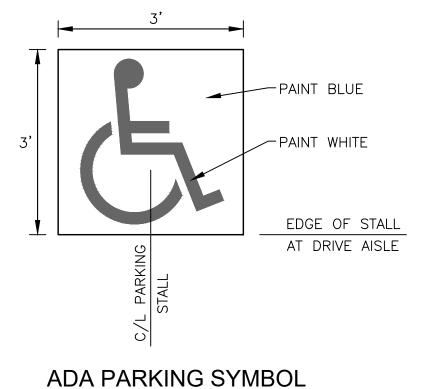


SITE BENCHMARKS

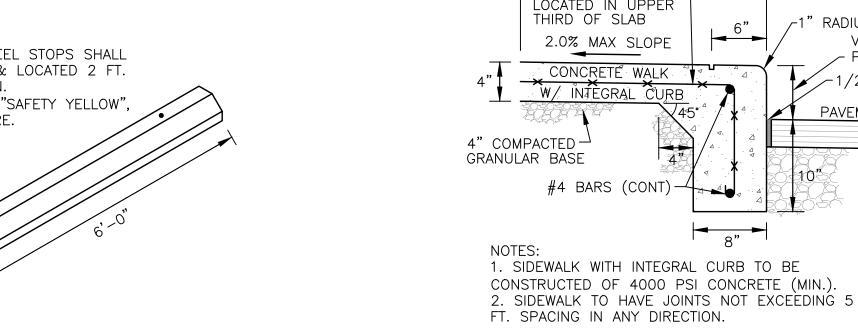
BM#1 Description: Existing Sanitary Manhole
Rim Elevation: 972.22

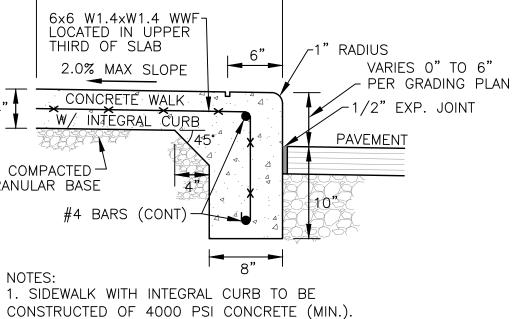


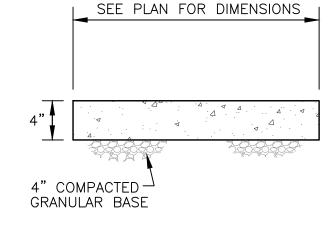




1. PRE-CAST CONCRETE WHEEL STOPS SHALL BE DOWELED TO PAVEMENT & LOCATED 2 FT. FROM EDGE OF OBSTRUCTION. 2. PAINT ALL WHEEL STOPS "SAFETY YELLOW" OR AS LOCAL CODES REQUIRE. 5/8" DOWEL. 1 FT.-FROM EACH END 5"(MIN)







1. SIDEWALK TO BE CONSTRUCTED USING 4000 PSI CONCRETE. 2. SIDEWALK TO HAVE TOOLED CONTROL JOINTS NOT EXCEEDING 5 FT. SPACING IN ANY DIRECTION. **CONCRETE SIDEWALK** PAVEMENT SECTION NOT TO SCALE

**CONCRETE SIDEWALK** 

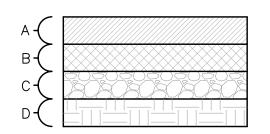
SEE PLAN FOR WIDTH

WITH INTEGRAL CURB NOT TO SCALE

A - 1.5" ODOT ITEM 441 ASPHALT CONCRETE SURFACE COURSE, TYPE 1, (448) PG64-22

B - 2.5" ODOT ITEM 441 ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 2, (448) C - 6" ODOT ITEM 304, AGGREGATE BASE

D - ODOT ITEM 204 SUBGRADE COMPACTION



PAVEMENT SECTION TO BE OWNER APPROVED. NO TESTING OR DESIGN WAS PERFORMED BY CIVIL ENGINEER IN SELECTING THIS SECTION.

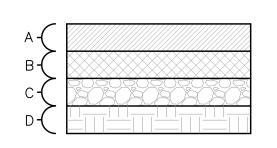
STANDARD DUTY ASPHALT **PAVEMENT SECTION** NOT TO SCALE

A - 1.5" ODOT ITEM 441 ASPHALT CONCRETE

NOT TO SCALE

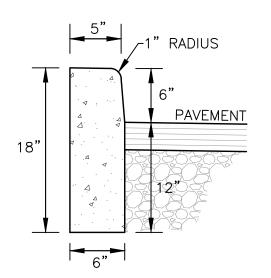
SURFACE COURSE, TYPE 1, (448) PG64-22 B - 3.5" ODOT ITEM 441 ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 2, (448)

C - 8" ODOT ITEM 304, AGGREGATE BASE D - ODOT ITEM 204 SUBGRADE COMPACTION



PAVEMENT SECTION TO BE OWNER APPROVED. NO TESTING OR DESIGN WAS PERFORMED BY CIVIL ENGINEER IN SELECTING THIS SECTION.

**HEAVY DUTY ASPHALT PAVEMENT SECTION** NOT TO SCALE

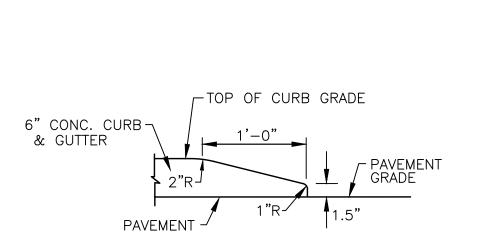


**CONCRETE WHEEL STOP** 

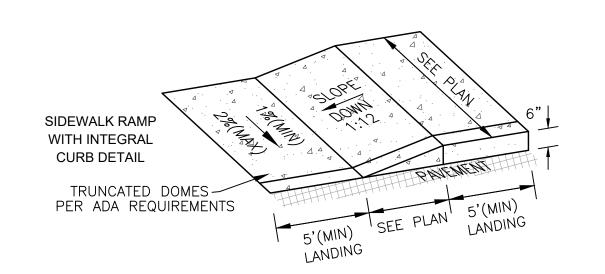
NOT TO SCALE

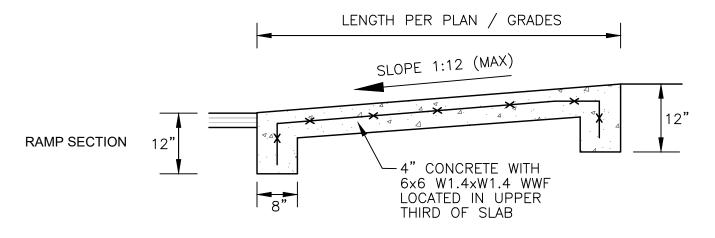
1. CURB TO BE CONSTRUCTED OF 4000 PSI CONCRETE. 2. PROVIDE A SMOOTH AND EVEN FINISH PLUS ROUNDED EDGING TO ALL EXPOSED SURFACES.

> BARRIER CURB DETAIL NOT TO SCALE



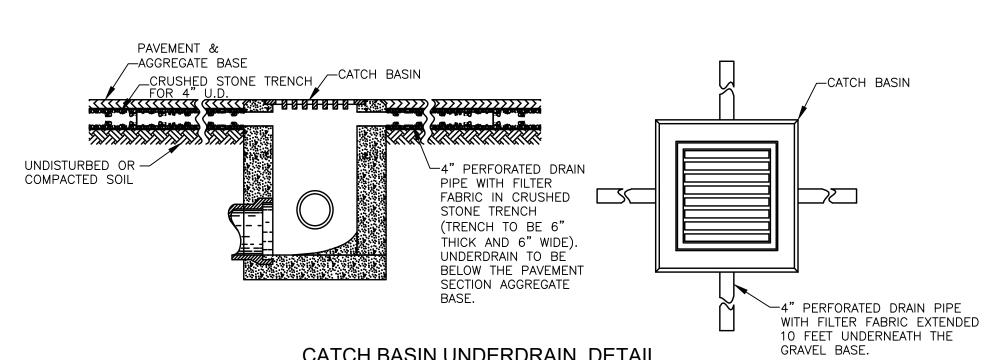




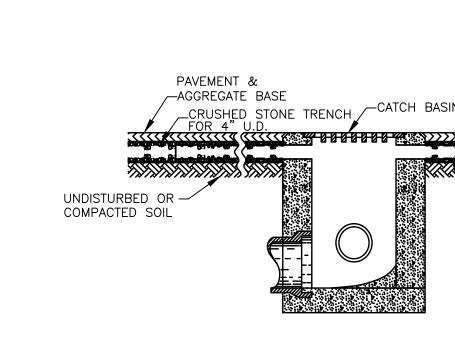


1. SEE SITE PLAN AND GRADING PLAN FOR LAYOUT AND ELEVATIONS 2. RAMPS TO COMPLY WITH ACCESSIBILITY/ADA STANDARDS

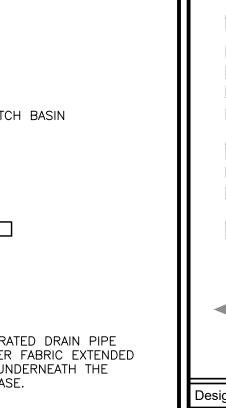
> CONCRETE RAMP DETAILS NOT TO SCALE



NOT TO SCALE TO BE USED FOR CATCH BASINS IN PAVEMENT AREAS



CATCH BASIN UNDERDRAIN DETAIL

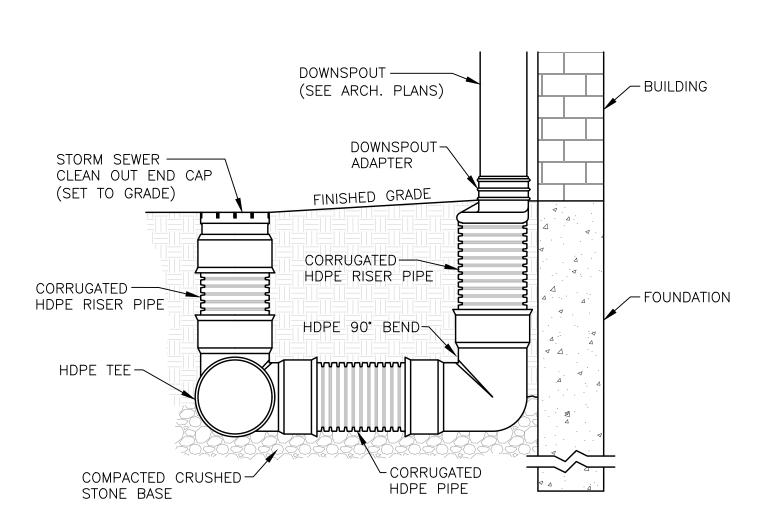


Design: HB Proj: 21-285 Draw: HB Dwg: 21.285.dwg Check: KZ Tab: C5.0-DET

D X O

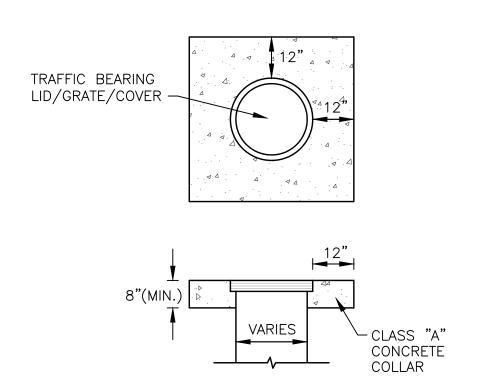
Scale: N/A 03.18.2022

**DETAILS** 



1. HDPE PIPE MAY BE SUBSTITUTED WITH PVC PIPE. 2. ALL JOINTS ARE TO BE WATERTIGHT 3. CLEAN OUT TO HAVE TRAFFIC BEARING LID AND CONCRETE COLLAR IF INSTALLED IN PAVEMENT AREAS.

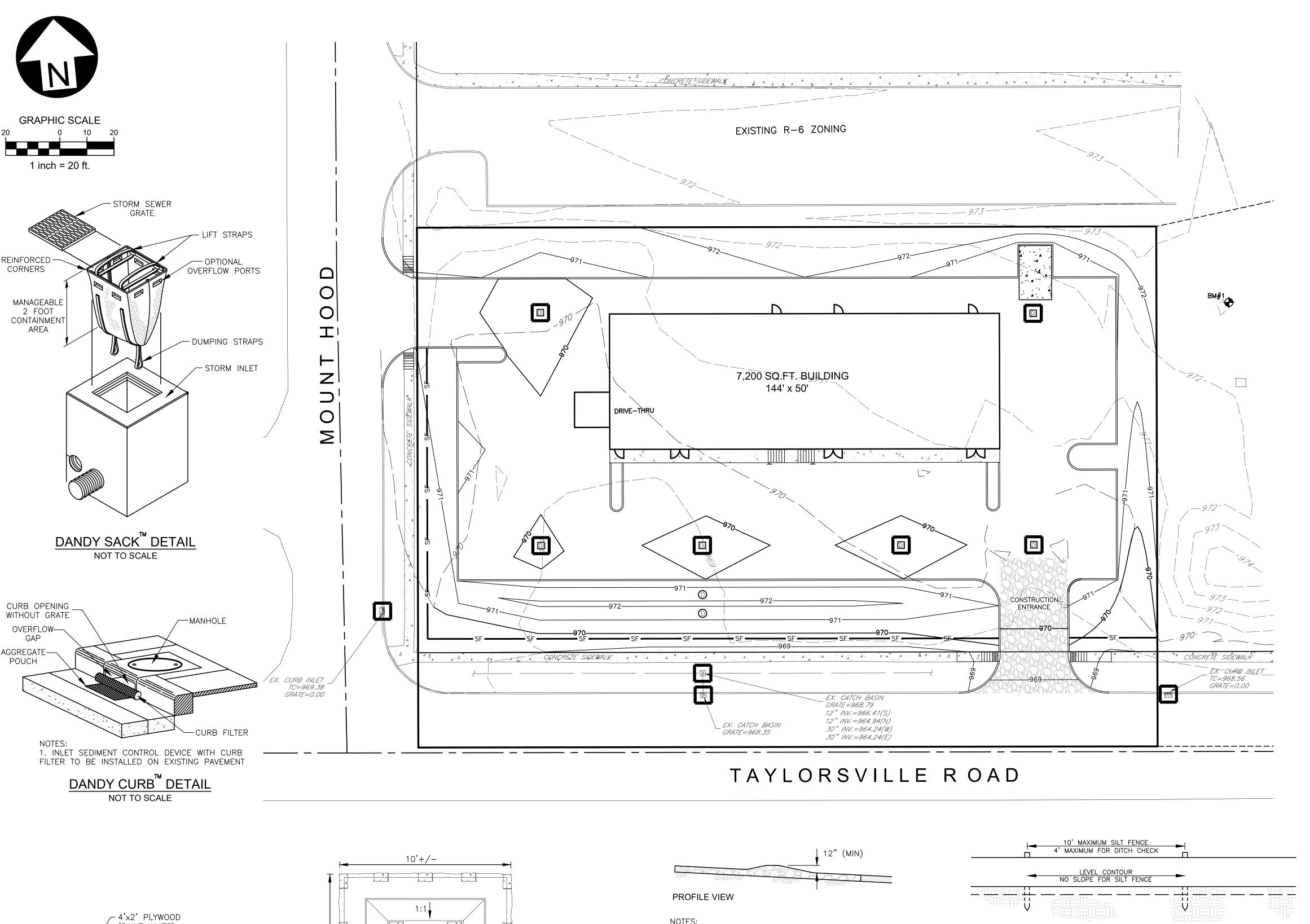
DOWNSPOUT COLLECTION DETAIL NOT TO SCALE

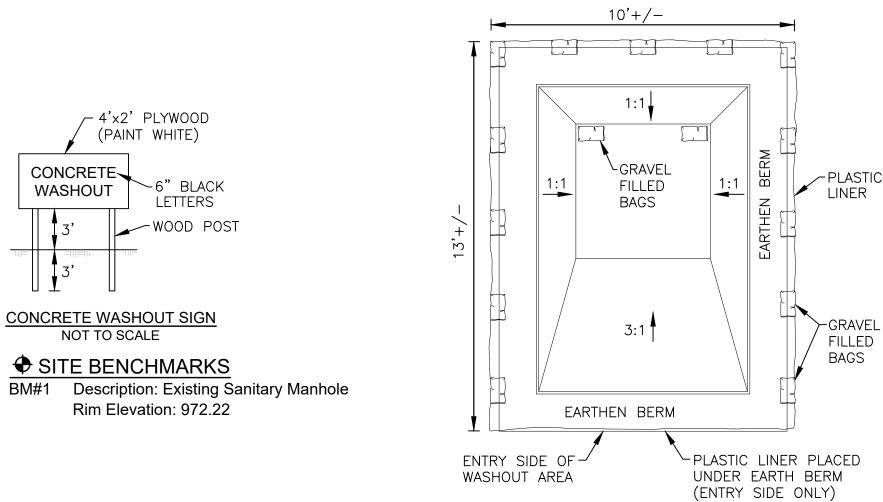


NOTE: COLLAR TO BE INSTALLED AROUND ALL STORM INLETS, MANHOLES, CLEANOUTS, PULL BOXES, VALVES, ETC. WHICH ARE LOCATED IN PAVEMENT AREAS.

> CONCRETE COLLAR NOT TO SCALE

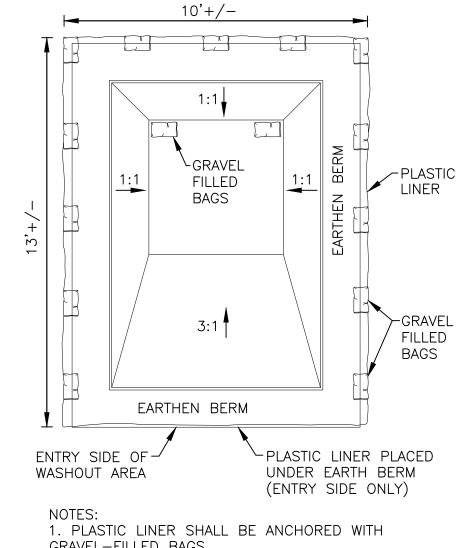






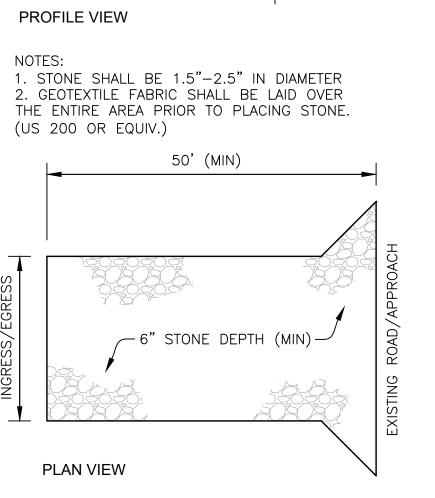
Know what's below.

Call before you dig.

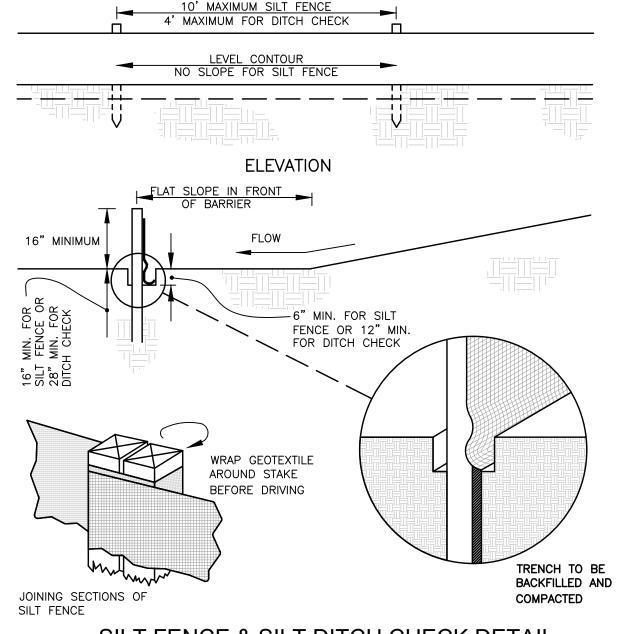


GRAVEL-FILLED BAGS. 2. CONCRETE WASHOUT SIGN SHALL BE INSTALLED WITHIN 10' OF THE CONCRETE WASHOUT AREA.

**CONCRETE WASHOUT AREA** NOT TO SCALE CONTRACTOR TO PLACE AS NEEDED



CONSTRUCTION ENTRANCE DETAIL NOT TO SCALE PLACE AS NEEDED ON SITE, COORDINATE LOCATION WITH OWNER



SILT FENCE & SILT DITCH CHECK DETAIL

NOT TO SCALE

## GENERAL STORMWATER POLLUTION PREVENTION NOTES

- 1. All erosion and sediment control practices must conform to the standards and specifications set forth by the Local, State, and Federal Authorities.
- 2. Construction activities shall be scheduled such that a minimum area of the site is disturbed at a time. Construction operation shall be scheduled and performed so that preventative soil erosion control measures are in place prior to excavation in critical areas and temporary stabilization measures are in place immediately following backfilling operations. Contractor shall reduce effects of storm water by using and/or maintaining grassed swales, infiltration structures, or water diversions.
- 3. Special precautions will be taken in the use of construction equipment to prevent situations that promote
- 4. Cleanup will be done in a manner to ensure that erosion control measures are not disturbed.
- 5. The soil erosion controls are to be inspected once a week and within 24 hours of a 0.25 inch or greater rain event. A written log of these inspections and improvements to controls shall be kept on site. The logs shall include the date of inspection, name of the inspector, weather conditions, actions taken to correct any problems and the date corrective actions were taken.
- 6. Temporary soil stabilization shall occur within 7 days after rough grading if the area will remain idle longer than 21 days. Any disturbed area that is not going to be worked for 21 days or more must be seeded and mulched.
- 7. Trenches for underground utility lines and pipes shall be temporarily stabilized within 7 days if they are to remain inactive for 21 days. Trench dewatering devices shall discharge in a manner that filters soil-laden water before discharging it to a receiving drainage ditch or pond. If seeding, mulching or other erosion and sediment control measures were previously installed; these protective measures shall be reinstalled. Pipelines with joints that allow a manufactured length of pipe to be placed in the trench with the pipe joint assembled/made in the trench require an open pipeline trench that is only slightly longer than the length of pipe being installed. The total length of excavated trench open at any time should not be greater than the total length of pipeline/utility that can be placed in the trench and backfilled in one working day. No more than 50 linear feet of open trench should exist when pipeline/utility line installation ceases at the end of the work
- 8. Soil stockpiles shall be stabilized or protected to prevent soil loss.
- 9. All disturbed areas shall be permanently stabilized within 7 days of final grading. Further, soil erosion control measures shall be maintained until permanent stabilization is complete, at which time temporary measures will be removed. Permanent vegetation is a ground cover dense enough to cover 80% of the soil surface and mature enough to survive winter weather conditions.
- 10. Silt fence to be 2' minimum from property lines in areas where work is near adjacent properties.
- 11. The Contractor shall establish a permanent on-site benchmark prior to clearing, grubbing and/or demolition.
- 12. Haul Routes The Contractor shall be responsible for the cleanup of any mud, dirt, or debris deposited on haul roads as a result of his operations. Soil shall be removed from roads and paved surfaces at the end of each day in such a manner that does not create off-site sedimentation in order to ensure safety and abate off-site soil loss. Collected sediments shall be placed in a stable location on site or taken off-site to a stable location. Contractor shall use State Routes (and shortest distance non-state routes) for project haul route.
- 13. No solid or liquid waste shall be discharged into storm water runoff.
- 14. Disposal of solid, sanitary and toxic waste Solid, sanitary and toxic waste must be disposed of in a proper manner in accordance with local, state and federal regulations. It is prohibited to burn, bury or pour out onto ground or into storm sewer any solvents, paint, stains, gasoline, diesel fuel, used motor oil, hydraulic fluid,
- 15. Wash out of cement trucks should occur in the designated area where the washing can collect and be disposed of properly when it hardens.
- 16. If a concrete washout area, and/or a stockpile area are needed, a delineated area for each must be provided and maintained for them. Areas can be located in an alternate location than that shown on the plans if necessary due to construction operations and other field considerations.
- 17. No fuel storage is permitted on-site.
- 18. All disturbed areas shall be cleared of construction sediment upon completion of construction.

antifreeze, cement curing compounds and other such toxic or hazardous waste.

19. The General Contractor shall be responsible for submitting a Notice of Intent (NOI) and Notice of Terminatio (NOT) as required by the OEPA.

## SOIL EROSION CONTROL SEQUENCE OF CONSTRUCTION

- Stone tracking pad atop geotextile liner.
- 2. Install silt fence and protection fencing.
- Initial clearing, grubbing, and demolition.
- 4. Strip and stockpile top soil.
- Rough grade and balance site. 6. Install underground utilities (i.e. Sanitary, Storm & Water)
- 7. Place inlet filters on all storm inlets. 8. Install franchise utilities (i.e. Gas, Electric, Telephone & Cable TV).
- 9. Final grade site.
- 10. Install pavement, curb, and other hardscape structures/surfaces.
- 11. Stabilize ditches, swales, common areas and slopes. 12. Establish permanent vegetation for all disturbed areas.
- 13. Erosion and sediment control devices to be removed after inspection approval from the city that permanent vegetation is sufficient and site is adequately stabilized.
- 14. Clean out storm sewer system and disturbed areas upon completion.

## SOIL EROSION CONTROL MAINTENANCE

- Inlet protection devices and barriers shall be repaired or replaced if they show signs of undermining or deterioration.
- All seeded areas shall be checked regularly to see that a good stand is maintained. Areas should be fertilized, watered, and reseeded as necessary.
- Silt fences shall be repaired to their original conditions if damaged. Sediment shall be removed from the silt fences when it reaches one-half the height of the
- The construction entrance shall be maintained in a condition which will prevent tracking or flow of mud onto public rights-of-way.
- Sediment from the detention area shall be removed as necessary to maintain proper functionality.

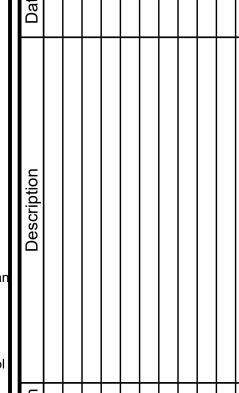
# SOIL EROSION CONTROL NOTES

All stormwater inlets shall be protected with Geotextile Inlet Protection or Inlet Filters (Dandy Products, Flexstorm, or equivalent).



STABILIZE ALL AREAS AS NECESSARY





D & O

Design: HB Proj: 21-285 Draw: HB Dwg: 21.285.dwg Check: KZ Tab: C6.0-SWPPF

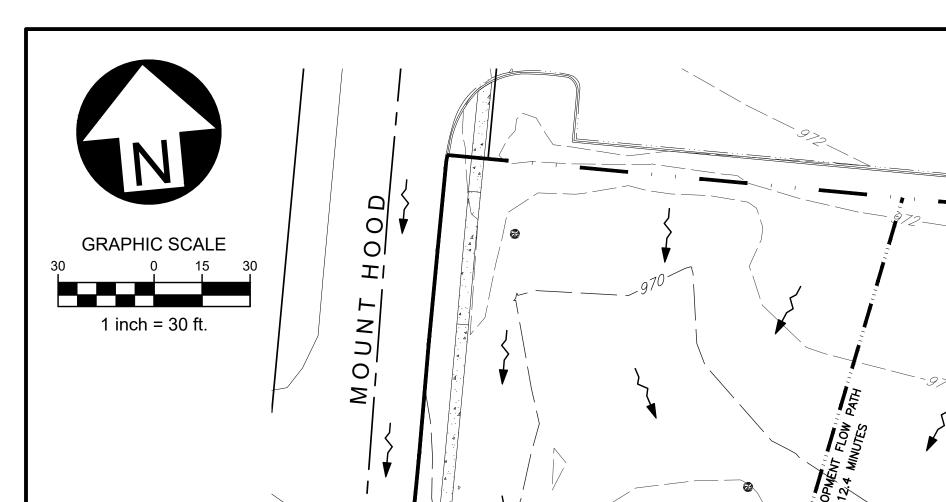
Scale: 1" = 20' 03.18.2022

**EROSION CONTROL** 

PLAN

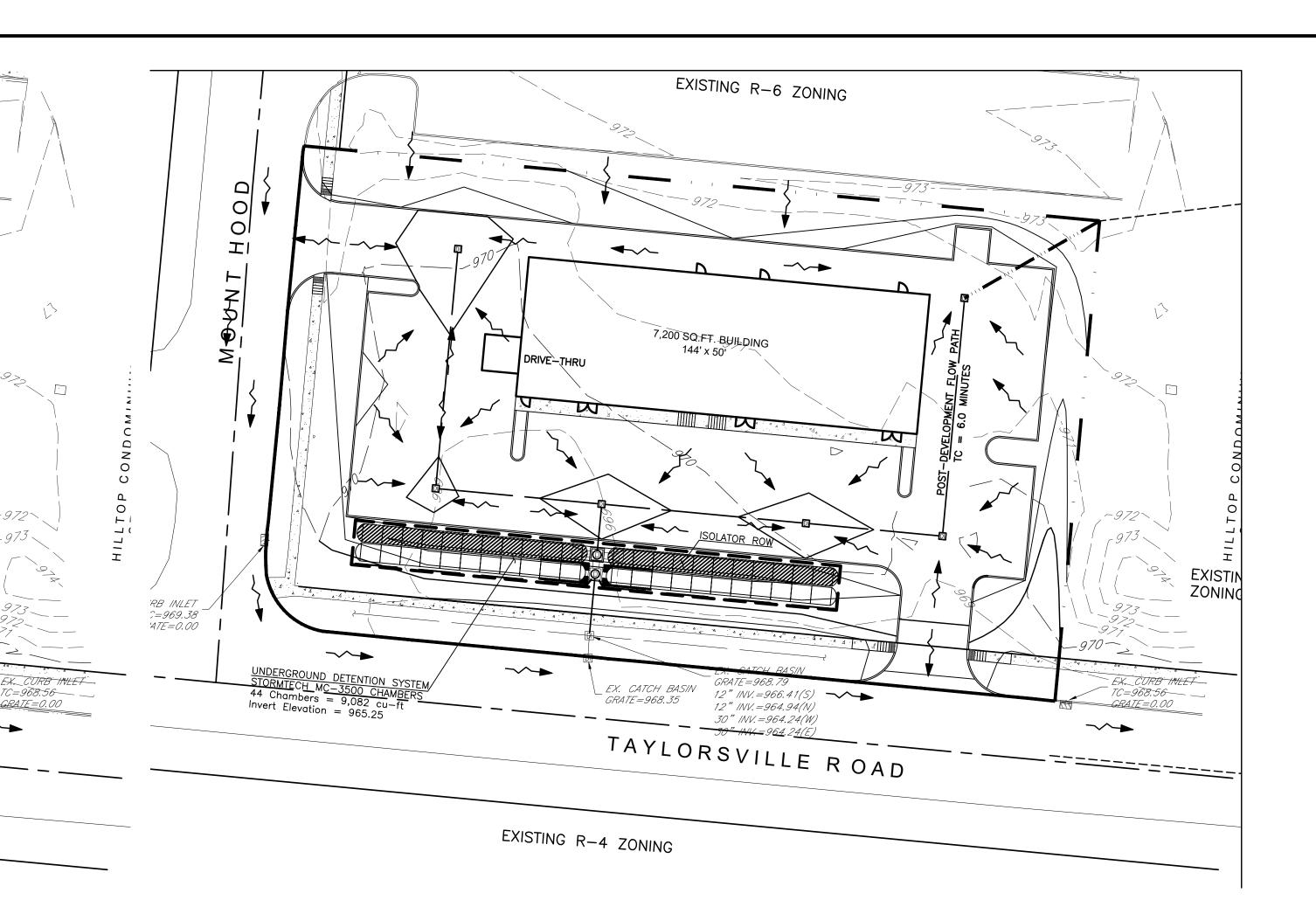
Sheet No.:

J-6.1



EX. CATCH BASIN GRATE=968.09 <sup>-</sup>

12" INV.=966.14(S)



# **EXISTING CONDITIONS**

# **EXISTING CONDITIONS**

'RB INLET -C=969.38 '4TE=0.00

The existing site is partially developed with a house at the southeast corner of the lot and a gravel drive near the center of the lot. There are no existing detention areas on the site. The site drains overland from north to south toward Taylorsville Road and into inlets that discharge into the City of Huber Heights storm sewer system at the south edge of the site.

## PROPOSED CONDITIONS

The proposed improvements will include removing the existing house and constructing a new 7,200 square foot building with a drive through and associated parking lot in the center of the site. An underground detention basin will be constructed on the south side of the new parking lot. Runoff from the new parking lot will be collected by inlets within the parking lot that lead to the underground detention basin. The underground detention basin will connect to City of Huber Heights storm sewer system on the south side of the site.

## On-Site Soils:

-MsA - Milton Silt Loam, 0 to 2 % slopes, Hydrologic Soil Group C (52% of site) -MsB - Milton Silt Loam, 2 to 6 % slopes, Hydrologic Soil Group C (48% of site)

## 24-hour Storm Event

Huber Heights, Ohio Rainfall Depths:

1 year - 2.26" 2 year - 2.71"

5 year - 3.32" 10 year - 3.79" 25 year - 4.44"

50 year - 4.95" 100 year - 5.47"

## STORMWATER MANAGEMENT

Reference Materials and Methodology for Calculations:

TAYLORSVILLE R OAD

USDA - Urban Hydrology for Small Watersheds - Technical Release 55 USDA - Web Soil Survey City of Huber Heights Stormwater Regulations

Ohio EPA Permit No. OHC000005

ODNR Rainwater and Land Development Manual NOAA Altas 14, Volume 2, Version 3

## **Runoff Control Requirements:**

Provide detention as necessary to reduce post-construction runoff rates to pre-development rates in accordance with the Critical Storm Method.

## Critical Storm Method Calculations

**Pre-Development Conditions** Area = 1.13 acres

Composite CN = 76

1.06 acres of Open Space in Good Condition (CN=74) 0.07 acres of Pavement/Building (CN=98)

Tc = 12.4 minutes

## Post-Development Conditions

Area = 1.13 acres Composite CN = 89

0.70 acres of Open Space in Good Condition (CN=74)

0.43 acres of Pavement/Building (CN=98)

Tc = 6.0 minutes

Pre-developed 1 year storm runoff volume = 2,273 cu-ft

Post-developed 1 year storm runoff volume = 5,275 cu-ft

132% increase in runoff volume

Critical Storm = 25 year

# WATER QUALITY FLOW

Required: WQF = C \* i \* AC = 0.95

i = 2.37 inches/hour

A = 1.13 acres

WQF = 2.544 cfs

## Provided:

Water quality will be provided by the Isolator Row in Stormtech system. There are 22 units of the Stormtech MC-3500 in the Isolator Row. Each unit will treat 0.24 cfs of flow for a total flow of 0.24 cfs x 22 = 5.28 cfs.

# Detention Areas - Storage - Discharge Table

Event	Pre-	Post-	Allowable	Basin	Basin	Basin
	Developed	Developed	Peak	Discharge	Elevation	Volume
	Discharge	Discharge	Discharge			
(YR)	(CFS)	(CFS)	(CFS)	(CFS)	(FT)	(Cu-Ft)
1	0.82	2.59	0.82	0.41	965.85	2,158
2	1.27	3.37	0.82	0.47	966.18	2,898
5	1.95	4.45	0.82	0.55	966.68	3,949
10	2.51	5.28	0.82	0.61	967.19	4,795
25	3.33	6.43	0.82	0.69	967.72	6,006
50	3.99	7.34	3.99	2.02	968.02	6,554
100	4.68	8.25	4.68	2.97	968.34	7,081

Critical Storm = 25 year storm

# PROPOSED CONDITIONS

# **DETENTION BASIN**

TAGE-	STORA	GE-DISCHARGE	
levation	Volume	Discharge	
(ft)	(cu-ft)	(cfs)	
64.50	0	0.000	
65.00	555	0.182	
65.50	1,394	0.325	
66.00	2,500	0.428	
66.50	3,578	0.513	
67.00	4,618	0.587	
67.50	5,608	0.654	
68.00	6,528	1.887	
68.50	7,344	3.274	

969.50

calculations and storm routing.

7,971 4.061 8,526 4.706 9,082 970.00 5.260

MANHOLE TOP OF CASTING
—ELEVATION=972.00 \*Hydraflow Hydrograph for AutoCAD Civil 3D 2022 GRADE PER PLAN-FINISHED GROUND computer program used for storage volume FINISHED GROUND TOP OF STONE ELEV.=970.00 24"HDPE HEADER PIPE INV(N)=966.50 INTERNAL WEIR WALL — TOP ELEV.=967.75 UNDERGROUND DETENTION SYSTEM STORMTECH MC-3500 CHAMBERS 24"HDPE INVERT ELEV.=965.33 44 Chambers = 9,082 cu-ft Invert Elevation = 965.25 15" © 0.50% 4"HDPE (UNDERDRAIN) 15" HDPE —∕ BOTTOM OF STONE ELEV.=964.50 INV(W) = 964.604" ORIFICE PLATE WITHIN ----INTERNAL WEIR WALL INV=964.60 BOTTOM ELEV.=962.50

LEGEND

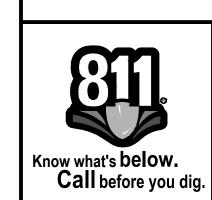
DIRECTION OF DRAINAGE

— Tc FLOWPATH

- DRAINAGE AREA BOUNDARY

**OUTLET STRUCTURE DETAIL** 

# NOT TO SCALE



◆ SITE BENCHMARKS

BM#1 Description: Existing Sanitary Manhole Rim Elevation: 972.22

Design: HB Proj: 21-285

Scale: 1" = 30'

Draw: HB Dwg: 21.285.dwg

03.18.2022

STORM WATER MANAGEMENT PLAN

Check: KZ Tab: C7.0-STM

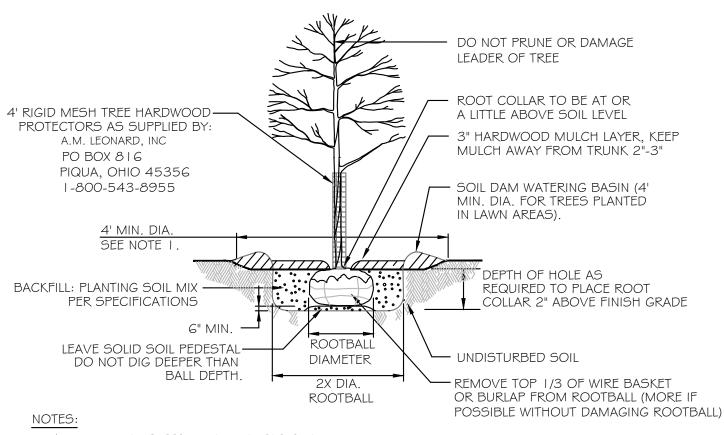
D & O

SITE T

C-7.0

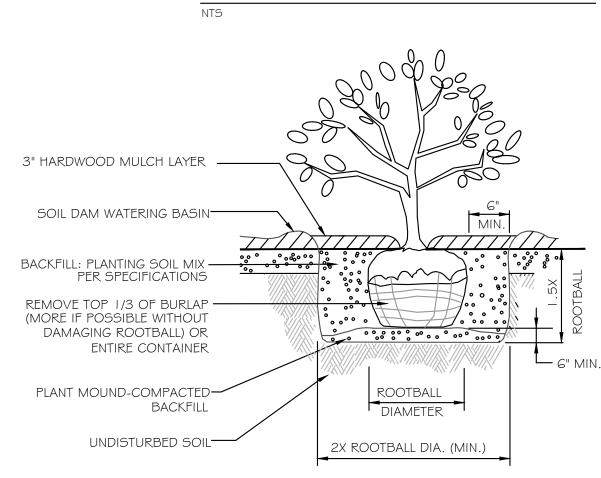
## LANDSCAPE REQUIREMENTS

- DIAMETERS OF PLANT MATERIALS AS DRAWN ARE REPRESENTATIVE OF PLANTS AT OR
- NEAR MATURITY RATHER THAN AT INITIAL PLANTING. THE PLANT LIST IS INTENDED AS A GUIDE FOR THE LANDSCAPE CONTRACTOR. IN THE EVENT OF DISCREPANCY BETWEEN THE NUMBER OF PLANTS ON THE PLANT LIST AND ON THE DRAWING, THE GREATER NUMBER SHALL APPLY.
- TREES AND SHRUBS SHALL BE NURSERY GROWN AND BE HEALTHY AND VIGOROUS PLANTS, FREE FROM DEFECTS, DECAY, DISFIGURING ROOTS, SUN SCALD, INJURIES, ABRASIONS OF THE BARK, PLANT DISEASES, INSECT PEST EGGS, BORERS AND ALL FORMS OF INFESTATIONS OF OBJECTIONABLE DISFIGUREMENTS. PLANTS SHALL BE IN ACCORDANCE WITH THE CURRENT "AMERICAN ASSOCIATION OF NURSERYMEN'S STANDARDS" AND CONFORM IN GENERAL TO REPRESENTATIVE SPECIES.
- ADJUSTMENTS IN LOCATIONS OF PLANT MATERIALS MAY BE NECESSARY DUE TO NEW OR EXISTING UTILITIES OR SITE OBSTRUCTIONS. ADVISE ARCHITECT'S REPRESENTATIVE BEFORE ADJUSTMENTS ARE MADE.
- 5. ALL SHRUBS OCCURRING IN CONTINUOUS ROW OR FORMAL ARRANGEMENT SHALL HAVE UNIFORM HEIGHT, SPREAD AND HABIT OF GROWTH. FOR PERENNIAL LOCATIONS, FILL AREA WITH QUANTITY OF PLANTS DESIGNATED; EVENLY SPACED.
- 6. A MINIMUM OF 6" DEPTH OF NEW TOPSOIL SHALL BE PLACED IN ALL BED AREAS BY LANDSCAPE CONTRACTOR PRIOR TO PLANT INSTALLATION. BACKFILL ALL SHRUBS AND TREES WITH ONE PART BACKFILL MIX TO ONE PART COMPOST.
- 7. MULCH TREES AND SHRUBS WITH MIN. 3" DEPTH OF SHREDDED HARDWOOD MULCH . MULCH SHALL EXTEND IN A CONTINUOUS LAYER WITHIN PLANTING BEDS FROM FACE TO FACE OF SITE STRUCTURES - WALKS, BUILDING, CURBS, OR OTHER PLANT BED LIMITS. ALL BED EDGES SHALL BE SPADE-CUT AND CLOSELY ALIGN AS POSSIBLE WITH EDGES AS SHOWN ON DRAWING. KEEP MULCH A MIN. 1/2" BELOW ADJACENT PAVED SURFACES.
- 8. SOD ALL LAWN DISTURBED AREAS WITHIN PROJECT LIMITS AS NOTED ON CIVIL DRAWINGS; INCLUDING OUT TO PAVEMENT EDGES. REFER TO CIVIL DRAWINGS AND VERIFY EXTENT WITH PROJECT ARCHITECT'S REPRESENTATIVE.
- 9. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS FOR ONE-YEAR FROM DATE OF OF ACCEPTANCE. ALL DEAD PLANT MATERIALS SHALL BE PROMPTLY REMOVED AND REPLACED WITH NEW MATERIAL. OWNER SHALL BE RESPONSIBLE FOR ANY FURTHER REPLACEMENTS AFTER THE ONE-YEAR PERIOD.



- I. INDIVIDUAL TREES IN LAWN AREAS SHALL RECEIVE A 4' MINIMUM DIAMETER MULCHED CIRCLE
- 2. STAKE AND WRAP ONLY IF NECESSARY AND REMOVE AS SOON AS ROOTS ARE ESTABLISHED (USUALLY ONE YEAR).

## SHADE TREE PLANTING DETAIL

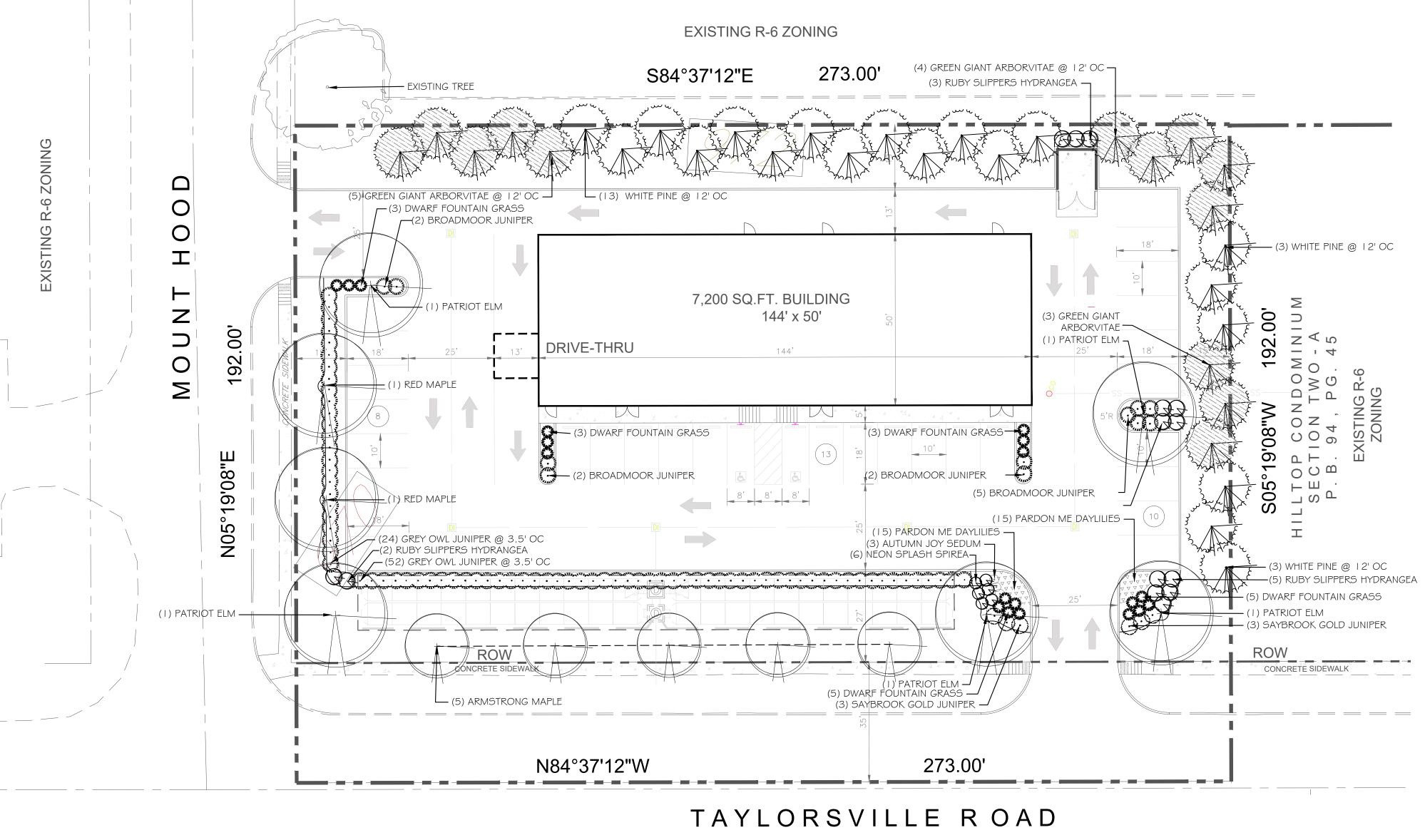


SHRUB PLANTING DETAIL

Know what's below.

Call before you dig.

LANDSCAPE ARCHITECT: YELLOW SPRINGS DESIGN PO Box 472 205 PARK MEADOWS DR. YELLOW SPRINGS. OHIO 45387 (O) 937.767.8199 (M) 937.654.8199 yellowspringsdesign@bizwoh.rr.com LICENSED IN: OH, KY, PA, IN, IL, MS, MI, VA, TX, OK, KS, AZ, CO & UT



QTY.	PLANT NAME	MINIMUM INSTALLED SIZE	MATURE HT./SPD
	DECIDUOUS TREES		
5	ARMSTRONG MAPLE - Acer rubrum 'Armstrong'	2-1/2" cal. B/B	501/ 201
2	RED MAPLE - Acer rubrum 'October Glory'	2-1/2" cal. B/B	50/ 40
5	PATRIOT ELM - Ulmus x 'Patriot'	2-1/2" cal. B/B 5' Clear Trunk	50′/ 40
	EVERGREEN TREES		
19	WHITE PINE - Pinus strobus	G' ht. B/B	601/20
12	GREEN GIANT - Thuja plicata x standishii 'Green Giant'	6' ht. B/B	407 18
	SHRUBS # GRASSES		
10	RUBY SLIPPERS HYDRANGEA - Hydrangea quercifolia 'Ruby Slippers'	# 3 cont.	4'/ 4'
6	SAYBROOK GOLD JUNIPER - Juniperus x pfitzeriana 'Saybrook Gold'	# 3 cont.	3'/ 5'
11	BROADMOOR JUNIPER - Juniperus sabina 'Broadmoor'	# 3 cont.	27/ 51
76	GREY OWL JUNIPER - Juniperus virginiana 'Grey Owl'	24" ht. B/B or Cont.	3'/ 6"
6	NEON FLASH SPIREA - Spirea bumalda 'Neon Flash'	# 3 cont.	3'/ 4'
19	DWARF FOUNTAIN GRASS - Pennisetum alopecuroides 'Hameln'	# 2 cont.	2'/ 3'
	PERENNIALS		
30	PARDON ME DAYLILIES - Hemerocallis x ' Pardon Me'	#   cont.	3'/ 3'
3	AUTUMN JOY SEDUM - Sedum spectabile 'Autumn Joy'	# 2 cont.	27/ 31

## LANDSCAPE CODE REQUIREMENTS & CALCULATIONS

PARKING LOT REQUIREMENTS:

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 MINIMUM OF FOUR PERCENT PERVIOUS AREA OF THE TOTAL VEHICULAR USE AREA IS REQUIRED FOR PARKING LOT INTERIORS. AT LEAST TWO 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.

> 17,770 SF PARKING AREA @ 4% = 670.8 SF REQUIRED 728 SF AS SHOWN or 4.1% LANDSCAPE AREA ALL ISLANDS WITH LANDSCAPING MEETS REQUIREMENT AS SHOWN TWO SHADE TREES WITHIN 60 FT OF EVERY PARKING SPACE MEETS REQUIREMENT AS SHOWN

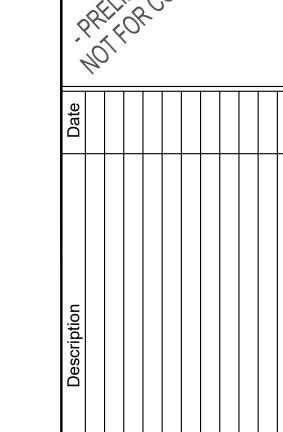
LANDSCAPE STRIP: WHEN A PARKING LOT IN ANY ZONE IS LOCATED ADJACENT TO A PUBLIC RIGHT-OF-WAY OR PRIVATE ROAD, A LANDSCAPED STRIP SHALL BE PROVIDED ON THE PROPERTY BETWEEN THE PARKING LOT AND THE RIGHT-OF-WAY. THE LANDSCAPE STRIP MAY NOT INCLUDE ANY PAVED AREA EXCEPT PEDESTRIAN SIDEWALKS OR TRAILS PERPENDICULAR TO THE ROADWAY, THAT CROSS THE LANDSCAPED STRIP. 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.

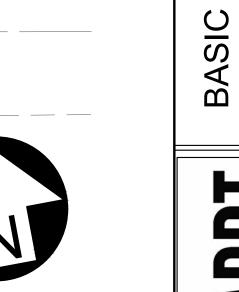
TAYLORSVILLE ROAD PARKING LOT - 218 LF/35 = 6.22 OR 7 TREES AND 62.2 OR 63 SHRUBS REQUIRED 8 TREE AND 69 SHRUBS AS SHOWN MOUNT HOOD PARKING LOT- 80 LF /35 = 2.28 OR 3 TREES AND 22.8 OR 23 SHRUBS REQUIRED 3 TREE AND 24 SHRUBS AS SHOWN

GENERAL SCREENING REQUIREMENTS: 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. CONTINUOUS 6' EVERGREEN TREES ADDED AS SHOWN

OVERALL TREE REQUIREMENTS: ONE SHADE TREE IS REQUIRED PER 2,000 SQUARE FEET OR FRACTION OF 12,830± SF OF OPEN SPACE PROVIDED/ 2,000 = 6.4 or 7 TREES REQUIRED

> 12 SHADE TREES AS SHOWN + EVERGREEN TREES





GRAPHIC SCALE

SCALE: 1 inch = 20 ft.



Design: REB | Proj: Draw: REB Dwg: Check: REB Tab:

Date: 03.11.2021

Scale: 1"=20'

LANDSDCAPE PLAN



QTY.	PLANT NAME	MINIMUM INSTALLED SIZE	MATURE HT./SPD.
	DECIDUOUS TREES		
5	ARMSTRONG MAPLE - Acer rubrum 'Armstrong'	2-1/2" cal. B/B	50'/ 20'
2	RED MAPLE - Acer rubrum 'October Glory'	2-1/2" cal. B/B	50'/ 40'
5	PATRIOT ELM - Ulmus x 'Patriot'	2-1/2" cal. B/B 5' Clear Trunk	50'/ 40'
	EVERGREEN TREES		
19	WHITE PINE - Pinus strobus	6' ht. B/B	60'/ 20'
12	GREEN GIANT - Thuja plicata x standishii 'Green Giant'	G' ht. B/B	40'/ 18'
	SHRUBS		
10	RUBY SLIPPERS HYDRANGEA - Hydrangea quercifolia 'Ruby Slippers'	# 3 cont.	4'/ 4'
6	SAYBROOK GOLD JUNIPER - Juniperus x pfitzeriana 'Saybrook Gold'	# 3 cont.	3'/ 5'
11	BROADMOOR JUNIPER - Juniperus sabina 'Broadmoor'	# 3 cont.	2'/ 5'
76	GREY OWL JUNIPER - Juniperus virginiana 'Grey Owl'	24" ht. B/B or Cont.	37 6"
6	NEON FLASH SPIREA - Spirea bumalda 'Neon Flash'	# 3 cont.	3'/ 4'
19	DWARF FOUNTAIN GRASS - Pennisetum alopecuroides 'Hameln'	# 2 cont.	2'/ 3'
	PERENNIALS		
30	PARDON ME DAYLILIES - Hemerocallıs x ' Pardon Me'	#   cont.	3'/ 3'
3	AUTUMN JOY SEDUM - Sedum spectabile 'Autumn Joy'	# 2 cont.	2'/ 3'

Luminai	re Sche	dule					
Symbol	Label	Qty	LLF	Lum. Lumens	Manufacturer	Series	Lum. W
-	A3	1	0.900	5873	Gardco	ECF-S-32L-530-CW-G2-3-HIS; 23 FT AFG (20 FT POLE, 3 FT BASE)	56
-	A4	3	0.900	6048	Gardco	ECF-S-32L-530-CW-G2-4-HIS; 23 FT AFG (20 FT POLE, 3 FT BASE)	56
8	A42	1	0.900	6048	Gardco	ECF-S-32L-530-CW-G2-4-HIS; 23 FT AFG (20 FT POLE, 3 FT BASE)	56
	W2	4	0.900	2944	SIGNIFY GARDCO	101L-16L-530-NW-G1-2; 10 FT AFG WALL MTD	28
	W4	2	0.900	2747	SIGNIFY GARDCO	101L-16L-530-NW-G1-4; 10 FT AFG WALL MTD	28

Calculation Summary											
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min				
Front Walkway	Illuminance	Fc	0.47	1.2	0.3	1.57	4.00				
Proposed Property Boundary	Illuminance	Fc	0.17	1.0	0.0	N.A.	N.A.				
Proposed Site	Illuminance	Fc	1.43	5.8	0.4	3.58	14.50				

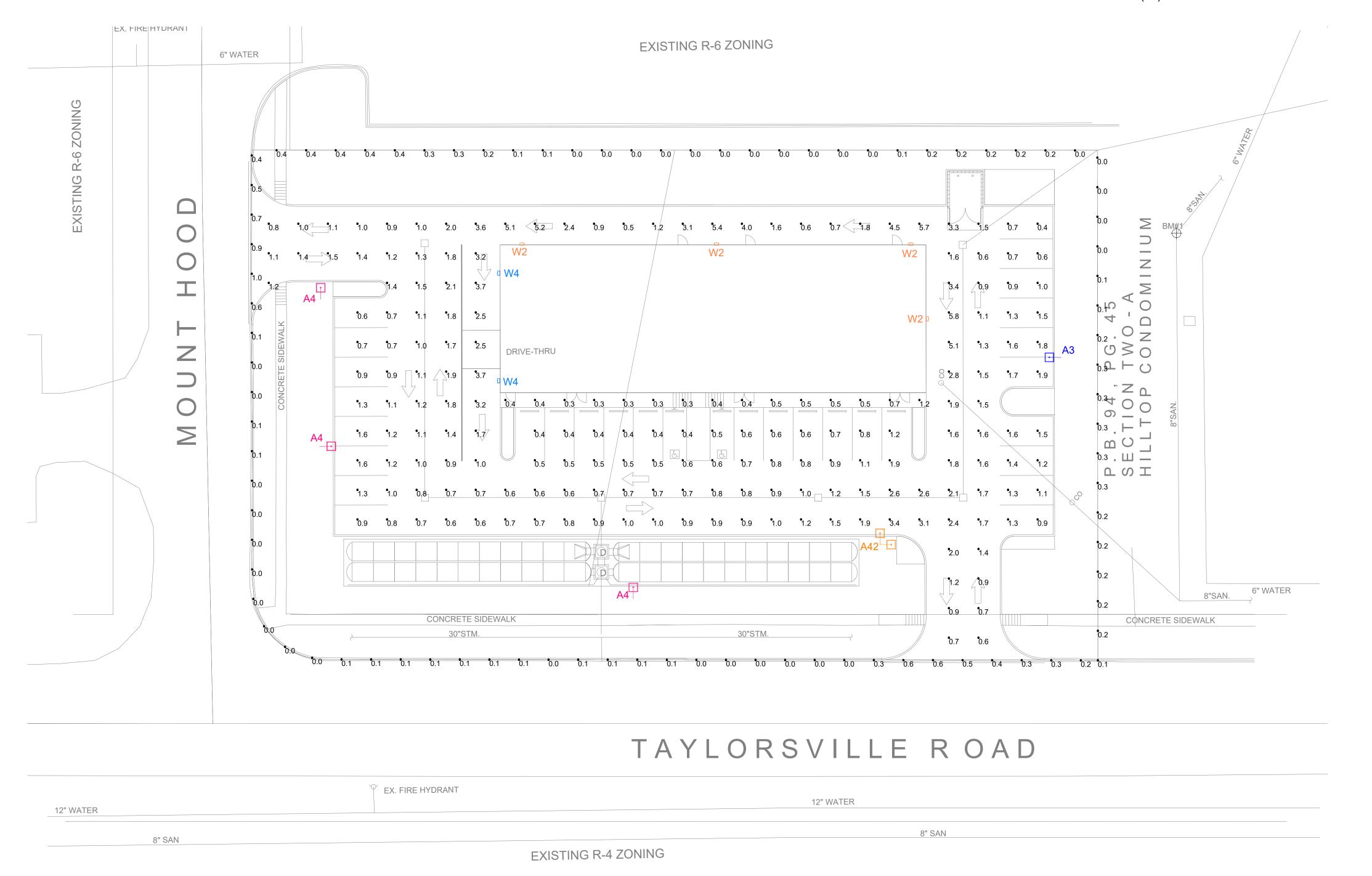
**CALCULATION NOTES:** 

A. BASED ON THE INFORMATION PROVIDED, ALL DIMENSIONS AND LUMINAIRE LOCATIONS SHOWN REPRESENT RECOMMENDED POSITIONS. THE ENGINEER AND/OR ARCHITECT MUST DETERMINE THE APPLICABILITY OF THE LAYOUT TO EXISTING OR FUTURE FIELD CONDITIONS.

B. THIS LIGHTING PLAN REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH THE ILLUMINATING ENGINEERING SOCIETY (IES) APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRES MAY VARY DUE TO CHANGES IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS/LED'S AND OTHER VARIABLE FIELD CONDITIONS.

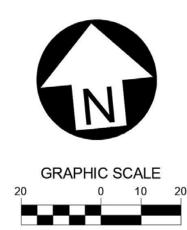
C. CALCULATIONS SHOWN ARE MAINTAINED ILLUMINANCE UNLESS NOTED OTHERWISE. D. CALCULATIONS ARE TAKEN AT GRADE UNLESS NOTED OTHERWISE.

E. PHOTOMETRIC ANALYSIS COMPLETED BASED ON REQUIREMENTS STATED IN HUBER HEIGHTS, OH CODE OF ORDINANCES, 1181.21 LIGHTING STANDARDS (11): MAXIMUM LIGHTING WILL BE GOVERNED BY THE 4:1 RATIO OF AVERAGE TO MINIMUM ILLUMINATION OF THE SURFACE BEING LIT.





11785 HIGHWAY DR. CINCINNATI, OH 45241 513-761-6360

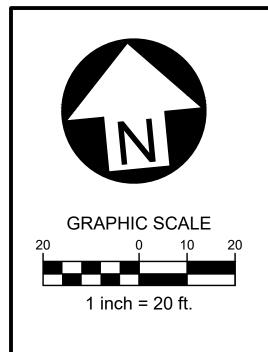


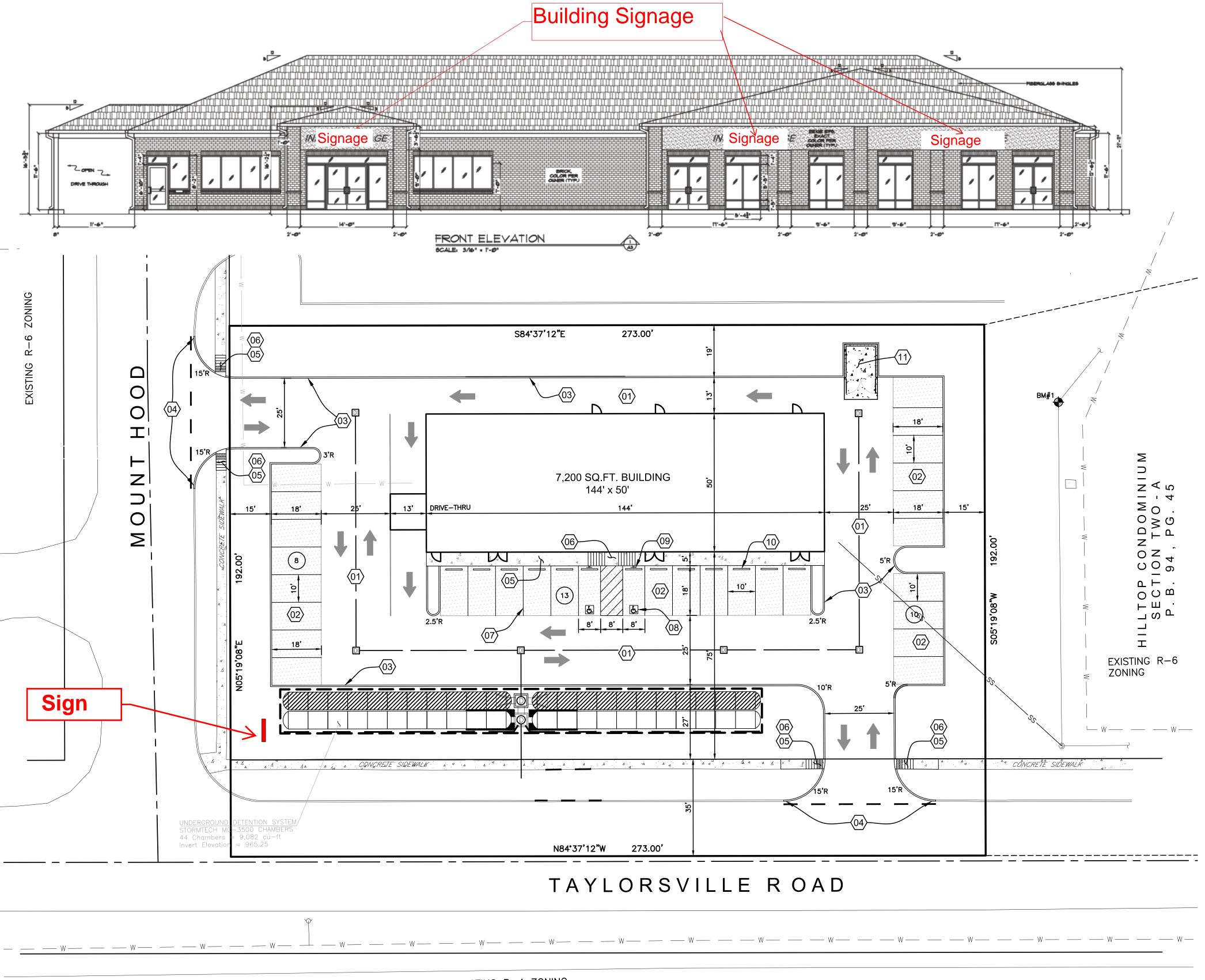
1 inch = 20 ft.

LIGHTING PROPOSAL: BRLC22-012 SITE DEVELOPMENT PLANS FOR TAYLORSVILLE ROAD COMMERCIAL SITE 6025 TAYLORSVILLE ROAD CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

PROPOSED PHOTOMETRIC PLAN Scale: 1 inch= 20 Ft.

SHEET REV: By: C.B. Scale: 1 OF 1 3/7/2022 AS NOTED



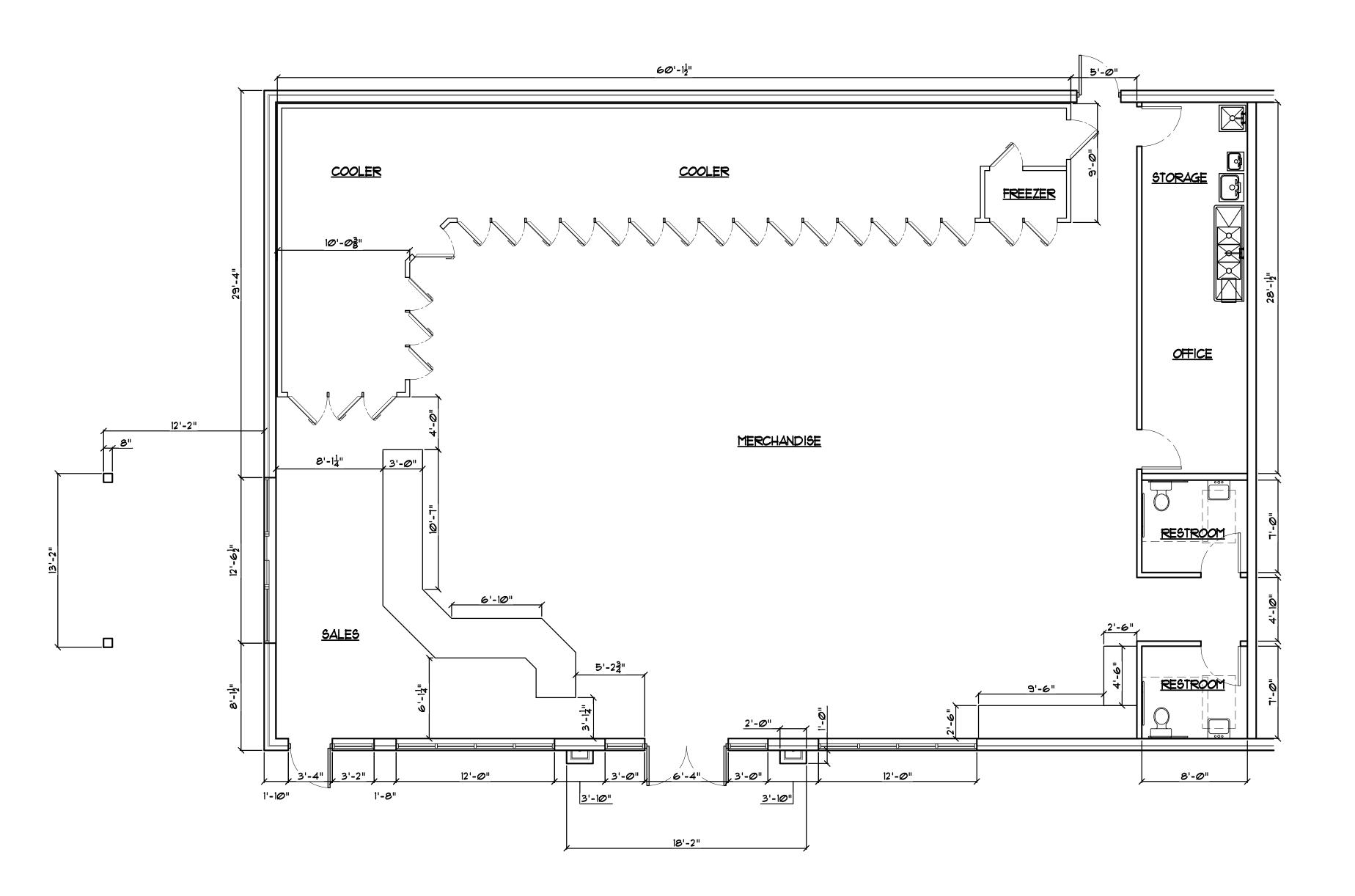


EXISTING R-4 ZONING

Signage Plan
Signage Requires Separate Permit



◆ SITE BENCHMARKS BM#1 Description: Existing Sanitary Manhole Rim Elevation: 972.22



PRELIMINARY FLOOR PLAN

SCALE: 3/16" = 1'-0"

D.A.E. Designs

**03.02.22**SCALE: **3/16"=1'-0"**DRAWN BY: **ZAM**CHECKED BY:

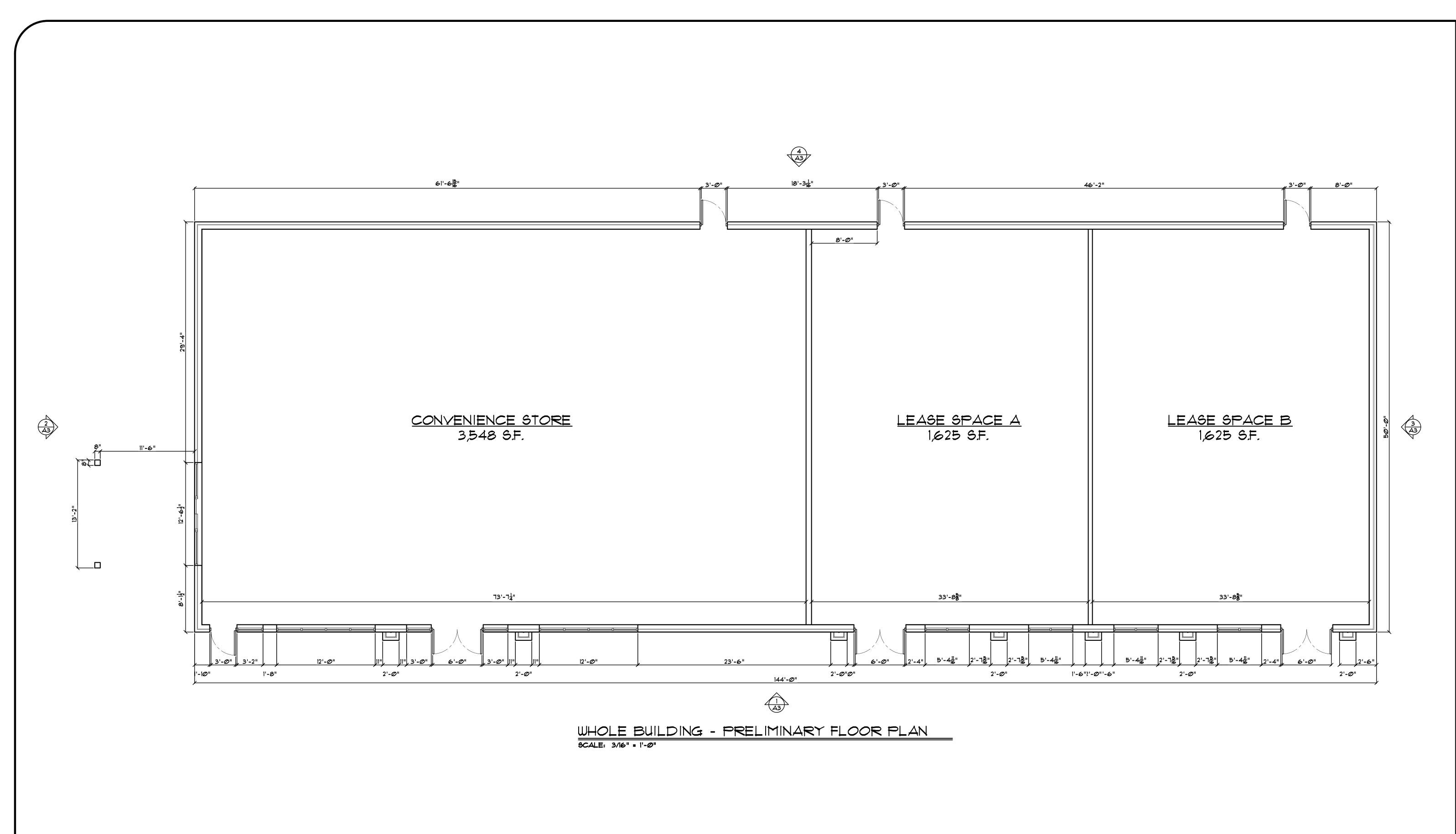
6025 TAYLORSVILLE RD. HUBER HEIGHTS, OH 45424 PRELIMINARY FLOOR PLAN

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LIBERTY TOWER
COND STREET, SUITE #401

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D.A.E. Designs

DATE: **@3.@8.22**SCALE: **3/16"=1'-@"**DRAWN BY: **ZAM**CHECKED BY:

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SE TAYLORSYILLE RD.
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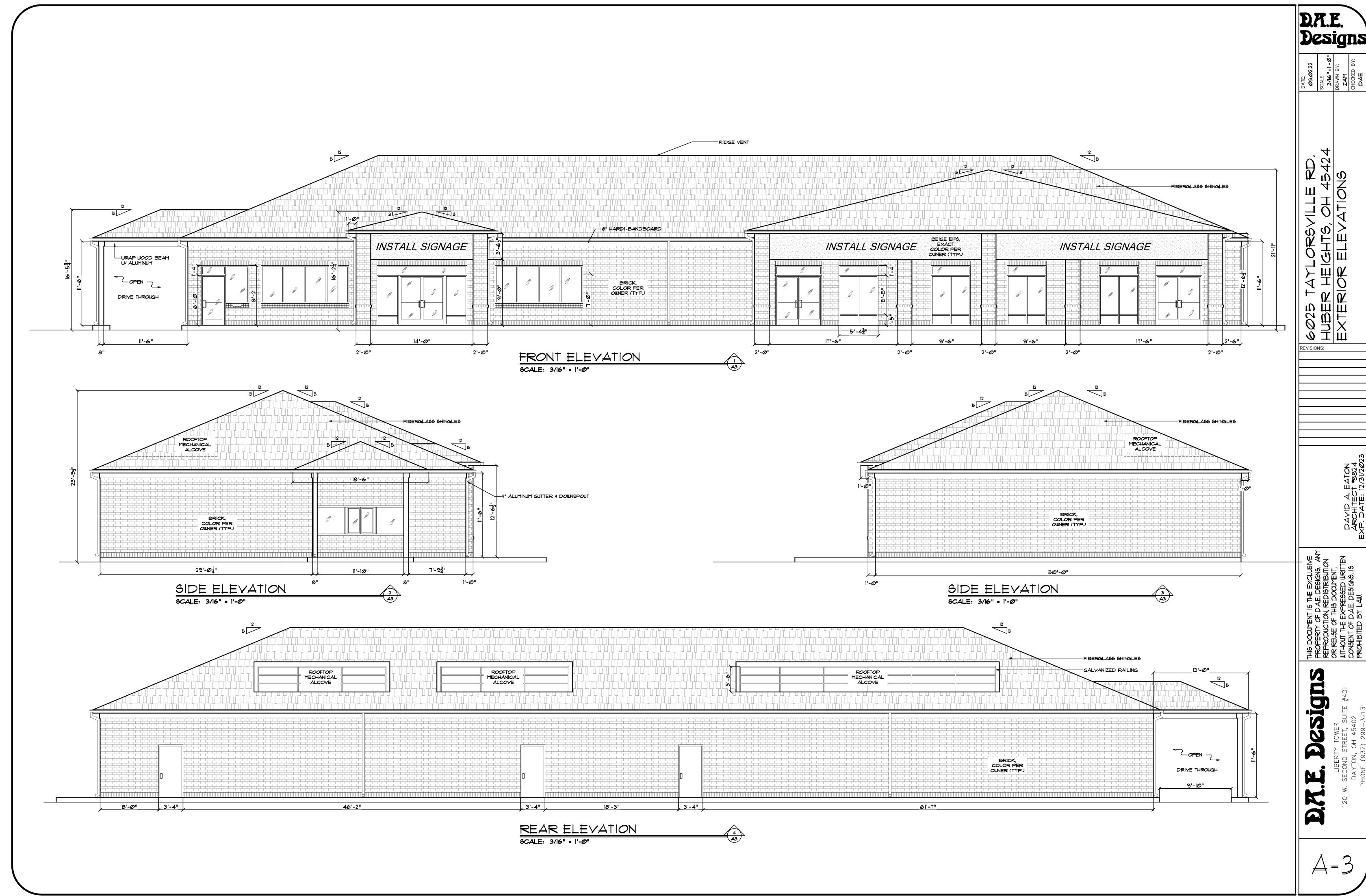
DAVID A. EATON ARCHITECT #8824 EXP DATE: 12/31/20023

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OND STREET, SUITE #401

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# Huber Heights Fire Division

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

Occupancy Nam	e:	Mini Mart							
Occupancy Addr	ess:	6025 Taylorsville Road							
Type of Permit:		HHP&D Site Plan							
Additional Permi	ts:	Choose an item.							
Additional Permi	ts:	Choose an item.							
MCBR BLD:	Not Ye	et Assigned	HH P&D:						
MCBR MEC:			HHFD Plan:	21-221/22-052					
MCBR ELE:			HHFD Box:	25					
REVIEWER:	Suson	g	DATE:	3/29/2022					

### <u>Fire Department Comments:</u>

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 for permit. The proposed development will need to meet the requirements of the Ohio Fire Code 2017, Ohio Building Code 2017 and the Huber Heights Codified Ordinance. Based on the drawings provided the following requirements need to be met.

### Requirements: (Site Plan)

- Proposed driveways are acceptable and appear to meet Ohio Fire Code requirements for turn radius.
- If 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)
- A permit shall be obtained for construction from Montgomery County Building Regulations.

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

Plans reviewed by the Huber Heights Fire Division are reviewed with the intent they comply in <u>ALL</u> respects to this code, as prescribed in <u>SECTION (D)</u> <u>104.1 of the 2017 Ohio Fire Code</u>. Any omissions or errors on the plans or in this review do not relieve the applicant of complying with <u>ALL</u> 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.

### Hoskins, Geralyn

From: Bergman, Russ

**Sent:** Friday, April 1, 2022 12:31 PM **To:** aaron.sorrell@cpi-planning.com

**Cc:** Hoskins, Geralyn

**Subject:** Taylorsville Road Commercial Site

Aaron,

The comments for the Taylorsville Road Commercial Site are as follows:

- Entrances to the site to be constructed according to the City's Commercial Drive Detail. The entrance from Taylorsville Road is to be 36' wide.
- Connect all building downspouts to catch basins
- The width of the drive lane behind the building to be approved by the Fire Department.
- Show the existing 10' easement on the property to the north (behind Right-of-Way) for water service.
- Sanitary service connection on property to the east (Hilltop Condominiums) requires a new easement.
- Provide stormwater detention calculations.
- Provide location and detail (City Standard) for the 2" water meter pit. The pit shall be located behind the sidewalk within the building lot (not inside the building).
- Maintain existing sidewalk across the drive approach areas until the new drive approach is constructed.
- Site to be reviewed and approved by the Fire Department.

Russ Bergman, P.E. City of Huber Heights City Engineer (937) 237-5816 rbergman@hhoh.org



City of Huber Heights, Montgomery County

Taylorsville Road

Retail Development

Traffic Impact Study

October 2021

W. Central Ohio/E. Indiana 440 E. Hoewisher Rd. Sidney, OH 45365 937.497.0200 Phone S. Ohio/N. Kentucky 8956 Glendale Milford Rd., Suite 1 Loveland, OH 45140 513.239.8554 Phone





### **Date**

October 29, 2021

### Attention

Parveen Wadhwa

### **Address**

2946 Idaho Falls Drive Beavercreek, Ohio 45431

### **Subject**

Traffic Impact Study Submittal
Taylorsville Road Retail Development TIS
MOT-HHE-2111

## Dear Mr. Wadhwa:

Enclosed is a Traffic Impact Study for the Taylorsville Road Retail Development. The results of the study indicate the following recommendations:

### Taylorsville Road & Proposed Drive

- Construct the proposed drive along Taylorsville Road approximately 250 feet east of Mount Hood.
- The eastbound two-way left-turn lane should remain.

### **Mount Hood & Proposed Drive**

• Construct the proposed drive along Mount Hood approximately 150 feet north of Taylorsville Road.

If you have any questions, feel free to contact our office.

Sincerely,

Michael K. Goettemoeller, P.E. PTOE

his K Lthan H

Project Manager

W. Central Ohio/E. Indiana 440 E. Hoewisher Rd.

Sidney, OH 45365 937.497.0200 Phone S. Ohio/N. Kentucky 8956 Glendale Milford Rd., Suite 1 Loveland, OH 45140 513.239.8554 Phone



# **Table of Contents**

Fraffic Impact Study	2
Analysis Snapshot	2
Existing Conditions	2
Existing Traffic Volumes	2
Proposed Access Points	2
Trip Generation	2
Directional Distribution	3
2022 Opening Year Build Traffic Volumes	3
Growth Rate	3
Capacity Analysis	3
Turn Lane Analysis	4
Recommendations	4
APPENDIX	6
APPENDIX A - Turning Movement Counts	7
APPENDIX B - Concept Plan	8
APPENDIX C - Build Traffic Volumes	9
APPENDIX D – Growth Rate	10
APPENDIX E – 2022 Opening Year Capacity Analysis	11
APPENDIX F – Turn Lane Analysis	12

# **Traffic Impact Study**

### **Analysis Snapshot**

Choice One Engineering Corporation (COEC) was retained by HRI Commercial Realty to analyze the traffic impact of a proposed retail development to be submitted to the City of Huber Heights. The retail development is proposed to be in the northeast quadrant of Taylorsville Road and Mount Hood in the City of Huber Heights, Montgomery County, Ohio. The proposed development is expected to consist of a 7,200 square foot shopping center. The purpose of this study is to identify the traffic-related impacts of the proposed development during typical weekday AM and PM Peak Hours. This study anticipates one access point along Taylorsville Road approximately 250 feet east of Mount Hood and one access point along Mount Hood approximately 150 feet north of Taylorsville Road.

This traffic impact study includes: Existing Conditions, Existing Traffic Volumes, Proposed Access Points, Trip Generation, Directional Distribution, 2022 Opening Year Build Traffic Volumes, Growth Rate, Capacity Analysis, Turn Lane Analysis, and Recommendations.

## **Existing Conditions**

Taylorsville Road is a three-lane roadway segment (1 eastbound lane, 1 westbound lane, and 1 two-way left-turn lane) and is classified as a "Major Collector" in ODOT's Functional Classification system. The speed limit on Taylorsville Road is 35 mph and has a 2019 ADT of 8,020 east of Mount Hood.

Mount Hood is a two-lane segment (1 northbound lane, 1 southbound lane) and is classified as a "Local Road" in ODOT's Functional Classification system. The speed limit on Mount Hood is 25 mph.

## **Existing Traffic Volumes**

Video turning movement counts were collected by Choice One Engineering From 6:00 AM to 7:00 PM Thursday, October 14, 2021 at the intersection of Taylorsville Road & Mount Hood. The 2021 existing traffic volumes are attached in <u>Appendix A</u>. The peak hours for the intersection of Taylorsville Road & Mount Hood were found to be from 8:45 to 9:45 AM and 3:15 to 4:15 PM.

## **Proposed Access Points**

The proposed site plan has two (2) proposed access points. One (1) full access drive along Taylorsville Road, that is approximately 250 feet east of the Taylorsville Road & Mount Hood intersection. The site also has one (1) full access drive along Mount Hood, that is approximately 150 feet north of the Taylorsville Road & Mount Hood intersection. The proposed site plan is attached in Appendix B.

### Trip Generation

Using the average trip-generation rates given in the *Institute of Transportation Engineers (ITE) Trip Generation Manual*, 10<sup>th</sup> Edition, the inbound and outbound trips for the proposed Retail Development were calculated. The proposed development is expected to consist of a 7,200 square foot shopping center.

Using the average trip-generation rates given in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10<sup>th</sup> Edition, the inbound and outbound trips for the proposed development were calculated. The site generated trips were estimated using 7,200 square feet of shopping center (Land Use Code 820). According to the ITE Trip Generation Manual, 10<sup>th</sup> Edition, the proposed development is estimated to generate 1,005 Vehicular Trips during a typical weekday, 155 Trips during the AM peak hour (96 inbound and 59 outbound) and 78 trips during the PM peak hour (37 inbound and 41 outbound). The forecasted generated trips are attached in Appendix C.

### **Directional Distribution**

COEC analyzed the existing traffic volumes at the intersection of Taylorsville Road & Mount Hood along with the roadway ADTs to formulate the directional distribution. The directional distributions are attached in Appendix C; a summary is below.

### **Directional Distribution**

Route	Approach/Departure Distribution
To/From the East on Taylorsville Road	50% / 50%
To/From the West on Taylorsville Road	50% / 50%
Total	100% / 100%

### 2022 Opening Year Build Traffic Volumes

The 2022 Opening Year Build Traffic Volumes were calculated from the Existing Traffic Volumes increased by an annual growth rate for one year and then adding the trips generated by the proposed development to each of the entering and exiting movements. The 2022 Opening Year Build Traffic Volumes are attached in Appendix C.

### **Growth Rate**

According to ODOT's Transportation Mapping System, Brandt Pike (SR 201) and Old Troy Pike (SR 202) have an annual linear growth rate of 0.0%. Therefore, no growth rates were used for this study and no design year scenario was analyzed.

## **Capacity Analysis**

Utilizing the 2022 Opening Year No-Build and Build Traffic Volumes, capacity calculations were performed for the studied intersections. The calculations employed procedures documented in the Highway Capacity Manual (Transportation Research Board, Sixth Edition, Updated 2016). The capacity of an intersection (signalized or un-signalized) can best be described by its corresponding Level of Service (LOS). The LOS of an intersection is a qualitative measure of the various attributes of an intersection. There are six LOS ranging from "ideal" free flow conditions at LOS "A," to forced or "breakdown" conditions at LOS "F." The LOS for un-signalized intersections is based upon total delay. Total delay is defined in the Highway Capacity Manual as the total elapsed time from when a vehicle stops at the end of the queue until the vehicle departs from the stop line; this time includes the time required for the vehicle to travel from the last-in-queue position to the first-in-queue position.

Capacity calculations were performed in Synchro 10 for the studied intersections analyzing the 2022 Opening Year No-Build and 2022 Opening Year Build Traffic Volumes. The tables below show a summary of the AM and PM Peak Hour Capacity Analysis. All approaches during the Opening Year 2022 No-Build/Build traffic scenarios operate at an acceptable level of service. The 2022 Opening Year Capacity Analysis is attached in Appendix E.

**Summary of Peak Hour Capacity Analysis** 

	AM Ped	ak Hour	PM Peak Hour							
Direction	2022 No-	2022	2022 No-	2022						
Direction	Build	Build	Build	Build						
1 – Taylorsvill	le Road & Mount Hood									
Eastbound Approach	A(1) A(1) A		A(2)	A(2)						
Westbound Approach	A(0)	A(0)	A(0)	A(0)						
Southbound Approach	B(13)	B(13)	C(16)	C(17)						
Total Intersection LOS (Delay)	A(3)	A(3)	A(3)	A(3)						
2 – Taylorsville Road & Proposed Drive										
Eastbound Approach	-	A(1)	-	A(1)						
Westbound Approach	-	A(0)	-	A(0)						
Southbound Approach	-	- B(14)		C(15)						
Total Intersection LOS (Delay)	-	A(1)	-	A(1)						
3 – Mount Hood & Proposed Drive										
Westbound Approach	-	B(10)	-	B(11)						
Northbound Approach	-	A(0)	-	A(0)						
Southbound Approach	-	A(0)	-	A(0)						
Total Intersection LOS (Delay)	-	A(1)	-	A(1)						

## **Turn Lane Analysis**

Turn Lane Analysis were completed for the free flow movements along Taylorsville Road at the Proposed Drive using the 2022 Opening Year Build Traffic Volumes. The proposed development is not expected to significantly increase turning traffic at the intersection of Taylorsville Road & Mount Hood so the warrants were not evaluated. Turn lane warrants were checked against the 2-Lane Highway Left (or Right) Turn Lane Warrants figures for a =<40 MPH roadway in the ODOT Access Management Manual.

Based on the analyses, an eastbound left turn lane is warranted for the Proposed Drive along Taylorsville Road. Choice One recommends that the eastbound two-way left-turn lane remain as is for eastbound left turners. The turn lane analyses are attached in Appendix F.

### Recommendations

Based on the results of the analysis, the following recommendations are made for the surrounding roadway network:

### Taylorsville Road & Proposed Drive

- Construct the proposed drive along Taylorsville Road approximately 250 feet east of Mount Hood.
- The eastbound two-way left-turn lane should remain.

### **Mount Hood & Proposed Drive**

• Construct the proposed drive along Mount Hood approximately 150 feet north of Taylorsville Road.

The following included attachments detail the findings of Choice One:

- A. <u>Turning Movement Counts</u>
- B. Concept Plan
- C. Build Traffic VolumesD. Growth Rate Correspondence
- E. 2022 Opening Year Capacity Analysis
- F. <u>Turn Lane Analysis</u>

# **APPENDIX**

# **APPENDIX A - Turning Movement Counts**

Study Name Taylorsville Road & Mount Hood
Start Date Thursday, October 14, 2021 6:00 AM
End Date Thursday, October 14, 2021 7:00 PM
Site Code

## **Report Summary**

Southbound					nd Westbound						Eastbound			
Time Period	Class.	R	L	ı	0	R	T		0	Т	L	I	0	Total
Peak 1	Lights	65	67	132	95	49	326	375	297	230	46	276	391	783
Specified Period	%	100%	99%	99%	98%	96%	97%	97%	94%	93%	100%	94%	97%	96%
6:00 AM - 12:00 PM	Other Vehicles	0	1	1	2	2	11	13	19	18	0	18	11	32
One Hour Peak	%	0%	1%	1%	2%	4%	3%	3%	6%	7%	0%	6%	3%	4%
8:45 AM - 9:45 AM	Total	65	68	133	97	51	337	388	316	248	46	294	402	815
	PHF	0.9	0.57	0.69	0.81	0.71	0.84	0.82	0.82	0.94	0.77	0.95	0.86	0.87
	Approach %			16%	12%			48%	39%			36%	49%	
Peak 2	Lights	77	57	135	206	82	451	533	491	434	123	557	528	1225
Specified Period	%	95%	97%	96%	97%	93%	98%	97%	97%	97%	100%	97%	97%	97%
12:00 PM - 7:00 PM	Other Vehicles	4	2	6	6	6	10	16	17	15	0	15	14	37
One Hour Peak	%	5%	3%	4%	3%	7%	2%	3%	3%	3%	0%	3%	3%	3%
3:15 PM - 4:15 PM	Total	81	59	141	212	88	461	549	508	449	123	572	542	1262
	PHF	0.75	0.74	0.8	0.88	0.65	0.84	0.85	0.91	0.94	0.88	0.94	0.89	0.96
	Approach %			11%	17%			44%	40%			45%	43%	

# APPENDIX B - Concept Plan



**EXISTING ZONING: R-4 RESIDENTIAL** PROPOSED ZONING: B-1 WITH VARIANCES OR PUD

# **B-1 ZONING REQUIREMENTS**

# Setbacks:

Front: 75' building and 25' parking setback when across the street from and 'R' district.

Side: 50' building setback when adjoining an 'R' district.
15' landscape buffer

Rear: 40' with landscaped buffer when adjoining an 'R' district

1 space per 200 sq. ft. for first 2,000 sq. ft. then 1 space for every 250 sq. ft

Required: 31 spaces / 2 handicap spaces
Provided: 31 spaces / 2 handicap spaces

# Screening:

6' tall screening required along side and rear yards abutting a residential district

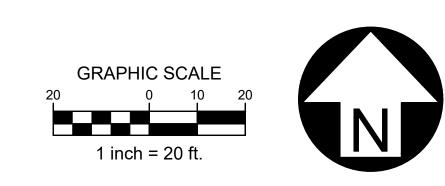


Draw: AFD Dwg: 21.285.dwg Check: KZ Tab: C2.0-SP Scale: 1" = 20'

09.30.2021

REZONING SITE PLAN

7,200 SF BUILDING





# **APPENDIX C - Build Traffic Volumes**

### RETAIL DEVELOPMENT

CITY OF HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO

# **Proposed Trips**

					Weel	kday			AM P	eak Hour			PM Pea	ak Hour	
Land Use Description	ITE Code	Size	Unit	Total Trips	P	rimary Trip	os	Total	F	rimary Trip	os	Total	Pr	rimary Trip	s
				Total Hips	Total	Entering	Exiting	Trips	Total	Entering	Exiting	Trips	Total	Entering	Exiting
Shopping Center	820	7,200	Dwelling Units	1,005	1,005	502	503	155	155	96	59	78	78	37	41
1	Directional Dis	stributions				50%	50%			62%	38%			48%	52%
	Total	s		1,005	1,005	502	503	155	155	96	59	78	78	37	41

#### TRIP ASSIGNMENT ROUTINGS

		TRIP ROU O-D	ROUTE	AFFECTED MOVEMENTS BY	AM	РМ
ORIGIN	DESTINATION	PERCENT	SPLIT	TRIPS	TRIPS	TRIPS
Entering Trips						
Taylorsville Road (East)	2	50%	100%	2WBR	48	19
Taylorsville Road (West)	2	50%	100%	1EBT 2EBL	48	19
TOTAL ENTER	NG TRIPS				<b>&gt;</b> 96	38
Exiting Trips						
2	Taylorsville Road (East)	50%	100%	2SBL	30	20
2 3	Taylorsville Road (West)	50%	50%	2SBR 1WBT	15	10
3	Taylorsville Road (West)	50%	50%	3WBL 1SBR	15	10
TOTAL EXITIN	IG TRIPS				<b>→</b> 60	40
<u> </u>	<u> </u>					

Intersection Legend
1-Taylorsville Road & Mount Hood
2-Taylorsville Road & Proposed Drive
3-Mount Hood & Proposed Drive

# TRAFFIC PROJECTIONS - AM PEAK HOUR

Int.#	Movement		2021	2022	Tı	rips	2022	2032	2032
		Annual Growth Rate	Existing Counts	Opening Year No-Build Volumes	Primary Trips IN	Primary Trips OUT	Opening Year Build Volumes	Design Year No-Build Volumes	Design Year Build Volumes
1	EBL	0.00%	46	46			46	46	46
1	EBT	0.00%	248	248	48		296	248	296
1	WBT	0.00%	337	337		15	352	337	352
1	WBR	0.00%	51	51			51	51	51
1	SBL	0.00%	68	68			68	68	68
1	SBR	0.00%	65	65		15	80	65	80
2	EBL	0.00%	0	0	48		48	0	48
2	EBT	0.00%	316	316			316	316	316
2	WBT	0.00%	388	388			388	388	388
2	WBR	0.00%	0	0	48		48	0	48
2	SBL	0.00%	0	0		30	30	0	30
2	SBR	0.00%	0	0		15	15	0	15
3	WBL	0.00%	0	0		15	15	0	15
3	WBR	0.00%	0	0			0	0	0
3	NBT	0.00%	97	97			97	97	97
3	NBR	0.00%	0	0			0	0	0
3	SBL	0.00%	0	0			0	0	0
3	SBT	0.00%	133	133			133	133	133

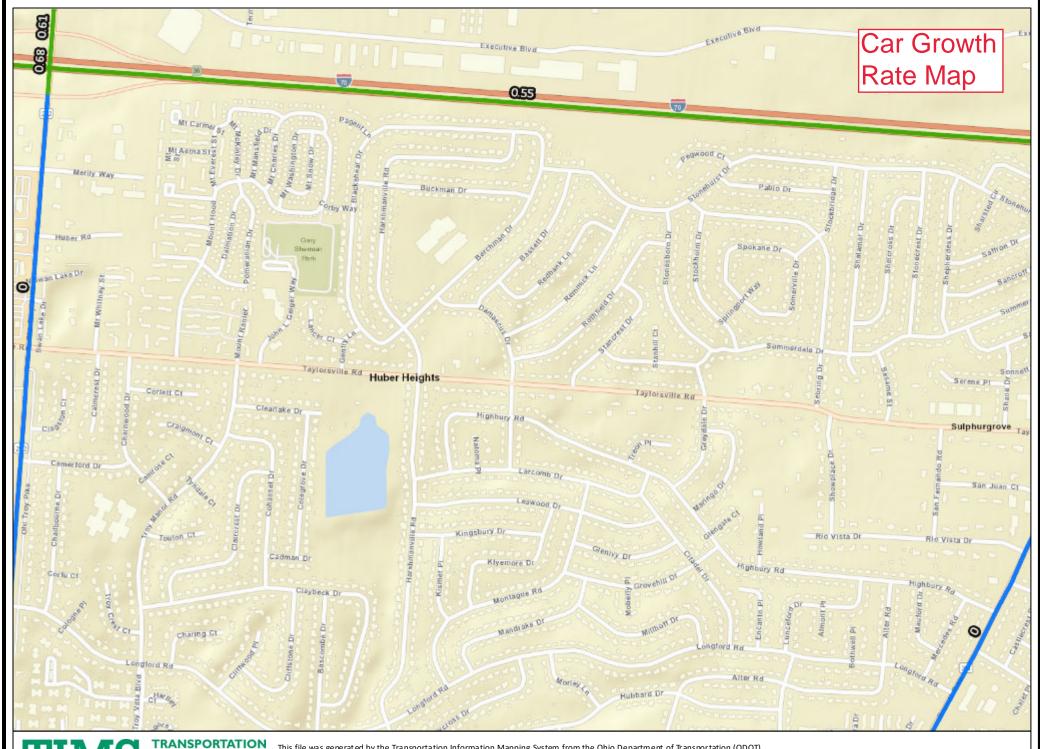
Intersection Legend
1-Taylorsville Road & Mount Hood
2-Taylorsville Road & Proposed Drive
3-Mount Hood & Proposed Drive

# TRAFFIC PROJECTIONS - PM PEAK HOUR

Int.#	Movement		2021	2022	Tı	rips	2022	2032	2032
		Annual Growth Rate	Existing Counts	Opening Year No-Build Volumes	Primary Trips IN	Primary Trips OUT	Opening Year Build Volumes	Design Year No-Build Volumes	Design Year Build Volumes
1	EBL	0.00%	123	123			123	123	123
1	EBT	0.00%	449	449	19		468	449	468
1	WBT	0.00%	461	461		10	471	461	471
1	WBR	0.00%	88	88			88	88	88
1	SBL	0.00%	59	59			59	59	59
1	SBR	0.00%	81	81		10	91	81	91
2	EBL	0.00%	0	0	19		19	0	19
2	EBT	0.00%	508	508			508	508	508
2	WBT	0.00%	549	549			549	549	549
2	WBR	0.00%	0	0	19		19	0	19
2	SBL	0.00%	0	0		20	20	0	20
2	SBR	0.00%	0	0		10	10	0	10
3	WBL	0.00%	0	0		10	10	0	10
3	WBR	0.00%	0	0			0	0	0
3	NBT	0.00%	211	211			211	211	211
3	NBR	0.00%	0	0			0	0	0
3	SBL	0.00%	0	0			0	0	0
3	SBT	0.00%	140	140			140	140	140

Intersection Legend
1-Taylorsville Road & Mount Hood
2-Taylorsville Road & Proposed Drive
3-Mount Hood & Proposed Drive

# **APPENDIX D – Growth Rate**



TIMS TRANSPORTATION INFORMATION MAPPING SYSTEM

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Date: 10/29/2021

# APPENDIX E – 2022 Opening Year Capacity Analysis

Intersection							
Int Delay, s/veh	2.5						
		CDT	MPT	WEE	ODI	ODD	
Movement	EBL	EBT	WBT	WBR	SBL	SBR	
Lane Configurations	<u>ነ</u>	<b>↑</b>	<b>}</b>	- 4	<b>\</b>	7	
Traffic Vol, veh/h	46	248	337	51	68	65 65	
Future Vol, veh/h	46	248	337	51	68	65	
Conflicting Peds, #/hr	0	0	0	0	0	0	
Sign Control RT Channelized	Free -	Free None	Free	Free None	Stop -	Stop None	
Storage Length	100	None -	-	None -	0	75	
Veh in Median Storage		0	0	-	0	-	
Grade, %		0	0	-	0	-	
Peak Hour Factor	92	92	92	92	92	92	
Heavy Vehicles, %	2	2	2	2	2	92	
Mvmt Flow	50	270	366	55	74	71	
IVIVIIIL FIUW	50	210	300	55	14	7.1	
	Major1	N	//ajor2	ı	Minor2		
Conflicting Flow All	421	0	-	0	764	394	
Stage 1	-	-	-	-	394	-	
Stage 2	-	-	-	-	370	-	
Critical Hdwy	4.12		-	-	6.42	6.22	
Critical Hdwy Stg 1	-	-	-	-	5.42	-	
Critical Hdwy Stg 2	-	-	-	-	5.42	-	
Follow-up Hdwy	2.218	-	-	-	3.518		
Pot Cap-1 Maneuver	1138	-	-	-	372	655	
Stage 1	-	-	-	-	681	-	
Stage 2	-	-	-	-	699	-	
Platoon blocked, %		-	-	-			
Mov Cap-1 Maneuver	1138	-	-	-	356	655	
Mov Cap-2 Maneuver	-	-	-	-	470	-	
Stage 1	-	-	-	-	651	-	
Stage 2	-	-	-	-	699	-	
Approach	EB		WB		SB		
HCM Control Delay, s	1.3		0		12.7		
HCM LOS	1.3		U		12.7 B		
TIOWI LOO					D		
Minor Lane/Major Mvm	nt	EBL	EBT	WBT	WBR :	SBLn1 S	BLn2
Capacity (veh/h)		1138	-	-	-	470	655
HCM Lane V/C Ratio		0.044	-	-	-	0.157	
HCM Control Delay (s)		8.3	-	-	-	14.1	11.2
HCM Lane LOS		Α	-	-	-	В	В
HCM 95th %tile Q(veh)	)	0.1	-	-	-	0.6	0.4

Intersection							
Int Delay, s/veh	2.6						
		ERT	MPT	WEE	ODI	ODB	
Movement	EBL	EBT	WBT	WBR	SBL	SBR	
Lane Configurations	<b>\</b>	<b>†</b>	<b>\$</b>	-,	<b>\</b>	7	
Traffic Vol, veh/h	46	296	352	51	68	80	
Future Vol, veh/h	46	296	352	51	68	80	
Conflicting Peds, #/hr	0	0	0	0	0	0	
Sign Control	Free	Free	Free	Free	Stop	Stop	
RT Channelized	100	None	-	None	-	None	
Storage Length	100	-	-	-	0	75	
Veh in Median Storage		0	0	-	0	-	
Grade, %	-	0	0	-	0	-	
Peak Hour Factor	92	92	92	92	92	92	
Heavy Vehicles, %	2	2	202	2	2 74	2	
Mvmt Flow	50	322	383	55	74	87	
Major/Minor	Major1	N	//ajor2		Minor2		
Conflicting Flow All	438	0		0	833	411	
Stage 1	-	-	-	-	411	-	
Stage 2	-	-	-	-	422	-	
Critical Hdwy	4.12	-	-	-	6.42	6.22	
Critical Hdwy Stg 1	-	-	-	-	5.42	-	
Critical Hdwy Stg 2	-	-	-	-	5.42	-	
Follow-up Hdwy	2.218	-	-	-	3.518	3.318	
Pot Cap-1 Maneuver	1122	-	-	-	339	641	
Stage 1	-	-	-	-	669	-	
Stage 2	-	-	-	-	662	-	
Platoon blocked, %		-	-	-			
Mov Cap-1 Maneuver	1122	-	-	-	324	641	
Mov Cap-2 Maneuver	-	-	-	-	445	-	
Stage 1	-	-	-	-	639	-	
Stage 2	-	-	-	-	662	-	
Approach	EB		WB		SB		
HCM LOS	1.1		0		13		
HCM LOS					В		
Minor Lane/Major Mvn	nt	EBL	EBT	WBT	WBR	SBLn1	BLn2
Capacity (veh/h)		1122	-	-	-	445	641
HCM Lane V/C Ratio		0.045	-	-	-	0.166	
HCM Control Delay (s)		8.4	-	-	-	14.7	11.5
HCM Lane LOS		Α	-	-	-	В	В
HCM 95th %tile Q(veh	)	0.1	-	-	-	0.6	0.5
77	,						

Intersection						
Int Delay, s/veh	1.2					
		CDT	MOT	MDD	ODI	000
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations	<b>\</b>	<b>↑</b>	4	40	¥	4 =
Traffic Vol, veh/h	48	316	388	48	30	15
Future Vol, veh/h	48	316	388	48	30	15
Conflicting Peds, #/hr	_ 0	_ 0	_ 0	_ 0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	100	-	-	-	0	-
Veh in Median Storage,	,# -	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	52	343	422	52	33	16
Major/Minor N	/lajor1	N	Major2		Minor2	
						440
Conflicting Flow All	474	0	-	0	895	448
Stage 1	-	-	-	-	448	-
Stage 2	-	-	-	-	447	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
' '	2.218	-	-	-		
Pot Cap-1 Maneuver	1088	-	-	-	311	611
Stage 1	-	-	-	-	644	-
Stage 2	-	-	-	-	644	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1088	-	-	-	296	611
Mov Cap-2 Maneuver	-	-	-	-	422	-
Stage 1	-	-	-	-	613	-
Stage 2	-	-	-	-	644	-
ŭ						
A	ED		WD		OD.	
Approach	EB		WB		SB	
HCM Control Delay, s	1.1		0		13.5	
HCM LOS					В	
Minor Lane/Major Mvmt	t	EBL	EBT	WBT	WBR S	SBLn1
Capacity (veh/h)		1088		-	-	
HCM Lane V/C Ratio		0.048		_		0.104
			_	_		
		~ ~				
HCM Control Delay (s)		8.5 <sub>A</sub>	-			
		0.5 A 0.2	-	- -	- -	B 0.3

Intersection						
Int Delay, s/veh	0.6					
		WED	NDT	NDD	CDI	CDT
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y	^	<b>1</b>	•	•	4
Traffic Vol, veh/h	15	0	97	0	0	133
Future Vol, veh/h	15	0	97	0	0	133
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage	e, # 0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	16	0	105	0	0	145
Main = (Min = )	\ d! 4		1-1-4		M-1. C	
	Minor1		//ajor1		Major2	
Conflicting Flow All	250	105	0	0	105	0
Stage 1	105	-	-	-	-	-
Stage 2	145	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	739	949	-	-	1486	-
Stage 1	919	-	-	-	-	-
Stage 2	882	-	-	-	-	-
Platoon blocked, %			-	_		-
Mov Cap-1 Maneuver	739	949	_	_	1486	_
Mov Cap-2 Maneuver	739	-	_	_	00	_
Stage 1	919	_	_	_	_	_
Stage 2	882	_			_	_
Staye 2	002	<u>-</u>	-	-	<u>-</u>	-
Approach	WB		NB		SB	
HCM Control Delay, s	10		0		0	
HCM LOS	В					
N.C. 1 (0.4.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.		NET	NID D	MDL 4	051	057
Minor Lane/Major Mvm	it .	NBT	NRKA	VBLn1	SBL	SBT
Capacity (veh/h)		-	-		1486	-
HCM Lane V/C Ratio		-	-	0.022	-	-
HCM Control Delay (s)		-	-	. •	0	-
HCM Lane LOS		-	-	В	Α	-
HCM 95th %tile Q(veh)	)	-	-	0.1	0	-

Intersection							
Int Delay, s/veh	2.7						
Movement	EBL	EBT	WBT	WBR	SBL	SBR	
	FDL Š			WDK			
Lane Configurations Traffic Vol, veh/h	123	<b>↑</b> 449	<b>1</b> → 461	88	<b>5</b> 9	<b>7</b> 81	
Future Vol, veh/h	123	449	461	88	59	81	
Conflicting Peds, #/hr	0	0	0	00	0	0	
Sign Control	Free	Free	Free	Free	Stop	Stop	
RT Channelized	-	None	-	None	- Olop	None	
Storage Length	100	-	_	-	0	75	
Veh in Median Storage		0	0	-	0	-	
Grade, %	-	0	0	_	0	-	
Peak Hour Factor	92	92	92	92	92	92	
Heavy Vehicles, %	2	2	2	2	2	2	
Mvmt Flow	134	488	501	96	64	88	
NA - ' /NA'	\		4		\d'		
	Major1		Major2		Minor2	= 1.0	
Conflicting Flow All	597	0	-	0	1305	549	
Stage 1	-	-	-	-	549	-	
Stage 2	- 4.40	-	-	-	756	-	
Critical Hdwy	4.12	-	-	-	6.42	6.22	
Critical Hdwy Stg 1	-	-	-	-	5.42	-	
Critical Hdwy Stg 2	-	-	-	-	5.42	2 240	
Follow-up Hdwy	2.218	-	-	-		3.318	
Pot Cap-1 Maneuver	980	-	-	-	177	535	
Stage 1	-	-	-	-	579	-	
Stage 2 Platoon blocked, %	-	-		-	464	-	
Mov Cap-1 Maneuver	980	-	_	-	153	535	
Mov Cap-1 Maneuver		-	-	-	289	ე <u>ა</u> ე	
Stage 1	-	-	_	-	500	-	
•	-	-	-	-	464	-	
Stage 2	-	-	-	-	404	-	
Approach	EB		WB		SB		
HCM Control Delay, s	2		0		16.4		
HCM LOS					С		
Minor Lane/Major Mvm	nt	EBL	EBT	WBT	WRR :	SBLn1 S	SBI n2
Capacity (veh/h)		980	-	-	-	289	535
HCM Lane V/C Ratio		0.136	<u>-</u>			0.222	
HCM Control Delay (s)		9.3	_	_		21	13.1
HCM Lane LOS		Α.	_	_	<u>-</u>	C	В
HCM 95th %tile Q(veh	)	0.5	_	_	_	0.8	0.6
TOW JOHN JOHN WING WING		0.0				0.0	0.0

Intersection							
Int Delay, s/veh	2.8						
•		EDT	WDT	WDD	CDI	CDD	
Movement	EBL	EBT	WBT	WBR	SBL	SBR	
Lane Configurations	<b>ነ</b>	100	<b>}</b>	00		7	
Traffic Vol, veh/h	123	468	471	88	59	91	
Future Vol, veh/h	123	468	471	88	59	91	
Conflicting Peds, #/hr	_ 0	_ 0	0	0	0	0	
Sign Control	Free	Free	Free	Free	Stop	Stop	
RT Channelized	-	None	-	None	-	None	
Storage Length	100	-	-	-	0	75	
Veh in Median Storage	,# -	0	0	-	0	-	
Grade, %	-	0	0	-	0	-	
Peak Hour Factor	92	92	92	92	92	92	
Heavy Vehicles, %	2	2	2	2	2	2	
Mvmt Flow	134	509	512	96	64	99	
Major/Minor	1-11		Ania TO		Min s =0		
	//ajor1		Major2		Minor2		
Conflicting Flow All	608	0	-	0	1337	560	
Stage 1	-	-	-	-	560	-	
Stage 2	-	-	-	-	777	-	
Critical Hdwy	4.12	-	-	-	6.42	6.22	
Critical Hdwy Stg 1	-	-	-	-	5.42	-	
Critical Hdwy Stg 2	-	-	-	-	5.42	-	
	2.218	-	-	-	3.518	3.318	
Pot Cap-1 Maneuver	970	-	-	-	169	528	
Stage 1	-	-	-	-	572	-	
Stage 2	_	-	_	_	453	-	
Platoon blocked, %		_	_	_			
Mov Cap-1 Maneuver	970	_	_	_	146	528	
Mov Cap-1 Maneuver	-	_	_	_	282	-	
Stage 1	_		-	_	493		
	_	_	_		453	_	
Stage 2	-		-	-	400	_	
Approach	EB		WB		SB		
HCM Control Delay, s	1.9		0		16.6		
HCM LOS					С		
Minor Lane/Major Mvm	t	EBL	EBT	WBT	WBR :	SBLn1 S	
Capacity (veh/h)		970				282	
HCM Lane V/C Ratio		0.138	_	_		0.227	1
HCM Control Delay (s)		9.3				21.5	
HCM Lane LOS			-	-	-		
HCM Lane LOS HCM 95th %tile Q(veh)		A 0.5	-	-	-	С	
HUIVI YATA WILLE ()(VAN)		U.S	-	-	-	0.9	

Intersection						
Int Delay, s/veh	0.6					
		EST	MOT	14/55	051	000
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations	• ኝ	<b>↑</b>	ĵ.		Y	
Traffic Vol, veh/h	19	508	549	19	20	10
Future Vol, veh/h	19	508	549	19	20	10
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	100	-	-	-	0	-
Veh in Median Storage,	,# -	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	21	552	597	21	22	11
Major/Minor N	/lajor1		Major2		Minor2	
						000
Conflicting Flow All	618	0	-		1202	608
Stage 1	-	-	-	-	608	-
Stage 2	-	-	-	-	594	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
	2.218	-	-	-	3.518	
Pot Cap-1 Maneuver	962	-	-	-	204	496
Stage 1	-	-	-	-	543	-
Stage 2	-	-	-	-	552	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	962	-	-	-	200	496
Mov Cap-2 Maneuver	-	-	-	-	338	-
Stage 1	-	-	-	-	531	-
Stage 2	-	-	-	-	552	-
, and the second						
Anneach	ED		WD		CD	
Approach	EB		WB		SB	
HCM Control Delay, s	0.3		0		15.4	
HCM LOS					С	
Minor Lane/Major Mvm	t	EBL	EBT	WBT	WBR :	SBLn1
Capacity (veh/h)		962		_	_	378
HCM Lane V/C Ratio		0.021	_	_	<u>_</u>	0.086
HCM Control Delay (s)		8.8	_	_	_	15.4
HCM Lane LOS		Α	_	_	_	C
HCM 95th %tile Q(veh)		0.1	<u>-</u>	-	<u>-</u>	0.3
HOW Sour Male Q(Veri)		0.1		_	_	0.5

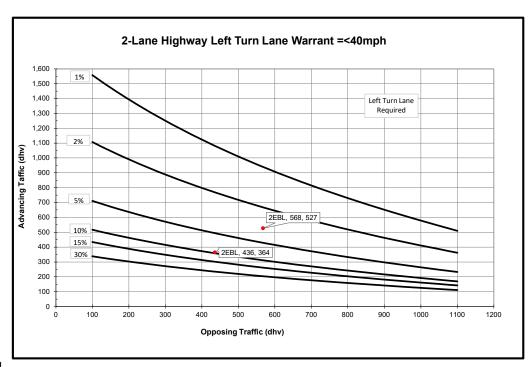
Intersection						
Int Delay, s/veh	0.3					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	¥#		ĵ.			4
Traffic Vol, veh/h	10	0	211	0	0	140
Future Vol, veh/h	10	0	211	0	0	140
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	_	-
Veh in Median Storage		_	0	_	-	0
Grade, %	0	_	0	_	_	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mymt Flow	11	0	229	0	0	152
WWITCHIOW		U	LLU	U	U	102
	Minor1		Major1		Major2	
Conflicting Flow All	381	229	0	0	229	0
Stage 1	229	-	-	-	-	-
Stage 2	152	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	621	810	-	-	1339	-
Stage 1	809	-	-	-	-	-
Stage 2	876	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	621	810	-	-	1339	-
Mov Cap-2 Maneuver	621	-	-	-	-	-
Stage 1	809	-	-	-	_	_
Stage 2	876	_	_	_	_	_
J	5, 0					
Approach	WB		NB		SB	
HCM Control Delay, s	10.9		0		0	
HCM LOS	В					
Minor Lane/Major Mvm	t	NBT	NRRV	VBLn1	SBL	SBT
		NOT	- INDIX	621	1339	
Capacity (veh/h) HCM Lane V/C Ratio		-		0.018		-
HCM Control Delay (s)		-	-	10.9	0	-
HCM Lane LOS			-	10.9 B	A	-
HCM 95th %tile Q(veh)		-		0.1	0	-

# **APPENDIX F – Turn Lane Analysis**

Left Turn Lane Warrant	
Opening Year Build Volumes	

PM Peak Hour					
Intersection	Left Turning Vol	Advancing Vol	Opposing Vol	Left Turn %	
2EBL	19	527	568	4%	

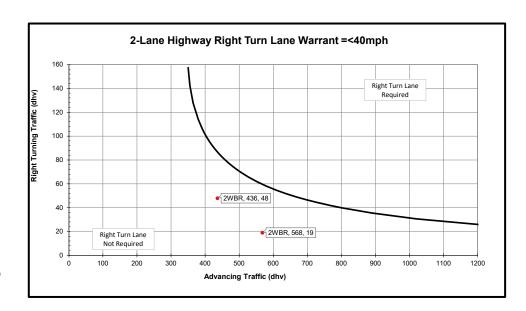
AM Peak Hour					
Intersection	Left Turning Vol	Advancing Vol	Opposing Vol	Left Turn %	
2FBL	48	364	436	13%	



Intersection Legend
1-Taylorsville Road & Mount Hood
2-Taylorsville Road & Proposed Drive
3-Mount Hood & Proposed Drive

Right Turn Lane Warrant					
Opening Year Build Volumes					
PM Peak Hour					
Intersection Right Turning Vol Advancing Vol					
2WBR	19	568			

AM Peak Hour							
Intersection	Right Turning Vol	Advancing Vol					
2WBR	48	436					



Intersection Legend
1-Taylorsville Road & Mount Hood
2-Taylorsville Road & Proposed Drive
3-Mount Hood & Proposed Drive

#### **Turn Lane Lengths**

Movement	Scenario	Turning Vol. (AM)	Turning Vol. (PM)	Cycles/ Hour	Veh/Cycle (AM)	Veh/Cycle (PM)	Avg. Veh/Hour	Storage Length (ft.)	Condition "A"	Existing Length (ft.)	Recommended Length
2EBL	2031 Build	19	48	60	0.317	0.800	0.8	50	100	TWLTL	No Change

# Memorandum

Staff Report for Meeting of April 12, 2022

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, Interim City Planner

Community Planning Insights

Date: April 6, 2022

Subject: MJC 22-14 Major Change to Basic Development Plan and Approval of

Detailed Development Plan at 6025 Taylorsville Rd.

Application dated March 16, 2022

# Department of Planning and Zoning City of Huber Heights

**APPLICANT/OWNER:** Parveen Wadhwa – Applicant & Owner

**DEVELOPMENT NAME:** 

ADDRESS/LOCATION: 6025 Taylorsville Road

**ZONING/ACREAGE:** Planned Commercial / 1.46 acres

**EXISTING LAND USE:** Vacant

ZONING

**ADJACENT LAND:** R-4 / R-6

**REQUEST:** The applicant requests a major change to a basic

development plan and approval of a detailed

development plan for a 7,200 SF retail / commercial

building with drive-through

ORIGINAL APPROVAL: ZC 21-42: November 9, 2021

**APPLICABLE HHCC:** Chapter 1171, 1176

**CORRESPONDENCE:** In Favor – None Received

In Opposition – None Received

### STAFF ANALYSIS AND RECOMMENDATION:

# <u>Overview</u>

On November 9, 20 21 the Planning Commission approved a rezoning and basic development plan for a 7,200 square foot multi-tenant building housing a convenience store and laundromat. The applicant is requesting a major change to the detailed development plan to add a service bay and increase the size of the building to 7,680 square feet.

# Applicable Zoning Regulations (Only relevant sections are cited below)

#### 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.

#### 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.

# **Conformance with Zoning Regulations**

# **Basic Development Plan Requirements:**

The Planning Commission approved the basic development plan with the following development standards:

# Setbacks:

Front: 75' building and 25' parking setback

Side: 50' building setback when adjoining an 'R' district

15' landscaping buffer

Rear: 32' building setback and 19' landscape buffer

# Parking:

1 space for 200 sq. ft. for the first 2,000 sq ft. then 1 space for every 250 sq. ft.

Required: 31 spaces / 2 handicap spaces Provided: 31 spaces / 2 handicap spaces

# Screening:

6' tall screening alongside and rear yards abutting a residential district.

### **Detailed Development Plan Proposal:**

The detailed development plan proposal meets all of the basic development plan standards approved by the planning commission. Additionally, the detailed development plan generally meets or exceeds the following zoning requirements:

#### 1181 General Provisions:

**Street Trees:** The detailed development plan exceeds the one tree per 40 feet of frontage requirement. Trees are spaced approximately every 30 feet.

**Utility Screening:** All utilities and service structures are appropriately screened per the zoning code.

**Lighting Standards:** The lighting plan indicates light fixtures are to be mounted approximately 23 feet high (25 feet is the maximum permitted). Light trespass does not exceed the 0.5 footcandle maximum at the property lines abutting the residential areas.

**Commercial Building Design Standards:** While not technically required in the Planned Commercial District, the building is clad in all brick, with the exception of doors, windows and sign areas.

# 1182 Landscaping and Screening:

The site plan and lot coverage is consistent with the basic development plan approved by Planning Commission. Screening is provided through a significant amount of dense evergreen plantings along the side and rear yards abutting the residential areas.

Additionally, the detailed development plan meets all parking lot landscaping requirements outlined in 1182.04.

# 1185 Parking and Loading:

The detailed development plan illustrates the 31 spaces required in the basic development plan. Additionally, all spaces are designed appropriately.

# 1189 Signage:

The detailed development plan indicates a signage plan will be submitted separately. Therefore, staff recommends that conformance with Chapter 1189 be a condition of approval of the major change to the basic development plan and the detailed development plan.

# **Standards for Approval**

# 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.

#### 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.

# **Staff Analysis**

The applicant seeks a major change to the basic development plan to broaden the approved uses to commercial, retail and office uses. Staff feels the broader spectrum of permitted uses (retail, commercial, office) are appropriate for the building design that was approved by through the rezoning and basic development plan review process.

Additionally, the applicant is requesting approval of the detailed development plan. The detailed development plan meets all requirements outlined in the basic development plan. Additionally, the detailed development plan meets or exceeds all other relevant sections of the zoning code.

#### **Additional Comments:**

Fire: See Attached.

# **City Engineer:**

- Entrances to the site to be constructed according to the City's Commercial Drive Detail. The entrance from Taylorsville Road is to be 36' wide.
- Connect all building downspouts to catch basins
- Show the existing 10' easement on the property to the north (behind Right-of-Way) for water service.
- Sanitary service connection on property to the east (Hilltop Condominiums) requires a new easement.
- Provide location and detail (City Standard) for the 2" water meter pit. The pit shall be located behind the sidewalk within the building lot (not inside the building).
- Maintain existing sidewalk across the drive approach areas until the new drive approach is constructed.

# **Recommendation**

Staff feels the general standards for approval are met and recommends approval of the major change basic development plan and approval of the detailed development plan subject to review and approval of the City Engineer.

### **Planning Commission Action**

The planning commission may approve, approve with conditions or deny the major change to the basic development plan.

The planning commission may approve or deny the detailed development plan.



# Planning Commission Decision Record

WHEREAS, on March 16, 2022, the applicant, Parveen Wadhwa, requested approval of a Major Change to the Basic Development Plan and approval of a Detailed Development Plan for a 7,200 square foot retail/commercial building at property located at 6025 Taylorsville Road, Parcel Number P70-04005-0006 of the Montgomery County, Ohio Records (Case MJC 22-14); and

WHEREAS, on April 12, 2022, 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.

Ms. Thomas moved to recommend approval of the request by the applicant, Parveen Wadhwa, for the approval of a Major Change to the Basic Development Plan and approval of a Detailed Development Plan for a 7,200 square foot retail/commercial building at property located at 6025 Taylorsville Road, Parcel Number P70-04005-0006 of the Montgomery County, Ohio Records (Case MJC DDP 22-14) in accordance with the recommendation of Staff's Memorandum dated April 6, 2022, with the following conditions:

- 1. Permitted uses include; retail, office, commercial and personal service establishments.
- 2. Sweepstakes Cafés shall be prohibited.
- 3. Hours of operation for all uses shall be limited to 5am midnight.
- 4. Applicant shall comply with all Engineering requirements.

MJC 22-14 – Decision Record	
•	showed: YEAS: Ms. Vargo, Mr. Jeffries, Ms. None. Motion to recommend approval carried
Terry Walton, Chair Planning Commission	Date

# Planning Commission April 12, 2022, 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. Thomas, Ms. Vargo and Mr. Walton.

Members absent: Ms. Opp.

Staff Present: Aaron K. Sorrell, Interim City Planner, and Geri Hoskins, Planning & Zoning Administrative Secretary.

#### III. Opening Remarks by the Chairman and Commissioners

#### IV. Citizens Comments

None.

#### V. Swearing of Witnesses

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

#### VI. Pending Business

None.

#### VII. New Business

 REZONING AND BASIC DEVELOPMENT PLAN - The applicant, HARTMAN I, LLC, is requesting approval of a Rezoning to Planned Office (PO) and a Basic Development Plan for property located at 7611 Old Troy Pike for a new Medical Facility. (RZ BDP 22-13).

Mr. Sorrell stated that the applicant requests approval of a basic development plan and rezoning from Planned Commercial to Planned Office to construct a 10,800 square foot healthcare facility for outpatient and emergency services. The applicant anticipates an initial volume of 30-40 patients per day, with a maximum of 50-60 day once the facility is established.

The site is approximately 1.1 acres and is currently used as an area for outdoor display and storage for the Rural King.

The appliable zoning chapters include: 1171 General Provisions, 1173 Planned Office District, 1181 General Provisions, 1182 Landscaping and Screening, 1185 Parking and Loading.

The proposed use is principally permitted in the PO district.

# Planning Commission Meeting April 12, 2022

This medical facility is being proposed within an area that is currently underutilized parking and outdoor storage area for Rural King. However, staff requested the applicant minimally disrupt and to the greatest extent possible, maintain the current parking isle orientations. Additionally, since there is an abundance of existing parking, staff requested the applicant share parking with Rural King to the extent possible.

Therefore, the basic development plan cannot fully comply with the buffer yard requirements of the Planned Office District. The current plan indicates a 30-foot perimeter buffer yard along the east property line, and a 10-foot buffer yard to the south which aligns with the current parking travel lanes. A quasi-15-foot buffer area to the north separates the emergency entrance from a travel lane. Parking is shared on the west property line, though landscape islands have been added to break up the parking area and delineate the new medical facility.

The proposal meets the requirements of Chapter 1181, with the exception of the following items are not in compliance or not illustrated on the Basic Development Plan:

- Street trees shall be placed every 40-feet along the public street.
- No exterior lighting plan was submitted. Unless otherwise directed by the Planning Commission, parking light fixtures shall not exceed 25 feet in height.
- Mechanical, waste, and service screening is not illustrated with great detail, but shall comply with the zoning code.

The Basic Development Plan indicates potential locations for landscape islands and trees within the parking areas. Additional detail shall be provided during the detailed development plan phase.

The proposal generally meets the requirements of Chapter 1185. The applicant is illustrating areas for parking island landscaping. The maximum required number of parking spaces required is unknown at this time because the interior program has not been finalized. The plan indicates 41 proposed spaces that are either on-site or immediately adjacent to the facility. If significantly more parking spaces are required and joint parking agreement may be required.

The applicant is requesting a mixture of signage including one ground mounted sign, three corporate wall signs, three "Emergency" wall signs and one "Ambulance" canopy sign.

The proposed ground mounted sign is 8-feet tall with a sign area of 80 square feet. The code suggests a height limit of 6-feet and not exceed 75 square feet in sign area.

The two "Emergency" wall signs are 75 square feet each, and the three corporate wall signs are 50 square feet each, totaling 300 square feet. The code suggests single wall signs shall not exceed 75 square feet each, and a cumulative total of no more than 150 square feet. If the commission considers the "emergency" signs to be exempt, the wall signs are compliant.

The "Ambulance" canopy sign is 35 square feet and mounted above the canopy. The code suggests canopy signs are only permitted along street frontage and

# Planning Commission Meeting April 12, 2022

may not project above the canopy. While not along a street frontage, the canopy covers the ambulance entrance and a variance from the code requirements seems reasonable.

Fire: See Attached.

#### **City Engineer:**

• Construct the right-in / right-out as large as possible and install "No Left Turn" sign and curb delineators

Staff feels the standards of approval outlined in 1171.06 can be met and therefore staff recommends approval of the rezoning from Planned Commercial to Planned Office and approval of the basic development plan with the following conditions:

- Street trees shall be placed every 40-feet along Taylorsville Road.
- The applicant shall comply with Chapter 1181.18 Screening of Service Structures.
- The applicant shall comply with Chapter 1181.21 Lighting Standards.
- General Landscaping and Screening.
- The applicant shall comply with Chapter 1182 Landscaping and Screening.
- Applicant shall comply will all fire code requirements.

Planning Commission may take the following actions with a motion to:

- 1) Approve the rezoning and basic development plan application, with or without conditions.
- 2) Deny the basic development plan.
- 3) Table the application in order to gather additional information.

Jerry Royce Brian Dean Dianna Conboy

Discussion on building placement with easement, parking, entrance, and signage.

#### **Action**

Ms. Thomas moved to approve the request by the applicant Hartman I, LLC, for approval of a Rezoning to Planned Office (PO) and a Basic Development Plan for property located at 7611 Old Troy Pike, Parcel Number P70 04005 0140 of the Montgomery County, Ohio Recorder's Office (RZ BDP 22-13) in accordance with the recommendation of Staff's Memorandum dated April 6, 2022, and the Planning Commission Decision Record attached thereto.

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

Moves on to City Council.

2. MAJOR CHANE TO THE BASIC DEVELOPMENT PLAN AND APPROVAL OF A DETAILED DEVELOPMENT PLAN - The applicant, PARVEEN WADHWA, is requesting approval of a Major Change to the Basic Development Plan and Approval of a Detailed Development Plan for a Commercial Lot located at 6025 Taylorsville Road (MJC DDP 22-14).

Mr. Sorrell stated that on November 9, 20 21 the Planning Commission approved a rezoning and basic development plan for a 7,200 square foot multi-tenant building housing a convenience store and laundromat. The applicant is requesting a major change to the detailed development plan to add a service bay and increase the size of the building to 7,680 square feet.

The Planning Commission approved the basic development plan with the following development standards:

#### Setbacks:

Front: 75' building and 25' parking setback

Side: 50' building setback when adjoining an 'R' district

15' landscaping buffer

Rear: 32' building setback and 19' landscape buffer

#### Parking:

1 space for 200 sq. ft. for the first 2,000 sq ft. then 1 space for every 250 sq. ft.

Required: 31 spaces / 2 handicap spaces Provided: 31 spaces / 2 handicap spaces

#### Screening:

6' tall screening alongside and rear yards abutting a residential district.

The detailed development plan proposal meets all of the basic development plan standards approved by the planning commission. Additionally, the detailed development plan generally meets or exceeds the following zoning requirements:

#### 1181 General Provisions:

**Street Trees:** The detailed development plan exceeds the one tree per 40 feet of frontage requirement. Trees are spaced approximately every 30 feet.

**Utility Screening:** All utilities and service structures are appropriately screened per the zoning code.

**Lighting Standards:** The lighting plan indicates light fixtures are to be mounted approximately 23 feet high (25 feet is the maximum permitted). Light trespass does not exceed the 0.5 footcandle maximum at the property lines abutting the residential areas.

**Commercial Building Design Standards:** While not technically required in the Planned Commercial District, the building is clad in all brick, with the exception of doors, windows and sign areas.

### 1182 Landscaping and Screening:

The site plan and lot coverage is consistent with the basic development plan approved by Planning Commission. Screening is provided through a significant amount of dense evergreen plantings along the side and rear yards abutting the residential areas.

Additionally, the detailed development plan meets all parking lot landscaping requirements outlined in 1182.04.

### 1185 Parking and Loading:

The detailed development plan illustrates the 31 spaces required in the basic development plan. Additionally, all spaces are designed appropriately.

### 1189 Signage:

The detailed development plan indicates a signage plan will be submitted separately. Therefore, staff recommends that conformance with Chapter 1189 be a condition of approval of the major change to the basic development plan and the detailed development plan.

The applicant seeks a major change to the basic development plan to broaden the approved uses to commercial, retail and office uses. Staff feels the broader spectrum of permitted uses (retail, commercial, office) are appropriate for the building design that was approved by through the rezoning and basic development plan review process.

Additionally, the applicant is requesting approval of the detailed development plan. The detailed development plan meets all requirements outlined in the basic development plan. Additionally, the detailed development plan meets or exceeds all other relevant sections of the zoning code.

Fire: See Attached.

#### **City Engineer:**

- Entrances to the site to be constructed according to the City's Commercial Drive Detail. The entrance from Taylorsville Road is to be 36' wide.
- Connect all building downspouts to catch basins
- Show the existing 10' easement on the property to the north (behind Right-of-Way) for water service.
- Sanitary service connection on property to the east (Hilltop Condominiums) requires a new easement.
- Provide location and detail (City Standard) for the 2" water meter pit. The pit shall be located behind the sidewalk within the building lot (not inside the building).
- Maintain existing sidewalk across the drive approach areas until the new drive approach is constructed.

Staff feels the general standards for approval are met and recommends approval of the major change basic development plan and approval of the detailed development plan subject to review and approval of the City Engineer.

The planning commission may approve, approve with conditions or deny the major change to the basic development plan.

The planning commission may approve or deny the detailed development plan.

#### Parveen Wadhwa

Discussion on uses, restricted hours, sweepstakes cafés not permitted, state liquor licenses, and 7,200 square feet.

#### **Action**

Ms. Thomas moved to approve the request by the applicant Parveen Wadhwa, for approval of a Major Change to the Basic Development Plan and Approval of a Detailed Development Plan at 6025 Taylorsville Road, Parcel Number P70 04005-0006 of the Montgomery County Ohio Records (MJC DDP 22-14) in accordance with the recommendation of Staff's Memorandum dated April 6, 2022, and the amended Planning Commission Decision Record attached thereto.

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

Moves on to City Council.

3. MAJOR CHANE TO THE DETAILED DEVELOPMENT PLAN - The applicant, HALLE PROPERTIES, LLC, is requesting approval of a Major Change to an Approved Detailed Development Plan for Discount Tire (MJC 22-15).

Mr. Sorrell stated that on September 28, 2021, the Planning Commission approved the detailed development plan for a 7,020 square foot Discount Tire retail store. The applicant is requesting a major change to the detailed development plan to add a service bay and increase the size of the building to 7,680 square feet.

The revised proposal is very similar to the concept originally approved by the Planning Commission. In addition to the larger building, parking has been reduced from 39 spaces to 30 spaces. Only nine spaces are required under the zoning code.

The proposed landscaping plan is very similar to the originally approved plans and meet the landscaping requirements.

It does not appear that signs were included in the original review and approval by the Zoning Commission. Three internally illuminated wall signs are proposed. The largest, facing Old Troy Pike is approximately 85 square feet and the two

# Planning Commission Meeting April 12, 2022

smaller wall signs are approximately 66 square feet each, which is a total of 217 square feet of wall sign area.

The zoning code gives the Planning Commission great flexibility in approving signage in planned development districts. The code guidance for wall signs in commercial districts is a total of 150 square feet and no sign should exceed 75 square feet. The two recent sign approvals (Popeyes and Dunkin Donuts) met these standards. However, those buildings are significantly smaller (3,200 SF and 2,030 SF) than what is proposed in this application. Given the larger building size, larger wall signs may be warranted.

The applicant seeks a major change to increase the building size of a previously approved detailed development plan and approval of the sign package. Aside from the change of building size, the plans are very similar to the previous approval and meet the requirements of the Basic Development Plan.

Fire: None received

### **City Engineer:**

- Provide location of closest fire hydrant distance needs to be checked by the Fire Department.
- Connect all building downspouts to catch basins.
- Provide location and details of the water meter pit.
- Provide detail for Right in/Right out island unless that is part of a different contract.

Staff recommends approval of the major change to the detailed development plan as submitted.

The planning commission may approve, approve with conditions or deny the major change to the detailed development plan.

Steven McCleary

Discussion on parking, what was approved and what is now required, moving of handicap spaces.

### **Action**

Mr. Jeffries moved to approve the request by the applicant Halle Properties, LLC, for approval of a Major Change to an Approved Detailed Development Plan for Property at 7578 Old Troy Pike, Parcel Numbers P70 04005-0015 and P70 04005 0043 of the Montgomery County Ohio Records (MJC DDP 22-15) in accordance with the recommendation of Staff's Memorandum dated April 4, 2022, and the amended Planning Commission Decision Record attached thereto.

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

Planning	Commission	Meeting
April 12,	2022	

VIII.	Additional Business
	None.
IX.	Approval of the Minutes
	Without objection, the minutes of the March 29, 2022, Planning Commission meeting are approved.
X.	Reports and Calendar Review
	Rezoning and Lot Split, 9416 Taylorsville Road Detailed Development Plan, The Gables Detailed Development Plan, The Hamptons
XI.	Upcoming Meetings
	April 26, 2022 May 10, 2022
XII.	Adjournment
	There being no further business to come before the Commission, the meeting was adjourned at approximately 7:45 p.m.
Terry	Walton, Chair Date
Geri I	Hoskins, Administrative Secretary Date

#### ORDINANCE NO. 2022-O-

TO APPROVE A MAJOR CHANGE TO THE BASIC DEVELOPMENT PLAN AND APPROVAL OF A DETAILED DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 6025 TAYLORSVILLE ROAD AND FURTHER IDENTIFIED AS PARCEL NUMBER P70 04005 0006 ON THE MONTGOMERY COUNTY AUDITOR'S MAP AND ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION (CASE MJC 22-14).

WHEREAS, the citizens of Huber Heights require the efficient and orderly planning of land uses within the City; and

WHEREAS, the City Planning Commission has reviewed Case MJC 22-14 and on April 12, 2022, recommended approval by a vote of 4-0 of the Major Change to the Basic Development Plan and approval of the Detailed Development Plan; and

WHEREAS, the City Council has considered the issue.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio that:

Section 1. The application requesting approval of a Major Change to the Basic Development Plan and approval of the Detailed Development Plan (Case MJC 22-14) is hereby approved in accordance with the Planning Commission's recommendation and following conditions:

- 1. Permitted uses include: retail, office, commercial and personal service establishments.
- 2. Sweepstakes Cafés shall be prohibited.

Section 3.

- 3. Hours of operation for all uses shall be limited to 5 a.m. midnight.
- 4. Applicant shall comply with all Engineering requirements.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

This Ordinance shall go into effect upon its passage as provided by law and the

Charter of the City of Huber Heig	ghts.	_	-
Passed by Council on the o	lay of	, 2022;	
Effective Date:			
AUTHENTICATION:			
Clerk of Council		Mayor	
Date		 Date	

AI-8400 **New Business** E. **City Manager** 

City Council Meeting

**Meeting Date:** 05/09/2022

OneOhio Opioid Funding Distribution - Region 8 Governance Structure

Submitted By: Bryan Chodkowski

**Department:** City Manager

Council Committee Review?: Council Date(s) of Committee Review: 05/03/2022

> Work Session

Audio-Visual Needs: **Emergency Legislation?:** None No

Motion/Ordinance/ **Resolution No.:** 

#### Agenda Item Description or Legislation Title

A Resolution Approving Participation In Region 8 Governance Structure Under The OneOhio Memorandum Of Understanding. (first reading)

#### Purpose and Background

In association with the State of Ohio's settlement of opioid-related litigation, funds will be made available throughout the state for distribution to qualifying organizations; Huber Heights being a qualifying organization. To provide for the accurate and orderly distribution of funds, the state has been divided into various regions with each region being responsible for determining the manner and method of funding distribution. Montgomery County is its own region, Region 8, and the legislation being proposed would establish the structure of how Region 8 would be governed. This legislation is related to Resolution No. 2021-R-7033 adopted by City Council on September 14, 2021, as well as the resolution establishing the City's OneOhio Fund which was introduced to City Council during the April 19, 2022 Council Work Session and adopted at the April 25, 2022 City Council Meeting.

**Fiscal Impact** 

Source of Funds: N/A Cost: N/A Recurring Cost? (Yes/No): N/A Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

OneOhio Region 8 COG ByLaws

Resolution

#### REGION 8 ONEOHIO GOVERNANCE BOARD BY-LAWS

The Region 8 OneOhio Governance Board ("Board") provides a mechanism to disburse settlement proceeds from opioid litigation into Region 8 (Region 8 includes Montgomery County and all the political subdivisions contained therein) communities to help abate the opioid and addiction crisis.

#### 1. PURPOSE

The role of Regional OneOhio Board is to ensure input and equitable representation regarding regional decisions including representation on the Statewide Foundation Board and selection of projects to be funded from the regional share that will equitably serve the needs of the entire Region.

#### 2. MEMBERSHIP

The 12 (twelve) member Board is representative of the individuals and organizations identified as community stakeholders for the Community Overdose Action Team as well as Local Governments & Businesses including representatives from:

Region's Largest Municipality (2 (two) representatives)

Another City, as identified by the Greater Dayton Mayors and Managers Association

Township, as identified by the Montgomery County Township Association

Village, as identified by the Village most affected by overdose deaths

**Montgomery County Commissioner** 

Dayton Area Chamber of Commerce

Montgomery County Alcohol, Drug Addiction & Mental Health Services

Public Health - Dayton & Montgomery County

**Criminal Justice Council** 

Greater Dayton Area Hospital Association

Individual with Lived Experience, as determined by the Community Overdose Action Team Backbone Support.

Board members shall serve two-year terms, with no limit on the number of terms a member can serve as long as the individual has the concurrence of the agency she/he is to represent.

A Board member shall designate one specific alternate from their respective organization to attend any meeting which the member is unable to attend. These alternates have all the powers and privileges of the Board member in the member's absence.

#### 3. MEETINGS AND VOTING

The Board shall meet quarterly and more frequently if needed. The schedule shall be set in December of each year for the next year. A minimum of 6 (six) members or their designated alternates shall constitute a quorum for the transaction of any and all business. If a quorum is present, any vote issued by majority vote of that quorum is valid.

All Board members may vote unless there is a conflict of interest as outlined in Conflict of Interest & Recusal Policy (section 5). Alternates shall vote only in the absence of the Board member. Motions shall be adopted by a majority vote of those present.

#### 4. MEMBER RESPONSIBILITIES

All Region 8 Board members are expected to:

- a) Attend all scheduled meetings, (subject to their availability);
- b) Inform the Board Chair of the inability to attend scheduled meetings by either the Board member or the alternate;
- c) Keep alternates informed of all pertinent actions, issues and discussions;
- e) Be mindful of the community-wide perspective that represents the scope and responsibility of the Board;
- f) Inform the organization that they represent of pertinent actions, issues and discussions;
- g) Advocate for the recommendations proposed by the Board.

#### 5. CONFLICT OF INTEREST & RECUSAL POLICY

Board members, and their immediate family members (spouse, partner or children) may not participate in or influence discussions or resulting decisions on any funding proposal that directly affects an organization that they have a relationship with as staff or Board member or in which they have a business or financial interest.

#### 6. BOARD RESPONSIBILITIES

- a) Designate a Board Chair (on a biennial basis as long as the individual has the concurrence of the agency she/he is to represent) who shall also serve as Representative to the OneOhio Statewide Foundation;
- b) Designate a Board Vice-Chair on a biennial basis (as long as the individual has the concurrence of the agency she/he is to represent)
- b) Approve local OneOhio funding applications to OneOhio Statewide Foundation
- c) Encourage regional cooperation when appropriate on mutual interests.

#### 7. MINUTES

Minutes of all Region 8 Board meetings will be the responsibility of the Board Chair/Representative to the OneOhio Statewide Foundation and shall be prepared after each meeting, and presented at the following meeting for approval. The minutes will contain information about proposed funding, discussion on any program or policy proposals, and any action regarding funding, including recusals or abstentions if they occurred. If the Board Chair/Representative to the OneOho Statewide Foundation is not available, the Vice-Chair will be responsible for minutes.

#### 8. ANTI-DISCRIMINATION

The Board shall not discriminate in any regard to race, creed, color, gender, sexual orientation, marital status, housing status, religion, national origin, ancestry, pregnancy, parenthood, custody of a minor child, or physical or mental disability.

#### RESOLUTION NO. 2022-R-

APPROVING PARTICIPATION IN REGION 8 GOVERNANCE STRUCTURE UNDER THE ONEOHIO MEMORANDUM OF UNDERSTANDING.

WHEREAS, the City of Huber Heights is a Local Government that has adopted and approves the OneOhio Memorandum of Understanding ("Memorandum"), which establishes a mechanism to disburse settlement proceeds from opioid litigation into Ohio's communities to help abate the opioid crisis, including allocations to local governments and regions through a statewide foundation; and

WHEREAS, this jurisdiction is a participant in Region 8 as established by the Memorandum; and

WHEREAS, pursuant to the Memorandum each region shall create their own governance structure so it ensures all local governments have input and equitable representation regarding regional decisions including representation on the statewide OneOhio Recovery Foundation Board and selection of projects to be funded from the region's regional share; and

WHEREAS, regions have the responsibility to make submissions regarding the allocation of funds to projects that will equitably serve the needs of the entire region; and

WHEREAS, it is found that the regional governance structure in Region 8 will consist of a 12-member board of the individuals and organizations identified as community stakeholders for the Community Overdose Action Team as well as local governments and businesses including representatives from:

- Region's Largest Municipality (two representatives)
- Another City, as identified by the Greater Dayton Mayors and Managers Association
- Township, as identified by the Montgomery County Township Association
- Village, as identified by the Village most affected by overdose deaths
- Montgomery County Commissioner
- Dayton Area Chamber of Commerce
- Montgomery County Alcohol, Drug Addiction & Mental Health Services
- Public Health Dayton & Montgomery County
- Criminal Justice Council
- Greater Dayton Area Hospital Association
- Individual with Lived Experience, as identified by the Community Overdose Action Team

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. Subject to and effective upon the concurrence of a majority of local governments (counties, cities, villages, townships) in Region 8, this legislative body hereby approves and enters into the Regional Governance Agreement and supports the designated Region 8 Representative appointed to the OneOhio Recovery Foundation Board.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution shall go into of the City of Huber Heights.	effect upon its passage as provided by law and the Charter
Passed by Council on the day of Yeas; Nays.	, 2022;
Effective Date:	
AUTHENTICATION:	
Clerk of Council	Mayor
Date	Date

Al-8396 New Business F.

**City Council Meeting** 

City Manager

Meeting Date: 05/09/2022

City Salaries/Wage Levels

Submitted By: Katie Knisley

**Department:** Human Resources

Council Committee Review?: Council Date(s) of Committee Review: 05/03/2022

Work Session

Audio-Visual Needs: None Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

#### **Agenda Item Description or Legislation Title**

A Resolution Establishing And/Or Amending The Salary Ranges And Wage Levels For Employees Of The City Of Huber Heights, Ohio. (first reading)

#### **Purpose and Background**

This legislation authorizes the salary ranges and wage levels for all non-bargaining employees of the City of Huber Heights. Amendments to this legislation include an increase in the maximum wage for seasonal laborers. This increase will allow the City to continue to stay competitive in the market for hiring seasonal laborers.

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

Resolution

#### RESOLUTION NO. 2022-R-

ESTABLISHING AND/OR AMENDING THE SALARY RANGES AND WAGE LEVELS FOR EMPLOYEES OF THE CITY OF HUBER HEIGHTS, OHIO.

WHEREAS, the citizens of Huber Heights require efficient and effective delivery of municipal services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

- Section 1. The pay ranges, compensation procedures, and administrative rules for non-bargaining employees as established hereafter shall be effective for the pay period beginning December 19, 2021, through the pay period ending December 17, 2022.
- Section 2. City Council shall be responsible for establishing the actual salaries for the City Manager, the Clerk of Council, and the Deputy Clerk of Council. The salary ranges of the City Manager, the Clerk of Council, and the Deputy Clerk of Council are set forth in the following plan document.
- Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.
- Section 4. This Resolution shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

#### **THE CITY OF HUBER HEIGHTS**

#### PERFORMANCE COMPENSATION PLAN FOR NON-BARGAINING EMPLOYEES

#### 1. Compensation Philosophy

It is the City's philosophy to support and enhance organizational performance through a fair, objective, and equitable merit-based pay plan which will attract, retain, and motivate high performing non-bargaining employees.

#### 2. General Administrative Responsibilities

The Human Resources Director, under the direction of the City Manager is responsible for the administration of the Performance Compensation Plan, including the processing of pay rate increases, the adjustment of pay for promotions, re-employments and reassignments, and the initiation of necessary revisions in pay ranges. The Human Resources Director is responsible for interpreting the application of the program to all pay issues which are not specifically covered by this ordinance, using the principles expressed herein as a policy guide.

#### 3. Plan Administration

- A. Market Surveys. The Human Resources Director shall conduct market surveys every three years or from time to time in order to collect updated comparable and competitive salary data, recommend revised pay structures and pay ranges as necessary, and recommend revised merit-based pay procedures. Such surveys and recommendations shall be conducted as positions become vacant, or upon request of a department/division head, or upon the initiation of the Human Resources Director when it is determined necessary for the effective administration of the Performance Compensation Plan.
- B. <u>Structure Adjustments</u>. Periodically, the Human Resources Director may recommend pay range adjustments to the City Manager in keeping with labor market trends, who in turn may make appropriate recommendations to City Council. Pay ranges (except

for seasonal positions) shall include a minimum and maximum amount stated either as an annual salary or hourly rate.

C. <u>Assignment of Positions to Pay Ranges</u>. The Human Resources Director shall be responsible for assigning each City employment position to a pay range based on market data and the City Manager's determination of the strategic value of positions and/or employees to the organization. Strategic value considerations may involve turnover, skill needs, attraction and retention issues, supply and demand for qualified applicants for particular positions, the impact of specific positions and employees on the organization's mission, and/or other relevant factors.

#### 4. Applicability

This Resolution and Performance Compensation Plan shall apply to and is the sole authority for setting rates of pay for the following categories of positions and employees: All regular full-time, regular part-time, provisional full-time, provisional part-time, hourly, temporary, and seasonal employees of the City of Huber Heights, Ohio except: the Mayor; members of City Council, the City Law Director; and all employees who are members of a collective bargaining unit recognized by the State Employment Relations Board.

#### 5. Positions and Pay Ranges

Pay Grade	Minimum Pay	Maximum Pay
10	\$13.8268	\$20.5800
Custodian Administrative Assistant I Fire Fleet/Facility Management Clerk	\$28,759.74	\$42,806.40
20	\$16.7304	\$24.9000
Administrative Assistant II Public Records Technician Tax Technician	\$34,799.23	\$51,792.00
25	\$16.7686	\$27.3900
Account Technician Accounts Payable Technician Administrative Assistant III Deputy Clerk of Council Police Evidence/Fleet Management Clerk Senior Center Program Coordinator Code Enforcement Officer I	\$34,878.69	\$56,971.20
30	\$18.4463	\$30.1300
Police Accreditation Technician Payroll Technician Tax Analyst Fire Inspector Human Resources Assistant	\$38,368.30	\$62,670.40
35	\$19.3719	\$31.6440
GIS Technician Engineering Technician Code Enforcement Officer II Communications/Records Supervisor	\$40,293.55	\$65,819.52
40	\$21.3058	\$36.0900
Accounting Generalist Community Engagement Specialist Economic Development Coordinator Human Resources Specialist Fire Prevention Manager/Plans Review	\$44,316.06	\$75,067.20

45	\$23.4381	\$39.7000
Code Enforcement Manager Assistant Tax Administrator IT Systems Analyst Parks Manager Communications/Records Manager	\$48,751.25	\$82,576.00
50	\$25.7852	\$43.6800
Deputy Director of Finance Tax Administrator Public Works Supervisor Clerk of Council Civil Engineer	\$53,633.22	\$90,854.40
55	\$30.9422	\$52.4200
Assistant City Engineer City Planner	\$64,359.78	\$109,033.60
60	\$\$34.0331	\$57.6500
Human Resources Director IT Director Public Works Manager Economic Development Director	\$70,788.85	\$119,912.00
65	\$37.4381	\$63.4200
City Engineer Director of Finance	\$77,871.25	\$131,913.60
70	\$43.0579	\$72.9400
Fire Chief Police Chief	\$89,560.43	\$151,715.20
75	\$47.3637	\$80.2300
Assistant City Manager of Administrative Services Assistant City Manager of Public Services Director of Public Safety	\$98,516.50	\$166,878.40
80	\$52.0992	\$85.1000
City Manager	\$108,366.34	\$177,008.00

Position	Minimum Pay	Mid-por	int Pay	Maximum Pay
Seasonal Laborer	N/A		N/A	\$20.00
	Public Sa	afety (PS)	)	
	Step 1			Step 2
Battalion Chief	2% below Ste	p 2	14% abov	e top step Fire Lieutenant
Fire Captain	2% below Ste	p 2	6% above	top step Fire Lieutenant

Employees are paid bi-weekly on an hourly or salary basis. The bi-weekly pay rate for salaried employees is a calculation of the annual pay rate divided by 26 and the bi-weekly amount for hourly employees is a calculation of the annual pay rate divided by 2080 hours, to include those budget years with 27 pay periods. The bi-weekly amount for part-time/hourly employees, working less than a 40-hour week in a 2080 work year, is a calculation of the annual pay rate multiplied by the number of hours worked.

#### 6. Compensation Adjustments

All of the following pay rate adjustments are subject to funding by City Council based upon the availability of funds and economic and budget projections and priorities.

- A. New Hires. Newly hired employees shall be hired at a rate of pay between the minimum and maximum of the applicable pay range. The exact pay rate shall be based on the employee's education, experience, knowledge, skills, and abilities. Prior to the making of a conditional offer of employment to a prospective new or newly promoted employee, the department/division head shall recommend a starting rate of pay which shall be forwarded to the Human Resources Manager for review and then to the City Manager for final action.
- B. <u>Completion of Probation</u>. Department/division heads may recommend a pay increase, not to exceed 2%, for newly hired or promoted employees upon the successful completion of probation or one year of employment. The department/division head should consider the employee's starting rate as related to their pay range, the pay of other employees in the position and in the employee's division, and the employee's performance in making this decision. Any such increase, upon approval by the City Manager, shall be paid from the division's regular payroll budget.
- C. <u>Promotion</u>. Employees who are promoted to positions with a higher level of duties and responsibilities shall be placed at a rate of pay between the minimum and maximum of the applicable pay range.
- D. <u>Demotion</u>. Employees who are demoted to positions with a lower level of duties and responsibilities because of less than satisfactory performance, failure to meet job requirements, or for disciplinary reasons shall be placed at the minimum of the new range, or receive a pay decrease not to exceed 10%, whichever results in the least loss of pay.
- E. Reassignment. Employees who are reassigned to positions with a lower pay grade through no fault of their own (i.e., reorganization, job abolishment, reduction-inforce, or market/technological factors, etc.), shall remain at their current rate of pay, or shall be placed at the maximum of the pay range, whichever is less. An employee who voluntarily requests and is granted a reassignment to a position with a lower pay grade will have their pay adjusted between the minimum and maximum of the lower pay grade.
- F. <u>Temporary Upgrade to a Higher Position</u>. Employees who are temporarily assigned (for a minimum of 7 consecutive calendar days) to perform all of the duties and assume all of the responsibilities of a position due to a position vacancy or an approved leave of absence of a position incumbent shall be receive a pay increase not to exceed 5%. Temporary upgrades shall be recommended to the Human Resources Manager and approved by the City Manager in advance.
- G. <u>Modification of Pay Ranges</u>. When a position's pay range is modified upward, based on market data and/or strategic value, and the position is occupied, the incumbent shall retain his/her existing pay rate or be placed at the minimum of the new pay range, whichever is greater. When a position's pay range is modified downward, and the position is occupied, the incumbent shall remain at his/her current rate of pay.
- H. <u>Transfers</u>. Employees who transfer to another job in an identical pay range or to an identical position in another division in the same pay range, there will be no change in the employee's rate of pay.
- I. <u>Transitional and Paid Intern Positions</u>: In cases deemed necessary and appropriate by the City Manager, an appointment to a position in the non-exempt service which is not yet vacated, but which position incumbent has provided the City Manager with a written notice of resignation or retirement on a date certain, which date is within 90 days following the date of such appointment. In cases deemed necessary and appropriate by the City Manager, an appointment of a student intern may be made based on skill, experience, and the scope of the project to be completed.

#### 7. Compensation Increases

The compensation of each employee shall be reviewed annually by the department director/division manager, or Mayor and Council, for the purpose of determining which employees may be entitled to a performance-based increase. All personnel records, performance, and experience shall be considered in making recommendations with major emphasis placed on the evaluation. The City Manager or Mayor and Council is authorized to pay non-union employees a performance-based increase provided that said increase is within the approved salary range for the respective position. The performance-based increase may also be provided in the form of a bonus. The annual performance-based increase is determined upon the availability of funds and economic and budget projections and priorities.

Providing the Collective Bargaining Agreements receive an annual increase, the City shall adjust the compensation of all non-union employees, to include employees of the City Council, to reflect the same annual increase within the respective year.

To be eligible for a performance-based increase, an employee must be employed with at least six months of continuous service before the merit award date.

An employee whose pay is at the maximum of the compensation range may not be granted an increase that would cause the base compensation to exceed the maximum of the range for that position. The employee would continue to be eligible for an annual increase and performance bonus, with a lump sum increase based upon the percentage increase. The pay range, however, does not change until a new market study is conducted, every three years, and a recommendation is made to revise pay structures and pay ranges as necessary.

Passed by Council on the day of Yeas; Nays.	, 2022;
Effective Date:	
AUTHENTICATION:	
Clerk of Council	Mayor
Date	Date

Al-8395 Rew Business G.

City Council Meeting City Manager

Meeting Date:05/09/20222023 BWC Group Experience Rating ProgramSubmitted By:Katie Knisley

Department: Human Resources

Council Committee Review?: Council Date(s) of Committee Review: 05/03/2022

Work Session

Audio-Visual Needs: None Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

#### Agenda Item Description or Legislation Title

A Resolution Authorizing The City Manager To Participate In The Ohio Association Of Public Treasurers 2023 Workers' Compensation Group Experience Rating Program Administered By CompManagement Inc. (first reading)

#### **Purpose and Background**

The City has been invited back to join the Bureau of Workers' Compensation (BWC) Group Experience Rating Program for policy year 2023 through the Ohio Association of Public Treasurers Group. This group rating program will guarantee an up front discount of 36% on the group premium for 2023. This legislation authorizes the City Manager to enter into agreements with the Ohio Public Treasurers and the City's Third Party Administrator, CompManagement, in order to assist in controlling the City's exposure to risk potentially reducing BWC premiums.

**Fiscal Impact** 

Source of Funds:Various FundsCost:\$156,340

Recurring Cost? (Yes/No): Yes Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

The CompManagement fee for policy year 2023 is \$7,615 and the estimated cost for the 2023 BWC premium is \$148,725.

**Attachments** 

Resolution

#### RESOLUTION NO. 2022-R-

AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE OHIO ASSOCIATION OF PUBLIC TREASURERS 2023 WORKERS' COMPENSATION GROUP EXPERIENCE RATING PROGRAM ADMINISTERED BY COMPMANAGEMENT INC.

WHEREAS, the City of Huber Heights has determined it is in the best interest of the City to participate in a workers' compensation group experience rating program in order to control the City's risk exposure while potentially reducing workers' compensation premiums; and

WHEREAS, the City of Huber Heights has been invited to participate in the Ohio Association of Public Treasurers 2023 Workers' Compensation Group Experience Rating Program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

Section 1. The City shall participate in the Ohio Association of Public Treasurers Workers' Compensation Group Experience Rating Program and the City Manager is hereby authorized to enter into the necessary agreements with the Ohio Public Treasurers and its third-party administrator, CompManagement, in order to participate in said group experience rating program with the Ohio BWC.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

This Resolution shall go into effect upon its passage as provided by law and the

Passed by Council on the \_\_\_\_\_ day of \_\_\_\_\_\_, 2022;
\_\_\_\_ Yeas; \_\_\_\_ Nays.

Effective Date:

AUTHENTICATION:

Clerk of Council Mayor

Date

Section 3.

Date

Charter of the City of Huber Heights.

Al-8405 New Business H.
City Council Meeting City Manager

**Meeting Date:** 05/09/2022

City Liability Insurance Renewal

Submitted By: Katie Knisley

**Department:** Human Resources

Council Committee Review?: Council Date(s) of Committee Review: 05/03/2022

Work Session

Audio-Visual Needs: None Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

#### **Agenda Item Description or Legislation Title**

A Resolution Authorizing The City Manager To Enter Into An Agreement To Provide Insurance Coverage For General Liability, Property, Boiler And Machinery, Inland Marine, Automobile, Crime, Law Enforcement Liability, Public Officials Liability, And Other Necessary Insurance Coverage For The City Of Huber Heights, Ohio, Waiving The Competitive Bidding Requirements, And Covering The Costs Of Services Ordered By The City. (first reading)

#### **Purpose and Background**

The City's current insurance policy for property and casualty is set to expire May 11, 2022. This legislation will authorize the City Manager to enter into an agreement with an insurance company for the continuation of insurance coverage for general liability, property, boiler and machinery, inland marine, automobile, crime, law enforcement liability, public official liability and other necessary insurance coverage for the City of Huber Heights.

**Fiscal Impact** 

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

**Financial Implications:** 

**Attachments** 

Resolution

#### RESOLUTION NO. 2022-R-

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO PROVIDE INSURANCE COVERAGE FOR GENERAL LIABILITY, PROPERTY, BOILER AND MACHINERY, INLAND MARINE, AUTOMOBILE, CRIME, LAW ENFORCEMENT LIABILITY, PUBLIC OFFICIALS LIABILITY, AND OTHER NECESSARY INSURANCE COVERAGE FOR THE CITY OF HUBER HEIGHTS, OHIO, WAIVING THE COMPETITIVE BIDDING REQUIREMENTS, AND COVERING THE COSTS OF SERVICES ORDERED BY THE CITY.

WHEREAS, it is determined to be in the best interest of the City to continue to have insurance coverage; and

WHEREAS, liability insurance can be purchased effectively and efficiently through non-competitive procurement methods through a client services agreement; and

WHEREAS, the services to be provided are classified as professional services as defined in Section 171.12 (a)(4) in the Codified Ordinances of Huber Heights; and

WHEREAS, all purchases equal to or greater than \$25,000.00 require authorization of City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huber Heights, Ohio that:

insurance coverage marine, automobile, insurance coverage deductible and prem	e City Manager is hereby authorized to enter into an Agreement to provide rough for general liability, property, boiler and machinery, inlarime, law enforcement liability, public official's liability and other necessar the City of Huber Heights with premium costs of \$ and potent amounts of \$25,000.00 for, and City Council approves the for such purpose including costs for services previously incurred at a cost not	y ial
	nsistent with the provisions of the City Charter and the Huber Heights Codicetitive bidding requirements are hereby waived.	fied
concerning and relationship council and that all formal action were in	s hereby found and determined that all formal actions of this Council ag to the passage of this Resolution were adopted in an open meeting of this eliberations of this Council and of any of its Committees that resulted in sucmeetings open to the public and in compliance with all legal requirements .22 of the Ohio Revised Code.	
Section 4. T Charter of the City of	is Resolution shall go into effect upon its passage as provided by law and th Huber Heights.	e
Passed by Council o	the day of, 2022; Nays.	
Effective Date:		
AUTHENTICATIO	:	
Clerk of Council	Mayor	

Date

Date

Al-8397 New Business I.

**City Council Meeting** 

**City Manager** 

**Meeting Date:** 05/09/2022

Landscape Revitalization Plan - Specified City Properties - Solicit Bids

Submitted By: Linda Garrett

**Department:** Public Works **Division:** Public Works **Council Committee Review?:** Council **Date(s) of Committee Review:** 05/03/2022

Work Session

Audio-Visual Needs: None Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

#### **Agenda Item Description or Legislation Title**

A Resolution Authorizing The City Manager To Solicit Bids For A Landscape Revitalization Plan Of Specified City Properties. (first reading)

#### **Purpose and Background**

The Public Works Division requests the authorization to solicit bids and award a contract for landscape revitalization of specified City properties

**Fiscal Impact** 

Source of Funds: Public Works Division Budget

**Cost:** \$250,000

Recurring Cost? (Yes/No): No Funds Available in Current Budget? (Yes/No): No

**Financial Implications:** 

**Attachments** 

Resolution Exhibit A

#### RESOLUTION NO. 2022-R-

AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS FOR A LANDSCAPE REVITALIZATION PLAN OF SPECIFIED CITY PROPERTIES.

WHEREAS, the City is required to mow and maintain public rights-of-way and specified property; and

WHEREAS, the City has determined that outsourcing portions of the required maintenance would allow the Public Works Division to maximize the amount of work spent performing street repairs and other pertinent City infrastructure related work; and

WHEREAS, a competitive bidding process would be utilized to obtain a reputable firm to provide these services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Huber Heights, Ohio that:

- Section 1. The City Manager is hereby authorized to solicit bids through a Request For Proposals (RFP) as attached hereto in Exhibit A and award a contract from a reputable contractor for landscape revitalization plan of specified City properties.
- Section 2. The amount of these contract services shall not exceed \$250,000.00.
- Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4.	This Resolution	shall go int	o effect	upon i	ts passage	as pro	ovide	by la	aw	and
the Charter of	the City of Hube	er Heights.								

Passed by Council on the	day of	, 2022	
Yeas; Nays.			
Effective Date:			

AUTHENTICATION:	
Clerk of Council	Mayor
Date	Date



City of Huber Heights 6131 Taylorsville Rd. Huber Heights, OH 45424

> 937.233.1423 937.233.1272 fax

> > www.hhoh.org

# EXHIBIT A REQUEST FOR PROPOSALS And INSTRUCTIONS RFP

# City of Huber Heights Providing a Detailed Landscape Revitalization Plan of Specified City Properties

The City of Huber Heights, a municipal corporation, is soliciting professional services in creation of providing a detailed landscape revitalization plan of specified City properties for 2022. This should include a detailed price list for the specified properties.

Attached to this RFP are the listed Instructions for Bidders/Offerors in the first eleven (11) pages of this document. All potential bidders must thoroughly review and certify their understanding of the Instructions and this RFP process.

# Request for Proposals Page **1** of 11



#### **GENERAL INSTRUCTIONS TO BIDDERS/OFFERORS**

For the purposes of this Document, the terms "Bid" and Proposal" have the same meaning, and the terms "Bidder, Offeror, Contractor, Vendor" are intended to mean the company or firm who is the respondent Bidder for this RFP.

- The following instructions are to be considered an integral part of this proposal. Unless otherwise requested, three (3) complete copies of the written proposal need be submitted. The person signing the bid/proposal form must initial any changes or corrections made to this proposal.
- No proposal may be withdrawn or modified in any way after the bid/proposalopening deadline. **Quotes must remain valid for ninety (90) days after the quote date.** Quotes submitted with a less than ninety (90) day validity will be found non-responsive and will not be considered.
- All bids/proposals must be a final cost.
- Bids/Proposals will be received no later than 2:00 PM EST May 27, 2022 at the City of Huber Heights 6131 Taylorsville Rd. Huber Heights, Ohio 45424 at which time they will be opened and publicly read aloud. Bids/proposals received after the above date and time, or in any other location other than the City of Huber Heights City Hall as noted above will not be considered.
- A Request for Proposal packet may be obtained from the City of Huber Heights 6131 Taylorsville Rd. Huber Heights, Ohio 45424 or from http://www.hhoh.org/businesses/bid.html
- If descriptive literature is attached to the bid/proposal, bidder's name must appear on all sheets.
- A cover letter must be attached in the form of a standard business letter containing the Contractor's name, address and telephone number and must be signed with an original signature, in ink, by an individual authorized to legally bind the Contractor. The letter must contain the following information:
  - A statement describing the Contractor's legal structure (e.g. corporation, partnership) and providing federal tax identification number and principle place of business.
  - A statement that the person signing the quote certifies that he or she
    is the person in the Contractor's organization who has actual authority
    to make decisions as to matters relating to this RFP and to bind the
    Contractor.
  - A statement that the quote meets the minimum qualifications set forth in this RFP and accepts all requirements and terms and conditions contained in this RFP.

#### Request for Proposals

#### Page 2 of 11



- A statement that the Contractor does not discriminate in its employment practice with regard to race, color, age, religion, sex, veteran status, sexual preference, national origin, or disability
- A statement that no attempt has been made or will be made by the Contractor to induce any other person or firm to submit or not submit a quote.
- A statement that indicates whether the Contractor or any of its agents has a possible conflict of interest with any city employee involved in the RFP and any ensuing Contract(s) or any other conflict of interest and, if so, an explanation of the conflict must be given.
- **Communication:** If there is any question whatsoever regarding any portion of the instructions or specifications, it shall be the bidder's responsibility to seek clarification immediately from the City of Huber Heights **No later than close of business on May 20, 2022** unless otherwise stated in the documents.

All questions shall be submitted in writing or via e-mail to the attention of Michael Gray at mgray@hhoh.org If mailed, the address is as follows: City of Huber Heights ATTN: RFP Michael Gray, 6131 Taylorsville Rd., Huber Heights, OH 45424. Answer(s) to all questions will be answered after the deadline for questions has expired, and posted to the City's web site, if applicable and feasible.

It shall be the bidder's responsibility to check the City's website (www.hhoh.org) for any and all addendums or modifications.

Under no circumstances should respondents contact City personnel or officials outside of the opportunity provided herein.

- Proprietary Information: Any information contained in the RFP response that is proprietary must be clearly designated. Marking of the entire response as proprietary will neither be accepted nor honored. The City cannot guarantee that all such material noted remains proprietary, particularly if it becomes a significant consideration in contract award. Information will be kept confidential only to the extent allowed by Public Records Laws of Ohio.
- Any variation from the specifications must be clearly stated by the bidder in writing and submitted with his/her proposal.
- The apparent silence of any specifications or any supplement specifications to any details or the omission of a detailed description concerning any point shall be regarded as meaning that only the best commercial practices are to prevail, and that only materials of first quality and correct type, size and design are to be used. All workmanship is to be of first quality. All interpretations of this specification shall be made upon the basis of this statement.
- The following bid shall be awarded to one bidder based on the specifications as provided for in Chapter 171 of the Codified Ordinances of Huber Heights so the City can determine the "lowest and best proposal". An award shall be made to

# Request for Proposals Page 3 of 11



one vendor for the total bid. Unit prices and extensions will be verified and total checked. Unit price extension and net total must be shown. Unit price shall prevail unless otherwise stated in the proposal.

- Section 171.04 of the Codified Ordinances of Huber Heights provides for a process and description for opening, tabulating and awarding responses to RFP/bids as stated in reference:
  - (a) In the case of sealed competitive bids, the bids shall be opened and tabulated publicly by the Purchasing Agent. An investigation of the responsibility of the bidders and the responsiveness of the bid shall be made as the Purchasing Agent deems necessary. The Purchasing Agent shall determine the lowest and best bid. The Purchasing Agent may reject all bids if the Purchasing Agent determines that it is in the best interest of the City to do so.
  - (b) In the case of competitive proposals, the responses shall be opened publicly by the Purchasing Agent. The City may discuss the responses with the proposers to clarify responses and to obtain information needed by the City to determine the lowest and best proposal. An investigation of the responsibility of the proposers and the responsiveness of the proposal shall be made as Purchasing Agent deems necessary. The Purchasing Agent shall determine the lowest and best proposal. The Purchasing Agent may reject all proposals if the Purchasing Agent determines that it is in the best interest of the City to do so.
  - (c) In the case of two-step competitive proposals, the technical responses shall be opened publicly by the Purchasing Agent. The City may discuss the responses with the proposers to clarify responses and to obtain information needed by the City to determine qualified proposers. An investigation of the responsibility of the proposers and the responsiveness of the proposal shall be made as the Purchasing Agent deems necessary.

The Purchasing Agent shall determine the qualified proposers. The qualified proposers shall then be invited to submit price proposals which shall be opened publicly by the Purchasing Agent. The City may discuss responses with the proposers to clarify responses and to obtain information needed by the City to determine the lowest and best proposal. If appropriate, the City may request best and final offers. The Purchasing Agent shall then determine the lowest and best proposal. The Purchasing Agent may reject all proposals if the Purchasing Agent determines that is in the best interest of the City to do so.

The City of Huber Heights reserves the right to accept, reject or waive any irregularities in the proposal and/or any and all bids received for the work contemplated herein and to accept or reject any or all proposals and/or bids. The proposal and/or bids will be compared on the basis of the total cost of the project and the award will be made to the lowest and best bidder (or bidders), provided the proposal and/or bid is reasonable and is in the best interest of the City (owner) to accept. In determining the lowest and best bid the City (owner), in its sole discretion, may consider factors, including but not limited to, the bidder's work history, (including work done under other names), experience, conduct and performance on previous contracts, management skills, ability to execute the contract properly, customer satisfaction, work on comparable projects, ability to timely complete the work in accordance with the contract documents, the

#### Request for Proposals

#### Page 4 of 11



Bidder's financial condition and facilities, and the Bidder's compliance with federal, state, and local laws, rules, and regulations, (including but not limited to the Prevailing Wage Laws, Occupational Safety and Health Act, and the State of Ohio's Equal Employment Opportunity Commission requirements, as may be applicable).

- The City desires delivery of the material or services specified at the earliest possible time after the date of award. An unreasonable delivery proposal may be cause for disqualifying a bid. Each bidder shall state a definite time and avoid using terms such as "ASAP" or "approximately so many days".
- Insurance: The Contractor will maintain the following insurance from insurer(s) rated A- or better by A.M. Best in amounts sufficient to protect the Contractor and Owner from claims under Workers Compensation Acts and any other claims for property damage and/or bodily injury, including death, which may arise from the performance of the Work under this Subcontract, whether the Work is performed by the Subcontractor, its subcontractor, or anyone directly or indirectly employed by either of them.

Limits of coverage to be as follows:

(a)	Workers' Compensation Employers Liability/Ohio Stop Gap	Statutory \$ 1,000,000
(b)	Commercial General Liability: Bodily injury/property damage per occurrence General Aggregate Products/Completed Operations Aggregate	\$ 1,000,000 \$ 2,000,000 \$ 2,000,000
(c)	Commercial Automobile Liability: Combined Single Limit (including Owned, Hired, and Non-Owned Autos)	\$1,000,000
(d)	Excess/Umbrella Liability (over Employer's Liability, General Liability, and Auto)	\$ 1,000,000

Liability policy requirements. The General Liability policy must be written on the current edition of ISO form CG 00 01 or equivalent. The policy shall have no modifications limiting coverage for contractual liability, damage to work performed by subcontractors, residential construction, earth movement, explosion, collapse, or underground damage. The policy shall be endorsed to provide that the General Aggregate Limit applies separately to each of the insured Contractor's projects. The Owner (including its officers, directors and employees) shall be named as Additional Insured on the General Liability policy on ISO form CG 20 10 11 85 or its equivalent, affording coverage to Additional Insured(s) for claims arising out of both ongoing and completed operations. Owner shall also receive coverage as an additional insured Contractor's Auto Liability policy. Contractor's policies shall be primary insurance as respects Owner, and any other insurance policy that Owner may have in effect shall be

#### Request for Proposals

Page 5 of 11



deemed excess and not contributory. The General Liability policy affording coverage to Owner as Additional Insured must be maintained for three (3) years after completion of the project. If any of the Work is performed by subcontractors, Contractor shall be responsible for ensuring subcontractors comply with these insurance requirements and extend coverage to both Contractor and Owner as additionally insured.

Installation Floater. Contractor shall purchase and maintain an Installation Floater, covering loss or damage to materials and/or equipment suffered during the course of the Work. This insurance shall include the interests of the Owner, Contractor and any Subcontractors. The policy shall be written on special form and shall cover all materials specified for the job, whether onsite, offsite or in transit.

The Contractor will submit to the Owner certificates of insurance (including a certificate of compliance from the Ohio Bureau of Workers' Compensation for Ohio subcontractors) certifying that the insurance policies required by this agreement are in force and shall be maintained for the duration of the Project. Contractor shall also provide copies of additional insured endorsement(s) as required herein. Full copies of policies shall be provided upon Owner's request. Certificates shall reflect Owner's status as an additional insured and shall provide that Owner is to be provided thirty (30) days advance written notice in the case of cancellation or nonrenewal of the required policies (10 days if cancelled due to nonpayment of premium).

Until said certificate of insurance is properly executed and delivered to the City, the Contractor shall not move its equipment or laborers onto the premises or begin performance of the work specified under an awarded agreement. If the Contractor fails to provide the required insurance, the City of Huber Heights shall have the right to disqualify the Contractor. **Proof of insurance should be included in the submitted bid documents.** 

- References: Contractor must provide five (5) references of customers with successful implementations of similar size and scope with work performed within the past five (5)years. Please include name, address, contact and phone number. If sub-contractors or business partners will be used in conjunction with the installation or maintenance of this project, please provide references as stipulated above. References should be included in bid documents
- Inspection: It is understood within this agreement that any problems such as equipment failure, unspecified maintenance, lack of performance and any other conditions outlined in the scope of service not performed by the Contractor will be under immediate review by the City of Huber Heights.
- License and Permits: It shall be the responsibility of the successful bidder to obtain all licenses and permits required to perform this service at no additional cost to the City of Huber Heights.
- Timeline: Provide an estimated, standard timeline for installation, implementation of maintenance service. Timeline should be included in

# Request for Proposals Page 6 of 11



#### bid documents.

Configuration and Pricing: Bidder must itemize all charges for individually identifiable components of the proposed properties, including all associated installation, programming, and training if applicable. Bidder must include charges for all components required to connect any applicable applications.

#### **RFP Checklist:**

Please review and check off these 10 most important items to consider when responding to an RFP for the City of Huber Heights:

<b>Read the </b> <u>entire_</u> <b>document.</b> Note critical items such as: mandatory requirements; supplies/services required; submittal dates; number of copies required for submittal; contract requirements (i.e., contract performance, insurance requirements, performance and/or reporting requirements, etc.).
Note the procedures for communication with the City during the RFP process. All communication during the RFP process must be in writing. Offerors should not contact City personnel or officials outside of the opportunity provided in the document.
<b>Attend the pre-proposal conference</b> if one is offered. These conferences provide an opportunity to ask clarifying questions, obtain a better understanding of the project, or to notify the City of any ambiguities, inconsistencies, or errors in the RFP.
Take advantage of the "question and answer" period. Submit your questions by the due date listed and view the answers given in the formal "addenda" issued for the RFP. All addenda issued for an RFP are posted on the City's website and will include all questions asked and answered concerning the RFP.
<b>Follow the format required in the RFP</b> when preparing your response. Provide point-by-point responses to all sections in a clear and concise manner.
Provide complete answers/descriptions. Read and answer all questions and requirements. Don't assume the City or the evaluating staff will know what your company capabilities are or what items/services you can provide, even if you have previously contracted with the City of Huber Heights. The proposals are evaluated based solely on the information and materials provided in your response.
<b>Use the forms provided, if any</b> . e.g., bidders submittal page, reference forms, attachment forms, etc.
<b>Before submitting your response</b> , check the City's website at: <a href="www.hhoh.org">www.hhoh.org</a> to see whether any addenda were issued for the RFP.
Review and read the RFP document again to make sure that you have addressed all requirements. Your original response and the requested copies must be identical

# Request for Proposals Page **7** of 11



and be complete. The copies are provided to the evaluating staff members and will be used to score your response.
<b>Submit your response on time.</b> Note all the dates and times listed in the RFP and be sure to submit all required items on time. Late proposal responses are <i>never</i> accepted.

#### Please Note:

All potential contractors are strongly urged to submit supporting documentation as to their qualifications to perform the Scope of Work.

Certificate of Insurance, Reference List and Timeline must be attached.

If additional comments or conditions are desired, please attach a separate sheet providing details.

Include all proposed equipment specifications, showing manufacturer name, model, etc. depicting unit specifications and other pertinent information.

#### **Certification:**

The undersigned on the Bid Proposal certifies that the Instructions to Bidder has been carefully examined, is thoroughly familiar with the terms and specifications applicable to and made part of this Request for Proposal, and understands and is capable of meeting the provisions within to the quality, type and grade of work requested. The undersigned further certifies the prices shown in the schedule of items contained within the Proposal/Bid are in accordance with the conditions, terms and specifications of the proposal and that any exception taken thereto may disqualify the bid.

Signature	Date
Print Name	Title
Email Address	Phone
Company Name	

City of Huber Heights Request for Proposals

RFP

# Request for Proposals Page 8 of 11



#### Advertised as:

# City of Huber Heights Providing a Detailed Landscape Revitalization of Specified City Properties

Release Date: May 13, 2022 Closing Date: May 27, 2022

The City of Huber Heights, a municipal corporation, is soliciting professional services in providing a detailed landscape revitalization plan of specified properties for 2022. This RFP may be extended for the period of one year. This should include a detailed price list for each property.

#### 1. General Information

- 1.1. The City of Huber Heights invites qualified firms to submit proposals for Providing a Detailed Landscape Revitalization Plan of Specified City Properties. Proposals shall be submitted in accordance with the Documents and Requirements as set forth in this formal "Request for Proposals." The Contract that will result from this "Request for Proposals" will include what is indicated in Section 4 "Scope of Work" of this RFP.
- 1.2. A City Review and Selection Committee will evaluate the proposals submitted.
- 1.3. During evaluation, the City Review and Selection Committee reserves the right, where it may serve the City's best interest, to request additional information or clarification from the Offeror, or to allow corrections of errors or omissions. Oral interviews may be conducted by the City Review and Selection Committee for the Contractors who submit a Proposal and were short listed.
- 1.4. Submission of a proposal indicates acceptance by the Offeror of the conditions contained in this Request for Proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the resultant contract between the City of Huber Heights and the Contractor selected.
- 1.5. There is no expressed or implied intent or obligation for the City of Huber Heights to reimburse responding firms for any expenses incurred in preparing proposals, as well as, travel expenses during interviews in response to this Request for Proposals.
- 1.6. The City of Huber Heights shall reserve the right to terminate any agreement resultant from this solicitation and subsequent action for cause but not limited to inadequacy of performance.

#### Request for Proposals

#### Page 9 of 11



1.7. Until the receipt and opening of proposals, the proposers' principal contact with the City of Huber Heights will be as listed below. All questions are to be submitted in writing and potential Bidders will receive copies of all questions and answers except for the questions that are considered proprietary. Questions will only be received through

> City of Huber Heights ATTN: Michael Gray 6131 Taylorsville Rd. Huber Heights, Ohio 45424 937-233-1423 Email: mgray@hhoh.org

1.8. All contacts and communication regarding the proposal should be with the above named individual only. Bidders contacting other City Staff or Officials may be disqualified for doing so.

#### 2. Background Information

2.1. The City of Huber Heights, a municipal corporation, will be selecting a professional lawn and landscape contractor for the development of providing a detailed landscape revitalization plan of specified City properties. All properties listed will be maintained to a high standard level of aesthetically appealing landscape maintenance.

#### 3. Scope of Work

3.1. The following is a list of provisions and requirements falling under the expected Scope of Work:

#### 3.2. Extent of Work

- a) Provide a detailed revitalization plan for landscaped ornamental bedding areas identified below. This plan will include a guaranteed life expectancy or replacement of all newly or added vegetation for three years or the remaining time of the service agreement. The work described in this proposal shall include detailed drawings and/or descriptions of each location. The plans shall include replacing/re-utilizing a combination of existing healthy growing landscape areas and replacing the older less aesthetically appealing grass, plants, flowers, trees, shrubbery and hardscapes. It shall include year around plans for maintenance by the bidder or current contract agreement to include the properties requiring a minimum maintenance schedule of every 7 to 10 days. All properties should be visually inspected prior to bidding.
- b) Traffic Control: The bidder shall provide all necessary traffic control when working in the public right-of-way or conditions are applicable. When applicable the bidder will be permitted to close traffic lanes with prior permission from the Public Works Manager. The bidder will be responsible to provide all traffic control devices and manpower as required by ODOT specifications.

# Request for Proposals Page **10** of 11



#### 3.3 Locations

- a) State Route 202 South Portal Entrance: to include east and west of road right-of-ways, island, all ornamental landscape. Irrigation system included.
- b) South State Route 202 Boulevards: boulevards on east and west side of road between Chambersburg Road and Taylorsville Road
- c) State Route 202 & I-70: all grass areas in right-of-ways on I-70 entrance and exit ramps, all grass and ornamental landscape from the curb on 202 to grass area of entrance and exit ramps. Irrigation system included
- d) State Route 201 and Shull Rd: all grass and ornamental beds around pump station and 1500 feet west on Shull
  - e) State Route 201 and I-70: eight corners of entrance/exit right-of-ways
  - f) State Route 201 north of I-70: Islands ornamental beds and grass, public right-of-ways north to city limit
  - g) Executive Boulevard: Island ornamental beds and grass at State routes 201 and 202
  - h) City properties surrounding City Hall, Police Department, and Municipal Court Buildings: to include all grass and ornamental bed maintenance

#### Request for Proposals

#### Page **11** of 11



#### c) RFP Requirements:

- a. Submitting RFP Proposal packages:
- i. Offeror will submit a comprehensive and thorough written plan for a detailed landscape revitalization plan of specified City properties. Pricing must be listed on the proposal, each property should be listed and bid separately, and no sales tax should be included.

#### d) Evaluation of Proposals and Required Information

- a. Proposals submitted will be evaluated by the City Review and Selection Committee.
- b. The Committee may call for oral interviews. The City reserves the right to retain all proposals submitted and use any idea in a proposal regardless of whether or not said proposal is selected.
- c. The evaluation factors considered in the selection process will weigh heavily into the City's decision-making process. These evaluation requirements are minimum requirements. More points may be awarded for exceeding the minimum requirements.

#### e) Right to Reject Proposals

- a. Submission of proposals indicates acceptance by the Offering Firm of the Conditions contained in this RFP, unless clearly and specifically noted in the proposal submitted and confirmed in the subsequent Agreement between the City of Huber Heights and the selected firm.
- b. The City of Huber Heights reserves the right to reject any or all proposals and to award to the proposer the City determines to be most qualified and whose award of the contract will be in the best interests of the City.
- c. Late proposals will not be accepted. Offerors are held responsible that their proposals arrive at the City of Huber Heights on or before the designated date and time.

#### f) Withdrawal of Proposals

a. Requests to withdraw proposals received after the date and time set for bid opening will not be considered. Only requests to withdraw proposals prior to that date and time will be considered.

#### g) Contract Termination

a. The City of Huber Heights reserves the right to terminate any subsequent Agreement or Contract as a result of this RFP if the Contractor does not perform as required by the Terms and Conditions therein.

Al-8398 New Business J.

City Council Meeting City Manager

**Meeting Date:** 05/09/2022

Roadway Guardrail Repair/Replacement - Specified City Properties - Solicit Bids

Submitted By: Linda Garrett

**Department:** Public Works **Division:** Public Works **Council Committee Review?:** Council **Date(s) of Committee Review:** 05/03/2022

Work Session

Audio-Visual Needs: None Emergency Legislation?: No

Motion/Ordinance/ Resolution No.:

#### **Agenda Item Description or Legislation Title**

A Resolution Authorizing The City Manager To Solicit Bids To Repair And Replace Roadway Guardrail Of Specified City Properties. (first reading)

#### **Purpose and Background**

The Public Works Division requests the authorization to solicit bids and award a contract to repair and replace roadway guardrail.

**Fiscal Impact** 

Source of Funds: Public Works Division Budget

Cost: \$67,000
Recurring Cost? (Yes/No): No

Funds Available in Current Budget? (Yes/No): No

**Financial Implications:** 

**Attachments** 

Resolution Exhibit A

#### RESOLUTION NO. 2022-R-

### AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS TO REPAIR AND REPLACE ROADWAY GUARDRAIL OF SPECIFIED CITY PROPERTIES.

WHEREAS, the City is required to maintain public rights-of-way and specified property; and

WHEREAS, the City has determined that outsourcing portions of the required maintenance would allow the Public Works Division to maximize the amount of work spent performing street repairs and other pertinent City infrastructure related work; and

WHEREAS, a competitive bidding process would be utilized to obtain a reputable firm to provide these services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Huber Heights, Ohio that:

- Section 1. The City Manager is hereby authorized to solicit bids through a Request For Proposals (RFP) as attached hereto in Exhibit A and award a contract from a reputable contractor to repair and replace roadway guardrail of specified City properties.
- Section 2. The amount of these contract services shall not exceed \$67,000.00.
- Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4.	This Resolution shall go into effect upon its passage as provided by law
and the Charte	r of the City of Huber Heights.

Passed by Council on the	day of, 2022
Yeas; Na	ys.
Effective Date:	

AUTHENTICATION:				
Clerk of Council	Mayor			
Date	Date			



City of Huber Heights 6131 Taylorsville Rd. Huber Heights, OH 45424

> 937.233.1423 937.233.1272 fax

> > www.hhoh.org

# EXHIBIT A REQUEST FOR PROPOSALS And

RFP

**INSTRUCTIONS** 

# City of Huber Heights Providing Services for Roadway Guardrail Repair and Replacement of Specified City Properties

The City of Huber Heights, a municipal corporation, is soliciting professional services for Roadway Guardrail Repair and Replacement of Specified City Properties for 2022. This RFP will be on an annual renewal basis and may be extend for the period of one year. This should include a detailed price list for the specified properties.

Attached to this RFP are the listed Instructions for Bidders/Offerors in the first twenty-seven (27) pages of this document. All potential bidders must thoroughly review and certify their understanding of the Instructions and this RFP process.

### Request for Proposals Page **1** of 27



#### **GENERAL INSTRUCTIONS TO BIDDERS/OFFERORS**

For the purposes of this Document, the terms "Bid" and Proposal" have the same meaning, and the terms "Bidder, Offeror, Contractor, Vendor" are intended to mean the company or firm who is the respondent Bidder for this RFP.

- The following instructions are to be considered an integral part of this proposal. Unless otherwise requested, three (3) complete copies of the written proposal need be submitted. The person signing the bid/proposal form must initial any changes or corrections made to this proposal.
- No proposal may be withdrawn or modified in any way after the bid/proposalopening deadline. **Quotes must remain valid for ninety (90) days after the quote date.** Quotes submitted with a less than ninety (90) day validity will be found non-responsive and will not be considered.
- 으 All bids/proposals must be a final cost.
- Bids/Proposals will be received no later than 2:30 PM EST May 27th, 2022 at the City of Huber Heights 6131 Taylorsville Rd. Huber Heights, Ohio 45424 at which time they will be opened and publicly read aloud. Bids/proposals received after the above date and time, or in any other location other than the City of Huber Heights City Hall as noted above will not be considered.
- A Request for Proposal packet may be obtained from the City of Huber Heights 6131 Taylorsville Rd. Huber Heights, Ohio 45424 or from http://www.hhoh.org/businesses/bid.html
- If descriptive literature is attached to the bid/proposal, bidder's name must appear on all sheets.
- A cover letter must be attached in the form of a standard business letter containing the Contractor's name, address and telephone number and must be signed with an original signature, in ink, by an individual authorized to legally bind the Contractor. The letter must contain the following information:
  - A statement describing the Contractor's legal structure (e.g. corporation, partnership) and providing federal tax identification number and principle place of business.
  - A statement that the person signing the quote certifies that he or she
    is the person in the Contractor's organization who has actual authority
    to make decisions as to matters relating to this RFP and to bind the
    Contractor.
  - A statement that the quote meets the minimum qualifications set forth in this RFP and accepts all requirements and terms and conditions contained in this RFP.

#### Page **2** of 27



- A statement that the Contractor does not discriminate in its employment practice with regard to race, color, age, religion, sex, veteran status, sexual preference, national origin, or disability
- A statement that no attempt has been made or will be made by the Contractor to induce any other person or firm to submit or not submit a quote.
- A statement that indicates whether the Contractor or any of its agents has a possible conflict of interest with any city employee involved in the RFP and any ensuing Contract(s) or any other conflict of interest and, if so, an explanation of the conflict must be given.
- Communication: If there is any question whatsoever regarding any portion of the instructions or specifications, it shall be the bidder's responsibility to seek clarification immediately from the City of Huber Heights No later than close of business on May 20th, 2022 unless otherwise stated in the documents.

All questions shall be submitted in writing or via e-mail to the attention of Michael Gray at mgray@hhoh.org If mailed, the address is as follows: City of Huber Heights ATTN: RFP Michael Gray, 6131 Taylorsville Rd., Huber Heights, OH 45424. Answer(s) to all questions will be answered after the deadline for questions has expired, and posted to the City's web site, if applicable and feasible.

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- Any variation from the specifications must be clearly stated by the bidder in writing and submitted with his/her proposal.
- The apparent silence of any specifications or any supplement specifications to any details or the omission of a detailed description concerning any point shall be regarded as meaning that only the best commercial practices are to prevail, and that only materials of first quality and correct type, size and design are to be used. All workmanship is to be of first quality. All interpretations of this specification shall be made upon the basis of this statement.
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### Request for Proposals Page 3 of 27



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  - (c) In the case of two-step competitive proposals, the technical responses shall be opened publicly by the Purchasing Agent. The City may discuss the responses with the proposers to clarify responses and to obtain information needed by the City to determine qualified proposers. An investigation of the responsibility of the proposers and the responsiveness of the proposal shall be made as the Purchasing Agent deems necessary.

The Purchasing Agent shall determine the qualified proposers. The qualified proposers shall then be invited to submit price proposals which shall be opened publicly by the Purchasing Agent. The City may discuss responses with the proposers to clarify responses and to obtain information needed by the City to determine the lowest and best proposal. If appropriate, the City may request best and final offers. The Purchasing Agent shall then determine the lowest and best proposal. The Purchasing Agent may reject all proposals if the Purchasing Agent determines that is in the best interest of the City to do so.

The City of Huber Heights reserves the right to accept, reject or waive any irregularities in the proposal and/or any and all bids received for the work contemplated herein and to accept or reject any or all proposals and/or bids. The proposal and/or bids will be compared on the basis of the total cost of the project and the award will be made to the lowest and best bidder (or bidders), provided the proposal and/or bid is reasonable and is in the best interest of the City (owner) to accept. In determining the lowest and best bid the City (owner), in its sole discretion, may consider factors, including but not limited to, the bidder's work history, (including work done under other names), experience, conduct and performance on previous contracts, management skills, ability to execute the contract properly, customer satisfaction, work on comparable projects, ability to timely complete the work in accordance with the contract documents, the

### Request for Proposals Page **4** of 27



Bidder's financial condition and facilities, and the Bidder's compliance with federal, state, and local laws, rules, and regulations, (including but not limited to the Prevailing Wage Laws, Occupational Safety and Health Act, and the State of Ohio's Equal Employment Opportunity Commission requirements, as may be applicable).

- The City desires delivery of the material or services specified at the earliest possible time after the date of award. An unreasonable delivery proposal may be cause for disqualifying a bid. Each bidder shall state a definite time and avoid using terms such as "ASAP" or "approximately so many days".
- Insurance: The Contractor will maintain the following insurance from insurer(s) rated A- or better by A.M. Best in amounts sufficient to protect the Contractor and Owner from claims under Workers Compensation Acts and any other claims for property damage and/or bodily injury, including death, which may arise from the performance of the Work under this Subcontract, whether the Work is performed by the Subcontractor, its subcontractor, or anyone directly or indirectly employed by either of them.

Limits of coverage to be as follows:

(a)	Workers' Compensation Employers Liability/Ohio Stop Gap	Statutory \$ 1,000,000
(b)	Commercial General Liability: Bodily injury/property damage per occurrence General Aggregate Products/Completed Operations Aggregate	\$ 1,000,000 \$ 2,000,000 \$ 2,000,000
(c)	Commercial Automobile Liability: Combined Single Limit (including Owned, Hired, and Non-Owned Autos)	\$1,000,000
(d)	Excess/Umbrella Liability (over Employer's Liability, General Liability, and Auto)	\$ 1,000,000

Liability policy requirements. The General Liability policy must be written on the current edition of ISO form CG 00 01 or equivalent. The policy shall have no modifications limiting coverage for contractual liability, damage to work performed by subcontractors, residential construction, earth movement, explosion, collapse, or underground damage. The policy shall be endorsed to provide that the General Aggregate Limit applies separately to each of the insured Contractor's projects. The Owner (including its officers, directors and employees) shall be named as Additional Insured on the General Liability policy on ISO form CG 20 10 11 85 or its equivalent, affording coverage to Additional Insured(s) for claims arising out of both ongoing and completed operations. Owner shall also receive coverage as an additional insured Contractor's Auto Liability policy. Contractor's policies shall be primary insurance as respects Owner, and any other insurance policy that Owner may have in effect shall be

### Request for Proposals Page **5** of 27



deemed excess and not contributory. The General Liability policy affording coverage to Owner as Additional Insured must be maintained for three (3) years after completion of the project. If any of the Work is performed by subcontractors, Contractor shall be responsible for ensuring subcontractors comply with these insurance requirements and extend coverage to both Contractor and Owner as additionally insured.

Installation Floater. Contractor shall purchase and maintain an Installation Floater, covering loss or damage to materials and/or equipment suffered during the course of the Work. This insurance shall include the interests of the Owner, Contractor and any Subcontractors. The policy shall be written on special form and shall cover all materials specified for the job, whether onsite, offsite or in transit.

The Contractor will submit to the Owner certificates of insurance (including a certificate of compliance from the Ohio Bureau of Workers' Compensation for Ohio subcontractors) certifying that the insurance policies required by this agreement are in force and shall be maintained for the duration of the Project. Contractor shall also provide copies of additional insured endorsement(s) as required herein. Full copies of policies shall be provided upon Owner's request. Certificates shall reflect Owner's status as an additional insured and shall provide that Owner is to be provided thirty (30) days advance written notice in the case of cancellation or nonrenewal of the required policies (10 days if cancelled due to nonpayment of premium).

Until said certificate of insurance is properly executed and delivered to the City, the Contractor shall not move its equipment or laborers onto the premises or begin performance of the work specified under an awarded agreement. If the Contractor fails to provide the required insurance, the City of Huber Heights shall have the right to disqualify the Contractor. **Proof of insurance should be included in the submitted bid documents.** 

- References: Contractor must provide five (5) references of customers with successful implementations of similar size and scope with work performed within the past five (5) years. Please include name, address, contact and phone number. If sub-contractors or business partners will be used in conjunction with the installation or maintenance of this project, please provide references as stipulated above. References should be included in bid documents
- Inspection: It is understood within this agreement that any problems such as equipment failure, unspecified maintenance, lack of performance and any other conditions outlined in the scope of service not performed by the Contractor will be under immediate review by the City of Huber Heights.
- License and Permits: It shall be the responsibility of the successful bidder to obtain all licenses and permits required to perform this service at no additional cost to the City of Huber Heights.
- Timeline: Provide an estimated, standard timeline for installation, implementation of maintenance service. Timeline should be included in

### Request for Proposals Page 6 of 27



#### bid documents.

Configuration and Pricing: Bidder must itemize all charges for individually identifiable components of the proposed properties, including all associated installation, programming, and training if applicable. Bidder must include charges for all components required to connect any applicable applications.

### **RFP Checklist:**

Please review and check off these 10 most important items to consider when responding to an RFP for the City of Huber Heights:

Read the <u>entire</u> document. Note critical items such as: mandatory requirements; supplies/services required; submittal dates; number of copies required for submittal; contract requirements (i.e., contract performance, insurance requirements, performance and/or reporting requirements, etc.).
Note the procedures for communication with the City during the RFP process. All communication during the RFP process must be in writing. Offerors should not contact City personnel or officials outside of the opportunity provided in the document.
Attend the pre-proposal conference if one is offered. These conferences provide an opportunity to ask clarifying questions, obtain a better understanding of the project, or to notify the City of any ambiguities, inconsistencies, or errors in the RFP.
Take advantage of the "question and answer" period. Submit your questions by the due date listed and view the answers given in the formal "addenda" issued for the RFP. All addenda issued for an RFP are posted on the City's website and will include all questions asked and answered concerning the RFP.
Follow the format required in the RFP when preparing your response. Provide point-by-point responses to all sections in a clear and concise manner.
Provide complete answers/descriptions. Read and answer all questions and requirements. Don't assume the City or the evaluating staff will know what your company capabilities are or what items/services you can provide, even if you have previously contracted with the City of Huber Heights. The proposals are evaluated based solely on the information and materials provided in your response.
Use the forms provided, if any. e.g., bidders submittal page, reference forms, attachment forms, etc.
<b>Before submitting your response</b> , check the City's website at: <a href="www.hhoh.org">www.hhoh.org</a> to see whether any addenda were issued for the RFP.
Review and read the RFP document again to make sure that you have addressed all requirements. Your original response and the requested copies must be identical

### Request for Proposals Page **7** of 27



and be complete. The copies are provided to the evaluating staff members and will be used to score your response.	
<b>Submit your response on time.</b> Note all the dates and times listed in the RFP and be sure to submit all required items on time. Late proposal responses are <i>never</i> accepted.	

#### Please Note:

All potential contractors are strongly urged to submit supporting documentation as to their qualifications to perform the Scope of Work.

Certificate of Insurance, Reference List and Timeline must be attached.

If additional comments or conditions are desired, please attach a separate sheet providing details.

Include all proposed equipment specifications, showing manufacturer name, model, etc. depicting unit specifications and other pertinent information.

#### **Certification:**

The undersigned on the Bid Proposal certifies that the Instructions to Bidder has been carefully examined, is thoroughly familiar with the terms and specifications applicable to and made part of this Request for Proposal, and understands and is capable of meeting the provisions within to the quality, type and grade of work requested. The undersigned further certifies the prices shown in the schedule of items contained within the Proposal/Bid are in accordance with the conditions, terms and specifications of the proposal and that any exception taken thereto may disqualify the bid.

Signature	Date
Print Name	Title
Email Address	Phone
Company Name	

### Request for Proposals Page 8 of 27



#### Advertised as:

### **City of Huber Heights**

# Providing Services for Roadway Guardrail Repair and Replacement of Specified City Properties

Release Date: May 13th, 2022 Closing Date: May 27th, 2022

The City of Huber Heights, a municipal corporation, is soliciting professional services for Roadway Guardrail Repair and Replacement of Specified City Properties. This should include a detailed price list for the specified properties.

#### 1. General Information

- 1.1. The City of Huber Heights invites qualified firms to submit proposals for Providing Services for Roadway Guardrail Repair and Replacement of Specified City Properties. Proposals shall be submitted in accordance with the Documents and Requirements as set forth in this formal "Request for Proposals." The Contract that will result from this "Request for Proposals" will include what is indicated in Section 3 "Scope of Work" of this RFP.
- 1.2. A City Review and Selection Committee will evaluate the proposals submitted.
- 1.3. During evaluation, the City Review and Selection Committee reserves the right, where it may serve the City's best interest, to request additional information or clarification from the Offeror, or to allow corrections of errors or omissions. Oral interviews may be conducted by the City Review and Selection Committee for the Contractors who submit a Proposal and were short listed.
- 1.4. Submission of a proposal indicates acceptance by the Offeror of the conditions contained in this Request for Proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the resultant contract between the City of Huber Heights and the Contractor selected.
- 1.5. There is no expressed or implied intent or obligation for the City of Huber Heights to reimburse responding firms for any expenses incurred in preparing proposals, as well as, travel expenses during interviews in response to this Request for Proposals.
- 1.6. The City of Huber Heights shall reserve the right to terminate any agreement resultant from this solicitation and subsequent action for cause but not limited to inadequacy of performance.

#### Page **9** of 27



1.7. Until the receipt and opening of proposals, the proposers' principal contact with the City of Huber Heights will be as listed below. All questions are to be submitted in writing and potential Bidders will receive copies of all questions and answers except for the questions that are considered proprietary. Questions will only be received through

> City of Huber Heights ATTN: Michael Gray 6131 Taylorsville Rd. Huber Heights, Ohio 45424 937-233-1423

Email: mgray@hhoh.org

1.8. All contacts and communication regarding the proposal should be with the above named individual only. Bidders contacting other City Staff or Officials may be disqualified for doing so.

#### 2. Background Information

2.1. The City of Huber Heights, a municipal corporation, will be selecting a qualified professional contractor for providing services for roadway guardrail repair and replacement of specified city properties.

#### 3. Scope of Work

3.1. The following is a list of provisions and requirements falling under the expected Scope of Work:

#### 3.2. Extent of Work

- a) Traffic Control: The bidder shall provide all necessary traffic control when working in the public right-of-way or conditions are applicable. When applicable the bidder will be permitted to close traffic lanes with prior permission from the Public Works Manager. The bidder will be responsible to provide all traffic control devices and manpower as required by ODOT specifications.
- b) All properties should be visually inspected prior to bidding. All required measurements or estimated required material replacement/repaired shall be included in the bid and the responsibility of the bidder. Any bid contingencies will be agreed upon prior to work performed. See attachment photos for all locations.

#### 3.3. Locations:

- a) Bridgewater Rd and National Rd
- b) Bridgewater Rd and National Rd
- c) Bridgewater Bd and National Rd
- d) Bridgewater Br and National Rd
- e) SR 4 and Corner of Adams Rd

### Page **10** of 27



- f) SR 4 south bound north of Adams Rd
- g) SR 4 and Chambersburg Rd
- h) SR 4 and Chambersburg Rd
- i) SR 4 and Chambersburg Rd
- j) East bound I-70 exit ramp from north bound SR 4
- k) SR 4 south at New Carlise Pike

Page 11 of 27



#### 4. RFP Requirements:

- 4.1. Submitting RFP Proposal packages:
  - a) Offeror will submit a comprehensive and thorough written plan for Roadway Guardrail Repair and Replacement of Specified City Properties. Pricing must be listed on the proposal, and no sales tax should be included.
  - b) The attached bid sheet will be considered separate documents from the RFP and be bid on as follows:
    - Bid Sheet 1 includes all Specified city Properties in the RFP

#### 5. Evaluation of Proposals and Required Information

- 5.1. Proposals submitted will be evaluated by the City Review and Selection Committee.
- 5.2. The Committee may call for oral interviews. The City reserves the right to retain all proposals submitted and use any idea in a proposal regardless of whether or not said proposal is selected.
- 5.3. The evaluation factors considered in the selection process will weigh heavily into the City's decision-making process. These evaluation requirements are minimum requirements. More points may be awarded for exceeding the minimum requirements.

#### 6. Right to Reject Proposals

- 6.1. Submission of proposals indicates acceptance by the Offering Firm of the Conditions contained in this RFP, unless clearly and specifically noted in the proposal submitted and confirmed in the subsequent Agreement between the City of Huber Heights and the selected firm.
- 6.2. The City of Huber Heights reserves the right to reject any or all proposals and to award to the proposer the City determines to be most qualified and whose award of the contract will be in the best interests of the City.
- 6.3. Late proposals will not be accepted. Offerors are held responsible that their proposals arrive at the City of Huber Heights on or before the designated date and time.

#### 7. Withdrawal of Proposals

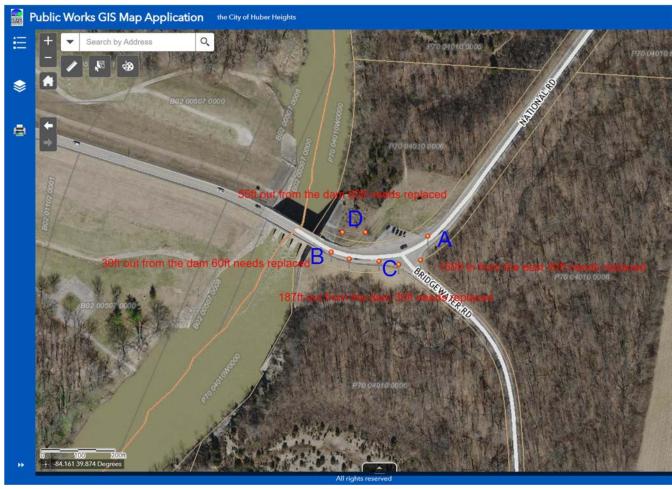
7.1. Requests to withdraw proposals received after the date and time set for bid opening will not be considered. Only requests to withdraw proposals prior to that date and time will be considered.

#### 8. Contract Termination

8.1. The City of Huber Heights reserves the right to terminate any subsequent Agreement or Contract as a result of this RFP if the Contractor does not perform as required by the Terms and Conditions therein.

# Request for Proposals Page **12** of 27



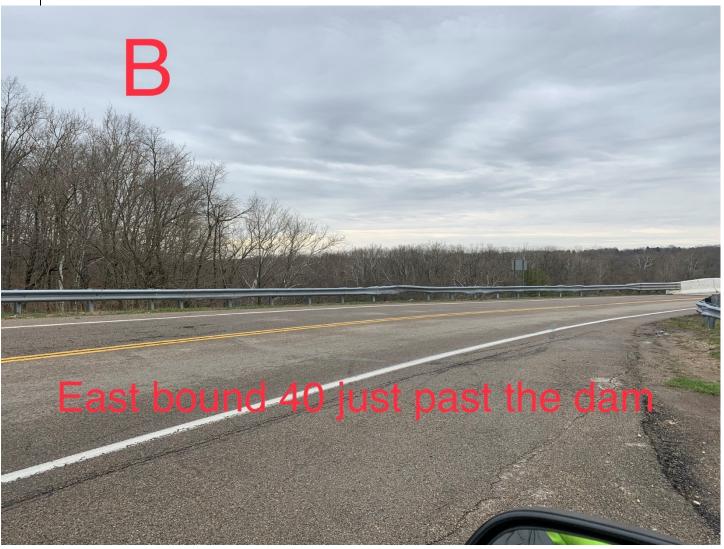


## Request for Proposals Page **13** of 27









## Request for Proposals Page **15** of 27





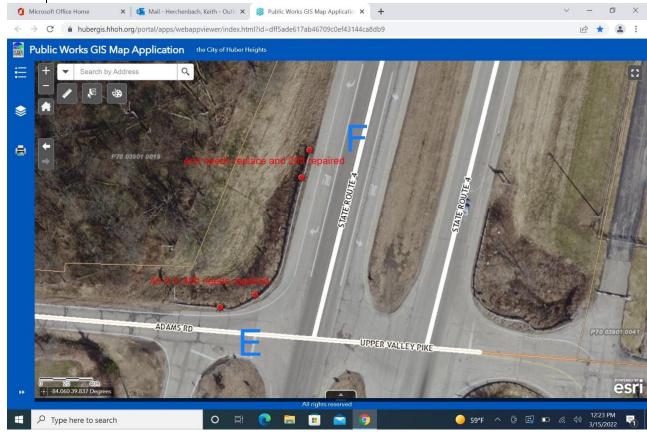
# Request for Proposals Page **16** of 27





### Request for Proposals Page **17** of 27





# Request for Proposals Page **18** of 27





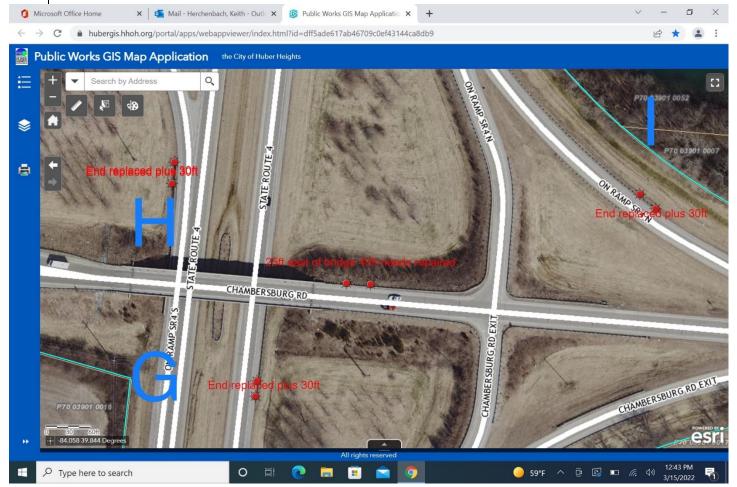
# Request for Proposals Page **19** of 27





### Request for Proposals Page **20** of 27











Page **22** of 27

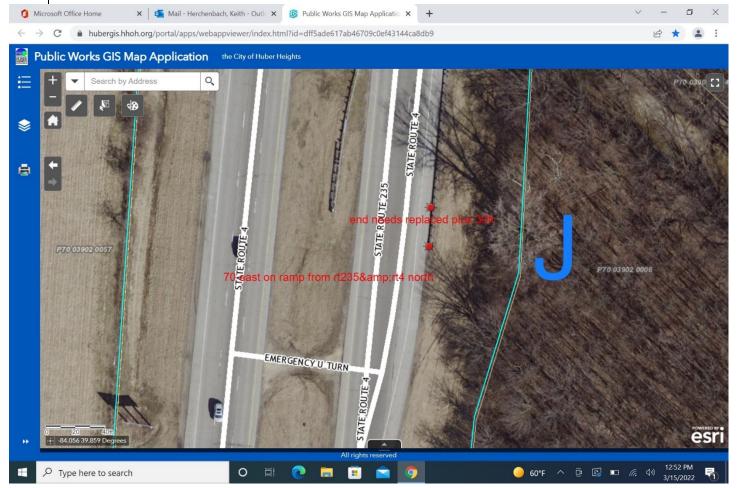






### Request for Proposals Page **24** of 27





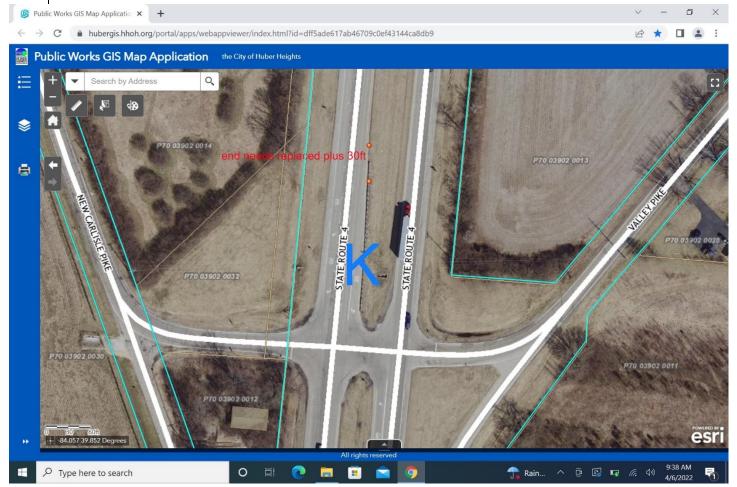
## Request for Proposals Page **25** of 27





## Request for Proposals Page **26** of 27





# Request for Proposals Page **27** of 27



